

**THE GOVERNMENT**

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No. 135/2020/ND-CP

**THE SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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*Hanoi, November 18, 2020*

**DECREE**

**ON RETIREMENT AGE**

*Pursuant to the Law on Governmental Organization dated June 19, 2015;*

*Pursuant to Law on amendments to the Law on Governmental Organization and the Law on Organization of Local Governments dated November 22, 2019;*

*Pursuant to the Labor Code dated November 20, 2019;*

*Pursuant to the Law on Social Insurance dated November 20, 2014;*

*At the request of the Minister of Labor, War Invalids and Social Affairs;*

*The Government promulgates a Decree on retirement age.*

**Article 1. Scope**

This Decree provides guidelines for Article 169 of the Labor Code concerning retirement age.

**Article 2. Regulated entities**

1. Employees and employers specified in clauses 1, 2 and 3 Article 3 of the Labor Code.
2. Agencies, organizations and individuals relevant to social insurance.

**Article 3. Retirement date and start date for retirement benefits**

1. Retirement date is the last day of the month in which one reaches the full retirement age as prescribed.

If an employee continues in employment after his full retirement age as prescribed, the retirement date is the date of termination of employment.

2. The start date for retirement benefits is the first day of the month following the month of the retirement date.

3. If the employee's dossier does not indicate his day and month of birth, but year of birth only, January 1 of his year of birth shall be used as the basis for determining of the retirement date and start date for retirement benefits.

#### **Article 4. Retirement age under ordinary working conditions**

Retirement ages of employees under ordinary working conditions as prescribed in clause 2 Article 169 of the Labor Code are specified as follows:

1. Since January 1, 2021, the retirement age of employees under ordinary working conditions are 60 years 3 months for male employees and 55 years 4 months for female employees; and the age increases by 3 months for male employees each successive year until he reaches 62 in 2028 and increases by 4 months for female employees each successive year until she reaches 60 in 2035.

2. The roadmap to adjust the retirement ages of employees specified in clause 1 shall be done as follows:

<b>Male employees</b>		<b>Female employees</b>	
<b>Retirement year</b>	<b>Retirement age</b>	<b>Retirement year</b>	<b>Retirement age</b>
2021	60 years 3 months	2021	55 years 4 months
2022	60 years 6 months	2022	55 years 8 months
2023	60 years 9 months	2023	56 years
2024	61 years	2024	56 years 4 months
2025	61 years 3 months	2025	56 years 8 months
2026	61 years 6 months	2026	57 years
2027	61 years 9 months	2027	57 years 4 months
From 2028	62 years	2028	57 years 8 months
		2029	58 years
		2030	58 years 4 months
		2031	58 years 8 months
		2032	59 years
		2033	59 years 4 months
		2034	59 years 8 months
		From 2035	60 years

The month and year of birth of the employee corresponding to retirement age mentioned in this clause shall be determined as prescribed in Appendix I hereto appended.

## **Article 5. Early retirement (before the retirement age under ordinary working conditions)**

Early retirement (before the retirement age under ordinary working conditions) as prescribed in clause 3 Article 169 of the Labor Code is specified as follows:

1. An employee, in any of the following circumstances, may retire at the age earlier but not exceeding 5 years before the statutory retirement age provided for in Article 4 hereof, determined until the retirement date, unless otherwise prescribed by law:

a) He/she has at least 15 years' doing laborious, toxic and dangerous occupations or highly laborious, toxic and dangerous occupations on the lists of the Minister of Labor, War Invalids and Social Affairs.

b) He/she has at least 15 years' working in highly disadvantaged areas, including the period he/she works in areas with the region-based allowance of at least 0.7 (allowance for those working in disadvantaged areas) before January 01, 2021 on the list of the Minister of Labor, War Invalids and Social Affairs.

c) His/her work capacity reduction is at least 61%.

d) He/she has at least total 15 years' doing the occupations specified in point a and working in the areas specified in point b.

