

HARLEY MILLER LAW FIRM

Frequently Asked Questions About Wills for Foreigners in Vietnam



1. Can I make a will in my native language?

Yes, you can make a will in your native language. However, if the will is to be notarized or authenticated in Vietnam, it must be translated into Vietnamese.

2. What are the legal requirements for a valid will in Vietnam?

A will must be in writing, signed by the testator, and witnessed by at least two people who are not beneficiaries. It should also comply with the Vietnamese Civil Code.



3. Can I include property located outside of Vietnam in my will?

Yes, you can include foreign property in your will. However, it is advisable to create separate wills for properties located in different countries to avoid legal complications.



4. Are there any restrictions on who can inherit my property in Vietnam?

Generally, there are no restrictions on who can inherit your property. However, certain individuals, such as those who have intentionally harmed the deceased, may be disqualified from receiving an inheritance.



5. What happens if I do not meet the ownership conditions for property in Vietnam?

If you do not meet the ownership conditions for property in Vietnam, you are entitled to the value of the property rather than direct ownership.

6. Do I need to notarize my will?

While notarization is not mandatory, it is highly recommended to prevent disputes and ensure the will's validity.

7. How are taxes handled for inherited property?

Inheritance exceeding VND 10 million is taxed at a flat rate of 10%. Certain relationships, such as spouses and children, are exempt from inheritance tax on real property.

8. Can I change my will after it is made?

Yes, you can update or revoke your will at any time, provided you are mentally competent to do so.

CONTACT US

(84) 93 721 5585
412 Nguyen Thi Minh Khai, District 3, HCM City, Viet Nam
miller@hmlf.vn
hmlf.vn | luatminhnguyen.com