

Pre-Incorporation Checklist for Company Establishment in Vietnam

(Updated in March 2021)

This checklist has been prepared to assist those who plan to invest in Vietnam by establishing a company. Please note that this is not intended to be a comprehensive, complete list, however it does cover most matters that need to be attended to preceding the registration process.

NO.	CRITERIA	DESCRIPTION	REMARKS
A. FOREIGN INVESTOR DOCUMENTS			
1.	Legal status proof of the investor	<p>Individual investors should prepare legalized copies of their passports whilst corporate investors are required to provide additional legalized documents, which typically include:</p> <ul style="list-style-type: none"> • Certificate of incorporation; • Company's profile/extract; • List of Board of Directors; • Articles of Association or Company Charter (case by case). <p>*The legalization process is different from country to country, and foreign investors should contact the Vietnam Embassy in their jurisdiction to confirm the process in advance.</p>	
2.	Financial capacity	In order to prove that they are capable to fund the Vietnamese company, investors are required to provide proof of financial capacity.	
B. DOCUMENT PROVISIONS OF THE VIETNAMESE ENTERPRISE			
1.	Business lines	<p>Understanding which particular activities/services that the Vietnam company will provide in Vietnam is important as there are specific business lines to register corresponding to each intended service/activity.</p> <p>Moreover, considering the market-access limitations for certain activities, investors should ensure their intended operation is not forbidden by treaties between Vietnam and the WTO or by national laws.</p>	
2.	Location of the Vietnamese Company	<p>Every company established in Vietnam is required to have a registered head office. Generally speaking, a serviced office can be used for most cases, however apartments are commonly not permitted.</p> <p>Certain location related documents are generally prepared by the landlord, and these include:</p> <ul style="list-style-type: none"> • The lease agreement in Vietnamese; • The ownership certificate of the lease; • Other legal documents proving the capability of the landlord toward the premises. 	
3.	Legal Representative	<p>The legal representative is to be nominated before the submission of the establishment dossiers. By applicable law, the Vietnam company is not restrained from having more than 1 legal representative, however, the rights and obligations of each legal representative have to be stipulated clearly in the charter.</p> <p>For submission purposes, the legal representative needs to provide notarized/legalized copies of his/her passport/ID Card/ Citizen Card.</p>	

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