



LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Ministry of Foreign Affairs

No. 1064 /AE.OI.3  
Vientiane, 17 February 2015

**GUIDELINES**

**For the Implementation of the Prime Minister's Decree  
on International Non-Governmental Organizations**

In accordance with Article 27 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010 on International Non-Governmental Organizations;

Minister of Foreign Affairs of the Lao People's Democratic Republic hereby issues the following guidelines aimed at facilitating the implementation of the Prime Minister's Decree on International Non-Governmental Organizations or INGOs as follows:

**CHAPTER I**

**General Provisions**

**1. Objective:**

To facilitate nationwide the implementation of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010 on International Non-Governmental Organizations (INGOs), and administrate the assistance from INGOs more effective and efficient and consistent with the National Socio-Economic Development Plan (NSED) in each period.

**ໝວດທີ VI**

**ນະໂຍບາຍຕໍ່ຜູ້ມີຜົນງານ ແລະ ມາດຕະການລົງໂທດ**

**28. ນະໂຍບາຍຕໍ່ຜູ້ມີຜົນງານ:**

- 28.1 ອສບລ ຫຼື ພະນັກງານ ອສບລ ຜູ້ທີ່ມີຜົນງານດີເດັ່ນໃນການຈັດຕັ້ງປະຕິບັດໂຄງການຊ່ວຍເຫຼືອ ຈະໄດ້ຮັບການຍ້ອງຍໍຈາກລັດຖະບານ ສປປ ລາວ;
- 28.2 ມອບໃຫ້ພາກສ່ວນກ່ຽວຂ້ອງ ທີ່ເປັນຄູ່ຮ່ວມງານກັບ ອສບລ ເປັນຜູ້ສະເໜີການຍ້ອງຍໍ ວ່າຈະ ສົມຄວນຍ້ອງຍໍຜູ້ໃດ, ຂັ້ນໃດ. ອສບລ ຫຼື ພະນັກງານ ອສບລ ເອງກໍສາມາດສະເໜີຂໍຮັບການ ຍ້ອງຍໍໄດ້, ເຊິ່ງສາມາດສົ່ງຜ່ານກະຊວງຂະແໜງການກ່ຽວຂ້ອງ ເພື່ອສົ່ງໃຫ້ກະຊວງການຕ່າງ ປະເທດ ພິຈາລະນາ ແລະ ນຳສະເໜີຕໍ່ລັດຖະບານ ເພື່ອອະນຸມັດຕາມຄວາມເໝາະສົມ.

**29. ມາດຕະການລົງໂທດ:**

- 29.1 ອສບລ ຫຼື ພະນັກງານ ອສບລ ຜູ້ທີ່ມີການເຄື່ອນໄຫວທີ່ລະເມີດຕໍ່ຕໍາລັດຂອງນາຍົກລັດຖະມົນ ຕີ ສະບັບເລກທີ 08/01/2010, ຈະຖືກຕັກເຕືອນ, ການອະນຸຍາດປະຕິບັດງານ ຫຼື ໂຄງການຈະ ຖືກຍົກເລີກຊົ່ວຄາວ ຕາມກໍລະນີໜັກ ຫຼື ເບົາ;
- 29.2 ອສບລ ຫຼື ພະນັກງານ ອສບລ ຜູ້ທີ່ມີການເຄື່ອນໄຫວບໍ່ສອດຄ່ອງກັບແນວທາງນະໂຍບາຍຂອງ ລັດຖະບານ ສປປ ລາວ ແລະ ລະເມີດລະບຽບກົດໝາຍ ແລະ ຮີດຄອງປະເພນີອັນດີງາມ ຂອງ ສປປ ລາວ ແລະ ເຄື່ອນໄຫວນອກໜ້າທີ່ຂອງຕົນທີ່ຮັບຜິດຊອບ ຈະຖືກດຳເນີນຄະດີຕາມລະ ບຽບກົດໝາຍຂອງ ສປປ ລາວ.

**ໝວດທີ VII**

**ບັນຍັດສຸດທ້າຍ**

ຂໍ້ແນະນຳສະບັບນີ້ ປ່ຽນແທນຂໍ້ແນະນຳ ກະຊວງການຕ່າງປະເທດ, ສະບັບເລກທີ 1865/ຕປທ, ລົງວັນ ທີ 08/07/1999 ແລະ ມີຜົນສັກສິດນັບແຕ່ມີລົງລາຍເຊັນເປັນຕົ້ນໄປ.

