LEGAL NEWSLETTER
AUGUST 2026

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TNTP
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Construction law 2025 – New regulations on methods of resolving construction contract disputes

One of the notable provisions of the new Construction Law is the improvement of methods for resolving construction contract disputes by introducing the possibility of applying internationally recognized dispute resolution models.

Accordingly, this regulation is guided under Article 17 of Decree No. 210/2026/ND-CP dated June 15, 2026, issued by the Government, which provides detailed provisions and guidance on the implementation of certain articles of the Construction Law regarding construction contracts. In addition to negotiation, mediation, arbitration, and court proceedings, the parties may establish a Dispute Board to resolve disputes during the performance of the contract.

In this article, TNTP will analyze the key new points regarding methods of resolving construction contract disputes under Construction Law 2025.

1. Methods of resolving construction contract disputes under Construction Law 2025

According to Point a, Clause 5, Article 86 of Construction Law 2025, construction contract disputes may be resolved through the following methods:

> Negotiation;
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> Mediation;
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> Application of dispute resolution models in accordance with international practices;
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> Arbitration;
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> Court proceedings.

Previously, Point b, Clause 8, Article 146 of Construction Law 2014 stipulated that the parties were responsible for resolving disputes through negotiation; if negotiation failed, disputes would be resolved through mediation, commercial arbitration, or the courts.

However, Construction Law 2025 adopts a significantly different approach. Instead of requiring the parties to first negotiate and only use other dispute resolution methods if negotiation is unsuccessful, Point a, Clause 5, Article 86 of Construction Law 2025 lists the available dispute resolution methods, while Article 17 of Decree No. 210/2026/ND-CP provides that the parties may agree on the dispute resolution method to be applied.

Accordingly, when drafting a construction contract, the parties should clearly specify the applicable dispute resolution method, procedures, and conditions for moving from one dispute resolution method to another, rather than merely making a general reference to applicable law.

Construction law 2025 – New regulations on methods of resolving construction contract disputes

2. Application of dispute resolution models in accordance with international practices

One of the new provisions under Clause 5, Article 86 of the Construction Law 2025 is the official recognition of dispute resolution models based on international practices in construction contracts. Decree No. 210/2026/ND-CP further specifies this mechanism and collectively refers to it as a **"Dispute Board."**

> According to Clause 3, Article 17 of Decree No. 210/2026/ND-CP, the parties may agree to establish a Dispute Board:
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> - Immediately after the construction contract is signed, with the Dispute Board operating on a standing basis throughout the performance of the contract; or
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> - After a dispute has arisen.
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> Additionally, the parties may also agree in the contract on the number of members; the qualifications, expertise and experience required of Dispute Board members; as well as the subsequent procedures to be followed if a party disagrees with the outcome of the dispute resolution process.
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> This regulation enables disputes to be addressed during project implementation, particularly in relation to contracts with lengthy performance periods, substantial workloads or complex characteristics. Instead of allowing a dispute to remain unresolved until the project is completed before referring it to arbitration or court proceedings, the parties may establish a specialized mechanism to address disputes arising during contract performance.
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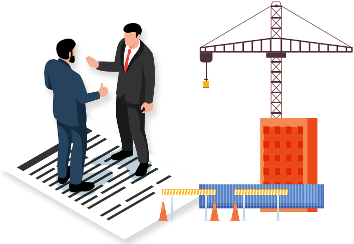
> However, it should be noted that decisions or recommendations issued by the Dispute Board are not automatically binding in all circumstances. The binding effect of such decisions or recommendations, together with the procedures to be followed where a party disagrees with the outcome, must be specifically agreed by the parties in the construction contract.



Construction law 2025 – New regulations on methods of resolving construction contract disputes

3. Requirements for members of the Dispute Board

To ensure the objectivity of this method, Point b, Clause 3, Article 17 of Decree No. 210/2026/ND-CP stipulates that members of the Dispute Board must maintain objectivity and independence and be free from any conflicts of interest with the parties. Furthermore, the general principle is that each party bears half of the costs associated with the Dispute Board members and related expenses, unless the parties agree otherwise.