2. The lowest retirement ages of employees specified in clause 1 are specified as follows:

<b>Male employees</b>		<b>Female employees</b>	
<b>Retirement year</b>	<b>Lowest retirement age</b>	<b>Retirement year</b>	<b>Lowest retirement age</b>
2021	55 years 3 months	2021	50 years 4 months
2022	55 years 6 months	2022	50 years 8 months
2023	55 years 9 months	2023	51 years
2024	56 years	2024	51 years 4 months
2025	56 years 3 months	2025	51 years 8 months
2026	56 years 6 months	2026	52 years
2027	56 years 9 months	2027	52 years 4 months
From 2028	57 years	2028	52 years 8 months
		2029	53 years
		2030	53 years 4 months
		2031	53 years 8 months
		2032	54 years

		2033	54 years 4 months
		2034	54 years 8 months
		From 2035	55 years

The month and year of birth of the employee corresponding to retirement age mentioned in this clause shall be determined as prescribed in Appendix II hereto appended.

#### **Article 6. Late retirement (after the retirement age under ordinary working conditions)**

Late retirement (after the retirement age under ordinary working conditions) as prescribed in clause 4 Article 169 of the Labor Code is specified as follows:

1. An employee may retire at the age later, upon agreement with the employer to continue in employment, than the retirement age mentioned in Article 4 hereof.
2. The termination of employment contract and settlement of claims for benefits of the employee mentioned in clause 1 shall be done in accordance with Section 3 Chapter III of the Labor Code and regulations on social insurance.

#### **Article 7. Grandfather clause**

1. From January 1, 2021, regulations on retirement benefits associated with pension age requirement provided for in Articles 54, 55, clause 1 Article 73 of the Law on Social Insurance shall be done in accordance with regulations on retirement age and pension age requirement in Article 169, clause 1 Article 219 of the Labor Code and this Decree.
2. For male employees born in December 1960 and female employees born in December 1965 under ordinary working conditions, the retirement date is the end of December 31, 2020, the pension effective date is January 1, 2021.
3. The standard age for determining the number of years of early retirement as the basis for calculating reduced pension as prescribed in clause 3 Article 56 of the Law on Social Insurance is determined as follows:

a) For employees specified in points a, b, c, d, g, h and i clause 1 Article 2 of the Law on Social Insurance

For employees under ordinary working conditions, the standard age specified in point a clause 1 Article 54 of the Law on Social Insurance, amended in point a clause 1 Article 219 of the Labor Code and Article 4 of this Decree, shall prevail.

For employees doing laborious, toxic and dangerous occupations or highly laborious, toxic and dangerous occupations; working in highly disadvantaged areas with the region-based allowance of at least 0.7 (allowance for those working in disadvantaged areas) before January 1, 2021, the

standard age specified in point b clause 1 Article 54 of the Law on Social Insurance, amended in point a clause 1 Article 219 of the Labor Code and Article 5 of this Decree, shall prevail.

For those who have worked in coal mines as prescribed in Appendix III hereto appended, the standard age shall be 10 years younger than the age specified in point a clause 1 Article 54 of the Law on Social Insurance, amended in point a clause 1 Article 219 of the Labor Code and Article 4 of this Decree.

b) For employees specified in points dd and e clause 1 Article 2 of the Law on Social Insurance

For employees under ordinary working conditions, the standard age specified in point a clause 2 Article 54 of the Law on Social Insurance, amended in point a clause 1 Article 219 of the Labor Code and Article 4 of this Decree, shall prevail.

For employees doing laborious, toxic and dangerous occupations or highly laborious, toxic and dangerous occupations; working in highly disadvantaged areas with the region-based allowance of at least 0.7 (allowance for those working in disadvantaged areas) before January 1, 2021, the standard age specified in point b clause 1 Article 54 of the Law on Social Insurance, amended in point a clause 1 Article 219 of the Labor Code and Article 5 of this Decree, shall prevail.

## **Article 8. Entry into force**

1. This Decree comes into force as of January 1, 2021.

2. As of the date of entry into force of this Decree, any previous regulation in contravention of this Decree and the following provisions shall cease to be effective:

a) Article 6; clause 3 Article 7 and clause 2 Article 11 of the Government's Decree No. 115/2015/ND-CP dated November 11, 2015 on guidelines for the Social Insurance Law concerning compulsory social insurance.

b) Point a clause 2 Article 5 of the Government's Decree No. 134/2015/ND-CP dated December 29, 2015 on guidelines for the Social Insurance Law concerning voluntary social insurance.

c) Points a and b clause 1 Article 8; clause 3 Article 9 and clause 2 Article 12 of the Government's Decree No. 33/2016/ND-CP dated May 10, 2016 on guidelines for the Social Insurance Law concerning compulsory social insurance for soldiers, the people's police officers, and cipher officers on payroll as soldiers.