ຮອງນາຍົກລັດຖະມົນຕີ  
ລັດຖະມົນຕີວ່າການ ກະຊວງການຕ່າງປະເທດ



ດຣ. ທອງລຸນ ສີສຸລິດ

## 2. Definition:

International Non-Governmental Organization or INGO as stipulated in Article 2 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010 is an international or foreign non-profit organization having a legal status, which be registered officially in the nation of that organization. There are completely all documents as stipulated in Article 6 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010, without any pursuit of profit, desirability to provide development assistance and humanitarian aides to consist with the Government's Policy, rules and laws of Lao PDR, and regulation as well as the Lao fine traditions.

## 3. Terminology:

The following terms in this Guidelines mean:

- 3.1. **Operation Permit (OP)** is an official registration or permission provided to an INGO to operate in the Lao PDR in accordance with the rules and regulations prescribed in the Prime Minister's Decree, No. 013/PM, dated 08/01/2010;
- 3.2. **Project Approval** means an approval by the Government for an INGO to carry out its development assistant project in the Lao PDR;
- 3.3. **Project Office Approval** means an approval by the Government for an INGO to set up its Project Office in the Lao PDR;
- 3.4. **Representative Office Approval** means an approval by the Government for an INGO to set up its Representative Office in the Lao PDR;
- 3.5. **Regional Representative Office Approval** means an approval by the Government for an INGO to establish its Regional Representative Office in the Lao PDR in order to facilitate its activities in region including in the Lao PDR;
- 3.6. **Approval of INGO Representative, Project Director and Expatriate Staff** means an approval of nomination by the Government for an INGO Representative or Project Director or Expatriate Staff respectively to work in the Lao PDR in accordance with the defined respective terms or reference;
- 3.7. **Approval for a Short-term non-project Activity** means an approval by the Government for an INGO to undertake its short-term non-project activity, not so much budget and not longer time more than 1 year.

## CHAPTER II

### Procedures and Requirements for Approval

## 4. Overview

INGO wishing to operate in Lao PDR shall follow the steps required in Article 5 of the Decree No. 013/PM, dated 08/01/2010 as follows:

- 4.1 INGO must obtain an Operation Permit from the Department of International Organizations, MoFA.
  - 4.1.1 After receiving all required documents, all process may take maximum sixty (60) working days to consider and approve the OP;
  - 4.1.2 Operation Permit is valid for one year only and it can be renewable year by year, depending on the available assistant project;
  - 4.1.3 Fee for issuance of an OP is 150,000 LAK per year.
- 4.2 After receiving an OP, INGO must request a Work Permit for its staff who is going to come to Laos for the preparation of the Project Documents and MOU together with concerned Ministry who is going to be its implementing partner of the project;
- 4.3 Upon receiving the Work Permit, the INGO can apply for entry visa for its staff for the initial period of ninety (90) days, and it can be extendable for another ninety (90) days, for the preparation of the project documents;
- 4.4 INGO must submit the project proposal and draft MOU to Department of International Organizations, MoFA for consideration and approval;
  - 4.4.1 MoFA will cross-check with concerned Ministries and local authorities for their comments on the proposed project;
  - 4.4.2 All process may take maximum sixty (60) working days for consideration and approval.
- 4.5 Upon receiving the approval, the INGO and its implementing partner must prepare the MOU signing ceremony within thirty (30) days. Without any signing ceremony, the implementation of the project cannot be started.

## 5. Operation Permit Approval Procedure:

- 5.1 A letter from headquarters of the INGO address to Ministry of Foreign Affairs of the Lao PDR for seeking Operation Permit;
- 5.2 A copy of the registration in the country of origin;
- 5.3 A copy of the statute or rules of the INGO;



Bank statement

( District  
Provincial  
Ministry

- 5.4 A copy of document(s) declaring financial status of the INGO;
- 5.5 Plan for assistance to be provided in Lao PDR;
- 5.6 Background activities of the INGO;
- 5.7 Termination of Operation Permit ( OP ):**
- 5.7.1 Operation Permit shall be terminated under the cases stated in Article 15 of the Prime Minister's Decree, N 013/PM, dated 08/01/2010. In addition, any INGO that does not carry out any activities for a period of one (1) year its Operation Permit will be automatically terminated;
- 5.7.2 In case of an INGO wishing to terminate its operation in Lao PDR, it must submit a letter to MoFA thirty (30) days in advance and it should comprise with the following documents:
- 5.7.2.1 A letter from the INGO Headquarters or Regional Office to MoFA informing its intention to end its operation;
- 5.7.2.2 A summary report of its implementation of the project in Lao PDR.

