



## Regulatory Update in Response to COVID-19 (as of 17 August 2020) Kazuhide Ohya, Nguyen Thi Thanh Huong, Hoang Duy Khang

*\*This article is based on information available as of August 17, 2020.*

### Status of the second wave of COVID-19 in Vietnam

On 25 July 2020, Vietnam recorded a new case of COVID-19 in the city of Da Nang after nearly 100 days without a locally transmitted infection. Subsequently, hundreds of new cases of COVID-19 have been detected in 40 provinces<sup>1</sup> and cities in Vietnam, including Ho Chi Minh City, Hanoi, and Da Nang.

In contrast to their response to the initial wave of COVID-19 that took place in January 2020, the government of Vietnam has not yet imposed a nationwide social distancing policy. Rather, isolation and social distancing measures are being applied only in areas where the infected person lives or has visited. Specifically, as of 17 August, Da Nang and Hai Duong Province are under mandatory social distancing;<sup>2</sup> some areas in Quang Nam Province have been put into isolation status;<sup>3</sup> all of Buon Me Thuot City in Dak Lak Province is under mandatory social distancing; and certain areas of Hanoi and Ho Chi Minh City have been put under isolation status.<sup>4</sup> Only essential businesses, such as supermarkets, gas stations, hospitals and clinics, and pharmacies are permitted to operate in the areas under mandatory social distancing. Meanwhile, businesses may continue to operate as normal in all other areas, except for karaoke venues, discotheques, and bars.

<sup>1</sup> Information from the website of the Ministry of Health published on: <https://ncov.moh.gov.vn/> accessed on 12 August 2020.

<sup>2</sup> [https://danang.gov.vn/chi-tiet?id=40500&\\_c=100000150.3.9](https://danang.gov.vn/chi-tiet?id=40500&_c=100000150.3.9)

<sup>3</sup> [http://baochinhphu.vn/Hoat-dong-dia-phuong/Quang-Nam-Phong-toa-mot-so-dia-ban-dan-cu/402853.vgp?\\_sm\\_au\\_=\\_iVVPRfsTqnqM7LHpCstsK0psTLfq](http://baochinhphu.vn/Hoat-dong-dia-phuong/Quang-Nam-Phong-toa-mot-so-dia-ban-dan-cu/402853.vgp?_sm_au_=_iVVPRfsTqnqM7LHpCstsK0psTLfq)

<sup>4</sup> <https://ncov.moh.gov.vn/web/guest/-/phong-toa-cach-ly-y-te-150-nguoi-tai-thon-co-benh-nhan-nghi-mac-covid-19-moi-nhat-tai-ha-noi>

<https://ncov.moh.gov.vn/-/ha-noi-tiep-tuc-ra-soat-cac-truong-hop-lien-quan-en-ca-mac-covid-19-a-en-quan-bia-loc-vung>

<https://nld.com.vn/thoi-su/tp-hcm-phong-toa-mot-con-hem-o-quan-tan-phu-vi-co-nguoi-nghi-mac-covid-19-20200801151316578.htm>

<https://vnexpress.net/tp-hcm-phong-toa-chung-cu-hon-300-nguoi-4139559.html>

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Given the dual target of pandemic control and socio-economic development, the government is making its utmost effort to quell the second wave of COVID-19 in the community as quickly as possible. The government avers that the second wave can be brought under control throughout Vietnam by the end of August 2020.

### Labor - More conditions applied to expatriates entering Vietnam

In line with the target of controlling the second wave of COVID-19, including cases brought by foreigners entering Vietnam, the Vietnamese authorities have recently tightened the criteria under which foreigners may enter the country. Currently, the only foreigners who may enter Vietnam are investors, technical experts, highly skilled workers and enterprise managers, and they are only permitted to do so for purposes of work (“**Permitted Expatriates**”). Moreover, the National Steering Committee of COVID-19 Prevention and Control issued an official letter<sup>5</sup> setting out additional requirements applicable to Permitted Expatriates and the organizations that invite them to Vietnam. Accordingly, for a Permitted Expatriate to be granted entry into Vietnam, the following conditions must be satisfied:

- (i) Three to seven days before entering Vietnam the Permitted Expatriate must undergo a real time-PCR test for SARS-CoV-2 in a government-approved laboratory or WHO-designated laboratory;
- (ii) The Permitted Expatriate must have international health insurance that will cover the cost of treatment of a COVID-19 infection, or the organization that invites the Permitted Expatriate to Vietnam must commit to bear all treatment costs if the Permitted Expatriate is infected with COVID-19; and
- (iii) the organization that invites the Permitted Expatriate to Vietnam must adhere to all COVID-19 prevention protocols when inviting the Permitted Expatriate to Vietnam.

Other requirements currently applicable to Permitted Expatriates seeking to enter Vietnam (e.g., compulsory 14-day quarantine, COVID-19 testing, and medical supervision)<sup>6</sup> remain in effect in addition to the above conditions. However, the aforementioned additional requirements do not apply to Permitted Expatriates who already held plane tickets to Vietnam as of, or who entered Vietnam before, 5 August 2020.

<sup>5</sup> Official Letter No. 3949/CV-BCD dated 24 July 2020.

<sup>6</sup> Please see our prior newsletter for further details: [https://www.jurists.co.jp/sites/default/files/newsletter\\_pdf/en/en\\_newsletter\\_200629\\_asia.pdf](https://www.jurists.co.jp/sites/default/files/newsletter_pdf/en/en_newsletter_200629_asia.pdf)

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