



ICL ADVISORY AND VALUATION COMPANY LIMITED



No. 06 - 07 Phan Ton, Da Kao Ward, District 1, HCMC



[www.reanda-icla.com](http://www.reanda-icla.com)



[info@reanda-icla.com](mailto:info@reanda-icla.com)



028 2245 8787

## QUESTION-ANSWER AND PROFESSIONAL UPDATE ABOUT TAX

Questions/ New Update	Page
1. An electronic invoice has been created to replace the old invoice but there are errors, how can the adjustment be made?	02
2. Contractor tax payment deadline	03
3. In case the company has been dissolved and cannot obtain tax deduction vouchers and income confirmation letters, what should individuals do to settle personal income tax on time?	03
4. Are businesses required to form unions?	04
5. Is it mandatory to pay union dues?	04



## QUESTION-ANSWER AND PROFESSIONAL UPDATE ABOUT TAX (cont.)

Questions/ New update	Answer	Reference
1. An electronic invoice has been created to replace the old invoice but there are errors, how can the adjustment be made?	<p>Pursuant to Article 19 of Decree 123/2020/ND-CP stipulating the handling of invoices with errors, when detecting errors in the issued electronic invoice, the seller can issue a replacement invoice unless otherwise stated. If the seller and the buyer have agreed to prepare a written agreement before issuing an invoice to replace the invoice that has been made with errors, the seller and the buyer shall make a written agreement clearly stating the errors, then the seller Create an electronic invoice to replace the invoice that was created with errors.</p> <p>The new electronic invoice to replace the electronic invoice that was created with errors must have the words "Replace for invoice Model number... symbol... number... date... month... year" .</p> <p>Pursuant to Article 7 of Circular 78/2021/TT-BTC regulating the processing of electronic invoices, the electronic invoice data summary table sent to the tax authority has errors.</p> <p>c) In case the issued electronic invoice has errors and the seller has handled it in the form of adjustment or replacement as prescribed in Point b, Clause 2, Article 19 of Decree No. 123/2020/ND-CP, then If the seller discovers that the invoice continues to have errors, the seller will follow the method used when handling the errors for the first time;</p> <p>---&gt; Do not cancel the invoice, but must issue a new electronic invoice to replace the erroneous replacement invoice.</p>	<p><a href="#">Decree 123/2020/ND-CP</a></p> <p><a href="#">Circular 78/2021/TT-BTC</a></p>



## QUESTION-ANSWER AND PROFESSIONAL UPDATE ABOUT TAX (cont.)

Questions/ New update	Answer	Reference
2. Contractor tax payment deadline	<p>Article 20. Declaring value added tax and corporate income tax for foreign contractors and foreign subcontractors</p> <p>a) The Vietnamese party signing a contract with a foreign contractor or the foreign contractor signing a contract with a foreign subcontractor is responsible for notifying the tax authority in writing about the foreign contractor or foreign subcontractor. In addition to paying VAT according to the deduction method, paying corporate income tax on the basis of declaring revenue and expenses to determine income for corporate income tax within 20 (twenty) working days from the date of signing the contract.</p>	<a href="#">Circular 156/2013/TT-BTC</a>
3. In case the company has been dissolved and cannot obtain tax deduction vouchers and income confirmation letters, what should individuals do to settle personal income tax on time?	<p>In case the income-paying organization does not issue tax deduction documents to the individual because the income-paying organization has ceased operations, the tax authority will base on the tax industry's database to consider and process the decision dossier. Tax payment for individuals without requiring tax deduction documents.</p>	



## QUESTION-ANSWER AND PROFESSIONAL UPDATE ABOUT TAX (cont.)

Questions/ New update	Answer	Reference
<b>4. Are businesses required to form unions?</b>	<p>According to Article 6 of the 2012 Trade Union Law, principles of union organization and operation are prescribed as follows:</p> <ul style="list-style-type: none"><li>- Trade unions were established on a voluntary basis, organized and operated according to the principle of democratic centralism.</li><li>- The Trade Union is organized and operates according to the Charter of the Vietnam Trade Union, in accordance with the Party's guidelines, guidelines and policies and the State's laws.</li></ul> <p>Based on the above regulations, there is no regulation requiring businesses to establish trade unions. Unions are established on a voluntary basis, and workers have the right to choose whether to join the union or not.</p>	<a href="#">Union law 2012</a>
<b>5. Is it mandatory to pay union dues?</b>	<p>Subjects to pay trade union fees as prescribed in Clause 2, Article 26 of the Law on Trade Unions are agencies, organizations and enterprises, regardless of whether the agency, organization or enterprise has or does not have a trade union. basis</p> <p>Accordingly, enterprises of all economic sectors established and operating under the current Enterprise Law and Investment Law are subject to paying trade union fees according to regulations, regardless of the size and number of enterprises.</p> <p>Thus, businesses must pay union fees according to regulations.</p> <p>The contribution rate is equal to 2% of the salary fund as a basis for paying social insurance for employees. This salary fund is the total salary of employees who are required to pay social insurance according to the provisions of law on social insurance.</p>	<a href="#">Union law 2012</a> <a href="#">Decree 191/2013/ND-CP</a>