**5.8 Extension of Operation Permit ( OP ):**

INGO wishing to extend its Operation Permit (OP), it must submit the following documents:

- 5.8.1 A letter from the INGO Country Representative Office in Lao PDR to MoFA requesting for the Extension of OP; In case of an INGO, that is under the preparing new project, shall submit: A letter of support from concerned Ministry (its MOU partner) to MoFA requesting for the Extension of OP;
- 5.8.2 A copy of recent OP;
- 5.8.3 Background activities of the INGO working in Lao PDR throughout the previous projects and plan of activities for further projects.

**Note:** the process of consideration and approval may take minimum ten (10) working days.

**6. Project Approval:**

In order to be able to implement the project, the INGO shall seek approval from MoFA by submitting the following documents:

- 6.1 A letter from the INGO Country Representative Office in Lao PDR or its Headquarters to MoFA requesting for the project implementation approval;
- 6.2 A project proposal paper;
- 6.3 A draft MOU of the project;
- 6.4 Agreement letter from Local Authorities and Concerned Ministry;

6.5 Other related documents, as appropriate.

**Note:**

- Based on a general policy of the Government with a view to maximizing benefits to the local people in the project area, a rule of thumb for consideration and approval of the project will be based on the budget breakdown of 70 percent for project activities and 30 percent for administration. The objective and activities of the project should also be in line with the National Socio-economic Development Plan of the government of Lao PDR;
- The process of consideration and approval may take maximum sixty (60) working days;
- After signing MOU, INGO and Partner must establish the Implementation Management Committee ( IMC ).

**7. Emergency Support Scheme:**

In case, INGO wishing to support emergency relief to local, which have been affected by the floods and it must help immediately ( non-project ). MoFA can approve the activities directly within informing concerned sectors simultaneously to cooperate with INGOs implement the emergency support activities together.

**8. Project Extension and Amendment**

INGO wishing to extend or amend project document or MOU must get the approval from MoFA in accordance with the requirements stated in Article 14 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010, by submitting the proposal and supporting reasons to MoFA at least 30 days before the end of the project, together with the following documents:

**8.1. Project Renewal (new phase):**

INGO and implementing partner must conduct the project evaluation and assessment at least thirty (30) days before submitting request for project renewal, together with the following documents:

- 8.1.1 A letter from INGO to Ministry of Foreign Affairs;
- 8.1.2 A letter of support from the local authority and concerned Ministry, to MoFA for the renewal of the project;
- 8.1.3 A copy of the previous project approval letter;
- 8.1.4 A report of the project evaluation and assessment;
- 8.1.5 A draft project document;



8.1.6 Draft MOU;

**Note:** the process of consideration and approval may take maximum sixty (60) working days.

**8.2. Project Implementation Extension Request:**

8.2.1 A letter addressing to MoFA requesting for an extension;

8.2.2 A copy of the project approval letter;

8.2.3 A summary report on the progress of the project and pending activities and remaining budget that required an extension;

8.2.4 A letter of support from its implementing partners from local and Ministerial level for the extension.

**Note:** the process of consideration and approval may take maximum thirty (30) working days.

**8.3 Additional Funding Approval to the Existing Project:**

8.3.1 A letter addressing to MoFA certifying the availability of the additional fund and requesting for an approval;

8.3.2 A copy of the project approval letter;

8.3.3 A summary report on the progress of the project;

8.3.4 Plan of activities to be covered by the additional funding;

8.3.5 A letter of consent from its implementing partners from local authority and Ministerial level for the proposal.

**Note:** the process of consideration and approval may take maximum thirty (30) working days.

**8.4 MOU Amendment Request:**

INGO wishing to propose amendments to MOU must submit its proposal to MoFA at least 30 days for consideration and approval before the new activities can be implemented, and documents required:

8.4.1 A letter of proposal to MoFA;

8.4.2 A copy of the project approval letter;

8.4.3 A summary report on the progress of the project;

8.4.4 A copy of the existing MOU with track-change proposed amendments on;

8.4.5 A letter of consent from its implementing partners from local and Ministerial levels with the proposal.

**Note:** the process of consideration and approval may take maximum thirty (30) working days.

**9. Approval for a Short Term Activity from INGO or individual, who has not obtained the Operation Permit ( OP ) in Lao PDR:**