## **Article 9. Implementation**

Ministers, Heads of ministerial-level agencies, Heads of Governmental agencies, the Presidents of People's Committees of provinces and central-affiliated cities shall implement this Decree./.

**ON BEHALF OF THE GOVERNMENT  
THE PRIME MINISTER**

**Nguyen Xuan Phuc**

**APPENDIX I**

ROADMAP OF RETIREMENT AGES UNDER ORDINARY WORKING CONDITIONS  
ASSOCIATED WITH CORRESPONDING MONTHS AND YEARS OF BIRTH  
(Enclosed together with the Government's Decree No. 135/2020/ND-CP dated November 18,  
2020)

Male employees					Female employees				
Time of birth		Retirement age	Pension effective date		Time of birth		Retirement age	Pension effective date	
Month	Year		Month	Year	Month	Year		Month	Year
Jan	1961	60 years 3 months	May	2021	Jan	1966	55 years 4 months	Jun	2021
Feb	1961		Jun	2021	Feb	1966		Jul	2021
Mar	1961		Jul	2021	Mar	1966		Aug	2021
Apr	1961		Aug	2021	Apr	1966		Sep	2021
May	1961		Sep	2021	May	1966		Oct	2021
Jun	1961		Oct	2021	Jun	1966		Nov	2021
Jul	1961		Nov	2021	Jul	1966		Dec	2021
Aug	1961		Dec	2021	Aug	1966		<b>Jan</b>	2022
Sep	1961		<b>Jan</b>	2022	Sep	1966	55 years 8 months	Jun	2022
Oct	1961	60 years 6 months	May	2022	Oct	1966		Jul	2022
Nov	1961		Jun	2022	Nov	1966		Aug	2022
Dec	1961		Jul	2022	Dec	1966		Sep	2022
Jan	1962		Aug	2022	Jan	1967		Oct	2022
Feb	1962		Sep	2022	Feb	1967		Nov	2022
Mar	1962		Oct	2022	Mar	1967		Dec	2022
Apr	1962		Nov	2022	Apr	1967		<b>Jan</b>	2023

May	1962	60 years 9 months	Dec	2022	May	1967	56 years	Jun	2023
Jun	1962		<b>Jan</b>	2023	Jun	1967		Jul	2023
Jul	1962		May	2023	Jul	1967		Aug	2023
Aug	1962		Jun	2023	Aug	1967		Sep	2023
Sep	1962		Jul	2023	Sep	1967		Oct	2023
Oct	1962		Aug	2023	Oct	1967		Nov	2023
Nov	1962		Sep	2023	Nov	1967		Dec	2023
Dec	1962		Oct	2023	Dec	1967		<b>Jan</b>	2024
Jan	1963		Nov	2023	<b>Jan</b>	1968	56 years 4 months	Jun	2024
Feb	1963	61 years	Dec	2023	Feb	1968		Jul	2024
Mar	1963		<b>Jan</b>	2024	Mar	1968		Aug	2024
Apr	1963		May	2024	Apr	1968		Sep	2024
May	1963		Jun	2024	May	1968		Oct	2024
Jun	1963		Jul	2024	Jun	1968		Nov	2024
Jul	1963		Aug	2024	Jul	1968		Dec	2024
Aug	1963		Sep	2024	Aug	1968		<b>Jan</b>	2025
Sep	1963		Oct	2024	Sep	1968	56 years 8 months	Jun	2025
Oct	1963	61 years 3 months	Nov	2024	Oct	1968		Jul	2025
Nov	1963		Dec	2024	Nov	1968		Aug	2025
Dec	1963		<b>Jan</b>	2025	Dec	1968		Sep	2025
Jan	1964		May	2025	Jan	1969		Oct	2025
Feb	1964		Jun	2025	Feb	1969		Nov	2025
Mar	1964		Jul	2025	Mar	1969		Dec	2025
Apr	1964		Aug	2025	Apr	1969		<b>Jan</b>	2026
May	1964		Sep	2025	May	1969	57 years	Jun	2026
Jun	1964	61 years 6 months	Oct	2025	Jun	1969		Jul	2026
Jul	1964		Nov	2025	Jul	1969		Aug	2026
Aug	1964		Dec	2025	Aug	1969		Sep	2026
Sep	1964		<b>Jan</b>	2026	Sep	1969		Oct	2026
Oct	1964		May	2026	Oct	1969		Nov	2026
Nov	1964		Jun	2026	Nov	1969		Dec	2026