Accordingly, when opting for this dispute resolution method, in addition to the clause specifying the method itself, the parties should also specify from the contract drafting stage the method for selecting members, professional qualification requirements, operating costs and the legal effect of the Dispute Board's decisions or recommendations.

4. Disputes do not automatically suspend contract performance

According to Clause 2, Article 17 of Decree No. 210/2026/ND-CP, during the dispute resolution process, the parties must continue performing their contractual obligations in respect of works that are not affected by the dispute and must not interrupt the performance of the contract. Exceptions apply in cases of force majeure, where suspension is required by a competent authority, or where the contract may otherwise be suspended in accordance with the law.

This provision has significant practical implications for construction projects. In many cases, a dispute concerns only a specific part of the work, such as additional quantities, adjustments to unit prices or payment obligations. A dispute relating to one part of the work itself does not give either party the right to suspend the entire project unless there are grounds to do so under contract or applicable law.

Accordingly, enterprises should distinguish between **the right to resolve a dispute and the right to suspend contract performance,** thereby avoiding the unilateral suspension of construction works or contractual obligations that may subsequently give rise to liability for breach of contract.

5. Specific provisions for public investment projects and PPP projects

For public investment projects and public-private partnership (PPP) projects, Point b, Clause 5, Article 86 of the Construction Law 2025 sets out several specific requirements as follows:

> Regarding dispute resolution by arbitration, if the parties choose arbitration to resolve a dispute, domestic arbitration institutions are to be prioritized.

Construction law 2025 – New regulations on methods of resolving construction contract disputes

For public investment projects and PPP projects, the application of dispute resolution models in accordance with international practices shall be made pursuant to the requirements of an international treaty; or must be approved by the competent investment decision-maker and agreed by the parties in the construction contract.

Accordingly, for these types of projects, the application of a Dispute Board does not depend solely on the agreement between the contractual parties but must also satisfy the applicable investment management requirements in accordance with the law.

Regarding dispute resolution costs, the Construction Law 2025 also provides that dispute resolution expenses incurred by the project owner must be included in the project's total investment amount.

Accordingly, this provision establishes a clearer legal basis for project owners to estimate and manage costs where a construction contract provides for a specialized dispute resolution mechanism.

6. Key considerations when drafting construction contracts

From 1 July 2026, Construction Law 2025 and Decree No. 210/2026/ND-CP both take effect. At the same time, Decree No. 210/2026/ND-CP replaces Decree No. 37/2015/ND-CP and the relevant amending regulations concerning construction contracts. Accordingly, for construction contracts prepared or entered into under the new legal framework, the parties should carefully review the dispute resolution provisions in order to protect their lawful rights and interests.

Incorporating provisions that are comprehensive, accurate, and tailored to the specific context of the case or project during the drafting stage can help mitigate risks should disputes arise. In addition, to ensure the protection of legitimate rights and interests, as well as to properly address potential future legal liabilities, the parties should consider seeking assistance from professional legal service providers.

In summary, Construction Law 2025 introduces significant adjustments to the regulation for resolving construction contract disputes. In addition to continuing to recognize fundamental dispute resolution methods such as negotiation, mediation, arbitration and court proceedings, Construction Law 2025 now expressly recognizes dispute resolution models based on international practices.

Furthermore, for enterprises, project owners and contractors, the key point to note is not only whether to choose arbitration or court proceedings, but also to establish from the outset a specific, detailed, and clear dispute resolution mechanism, tailored to the characteristics of each project.