Short Term Activity refers to assistance supported by an INGO or individual, who has not obtained the Operation Permit (OP) from the Government of Lao PDR, which desired to support a short term activity funding less than 50,000 USD, to be implemented by Lao concerned local

Authority . However, the INGO can follow up and monitor the implementation of the activity. MoFA will consider and approve based on the following requirements:

9.1 Relevance and in line with the National Social-Economic Development Plan of the Lao PDR;

9.2 Clear identification of the concrete steps for implementation;

9.3 Clear identification of the implementing agencies;

9.4 Clear identification of the target area and equipment for the implementation;

9.5 Clear identification of the budget and financial sources for carrying out the activity;

9.6 Received an approval from concerned Ministry and local authority;

**Note:** the process of consideration and approval may take maximum sixty (60) working days.

**10. Project Office Approval:**

INGO wishing to open its Project Office in Lao PDR must get approval from the Lao Government in accordance with the requirements contained in Article 8 of the Prime Minister's Decree No. 013/PM, dated 08/01/2010, together with the following documents:

10.1 A letter addressed to MoFA requests to open the Project Office;

10.2 A copy of the project approval letter;

10.3 Address of the project office, phone number and other information;

10.4 A copy of a written permission or agreement with the landlord certified by the local authority to use the location or property as an office premise.

**10.5 Role and responsibility of Project Office:**

10.5.1 To coordinate/ cooperate with the main partners/ concerned Ministry and local authority;

10.5.2 To direct management of the project activities;

10.5.3 To be key-man for monitoring and implementing the project activities.

**Note:**



- MoFA should spend no more than 2 weeks to approve the Project Office;
- The permission of the Project Office will remain valid throughout the duration of the project approved by the Government and it will be automatically terminated 30 days after the completion or termination of the project.

### 11. Representative Office Approval

INGO wishing to open its Country Representative Office in Lao PDR must implement the successful assistant project in Lao PDR at least five-year, with a value assistance of no less than five hundred thousand US dollars annually (US\$ 500,000) as stated in Article 9 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010. To be submitted in writing to MoFA, together with the following documents:

- 11.1 A letter from INGO Headquarters or Regional Office addressed to MoFA requests to open its Country Representative Office;
- 11.2 A copy of Operation Permit;
- 11.3 The report of its assistance in Lao PDR at least in the last 5 years;
- 11.4 Future plan for assistance in Lao PDR;
- 11.5 The report of its assistance provided to countries in the region;
- 11.6 Financial resources for running the Country Representative Office;
- 11.7 A written permission from the landlord and certified by the local authority to use the location or property as an Office premise;
- 11.8 A clear defined mandate and organizational structure of the Office;

#### 11.9 Role and responsibility of Country Representative Office:

- 11.9.1 To coordinate directly with MoFA and main partners/ concerned Ministry;
- 11.9.2 To ensure the assistant program be implemented.

**Note:** MoFA will consider and inform the INGO, it may take maximum thirty (30) working days.

### 12. Regional Office Approval:

INGO wishing to open its Regional Office in Lao PDR must have greater development programme in Lao PDR than in other countries in the region as contained in Article 10 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010. The request must comprise with the following documents:

- 12.1 A letter from INGO Headquarters addressed to MoFA requests to open its Regional Office;
- 12.2 A copy of Operation Permit;

- 12.3 A copy of Country Representative Office Approval;
- 12.4 The report of its assistant projects in Lao PDR;
- 12.5 The report of its assistant projects to countries in the region;
- 12.6 Financial resources for running the Regional Office;
- 12.7 Future plan on assistance to Lao PDR;
- 12.8 A written permission from the landlord and certified by the local authority to use the location or property as an Office premise;
- 12.9 A clear defined mandate and organizational structure of the Regional Office.

#### 12.10 Role and responsibility of Country Representative Office:

- 12.10.1 To coordinate directly with MoFA;
- 12.10.2 To be the coordinate office of the region.

**Note:** the process of consideration and approval may take maximum fifteen (15) working days.

### 13. Work Permit /Extension Approval Procedure for Foreign Staff of INGO:

INGO wishing to recruit its staff of foreign nationality to work in Lao PDR must get the approval from MoFA as defined in Article 11 of the Prime Minister's Decree No. 013/PM, dated 08/01/2010. The request must comprise with the following documents:

#### 13.1 Regional Representative:

- 13.1.1 A letter from INGO Headquarters addressed to MoFA;
- 13.1.2 CV, work experience, permanent address and family status;
- 13.1.3 A copy of passport;
- 13.1.4 A copy of education certificate(s);
- 13.1.5 A copy of Regional Representative Office Approval.

