

LEGAL UPDATE (June 21st, 2021)

In this issue, we would like to bring to your attention to the following:

- Marketplace platforms must provide information of sellers to tax authorities;
- The Government requests the State Bank of Vietnam to research and pilot the use of cyber currency based on blockchain technology .

1. **Marketplace platforms must provide information of sellers to tax authorities**

On 1st June 2021, the Ministry of Finance issued Circular 40/2021/TT-BTC guiding the value-added tax (VAT), personal income tax (PIT) and tax management for business households and individual doing business. According to the Circular no 40/2021/TT-BTC, from 1st August 2021, marketplace platforms are responsible for providing information to tax authorities in electronic form.

Accordingly, the organization that is the owner of the marketplace platform shall declare and pay tax on behalf of individuals doing business on the platform according to the schedule of the tax authority. During the time when it is not possible to declare tax on behalf of individuals, the marketplace's owner must provide information related to the activities of individuals doing business on the platform at the request of the tax authorities, including: name; personal identification number or identity card number or citizen identification number or passport number; tax code; address; email; phone number; goods and services provided on the platform; revenue; seller's bank account and other relevant information.

From 1st July 2022, marketplace platforms will also comply with regulations on e-invoices as prescribed in the Law on Tax Administration and Decree No. 123/2020/ND-CP and Circulars of the Ministry of Finance.

The Circular 40/2021/TT-BTC takes effect from 1st August 2021.

2. **The Government requests the State Bank of Vietnam to research and pilot the use of cyber currency based on blockchain technology**

On June 15th, 2021, the Government issued Decision 942/QD-TTg on the Strategy for E-Government Development towards Digital Government in the period 2021-2025.

Particularly, the Prime Minister assigned the State Bank to assume the prime responsibility for researching, building and piloting the use of cyber currency based on blockchain technology. The implementation period is from 2021 to 2023. This requirement is expected to create significant changes in the legal framework for the development of cyber currency in the near future.

Meanwhile, the Government also assigns relevant authorities to research, develop other core technologies as QR code, artificial intelligence (AI), blockchain and virtual/augmented reality (VR/AR), big data facilitating the deployment of advanced digital technologies in Digital Government.

Decision 942/QD-TTg takes effect from the signing date.

We hope this Monthly Newsletter would bring you useful information.

Best regards.

Contributor(s):**Mr. DINH QUANG LONG****Director cum Managing Partner****M** (+84) 919 963 977 | **E** long.dinh@apolatlegal.com**Mr. TRAN CHAU HOAI HAN****Associate****M** (+84) 988 787 285 | **E** han.tran@apolatlegal.com

Disclaimer: All materials have been prepared for general information purposes only. The information is not intended as, and should not be taken as, legal advice. Do not act or refrain from acting based upon information provided herein without first consulting our lawyers about your particular factual and legal circumstances. Apolat Legal can accept no responsibility for loss occasioned to any person acting or refraining from action as a result of any material in this publication. On any specific matter, reference should be made to the appropriate adviser.

ABOUT US,

Apolat Legal is a professional law firm with its offices in Ho Chi Minh city and Ha Noi city. The firm's lawyer team specializes in almost all legal practice areas in Vietnam including Enterprise and Investment; Labor and Employment; Intellectual Property; Dispute Resolution; Real Estate and Construction; Information and Communication; Natural Resources and Environment; Transport; Industry and Trade; Education and Training; Finance and Banking; Agriculture; Legal Document Translation; Legal Training.

Our reputation and the quality of its services are reflected by our clients. We are serving nearly 1,000 clients both local and multi-national companies.

We are also honored to receive numerous recognitions and/or articles posted by world-leading and local organizations and publications including: The Law Association for Asia and the Pacific (LawAsia, 1966), The Legal500, IP Link, IP Coster, Lexology, Global Trade Review (GTR), The Saigon Times, etc.

Contacts:**HO CHI MINH CITY (Head office)**

5th Floor, IMM Building
99-101 Nguyen Dinh Chieu, District 3
Ho Chi Minh City, Vietnam

THE BRANCH IN HA NOI CITY

Room A8, 29th Floor, East Tower, Lotte Center
54 Lieu Giai, Cong Vi Ward, Ba Dinh District
Hanoi City, Vietnam

Tel: +84-28-3899 8683

Email: info@apolatlegal.com

Website: www.apolatlegal.com

SINGAPORE (Affiliated office)

#26-10, SBF Center,
160 Robinson Road
Singapore 068914
Tel: +84-93-2014 986

Email: info@apolatlegal.com

Website: www.apolatlegal.com

Scan QR code: