

**No. 264/2016/TT-BTC**

*Hanoi, November 14, 2016*

**CIRCULAR**

**Prescribing the rates and collection, remittance, management and use of charges and fees in the field of foreign affairs by overseas Vietnamese representative missions**

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*Pursuant to the November 25, 2015 Law on Charges and Fees;*

*Pursuant to the June 18, 2009 Law on Overseas Representative Missions of the Socialist Republic of Vietnam;*

*Pursuant to the June 16, 2014 Law on foreigners' entry into, exit from, transit through and residence in Vietnam;*

*Pursuant to the June 25, 2015 Law on the State Budget;*

*Pursuant to the November 13, 2008 on Vietnamese Nationality;*

*Pursuant to the Government's Decree No. 136/2007/ND-CP of August 17, 2007, on entry and exit of Vietnamese citizens and Decree No. 94/2015/ND-CP of October 16, 2015, amending and supplementing a number of articles of Decree No. 136/2007/ND-CP;*

*Pursuant to the Government's Decree No. 111/2011/ND-CP of December 5, 2011, on consular certification and legalization;*

*Pursuant to the Government's Decree No. 82/2015/ND-CP of September 14, 2015, prescribing visa exemption for overseas Vietnamese and foreigners who are spouses or children of overseas Vietnamese or Vietnamese citizens;*

*Pursuant to the Government's Decree No. 120/2016/ND-CP of August 23, 2016, detailing and guiding the implementation of a number of articles of the Law on Charges and Fees;*

*Pursuant to the Government's Decree No. 215/2013/ND-CP of December 23, 2013, defining the functions, tasks, powers and organizational structure of the Ministry of Finance;*

*At the proposal of the Director of the Tax policy Department,*

The Minister of Finance promulgates the Circular prescribing the rates and collection, remittance, management and use of charges and fees in the field of foreign affairs by overseas Vietnamese representative missions.

**Article 1. Scope of regulation**

This Circular prescribes the rates, collection, remittance, management and use of charges and fees in the field of foreign affairs by overseas Vietnamese

diplomatic missions, consulates and other agencies authorized to perform the consular function (below collectively referred to as overseas Vietnamese representative missions).

**Article 2. Charge or fee payers**

Vietnamese and foreign organizations and individuals that are provided with public services or for which/whom state management jobs are performed in the field of foreign affairs by Vietnamese representative missions shall pay charges and fees under this Circular.

**Article 3. Charge- and fee-collecting organizations**

Overseas Vietnamese representative missions performing state management jobs in the field of foreign affairs for organizations and individuals in accordance with law are charge- and fee-collecting organizations under this Circular.

**Article 4. Charge and fee rates**

The rates of charges and fees specified in the Tariffs of charges and fees in the field of foreign affairs (Appendices 1 and 2) promulgated together with this Circular shall be applied in all overseas Vietnamese representative missions.

**Article 5. Cases eligible for charge or fee exemption or reduction**

1. Cases eligible for charge or fee exemption:

a/ Foreign guests (including their accompanying spouses, natural parents, parents-in-law and children) invited by the Party, the National Assembly, the State and the Government; or by leaders of the Party, the National Assembly, the State and the Government of the Socialist Republic of Vietnam in their personal capacity;

b/ Employees, administrative and technical staff of foreign diplomatic missions and consulates and representative missions of international organizations in Vietnam and their family members (including spouses, natural parents, parents-in-law and minor children) on the principle of reciprocity;

c/ Foreigners bearing diplomatic passports, official passports, ordinary passports or travel papers used as passport substitutes issued by foreign countries, who are exempted from visa charge under treaties to which Vietnam is a contracting party, Vietnamese law or on the principle of reciprocity;

d/ Foreigners entering Vietnam to provide humanitarian relief or assistance for Vietnamese organizations or individuals;

dd/ Foreigners entering Vietnam at the invitation for exchanges between ministries, sectors, provinces and cities on the principle of reciprocity;

e/ People with meritorious services to the revolution and country;

g/ Cases as required by external relations or humanitarian activities or Vietnamese citizens in extremely difficult circumstances or facing risks;

h/ Persons applying for visas but eligible for visa charge exemption under the Vietnamese Government's regulations, treaties to which Vietnam is a contracting party or bilateral agreements.

2. Vietnamese permanently residing in China, Laos, Thailand and Cambodia or countries facing war or dangerous epidemics are entitled to charge and fee reduction in the field of foreign affairs as prescribed in the Tariffs of charges and fees in the field of foreign affairs (Appendices 1 and 2) promulgated together with this Circular.

3. Charge- and fee-collecting organizations shall append the “*mien phi, le phi*” (GRATIS) mark to papers issued to those eligible for exemption from charges and fees in the field of foreign affairs as prescribed above.

**Article 6.** Declaration and remittance of charges and fees

1. The head of an overseas Vietnamese representative mission shall consider and select a reputable bank to open an account for its activities, ensuring security of the state budget custody fund at such representative mission.

2. For fees

The Ministry of Foreign Affairs shall direct overseas Vietnamese representative missions to make cost-accounting for the collected fee amounts in the field of foreign affairs; 100% (one hundred percent) of the collected fee amounts and the actual bank deposit interest amounts shall be remitted into the state budget custody funds at overseas Vietnamese representative missions.

The funds for fee collection shall be included in state budget estimates of collecting organizations under the state budget spending regimes and norms.

3. For charges

The Ministry of Foreign Affairs shall direct overseas Vietnamese representative missions to make cost-accounting for the collected charge amounts in the field of foreign affairs; 70% (seventy percent) of the collected charge amounts and the actual bank deposit interest amounts shall be remitted into the state budget custody funds at overseas Vietnamese representative missions.

4. Charges and fees in the field of foreign affairs shall be set in the US dollar (USD) according to the Tariffs of charges and fees in the field of foreign affairs promulgated together with this Circular. When charges and fees in the field of foreign affairs are collected in the currency of the host country, the conversion between the US dollar (USD) and the currency of the host country shall be based on the selling rate of the US dollar (USD) announced by the bank at which the concerned overseas Vietnamese representative mission opens its account.

When the exchange rate between the US dollar (USD) and the currency of the host country fluctuates (increases or decreases) by more than 10% (ten

percent) from the currently applied exchange rate, the head of the overseas Vietnamese representative mission may reset the rates of consular charges and fees collected in the currency of the host country according to the new exchange rate and, shall concurrently send a written report thereon to the Ministry of Foreign Affairs before applying the new rates.

In case there are two (2) or more Vietnamese representative missions permitted to collect charges and fees in the field of foreign affairs in one country or territory, the head of the overseas Vietnamese representative mission with the highest competence shall base himself/herself on the local bank's selling rate to decide on charge and fee rates for unified application by other overseas Vietnamese representative missions.

5. In case a Vietnamese or foreign organization or individual has paid a charge or fee in the field of foreign affairs under this Circular but fails to satisfy conditions for grant of consular papers or renounces the settlement result, the charge- or fee-collecting organization shall not refund the collected charge or fee amount.

**Article 7. Management and use of charges and fees**

1. The Ministry of Foreign Affairs may retain 30% (thirty percent) of the collected charge amounts in the foreign affairs to cover the expenses prescribed in Article 5 of the Government's Decree No. 120/2016/ND-CP of August 23, 2016, detailing and guiding the implementation of a number of articles of the Law on Charges and Fees and relevant laws.

2. The Ministry of Foreign Affairs shall promulgate the Regulation on management and use of 30% (thirty percent) of retained charge amounts in the field of foreign affairs. The retained charge amounts which are not spent up in a year may be carried forward to the subsequent year for spending in accordance with law.

**Article 8. Settlement of charge and fee revenues and expenditures in the field of foreign affairs**

1. Overseas Vietnamese representative missions shall open accounting books for recording and accounting charge revenues and expenditures and fee revenues and remittances in the field of foreign affairs according to current regulations on administrative and non-business accounting. Heads of overseas Vietnamese representative missions shall take responsibility for the management and accounting of their charge and fee revenues and expenditures in the field of foreign affairs; and send to the Ministry of Foreign Affairs monthly reports on the collection of charges and fees in the field of foreign affairs (made according to the form provided in Appendices 4 and 5 *(not translated)*) to this Circular.

2. The Ministry of Foreign Affairs shall inspect and settle charge and fee revenues and expenditures in the field of foreign affairs of overseas Vietnamese representative missions under current regulations.

3. The Ministry of Foreign Affairs shall coordinate with the Ministry of Finance in organizing periodical or irregular inspections of the collection, remittance and management of charges and fees in the field of foreign affairs at overseas Vietnamese representative missions in accordance with this Circular.