#### 13.1.6 Work Permit Extension for Regional Representative:

- 13.1.6.1 A letter from the Headquarters of the INGO addressed to MoFA at least thirty (30) days prior his/her permission is expired;
- 13.1.6.2 A copy of passport;
- 13.1.6.3 A copy of Stay Permit;
- 13.1.6.4 A copy of recent Work Permit.

#### **Note:**

- The process of consideration and approval may take maximum thirty (30) working days;
- Work Permit is 1 year and it can be renewable.

### 13.2 Country Representative/Country Director:

- 13.2.1 A letter from INGO Headquarters or Regional Office addressed to MoFA;
- 13.2.2 Submit detail of the successful candidate and justification for their appointment with their CVs for MoFA to approve, (Content of the CV should also include education background, work experience, permanent address and family status);
- 13.2.3 A copy of their passports;
- 13.2.4 A copy of their education certificates;

#### 13.2.5 Work Permit Extension for Country Representative/Country Director:

- 13.2.5.1 A letter for the Headquarters or Regional Office of the INGO addressed to MoFA at least thirty (30) days prior his/her permission is expired;;
- 13.2.5.2 A copy of passport;
- 13.2.5.3 A copy of Stay Permit;
- 13.2.5.4 A copy of recent Work Permit.

#### Note:

- The process of consideration and approval may take maximum thirty (30) working days;
- Work Permit is 1 year and can be renewable.

### 13.3 Project Director/Coordinator:

- 13.3.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA;
- 13.3.2 CV. It should also include education background, work experience, permanent address and family status;
- 13.3.3 A copy of passport;
- 13.3.4 A copy of education certificate(s);
- 13.3.5 A copy of Project Approval;

#### 13.3.6 Work Permit Extension for Project Director/Coordinator:

- 13.3.6.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA at least thirty (30) days prior his/her permission is expired;;
- 13.3.6.2 A copy of passport;

13.3.6.3 A copy of Stay Permit in Lao PDR;

13.3.6.4 A copy of recent Work Permit.

#### Note:

- MoFA will consult with concerned Ministry, which is the implementing partner of the project for their comment;
- The process of consideration and approval may take maximum thirty 30 working days;
- Work Permit is 1 year and it can be renewable.

### 13.4 Foreign Staff or Expert for the Country Representative Office or Regional Office:

- 13.4.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA that covers titles, activities and duration;
- 13.4.2 CV, work experience, permanent address and family status;
- 13.4.3 A copy of passport;
- 13.4.4 A copy of education certificate(s);
- 13.4.5 Office's organizational structure chart;

#### 13.4.6 Work Permit Extension for Foreign Staff or Expert for the Country Representative Office or Regional Office:

- 13.4.6.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA at least thirty 30 days prior his/her permission is expired;;
- 13.4.6.2 A copy of passport;
- 13.4.6.3 A copy of Stay Permit in Lao PDR;
- 13.4.6.4 A copy of recent Work Permit.

#### Note:

- The process of consideration and approval may take maximum thirty (30) working days;
- Work Permit is 1 year and it can be renewable.

### 13.5 Foreign Staff for the Project Office:

- 13.5.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA that covers titles, activities and duration;
- 13.5.2 CV. It should also include education background, work experience, permanent address and family status;



13.5.3 Agreement letter from the implementing partner of INGO;

13.5.4 A copy of passport;

13.5.5 A copy of education certificate(s);

**13.5.6 Work Permit Extension for Foreign Staff for the Project Office:**

13.5.6.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA at least thirty (30) days prior his/her permission is expired;;

13.5.6.2 A copy of passport;

13.5.6.3 A copy of Stay Permit in Lao PDR;

13.5.6.4 A copy of recent Work Permit

**Note:**

- MoFA will consider and approve according to the staff required under MOU;
- The process of consideration and approval may take maximum thirty (30) working days;
- Work Permit is 1 year and it can be renewable.