Notable new points on tax administration under decree No. 252/2026/ND-CP

*On 30 June 2026, the Government issued Decree No. 252/2026/ND-CP (**"Decree 252")**, providing detailed regulations on the implementation of certain provisions of the Law on Tax Administration. Decree 252 takes effect from 1 July 2026 and replaces Decree No. 126/2020/ND-CP, Decree No. 91/2022/ND-CP, Decree No. 49/2025/ND-CP, Decree No. 117/2025/ND-CP, and Decree No. 373/2025/ND-CP.*

Decree 252 introduces and amends various provisions on tax registration, tax declaration and payment, tax debt administration, and temporary suspension of exit. In this article, TNTP highlights several notable changes under Decree 252 that organizations and individuals engaged in business activities, particularly enterprises, should be aware of.

1. The legal representative of an enterprise may be subject to temporary suspension of exit where the enterprise is not operating at its registered address

One of the notable new points of Decree 252 is the provision under which the legal representative of an enterprise may be subject to temporary suspension of exit where the enterprise is not operating at its registered address.

Point c, Clause 1, Article 28 of Decree 252 provides that where the tax administration authority has sufficient grounds to determine that an enterprise is not operating at its registered address and has issued a notification to that effect, the individual who is the legal representative of such enterprise shall be subject to temporary suspension of exit if, within 120 days from the date of such notification, the enterprise fails to carry out procedures for restoration of its tax identification number or termination of its tax identification number in accordance with applicable regulations.

Accordingly, if, within 120 days from the date on which the tax authority issues a notification that the taxpayer is not operating at its registered address, the enterprise fails to carry out either of the following procedures: (i) restoration of its tax identification number; or (ii) termination of its tax identification number, the legal representative of the enterprise shall be subject to temporary suspension of exit.

Notable new points on tax administration under decree No. 252/2026/ND-CP

2. Enterprise relocating its head office to another province is not required to fulfill its tax obligations before the relocation

Decree 252 amends the regulations on the fulfillment of tax obligations where a taxpayer changes its head office address to another province or centrally administered city.

> Under the previous regulations, Clause 3, Article 6 of Decree No. 126/2020/ND-CP required a taxpayer to complete tax procedures with the directly managing tax authority before changing its head office address to another provincial-level locality. Such procedures included fully submitting tax declaration dossiers and paying all tax amounts and other revenues payable to the state budget.
>
> Under Point b, Clause 1, Article 7 of Decree 252, where a taxpayer changes its head office address to another provincial-level locality, resulting in a change of the directly managing tax authority, the taxpayer shall, after completing the procedures for changing its head office address, continue to carry out the outstanding tax procedures and fulfill its outstanding obligations, including fully submitting tax declaration dossiers and paying all outstanding tax amounts and other revenues payable to the state budget, with the tax authority of the former locality.

Accordingly, instead of being required to complete tax-related procedures with the tax authority of the former locality before changing its head office address, under Decree 252, an enterprise may complete the procedures for changing its head office address first and subsequently continue to fulfill its outstanding tax obligations with the tax authority of the former locality.

Notable new points on tax administration under decree No. 252/2026/ND-CP

3. Cancellation of temporary suspension of exit when tax debts fall below the applicable threshold for temporary suspension of exit

Decree 252 changes the conditions for cancelling the temporary suspension of exit in cases where a taxpayer is subject to temporary suspension of exit due to tax debts. Specifically:

> Previously, with respect to the application of temporary suspension of exit, Decree No. 49/2025/ND-CP introduced tax debt thresholds for the application of this measure. Accordingly, an enterprise, cooperative, or cooperative union with tax debts of VND 500 million or more, or a business individual or household business owner with tax debts of VND 50 million or more, and whose tax payment deadline had been overdue for more than 120 days, was subject to temporary suspension of exit. However, these tax debt thresholds were prescribed only as grounds for applying temporary suspension of exit and were not prescribed as grounds for cancelling the temporary suspension of exit.
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> With respect to the cancellation of temporary suspension of exit, Point c, Clause , Article 21 of Decree No. 126/2020/ND-CP provided that, where a taxpayer had fulfilled its tax obligations, the tax administration authority would issue a written notice of cancellation of the temporary suspension of exit and send it to the immigration authority for implementation. Accordingly, the taxpayer was required to fully fulfill its tax obligations in order to have the temporary suspension of exit cancelled.
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> Currently, pursuant to subpoint 1, Point a, Clause 1, Article 28 of Decree 252, where a taxpayer is subject to temporary suspension of exit due to tax debts, the tax administration authority shall issue a notice cancelling the temporary suspension of exit immediately after determining that the taxpayer has made tax payments and that the remaining tax debt payable is below VND 50 million for a business individual or household business, or below VND 500 million for an enterprise, cooperative, or cooperative union, corresponding to the applicable thresholds for temporary suspension of exit, or where the taxpayer's tax debt has been written off in accordance with regulations.