Dec	1964		Jul	2026	Dec	1969	57 years 4 months	Jan	2027
Jan	1965		Aug	2026	Jan	1970		Jun	2027
Feb	1965		Sep	2026	Feb	1970		Jul	2027
Mar	1965		Oct	2026	Mar	1970		Aug	2027
Apr	1965		Nov	2026	Apr	1970		Sep	2027
May	1965		Dec	2026	May	1970		Oct	2027
Jun	1965		Jan	2027	Jun	1970		Nov	2027
Jul	1965	61 years 9 months	May	2027	Jul	1970	57 years 8 months	Dec	2027
Aug	1965		Jun	2027	Aug	1970		Jan	2028
Sep	1965		Jul	2027	Sep	1970		Jun	2028
Oct	1965		Aug	2027	Oct	1970		Jul	2028
Nov	1965		Sep	2027	Nov	1970		Aug	2028
Dec	1965		Oct	2027	Dec	1970		Sep	2028
Jan	1966		Nov	2027	Jan	1971		Oct	2028
Feb	1966		Dec	2027	Feb	1971		Nov	2028
Mar	1966		Jan	2028	Mar	1971		Dec	2028
From April 1966		62 years	The month following the month in which the employee reaches 62		Apr	1971		Jan	2029
					May	1971	58 years	Jun	2029
					Jun	1971		Jul	2029
					Jul	1971		Aug	2029
					Aug	1971		Sep	2029
					Sep	1971		Oct	2029
					Oct	1971		Nov	2029
					Nov	1971		Dec	2029
					Dec	1971		Jan	2030
					Jan	1972	58 years 4 months	Jun	2030
					Feb	1972		Jul	2030
					Mar	1972		Aug	2030



	Apr	1972		Sep	2030
	May	1972		Oct	2030
	Jun	1972		Nov	2030
	Jul	1972		Dec	2030
	Aug	1972		<b>Jan</b>	2031
	Sep	1972		Jun	2031
	Oct	1972		Jul	2031
	Nov	1972		Aug	2031
	Dec	1972		Sep	2031
	Jan	1973	58 years 8 months	Oct	2031
	Feb	1973		Nov	2031
	Mar	1973		Dec	2031
	Apr	1973		<b>Jan</b>	2032
	May	1973		Jun	2032
	Jun	1973		Jul	2032
	Jul	1973		Aug	2032
	Aug	1973	59 years	Sep	2032
	Sep	1973		Oct	2032
	Oct	1973		Nov	2032
	Nov	1973		Dec	2032
	Dec	1973		<b>Jan</b>	2033
	Jan	1974		Jun	2033
	Feb	1974		Jul	2033
	Mar	1974		Aug	2033
	Apr	1974	59 years 4 months	Sep	2033
	May	1974		Oct	2033
	Jun	1974		Nov	2033
	Jul	1974		Dec	2033
	Aug	1974		<b>Jan</b>	2034
	Sep	1974	59 years 8 months	Jun	2034
	Oct	1974		Jul	2034

	Nov	1974		Aug	2034
	Dec	1974		Sep	2034
	Jan	1975		Oct	2034
	Feb	1975		Nov	2034
	Mar	1975		Dec	2034
	Apr	1975		<b>Jan</b>	2035
	From May 1975		60 years	Month following the month in which the employee reaches 60	

## APPENDIX II

### LOWEST RETIREMENT AGES ASSOCIATED WITH CORRESPONDING MONTHS AND YEARS OF BIRTH

*(Enclosed together with the Government's Decree No. 135/2020/ND-CP dated November 18, 2020)*