**13.6 Short Term Staff for the Country Representative Office in Lao PDR:**

Short term staff for the Country Representative Office in Lao PDR refers to staff to work at the Office for the duration between thirty (30) days to ninety (90) days. He/she requires Work Permit from MoFA before assuming his/her duties. Documents required:

13.6.1 A letter from Country Representative Office addressed to MoFA explaining the necessary of the short term mission;

13.6.2 CV;

13.6.3 A copy of passport.

**Note:** the process of consideration and approval may take maximum fifteen (15) working days.

**13.7 Short Term Staff for the Project:**

A short term staff for the project refers to a staff to carry out his/her mission as stated in the MOU for the duration of no more than six (6) months. Documents required:

13.7.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA;

13.7.2 CV. It should also include education background, work experience, permanent address and family status;

13.7.3 A copy of passport;

13.7.4 A copy of education certificate(s).

**Note:** the process of consideration and approval may take maximum thirty (30) working days.

**14. Local Staff (INGO Staff of Lao Nationality):**

14.1 Local staff refers to INGO employee of Lao nationality at any level, from Technical to Project Director or Country Representative in Lao PDR;

14.2 INGO wishing to employ local staff, the INGO can recruit by itself, but it has to inform detail of the employee in writing to the Diplomatic Service Bureau within 1 week, since the date of the employment;

14.3 For local staff employment in provinces, the INGO must coordinate with the concerned provincial agency responsible for the project. It also has to inform the Diplomatic Service Bureau and Provincial Foreign Affairs Department detail of the employment;

14.4 INGO is going to employ local staff in every time must conclude an employment agreement with the individual in writing with a clear specified time period, duty, salary, work location, welfare and other benefits that in consistent with Labour Law of the Lao PDR;

14.5 INGO wishing to terminate the employment agreement with local staff by any reason must notify officially to him/her, Provincial Foreign Affairs Department and the Diplomatic Service Bureau in writing forty five (45) days prior to the termination. The letter must include reason(s) for the cancelation of the agreement. Before termination of the agreement, the INGO must pay his/her salary or wage in full and other benefits he/she is entitled to according to the agreement and Labour Law of the Lao PDR as specified in Article 10 of the Prime Minister's Decree No. 456/PM, dated 01/11/2010. In case of an employee wishing to terminate the employment agreement he/she must also inform the INGO forty five (45) days in advance;

14.6 INGOs must facilitate and allow local staff to attend meetings and activities organized by the Diplomatic Service Bureau, which will notify in writing at least seven (7) days in advance of the event. It is expected that there can be such event 2times per year with the total number not exceeding five (5) working days per year;

14.7 Local staff must pay income tax to the Government of Lao PDR as other Lao citizens in accordance with the Law on Tax of the Lao PDR No. 05/NA, dated 20/12/2011.

## 15. Entry Visa, Stay Permit/ID Card and Multiple Entry Visa:

Every INGO staff must obtain proper Entry Visa before assuming his/her duties in Lao PDR. Individual holding Tourist Visa is prohibited from working in Lao PDR. An INGO staff, who received approval to work in Lao PDR can apply for B2 Visa, which can be used as a reference for applying for a Stay Permit/ID Card and Multiple Entry Visa.

### 15.1 Documents required for Entry Visa:

#### 15.1.1 Regional / Country Representative and staff:

- 15.1.1.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA ( please specify date and port of entry );
- 15.1.1.2 A copy of an Approval Letter from MoFA (Work Permit);
- 15.1.1.3 A copy of passport;

#### 15.1.2 Project Director and staff:

- 15.1.2.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA (please specify date and port of entry);
- 15.1.2.2 A letter of consent from line Ministry, which is its implementing partner of the project;
- 15.1.2.3 A copy of an Approval Letter from MoFA (Work Permit);
- 15.1.2.4 A copy of passport.

#### Note:

- Entry Visa can be obtained from any Lao Embassy and Consulate General abroad or on arrival at any Lao International Checkpoint, after Project Director and staff have approved the Work Permit from MoFA;
- Letter of request for entry visa must send to MoFA at least fourteen (14) working days prior to the date of entry, it will be considered within seven (7) working days.

### 15.2 Stay Permit/Stay Permit Card:

Each INGO staff is entitled to receive a Stay Permit/Stay Permit Card for a maximum duration of 1 year. Stay Permit/Stay Permit Card will be issued by Immigration Department, Ministry of Public Security upon approval by MoFA. Stay Permit/Stay Permit Card can be renewable. Stay Permit Card must be returned to MoFA upon completion of his/her mission. Documents required:

- 15.2.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
- 15.2.2 A copy of an approval letter from MoFA(Work Permit);
- 15.2.3 A copy of Entry Visa ( B2 ).