Accordingly, from 1 July 2026, instead of being required to fully settle its outstanding tax debt, a taxpayer may have the temporary suspension of exit cancelled when its remaining tax debt falls below the applicable threshold for temporary suspension of exit, specifically below VND 50 million for a business individual or household business and below VND 500 million for an enterprise, cooperative, or cooperative union.

Notable new points on tax administration under decree No. 252/2026/ND-CP

4. Enforcement measures not applied to very small tax debts

Decree 252 introduces a provision under which enforcement measures for the enforcement of administrative decisions on tax administration shall not be applied where the amount of tax debt is very small. Specifically:

Pursuant to Point b, Clause 3, Article 65 of Decree 252, the tax administration authority shall not apply enforcement measures to a taxpayer where the total amount of tax debt subject to enforcement does not exceed VND 3 million for an organization, or VND 1 million for a household, household business, individual, or business individual, except where the taxpayer is not operating at its registered address.

This provision gives taxpayers additional time to address very small outstanding tax debts before enforcement measures are applied. At the same time, not applying enforcement measures to tax debts below the prescribed thresholds helps reduce the number of tax debts in respect of which the tax administration authority is required to take enforcement measures.

5. Additional cases where taxpayers are not required to submit tax and other revenue declaration dossiers

Decree 252 expands the cases in which taxpayers are not required to submit tax and other revenue declaration dossiers. Accordingly, compared with Decree No. 126/2020/ND-CP, as amended and supplemented by Decree No. 91/2022/ND-CP, Article 11 of Decree 252 adds six cases where taxpayers are not required to submit tax and other revenue declaration dossiers, including:

Notable new points on tax administration under decree No. 252/2026/ND-CP

> A Vietnamese party that withholds and pays tax on behalf of a foreign contractor, and files tax declarations on a monthly basis but has no tax withholding arising during the relevant month, is not required to submit a tax declaration dossier (Clause 8).
>
> Certain entities eligible for a value-added tax refund, including those using non-refundable ODA funds or non-refundable or humanitarian aid, or those purchasing goods or services in cases eligible for diplomatic privileges and immunities, are not required to submit a value-added tax declaration dossier (Clause 9).
>
> Where the tax authority has sufficient information to determine the tax or other revenue liability based on national databases, information systems, and dossiers or information provided by competent authorities, the taxpayer is not required to submit a tax and other revenue declaration dossier, except where the taxpayer applies for tax exemption or reduction in such declaration dossier (Clause 10).
>
> A Vietnamese party making income payments to a foreign organization or individual from investments in international bonds issued by the Government of Vietnam or loans extended to the State or Government of Vietnam, where such income is not subject to value-added tax and is exempt from corporate income tax, is not required to submit a tax declaration dossier (Clause 11).
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> An organization collecting fees or charges that is not required to declare such fees or charges under the laws on fees and charges is not required to submit a fee or charge declaration dossier (Clause 12).
>
> An organization or individual eligible for resource tax exemption in certain cases is not required to submit a resource tax declaration dossier (Clause 13).

Accordingly, Decree 252 not only retains the cases previously provided for under tax regulations but also adds a number of cases where taxpayers are not required to submit tax and other revenue declaration dossiers.

Decree No. 252/2026/ND-CP amends and supplements various provisions directly relevant to the tax obligations of individuals and organizations engaged in business activities, including tax registration, tax debt management, temporary suspension of exit, and tax declaration. Understanding the changes introduced by Decree 252 will enable individuals and organizations to proactively fulfill their tax obligations, avoid unnecessary procedures, and promptly address matters that may affect their business operations.