Male employees					Female employees				
Time of birth		Retirement age	Pension effective date		Time of birth		Retirement age	Pension effective date	
Month	Year	55 years 3 months	Month	Year	Month	Year	50 years 4 months	Month	Year
Jan	1966		May	2021	Jan	1971		Jun	2021
Feb	1966		Jun	2021	Feb	1971		Jul	2021
Mar	1966		Jul	2021	Mar	1971		Aug	2021
Apr	1966		Aug	2021	Apr	1971		Sep	2021
May	1966		Sep	2021	May	1971		Oct	2021
Jun	1966		Oct	2021	Jun	1971		Nov	2021
Jul	1966		Nov	2021	Jul	1971		Dec	2021
Aug	1966		Dec	2021	Aug	1971		<b>Jan</b>	2022
Sep	1966		<b>Jan</b>	2022	Sep	1971	50 years 8 months	Jun	2022
Oct	1966	55 years 6 months	May	2022	Oct	1971		Jul	2022
Nov	1966		Jun	2022	Nov	1971		Aug	2022

Dec	1966		Jul	2022	Dec	1971		Sep	2022
Jan	1967		Aug	2022	Jan	1972		Oct	2022
Feb	1967		Sep	2022	Feb	1972		Nov	2022
Mar	1967		Oct	2022	Mar	1972		Dec	2022
Apr	1967		Nov	2022	Apr	1972		<b>Jan</b>	2023
May	1967		Dec	2022	May	1972		Jun	2023
Jun	1967	55 years 9 months	<b>Jan</b>	2023	Jun	1972	51 years	Jul	2023
Jul	1967		May	2023	Jul	1972		Aug	2023
Aug	1967		Jun	2023	Aug	1972		Sep	2023
Sep	1967		Jul	2023	Sep	1972		Oct	2023
Oct	1967		Aug	2023	Oct	1972		Nov	2023
Nov	1967		Sep	2023	Nov	1972		Dec	2023
Dec	1967		Oct	2023	Dec	1972		<b>Jan</b>	2024
Jan	1968		Nov	2023	Jan	1973		Jun	2024
Feb	1968		Dec	2023	Feb	1973		Jul	2024
Mar	1968		<b>Jan</b>	2024	Mar	1973		Aug	2024
Apr	1968	56 years	May	2024	Apr	1973	51 years 4 months	Sep	2024
May	1968		Jun	2024	May	1973		Oct	2024
Jun	1968		Jul	2024	Jun	1973		Nov	2024
Jul	1968		Aug	2024	Jul	1973		Dec	2024
Aug	1968		Sep	2024	Aug	1973		<b>Jan</b>	2025
Sep	1968		Oct	2024	Sep	1973	51 years 8 months	Jun	2025
Oct	1968		Nov	2024	Oct	1973		Jul	2025
Nov	1968		Dec	2024	Nov	1973		Aug	2025
Dec	1968		Jan	2025	Dec	1973		Sep	2025
Jan	1969		May	2025	Jan	1974		Oct	2025
Feb	1969		Jun	2025	Feb	1974		Nov	2025
Mar	1969	56 years 3 months	Jul	2025	Mar	1974		Dec	2025
Apr	1969		Aug	2025	Apr	1974		<b>Jan</b>	2026
May	1969		Sep	2025	May	1974	52 years	Jun	2026
Jun	1969		Oct	2025	Jun	1974		Jul	2026

