

No.: 16597/QĐ-HAN-KTr3-XPHC

Hanoi, 09 October 2026



DECISION

On administrative penalties for tax violations

HEAD OF THE HANOI CITY TAX AUTHORITY

Pursuant to Articles 57, 68, 78 and 85 of the Law on Handling of Administrative Violations dated 20 June 2012 (as amended and supplemented in 2020);

Pursuant to the Law on Tax Administration No. 38/2019/QH14 dated 13 June 2019 of the National Assembly and its implementing guidance documents;

Pursuant to the Government's Decree No. 125/2020/NĐ-CP dated 19 October 2021 on administrative penalties for tax and invoice violations;

Pursuant to the Government's Decree No. 68/2025/NĐ-CP dated 18 March 2025 amending and supplementing a number of articles of Decree No. 118/2021/NĐ-CP dated 23 December 2021, which details a number of articles of, and measures for implementing, the Law on Handling of Administrative Violations;

Pursuant to Decision No. 1376/QĐ-CT dated 30/6/2025 of the Director General of the Tax Department, defining the functions, duties, powers and organizational structure of provincial and municipal tax authorities under the Tax Department;

Pursuant to Decision No. 3736/QĐ-CT dated 31/12/2025 of the Director General of the Tax Department, defining the functions, duties, powers and organizational structure of divisions under provincial and municipal tax authorities;

Pursuant to Decision No. 13204/QĐ-HAN dated 06/08/2026 of the Head of the Hanoi City Tax Authority on delegation of authority to impose administrative penalties for tax and invoice violations;

Pursuant to the Tax Inspection Minutes signed on 09/10/2026 between the Inspection Team of the Hanoi City Tax Authority and VCP Power and Construction Joint Stock Company, tax identification number 2800799804, under Decision No. 14242/QĐ-HAN-KTr3 dated 19/08/2026 of the Head of the Hanoi City Tax Authority regarding the inspection of the Company's compliance with tax laws;

At the proposal of the Head of Inspection Division No. 3 - Hanoi City Tax Authority.

HEREBY DECIDES:

Article 1. To impose administrative penalties upon the following organization:

1. VCP Power and Construction Joint Stock Company;

- Tax identification number: 2800799804;

- Address: 19th Floor, Vinaconex Building, 34 Lang Ha, Lang Ward, Hanoi City.

- VCP Power and Construction Joint Stock Company holds Enterprise Registration Certificate No. 2800799804, initially issued by the Department of Planning and Investment of Thanh Hoa Province on 18/05/2004; the latest amendment certificate (17th amendment) was issued on 23/12/2025 by the Hanoi Department of Finance - Business Registration and Corporate Finance Division.
- Legal representative of the enterprise: Mr. Pham Van Minh- Position: General Director (under the authorization dated 19/08/2026 of the Chairman of the Board of Directors - the legal representative).

The following administrative violations were committed:

1. Tax declarations:

- **Value-added tax (VAT):** The Company claimed input VAT deductions for invoices issued by an entity that had been notified by the tax authority as not operating at its registered address (invoices issued before such time); and failed to allocate and reduce the input VAT deduction for common expenses used for revenue not subject to VAT.
- **Corporate income tax (CIT):** The Company recognized expenses based on invoices issued by an entity that had been notified by the tax authority as not operating at its registered address (invoices issued before such time); failed to allocate borrowing costs to construction in progress (Account 241); and included financial income (interest from lending and long-term bank deposits) and other profits in income eligible for tax incentives.

2. Use of invoices:

- The Company issued 04 invoices (in 2026) late and not at the prescribed time.

4. Aggravating circumstances: None.

5. Mitigating circumstances: None.

6. The following penalties and remedial measures shall apply:

a) Principal penalties:

- Monetary fine (TM 4254): VND 14.090.627, equal to 20% of the VAT and CIT arrears determined through inspection, pursuant to Point c, Clause 2, Article 138 of the Law on Tax Administration No. 38/2019/QH14 dated 13/6/2019 and Clause 1, Article 16 of the Government's Decree No. 125/2020/ND-CP dated 19/10/2020 on administrative penalties for tax and invoice violations, for making incorrect declarations resulting in an underpayment of tax.
- Monetary fine (TM 4254): VND 3.500.000 pursuant to Clause 14, Article 1 of Decree No. 310/2025/ND-CP dated 02 December 2025, amending and supplementing a number of articles of the Government's Decree No. 125/2020/ND-CP dated 19 October 2020 on administrative penalties for tax and invoice violations, for issuing 04 invoices (in 2026) late and not at the prescribed time.

b) Additional penalties: None.

c) Remedial measures:

Total tax arrears determined through inspection: VND 70.453.134, comprising:

- VAT (TM 1701): VND 35,142,372 (year 2024).
- CIT (TM 1052): VND 35,310,762 (year 2023: VND 773,770; year 2024: VND 34,536,992).

Late-payment interest on tax: VND 13,950,783, calculated at 0.03% per day pursuant to Point a, Clause 1 and Clause 2, Article 59 of the Law on Tax Administration No. 38/2019/QH14 dated 13/6/2019 and Clause 2, Article 16 of the Government's Decree No. 125/2020/ND-CP dated 19/10/2020, due to the late payment of tax, comprising:

- Late-payment interest on VAT (TM 4931): VND 8,081,920.
- Late-payment interest on CIT (TM 4918): VND 5,868,863.

The above late-payment interest has been calculated through 28/09/2026. VCP Power and Construction Joint Stock Company shall calculate and pay additional late-payment interest accruing from 29/09/2026 until the date on which the full late-payment interest is paid into the State Budget.

Total tax arrears, fines and late-payment interest: **VND 101,994,544** (in words: *One hundred one million nine hundred ninety-four thousand five hundred forty-four Vietnamese dong*).

Article 2. This Decision takes effect upon signing.

Article 3. This Decision shall be:

1. Delivered to Mr. Pham Van Minh- Position: General Director (under the authorization dated 19/08/2026 of the Chairman of the Board of Directors - the legal representative), representing the violating organization named in Article 1 of this Decision, for compliance.

VCP Power and Construction Joint Stock Company shall strictly comply with this penalty Decision. If the Company fails to voluntarily comply within the prescribed time limit, enforcement measures shall be taken in accordance with law.

VCP Power and Construction Joint Stock Company shall pay in full the fine and the remedial amounts specified in Article 1 into account No. 7111 at State Treasury Region I, with the Hanoi City Tax Authority as the revenue-collecting authority, within 10 days from the date of receipt of this Decision.

VCP Power and Construction Joint Stock Company has the right to lodge a complaint or institute administrative proceedings against this Decision in accordance with law.

If the Company fails to comply with the penalty Decision within the prescribed time limit, enforcement of the administrative Decision shall be imposed in accordance with law; and for each day the fine remains unpaid, the violating organization shall pay late-payment interest equal to 0.05% per day on the total outstanding fine.

2. Sent to State Treasury Region I for collection of the fine.

3. Sent to Inspection Division No. 3 and Enterprise Management and Support Division No. 1 for implementation./.

Recipients:

- As stated in Article 3;
- Filed: Records; KTr3 Dhoang03 (03).

**THE HEAD OF THE HANOI CITY TAX
AUTHORITY
DEPUTY HEAD**

Nguyen Tien Minh