What does circular no. 18/2019/TT-NHNN provide regarding debt collection activities by finance companies?

*Circular No. 43/2016/TT-NHNN **("Circular 43")**, as amended and supplemented by Circular No. 18/2019/TT-NHNN **("Circular 18")**, sets out specific regulations governing debt reminder activities in consumer lending conducted by finance companies. These regulations limit the number of debt reminders calls that may be made, prescribe the permitted hours for contacting borrowers, and prohibit threats, harassment, or contacting individuals who are under no obligation to repay the debt.*

1. What is Circular 18 on debt collection, and why is it important?

Many people mistakenly believe that Circular No. 43/2016/TT-NHNN (as amended and supplemented by Circular No. 18/2019/TT-NHNN) governs all debt collection activities carried out by businesses. However, pursuant to Articles 1 and 2 of the Circular, it applies solely to consumer lending activities conducted by finance companies and governs the entities involved in such activities, including finance companies, borrowers, and other related organizations and individuals.

Accordingly, the debt reminder and debt collection provisions under the Circular do not apply generally to all businesses or all debt collection activities. Instead, they apply exclusively to consumer lending provided by finance companies. For example, debt recovery services performed by law firms under legal service agreements or the collection of commercial debts arising from business transactions between enterprises fall outside the scope of this Circular. It should be noted that where a finance company authorizes a law firm to conduct debt reminder or debt collection activities relating to consumer loans, the law firm acts as the finance company's authorized representative. Accordingly, the debt reminder activities are carried out in the name of the finance company and must comply with the provisions of the Circular.

Previously, the law merely allowed finance companies to adopt debt recovery measures without imposing specific limits on the number of reminder calls or restricting contact with borrowers' relatives. As a result, many individuals received repeated phone calls, while persons with no repayment obligation were nevertheless disturbed. To address these issues, Point (d), Clause 2, Article 7 of Circular 43 introduced detailed regulations governing debt reminder activities. These provisions are intended both to safeguard the legitimate debt recovery rights of finance companies and to protect the lawful rights and interests of borrowers.

What does circular no. 18/2019/TT-NHNN provide regarding debt collection activities by finance companies?

2. Regulations on debt reminder calls under Circular 18

One of the key amendments introduced by Circular 43, as amended and supplemented by Circular 18, is the limitation on the number of debt reminder calls that a finance company may make each day. Pursuant to Point (d), Clause 2, Article 7 of Circular 43 (as amended by Clause 7, Article 1 of Circular 18), a finance company may issue debt reminders no more than five (05) times per day. The method and timing of debt reminders shall be agreed upon by the parties in the consumer loan agreement, provided that such agreement complies with applicable laws. This limitation is intended to prevent borrowers from being subjected to excessive phone calls that may cause psychological pressure or disrupt their daily lives and work. By restricting debt reminder activities to a maximum of five times per day, the Circular seeks to ensure that debt collection is conducted in a lawful and professional manner rather than becoming a form of harassment or unlawful coercion.

In addition to limiting the number of reminder calls, Circular 43 (as amended and supplemented by Circular 18) also specifies the permissible time frame during which debt reminders may be made. Pursuant to Point (d), Clause 2, Article 7 of Circular 43 (as amended by Clause 7, Article 1 of Circular 18), although the parties may agree on the timing of debt reminders in the loan agreement, such reminders may only be made between 7:00 a.m. and 9:00 p.m. This requirement is intended to protect borrowers' right to rest and maintain their normal daily lives while preventing debt reminder practices from unnecessarily intruding upon their personal time. Accordingly, any debt reminder calls made before 7:00 a.m. or after 9:00 p.m. are inconsistent with the applicable legal requirements.