Jul	1969		Nov	2025	Jul	1974		Aug	2026
Aug	1969		Dec	2025	Aug	1974		Sep	2026
Sep	1969		<b>Jan</b>	2026	Sep	1974		Oct	2026
Oct	1969	56 years 6 months	May	2026	Oct	1974	52 years 4 months	Nov	2026
Nov	1969		Jun	2026	Nov	1974		Dec	2026
Dec	1969		Jul	2026	Dec	1974		<b>Jan</b>	2027
Jan	1970		Aug	2026	Jan	1975		Jun	2027
Feb	1970		Sep	2026	Feb	1975		Jul	2027
Mar	1970		Oct	2026	Mar	1975		Aug	2027
Apr	1970		Nov	2026	Apr	1975		Sep	2027
May	1970		Dec	2026	May	1975		Oct	2027
Jun	1970		<b>Jan</b>	2027	Jun	1975		Nov	2027
Jul	1970		May	2027	Jul	1975		Dec	2027
Aug	1970	56 years 9 months	Jun	2027	Aug	1975	52 years 8 months	<b>Jan</b>	2028
Sep	1970		Jul	2027	Sep	1975		Jun	2028
Oct	1970		Aug	2027	Oct	1975		Jul	2028
Nov	1970		Sep	2027	Nov	1975		Aug	2028
Dec	1970		Oct	2027	Dec	1975		Sep	2028
Jan	1971		Nov	2027	Jan	1976		Oct	2028
Feb	1971		Dec	2027	Feb	1976		Nov	2028
Mar	1971		Jan	2028	Mar	1976		Dec	2028
From April 1971		57 months	The month following the month in which the employee reaches 57		Apr	1976	53 years	<b>Jan</b>	2029
					May	1976		Jun	2029
					Jun	1976		Jul	2029
					Jul	1976		Aug	2029
					Aug	1976		Sep	2029
					Sep	1976		Oct	2029
					Oct	1976		Nov	2029

Nov	1976		Dec	2029
Dec	1976		<b>Jan</b>	2030
Jan	1977	53 years 4 months	Jun	2030
Feb	1977		Jul	2030
Mar	1977		Aug	2030
Apr	1977		Sep	2030
May	1977		Oct	2030
Jun	1977		Nov	2030
Jul	1977		Dec	2030
Aug	1977		<b>Jan</b>	2031
Sep	1977	53 years 8 months	Jun	2031
Oct	1977		Jul	2031
Nov	1977		Aug	2031
Dec	1977		Sep	2031
Jan	1978		Oct	2031
Feb	1978		Nov	2031
Mar	1978		Dec	2031
Apr	1978		<b>Jan</b>	2032
May	1978	54 years	Jun	2032
Jun	1978		Jul	2032
Jul	1978		Aug	2032
Aug	1978		Sep	2032
Sep	1978		Oct	2032
Oct	1978		Nov	2032
Nov	1978		Dec	2032
Dec	1978		<b>Jan</b>	2033
Jan	1979	54 years 4 months	Jun	2033
Feb	1979		Jul	2033
Mar	1979		Aug	2033
Apr	1979		Sep	2033
May	1979		Oct	2033

Jun	1979		Nov	2033
Jul	1979		Dec	2033
Aug	1979		<b>Jan</b>	2034
Sep	1979	54 years 8 months	Jun	2034
Oct	1979		Jul	2034
Nov	1979		Aug	2034
Dec	1979		Sep	2034
Jan	1980		Oct	2034
Feb	1980		Nov	2034
Mar	1980		Dec	2034
Apr	1980		<b>Jan</b>	2035
From May 1980		55 years	The month following the month in which the employee reaches 55	

### APPENDIX III

#### COAL MINING WORKS

*(Enclosed together with the Government's Decree No. 135/2020/ND-CP dated November 18, 2020)*

1. Underground mining.
2. Drilling rocks with hand-held rock drilling machine in underground mines
3. Mine rescue team member.
4. Mechanical and electrical repairs in underground mines.
5. Operating pneumatic fan station, electricity, diesel, battery charging stations in underground mines.
6. Iron workers, water drainage workers in underground mines.
7. Transporting coal in underground mines.

8. Measuring gas, measuring wind, guarding ventilation doors, geodesy, performing product quality control in underground mines.
9. Workers operating and repairing equipment in underground mines.
10. Operating and supporting electric trains, locomotives in underground mines.
11. Operating, repairing, and recharging batteries in underground mines.
12. Testing and accepting products in underground mines.
13. Warehouse keepers of all kinds in underground mines.
14. Warehouse security in underground mines.
15. Cleaning toilet, dredging the mud in underground mines.
16. Hauling materials in underground mines.
17. Guarding the signals in underground mines.
18. Service staff in underground mines.
19. Installing and repairing communications systems in underground mines.
20. Operating network station in underground mines.
21. Guarding the ventilation doors in underground mines.
22. Giving technical direction in underground mines.
23. Giving production direction in underground mines (foreman, deputy foreman, mine chief inspector, mine chief).
24. Employees and workers supervising safety in underground mines.