



LEGAL UPDATE

NEW DEVELOPMENTS IN LAND AND REAL ESTATE REGULATIONS

1. Introduction

Vietnam has recently introduced a series of regulatory measures aimed at improving transparency, digitalisation and the administration of land-related financial obligations in the real estate sector, particularly in areas relating to market data accessibility and the determination of land-related financial obligations.

To address these challenges, the National Assembly and the Government have introduced new measures to enhance transparency and resolve implementation gaps in the real estate sector. Notably, Decree No. 357/2025/ND-CP ("**Decree 357**"), effective from 1 March 2026, establishes a framework for a centralised real estate information system and electronic identification codes ("**EIDs**"). In parallel, Resolution No. 254/2025/QH15 ("**Resolution 254**"), effective from 1 January 2026, as guided by Decree No. 50/2026/ND-CP ("**Decree 50**"), introduces targeted mechanisms to address practical challenges in the determination of land use fees and land rental fees.

This legal update highlights key developments and their practical implications for the real estate market in Vietnam.

2. Digitalisation of the Real Estate Market Framework

The new framework introduces EIDs and a centralised real estate information system to support the management, integration, and sharing of real estate market data nationwide.

i. Electronic identification codes for real estate

Decree 357 introduces a framework for EIDs for real estate assets and certain market participants within the centralized housing and real estate information system.¹

EIDs are intended to support the traceability and integration of real estate information across multiple databases,

enabling users to access consolidated information and the transaction history of specific assets.²

From a practical perspective, the introduction of EIDs is expected to enhance administrative efficiency, strengthen regulatory oversight of real estate transactions, and improve transparency in the real estate market.

However, EIDs do not replace the Land Use Rights Certificate and ownership of assets attached to land ("**LURC**"), which remains the primary legal instrument evidencing land use rights. EIDs serve only to support data management and retrieval within the information system. Certain implementation issues, however, remain unclear, including responsibility for inaccurate data, the scope of eligible assets, and compliance with personal data protection regulations.

ii. Housing and real estate market information system

The housing and real estate market information system is established on a centralized and unified basis, comprising centralised platform and database for the management and sharing of housing and real estate market information nationwide.³ This system is designed to ensure connectivity and facilitate the provision and sharing of information relating to housing and real estate market activities with national databases and those of relevant authorities.⁴

Based on the provisions of the 2023 Law on Real Estate Business, Decree 357 further provides detailed regulations on the development and operation of the system. The Ministry of Construction is responsible for its nationwide development, management and operation, in coordination with local authorities, in updating and managing data relating to the real estate market.⁵

According to Decree 357, housing and real estate market information may be accessed through the system or by submitting requests to the competent authorities.⁶

¹ Articles 3.3, 3.4 and 13.1 of Decree 357

² Article 4.8 and 35 of Decree 357

³ Article 71.2 of 2023 Law on Real Estate Business ("**LREB**")

⁴ Article 71.1 of LREB

⁵ Article 4.1 of Decree 357

⁶ Article 33.5 of Decree 357



The establishment of this system is expected to create a centralised and authoritative data source for the real estate market, thereby improving transparency and accessibility.

iii. Housing and real estate market database

Within the housing and real estate market information system, the database constitutes the core component for storing and managing information related to housing and real estate market activities.⁷

Under Decree 357, data in the database is linked through EIDs, enabling information to be connected to specific real estate assets and market participants.⁸

This integrated database is expected to improve market monitoring and data accessibility for both regulators and market participants. However, the effectiveness of this database in practice will largely depend on the accuracy and completeness of the input data, as well as data security and connectivity with other national databases.

3. Key Changes to Land Use Fee and Rental Fee Regime

i. Preferential mechanism for land use purpose conversion

One of the notable provisions is the new regulation on calculating land use fees for households and individuals converting garden land, pond land, or agricultural land into residential land.

Under the previous regime, households and individuals were required to pay 100% of the difference between agricultural land prices and residential land prices.⁹ However, under the new regulations, a tiered approach applies, whereby the payable amount is calculated as a percentage of such difference, depending on the land area relative to the applicable residential land allocation quota (i.e. 30%, 50%, or 100%).¹⁰

This preferential mechanism may be only applied once per household or individual.¹¹ It is also limited to Vietnamese subjects eligible to be named on the LURC. This regulation

aims to prevent repeated preferential treatment in different localities.

ii. Clarification of deductible land-related costs

Decree 50 clarifies the treatment of compensation, support, and resettlement costs advanced by investors. Where such costs are advanced in accordance with an approved plan, the investor may deduct the entire amount from the land use fees or land rental fees payable for the project.¹²

iii. Revised calculation methods for foreign-related projects

Decree 50 also amends land use fees and land rental fees under Decree No. 103/2024/ND-CP). A notable amendment is the supplementation and adjustment of the method for calculating land use fees in cases involving a change of land use purpose to implement projects for foreign entities. Accordingly, the land price used to calculate land use fees prior to the change of land use purpose may be adjusted to deduct infrastructure construction costs calculated on a per-square-metre basis.¹³

4. Conclusion

Taken together, Decree 357, Resolution 254, and Decree 50 reflect a broader regulatory shift towards digitalisation, data transparency and greater standardisation in land-related financial administration.

While these changes are expected to improve market oversight and administrative efficiency, their practical implementation will depend on data accuracy, inter-agency coordination, and further guidance on operational issues.

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⁷ Article 71.2(c) of LREB

⁸ Article 8, 9, 10, 11, 12 and 13 of Decree 357

⁹ Article 121.2 of 2024 Land Law; Article 8 of Decree 103

¹⁰ Article 10.2(c) of Resolution 254; Article 6 of Decree 50

¹¹ Article 6.1 and 6.2 of Decree 50

¹² Article 8 of Decree 50

¹³ Article 13.3 of Decree 50