Furthermore, although Circular 43 (as amended and supplemented by Circular 18) recognizes debt collection as a legitimate right of finance companies, it does not permit finance companies to employ any means necessary to compel borrowers to make payment. Under Point (d), Clause 2, Article 7 of Circular 43 (as amended by Clause 7, Article 1 of Circular 18), debt reminder and debt collection measures must not include threatening or intimidating borrowers.

At the same time, debt collection activities must be carried out professionally and in compliance with the law. Pursuant to Clause 7, Article 10a of Circular 18, finance companies are responsible for training and supervising their employees to ensure compliance with legal requirements and professional ethics. Accordingly, any conduct involving threats, insults, intimidation, or psychological pressure against borrowers is prohibited.

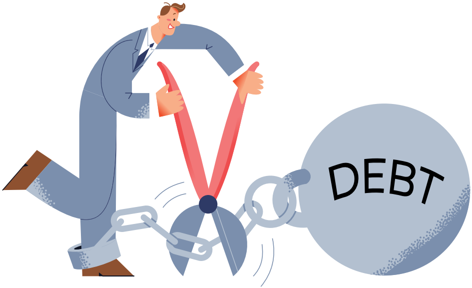
What does circular no. 18/2019/TT-NHNN provide regarding debt collection activities by finance companies?

3. May finance companies contact borrowers' relatives to collect debts under Circular 18?

Point (d), Clause 2, Article 7 of Circular 43 (as amended by Clause 7, Article 1 of Circular 18) expressly provides that finance companies must not send debt reminders, pursue debt collection, or provide information relating to debt recovery to any organization or individual who has no repayment obligation, except where disclosure is requested by a competent state authority in accordance with law. Parents, spouses, children, siblings, friends, or colleagues of a borrower are not automatically liable for repayment of the borrower's loan merely because of their relationship with the borrower. Unless they are the borrower, a guarantor, or another party with repayment obligations under the relevant agreement, they bear no legal responsibility for the outstanding debt.

Accordingly, if a finance company repeatedly contacts a borrower's relatives demanding that they repay the debt on the borrower's behalf, threatens to continue disturbing them unless the loan is settled, or otherwise pressures them into making payment, such conduct is inconsistent with the applicable legal framework. Similarly, finance companies may not request that relatives, friends, or colleagues provide the borrower's new telephone number, address, or other contact information, nor may they ask such persons to relay payment demands to the borrower, as these individuals have no legal obligation in relation to the debt.

However, this prohibition does not mean that finance companies are absolutely prohibited from contacting persons who have no repayment obligation under all circumstances. For example, where a borrower has designated a reference person during the pre-disbursement verification process or where a competent state authority lawfully requests relevant information, such contact may be made within the limits permitted by law.



What does circular no. 18/2019/TT-NHNN provide regarding debt collection activities by finance companies?

4. What should you do if you receive unlawful debt collection calls?

Firstly, borrowers should retain all available evidence relating to unlawful debt collection practices. Such evidence may include call logs, call recordings (where available), text messages, emails, or any other documents demonstrating that the finance company has made debt reminder calls exceeding the permitted frequency, contacted the borrower outside the legally permitted hours of 7:00 a.m. to 9:00 p.m., or communicated with persons who have no repayment obligation. Such evidence may serve as an important basis for filing a complaint or requesting the competent authorities to investigate and address the violation.

Secondly, when sufficient evidence has been collected, the borrower should submit a complaint directly to the finance company requesting that it investigate the matter and cease the unlawful conduct. Pursuant to Clauses 5 and 6, Article 10a of Circular 18, finance companies are responsible for receiving and resolving customer complaints. Complaints relating to debt reminder measures, debt collection activities, or demands for payment made against persons who have no repayment obligation must be addressed within 48 hours. For other types of complaints, the finance company must respond within seven (07) working days from the date of receipt.