### 15.2.4 Stay Permit/ Stay Permit Card Extension:

- 15.2.4.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
- 15.2.4.2 A copy of an approval letter from MoFA (Work Permit);
- 15.2.4.3 A copy of passport;
- 15.2.4.4 A copy the recent Stay Permit.

### 15.3 Multiple Entry Visa:

INGO Country Representative and family member and other staff are entitled to receive multiple entry visa for a maximum duration of 1 year. It can be renewable. Documents required:

- 15.3.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
- 15.3.2 A copy of an approval letter from MoFA ( Work Permit );
- 15.3.3 A copy of passport;
- 15.3.4 A copy of Entry Visa ( B2 );
- 15.3.5 A copy of Stay Permit in Lao PDR;

### 15.3.6 Multiple Entry Visa Extension:

- 15.3.6.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
- 15.3.6.2 A copy of an approval letter from MoFA ( Work Permit );
- 15.3.6.3 A copy of passport;
- 15.3.6.4 A copy of Stay Permit in Lao PDR;
- 15.3.6.5 A copy of the recent Multiple Entry Visa.

## 16. Equipment and Vehicle Procurement:

### 16.1 Equipment and Vehicle for Country Representative Office:

INGO Country Representative Office wishing to import tax exempted equipments and vehicles for its Office must make a request to MoFA for consideration and forward to Ministry of Finance for approval. Documents required:



- 16.1.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA (please also inform the number of existing staff and vehicle);
- 16.1.2 Invoice;
- 16.1.3 Equipment/vehicle specification.

**Note:** MoFA will consider and approve based on the reasonable need of the equipment and vehicle of INGO's requirement.

**16.2 Equipment and Vehicle for the Project:**

INGO wishing to import tax exempted equipments and vehicles for its project as stated in the MOU must make a request to MoFA for consideration and forward to Ministry of Finance for approval. Documents required:

- 16.2.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
- 16.2.2 A letter of consent from line Ministry, which is its implementing partner of the project;
- 16.2.3 A copy of the MOU;
- 16.2.4 Invoice;
- 16.2.5 Equipment/vehicle specification.

**16.3 Personal Vehicle for Regional Representative and Country Representative or Country Director:**

Only INGO Regional Representative and Country Representative or Country Director in Lao PDR is entitled to only one tax exempted vehicle for the entire period of his/her assignment in Lao PDR. Neither experts nor staffs of the INGO are entitled to any tax exempted vehicle. Documents required:

- 16.3.1 A letter from INGO Country Representative Office addressed to MoFA;
- 16.3.2 A copy of Country Representative/Country Director approval letter from MoFA ( Work Permit );
- 16.3.3 A copy of passport;
- 16.3.4 A copy of Stay Permit in Lao PDR;
- 16.3.5 Invoice;
- 16.3.6 Equipment/vehicle specification.

**16.4 Vehicle Registration:**

Requirements for vehicle registration have been elaborated in Article 13 of the Prime Minister's Decree, N 013/PM, dated 08/01/2010, details are as follows:

- 16.4.1 Valid proof of purchasing documents;
- 16.4.2 Valid proof of vehicle to be used for the work of INGO;
- 16.4.3 Declaration of the financial source for purchasing vehicle;
- 16.4.4 Other requirements applicable in this decree and in related laws and regulations of the Lao PDR.

**Note:**

- A letter of approval from Department of International Organizations to Department of Protocol should be issued within fifteen (15) days;
- Every imported vehicle must be properly registered in accordance with the laws and regulations of the Lao PDR. A copy of the registration must be submitted to Protocol Department, MoFA within seven (7) days upon the completion of registration;
- At the end of his/her assignment the vehicle must be re-exported. In case of wishing to sell it to a domestic user, he/she must comply with the applicable rules and regulations of the Lao PDR.

**17. Vehicle Registration Renewal:**

INGO wishing to renew registration for its vehicle for its Office or Project must submit a letter to MoFA at least thirty (30) days before expiry of the registration. Documents required:

- 17.1 A letter from its Representative Office or Project Office in the Lao PDR addressed to MoFA;
- 17.2 Vehicle registration renewal of project must send a request to Concerned Ministry then submit to MoFA;
- 17.3 A copy of the Car Registration;
- 17.4 A copy of the Office Representative or Project Office Approval.