**Article 9. Organization of implementation**

1. This Circular takes effect on January 1, 2017; replaces the Finance Minister's Circular No. 236/2009/TT-BTC of December 15, 2009, guiding the collection, remittance, management and use of consular charges and fees by overseas Vietnamese diplomatic missions and consulates and Circular No. 156/2015/TT-BTC of October 8, 2015, amending and supplementing the Finance Minister's Circular No. 236/2009/TT-BTC of December 15, 2009, guiding the collection, remittance, management and use of consular charges and fees by overseas Vietnamese diplomatic missions and consulates.

2. Organizations collecting charges and fees in the field of foreign affairs shall:

a/ Publicly post up at the collection places charge and fee names, rates, collection method, payers, exemption and reduction, and documents on collection of charges and fees in the field of foreign affairs in Vietnamese and English or in the official languages of the host countries;

b/ When collecting charges and fees, issue receipts to payers of charges and fees in the field of foreign affairs. Charge and fee receipts shall be printed and issued at overseas Vietnamese representative missions according to the form provided in Appendix 3 (*not translated*) to this Circular.

3. Other contents relating to the collection, remittance, management and use of charges and fees that are not guided in this Circular must comply with the Law on Charges and Fees; the Government's Decree No. 120/2016/ND-CP of August 23, 2016, detailing and guiding the implementation of a number of articles of the Law on Charges and Fees; the Finance Minister's Circular No. 156/2013/TT-BTC of November 6, 2013, guiding the implementation of a number of articles of the Law on Tax Administration, Law Amending and Supplementing a Number of Articles of the Law on Tax Administration and the Government's Decree No. 83/2013/ND-CP of July 22, 2013, and the Finance Minister's Circular prescribing the printing, issuance, management and use of receipts of charges and fees, and other amending, supplementing or replacing documents (if any).

4. Any problems arising in the course of implementation should be promptly reported to the Ministry of Finance for consideration and settlement.-

*For the Finance Minister*  
Deputy Minister  
VU THI MAI

## APPENDIX 1

### TARIFF OF FEES IN THE FIELD OF FOREIGN AFFAIRS

*(Promulgated together with the Minister of Finance's Circular No. 264/2016/TT-BTC of November 14, 2016)*

No.	List of fees	Unit of calculation	Rates (USD )
<b>A</b>	<b>Issuance of passports</b>		
<b>I</b>	<b>Passports</b>		
1	Issuance of new one	Passport	70
2	Extension of diplomatic passport or official passport	Passport	30
3	Supplementation or modification	Passport	15
4	Sticking of children's photos	Passport	15
5	Re-issuance in replacement of damaged or lost one	Passport	150
<b>II</b>	<b>Laissez-passers</b>		
1	Issuance of new one	Laissez-passer	20
2	Re-issuance in replacement of damaged or lost one	Laissez-passer	40
<b>III</b>	<b>Issuance of AB stamp</b> (for ordinary passport holders on official duty)	Stamp	15
<b>B</b>	<b>Nationality-related fees</b>		
1	Naturalization	Person	250
2	Restoration of nationality	Person	200
3	Renunciation of nationality	Person	200
<b>C</b>	<b>Registration of child adoption</b>		
	To comply with Point dd, Clause 1, Article 6 of the Government's Decree No. 114/2016/ND-CP of July 8, 2016, prescribing fees for registration of child adoption and grant of operation license for foreign adoption	Case	150

	organizations		
<b>D</b>	<b>Other regulations</b>		
	Vietnamese permanently residing in China, Laos, Thailand and Cambodia or countries facing war or dangerous epidemics shall pay fees equal to 20% of the corresponding rates set for each job specified in this Tariff		

## APPENDIX 2

### TARIFF OF CHARGES IN THE FIELD OF FOREIGN AFFAIRS

*(Promulgated together with the Minister of Finance's Circular No. 264/2016/TT-BTC of November 14, 2016)*

No.	List of charges	Unit of calculation	Rates (USD)
<b>A</b>	<b>Visas of all kinds</b>		
1	Those for single entry and exit	Visa	25
2	Those for multiple entry and exit:		
a/	Valid for 3 months	Visa	50
b/	Valid from more than 3 months up to 6 months	Visa	95
c/	Valid from more than 6 months up to 1 year	Visa	135
d/	Valid from more than 1 year up to 2 years	Visa	145
e/	Valid from more than 2 years up to 5 years	Visa	155
g/	Visa granted to under-14 children (regardless of validity period)	Visa	25
3	Transfer of valid visa from old passport to new one	Visa	5
<b>B</b>	<b>Certification and registration of citizens</b>		
1	Issuance of visa exemption certificate	Certificate	10
2	Issuance of citizen registration certificate	Certificate	5
3	Birth registration		
a/	Birth registration	Certificate	5

b/	Birth re-registration	Certificate	15
4	Marriage		
a/	Marriage registration	Certificate	70
b/	Marriage re-registration	Certificate	120
5	Death registration		
a/	Death registration	Certificate	5
b/	Death re-registration	Certificate	15
6	Recognition of parents or children		
	Registration of recognition of parents or children	Certificate	200
7	Registration of changes in, correction of, or addition to events which have been registered at a Vietnamese representative mission or competent foreign agency and recorded in register of the Vietnamese representative mission	Certificate	30
8	Registration, termination or change of guardianship among overseas Vietnamese	Certificate	30
9	Other registration and certification		
a/	Issuance of extract copy	Copy	5
b/	Issuance of certificate of the marital status of Vietnamese citizen during the period of overseas residence	Certificate	10
c/	Issuance of certificate of recording changes according to judgment or decision of competent Vietnamese agency, including: change in nationality, identification of parents or children, sex re-assignment, child adoption, divorce, cancellation of illegal marriage, recognition of marriage; recognition of guardianship, declaration or cancellation of declaration of missing, death, loss or restriction on civil legal capacity	Certificate	10
d/	Recording of birth registration; marriage; divorce, cancellation of marriage; guardianship; recognition of parents and children; and child adoption; declaration of death and other changes	Extract	20



	which have been settled by competent foreign agencies, and issuance of original extracts thereof		
e/	Certificate of eligibility for marriage	Certificate	20
g/	Certificate of person holding Vietnamese nationality or originating from Vietnam; certificate of nationality-related issue at the request of citizen	Certificate	20
h/	Certificate of other specific contents at the request of citizen (certifying a person is alive, is currently residing in the host country or has a child studying at a specific school (A, B, etc.))	Certificate	20
<b>C</b>	<b>Consular certification and legalization</b>		
<b>1</b>	<b>Legalization of papers/documents</b>	<b>Document</b>	<b>10</b>
2	Consular certification charge	Document	10
<b>D</b>	<b>Notarization and certification</b>		
1	Notarization and certification of contract or transaction (except contract on sale, purchase, transformation, transfer, donation, lease or mortgage of real estate, contract on capital contribution in immovable property, agreement on asset division, and document on acceptance of estate being immovable property)	Document	50
2	Certification of true copy; certification of signature in paper or and document in Vietnamese; certification of signature of translator of document translated from a foreign language into Vietnamese or from Vietnamese into a foreign language	Document	10
3	Notarization of testament, modification, supplementation, replacement or cancellation of testament; notarization of documents on renunciation of inheritance	Document	20
4	Issuance of copy of notarized document	Copy	5
5	Issuance or certification of paper or document related to ship, aircraft or other means of transport	Document	15

<b>E</b>	<b>Paper or document verification (freights excluded)</b>	<b>Dossier or document</b>	<b>50</b>
<b>G</b>	<b>Receipt and forwarding of petitions and evidences of Vietnamese citizens and legal entities</b>		
1	Archive of testament and preservation of paper, document or valuable object of Vietnamese citizen	Document or object/year	20
2	Receipt and forwarding of petition and evidence of Vietnamese citizen or legal person to competent domestic agency (freights excluded)	Document or object	10
<b>H</b>	<b>Other regulations</b>		
1	Vietnamese permanently residing in China, Laos, Thailand and Cambodia or countries facing war or dangerous epidemics shall pay charges equal to 20% of the corresponding rates prescribed for each job specified in this Tariff		
2	Charges for rush work and overtime work when dossiers are valid		
a/	Within a day (24 hours): equal to 150% of the charge for corresponding job prescribed in this Tariff		
b/	Within a day and a half (36 hours): equal to 130% of the charge for corresponding job prescribed in this Tariff		
c/	Overtime work, work after dossier-receiving hours or on holidays: equal to 140% of the charge for corresponding job prescribed in this Tariff		