Finally, if the finance company fails to resolve the complaint or continues to engage in unlawful debt collection practices, the borrower may submit a complaint or report the matter to the competent authorities. Pursuant to Article 10b of Circular 18, the Banking Inspection and Supervision Agency and the provincial or municipal branches of the State Bank of Vietnam are responsible for conducting inspections, supervising finance companies, and handling or recommending the handling of violations within their respective authority. This regulatory mechanism helps safeguard borrowers' lawful rights and interests while ensuring that debt

5. FAQs about Circular 18

Is it unlawful for a finance company to make more than five debt reminder calls in a single day?

Pursuant to Point (d), Clause 2, Article 7 of Circular 43, as amended and supplemented by Circular 18, a finance company may issue debt reminders no more than five (05) times per day. This limitation applies to debt reminder and debt collection activities arising from consumer loan agreements between finance companies and borrowers.

Accordingly, where a finance company or its authorized representative repeatedly places calls exceeding the statutory limit in an attempt to pressure a borrower into making payment, such conduct may constitute a violation of the applicable regulations. In such circumstances, borrowers are advised to retain call logs, call recordings, or other relevant evidence for the purpose of submitting a complaint.

THÔNG TƯ 18/2019/TT-NHNN VỀ THU HỒI NỢ QUY ĐỊNH GÌ KHI CÔNG TY TÀI CHÍNH NHẮC NỢ

Is it lawful for a finance company to make debt reminder calls after 9:00 p.m.?

Under Point (d), Clause 2, Article 7 of Circular 43, as amended and supplemented by Circular 18, although the parties may agree on the timing of debt reminders in the loan agreement, debt reminder activities may only be conducted between 7:00 a.m. and 9:00 p.m.

Accordingly, making debt reminder calls before 7:00 a.m. or after 9:00 p.m. falls outside the time frame permitted by law, even where the borrower has an overdue debt. If such conduct occurs repeatedly, the borrower may request the finance company to cease the violation and exercise the right to lodge a complaint in accordance with Article 10a of Circular 18.

What should you do if you have never borrowed money but continue receiving debt reminders calls?

Point (đ), Clause 2, Article 7 of Circular 43, as amended and supplemented by Circular 18, expressly provides that finance companies must not send debt reminders, pursue debt collection, or disclose debt collection information to organizations or individuals who have no repayment obligation, except where disclosure is required by a competent state authority in accordance with law.

Accordingly, if an individual is neither the borrower, a guarantor, nor another person legally responsible for the debt, that individual has the right to request that the finance company immediately cease contacting them. The individual should also retain evidence of the calls or messages for the purpose of filing a complaint. If the finance company continues to harass the individual or unlawfully discloses information relating to the loan, the matter may be reported to the State Bank of Vietnam or another competent authority for consideration and appropriate action.

THÔNG TƯ 18/2019/TT-NHNN VỀ THU HỒI NỢ QUY ĐỊNH GÌ KHI CÔNG TY TÀI CHÍNH NHẮC NỢ

Are borrowers' relatives required to provide the borrower's new telephone number or address?

Current Vietnamese law does not require a borrower's relatives to provide the borrower's telephone number, address, or other updated contact information to a finance company. Where an individual has no legal obligation in relation to the loan, that person is entitled to refuse to provide such information and may request that the finance company discontinue any further contact.

If the finance company nevertheless continues to contact or harass that individual, they should preserve the relevant evidence and file a complaint in accordance with the applicable legal procedures.

Circular No. 43/2016/TT-NHNN, as amended and supplemented by Circular No. 18/2019/TT-NHNN, establishes a clear legal framework governing debt reminder and debt collection activities conducted by finance companies in connection with consumer lending. Understanding these regulations enables borrowers to better appreciate their legal rights and obligations while helping to prevent unlawful debt collection practices.

Where a borrower receives debt reminders that do not comply with the applicable legal requirements or becomes involved in a dispute relating to debt collection activities, TNTP ***Lawyers is available to assist by reviewing the relevant documents, assessing the legality of the debt collection measures, advising on appropriate legal solutions, representing clients in complaint procedures, and protecting their lawful rights and interests in accordance with Vietnamese law.***

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Dispute Settlement And Debt Collection