**18. Equipment and Vehicle after the Complete Project in Lao PDR:**

The Lao Government has granted tax exemption to the equipments and vehicles deemed necessary to accomplish the project or for the smooth operational of the INGO, therefore, after the

completion of the project, they must be handed over to the Lao Government, particularly to its implementing partner to the project or base on the MOU.

**19. Documents required for re-export of used items and vehicle:**

- 19.1 A letter from INGO Headquarters or Regional Representative Office or Country Representative Office to MoFA requesting for re-export of used items and vehicle after completion of his/her assignment;
- 19.2 List of used items, with estimated value, certification and stamp of the INGO;
- 19.3 Other related documents as necessary.

**CHAPTER III**

**Reporting, Evaluation and Assessment**

**20. Reporting:**

- 20.1 The INGO must submit its progress report on the implementation of the project every three (3) months to the Local Secretariat on INGO, six (6) months, annual and final report to Concerned Ministry and Provincial Foreign Affairs Department then submit to Department of International Organizations, MoFA;
- 20.2 Project Financial Report, INGO must be submitted every three (3) months.

**21. Monitoring, Evaluation and Assessment:**

To ensure the effectiveness and efficiency of the implementation of the project under the approved MOU, there will be a regular monitoring, evaluation and assessment. There shall be six (6) months review meeting between INGO and its implementing partners. In addition, there shall be annual, mid-term and final project evaluation and assessment with the participation of representatives from MoFA, concerned Ministry and local authorities include Provincial Foreign Affairs Department. The evaluation and assessment must focus on the following areas:

- 21.1 The implementation of activities of the project;
- 21.2 Budget utilization;
- 21.3 Coordination;
- 21.4 After the evaluation, its report must be submitted to the Local Committee on Management and Coordination of INGO within thirty (30) days;
- 21.5 The cost of travel, accommodation and daily subsistence allowance (DSA) of the invited Government Officer participating in the evaluation of the project must be

covered by the project. The daily subsistence allowance rate shall not be less than the Government rate on domestic traveling being enforced, in accordance to the Degree of Ministry of Finance No. 008/MoF, dated 05 January 2010.

**CHAPTER IV**

**Rights and Obligations of INGO in Lao PDR**

**22. Rights of INGO in Lao PDR:**

- 22.1 INGO received an approval from the Government of Lao PDR under the steps stated in

Article 5 of the Prime Minister's Decree No. 013/PM, dated 08/01/2010 shall be entitled to various rights as stated in Article 17 of the same Decree. INGO and all its staff are not entitled to diplomatic privilege and immunity;

**22.2 INGO Stamp:**

INGO Country Representative Office in Lao PDR only is entitled to use official stamp in Lao PDR. The Project Offices can not make their stamps, but they are only allowed to use the stamp of the organization, which be used generally in the Headquarters Office of them. Documents required:

- 22.2.1 A letter from INGO Country Representative Office in Lao PDR;
- 22.2.2 A copy of stamp model.

**23. Obligations of INGO in Lao PDR:**

INGO, staff members and their dependants working in Lao PDR have the obligations as stated in Article 18 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010, including obligations stated in this guideline.

**CHAPTER V**

**Coordinating Mechanism**



#### **24. Management and Coordination of INGO:**

- 24.1 The Government of Lao PDR establishes a Committee on Management and Coordination of INGO at central and local levels with a view to managing and facilitating the operation of INGO as stated in Articles 19 and 20 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010, with under the supervision of the Minister of Foreign Affairs;
- 24.2 The Committee on Management and Coordination of INGO is mandated to formulate the policy and strategic cooperation framework between Lao PDR and INGO, supervise and monitor the implementation of MOU framework that INGO signed with the Lao PDR.

#### **25. Secretariat of Committee on Management and Coordination of INGO in Central Level:**

- 25.1 Department of International Organizations, Ministry of Foreign Affairs serves as the Secretariat of the Committee on Management and Coordination of INGO and Director General of the Department of International Organizations serves as Head of the Secretariat;
- 25.2 The Secretariat is assigned to assist the Committee in discharging its duties, consider concrete cooperation projects to be submitted to the Committee for further consideration and approval; collaborate with the concerned agencies and provincial authorities in the process of monitoring, management and enhancement of the implementation of development projects across the country; evaluate and report on overall development cooperation with INGO; mobilize resources for the implementation of national development projects in various areas at both central and local levels; and consider proposals and applications submitted by INGO under Article 5 to Article 15 of the Prime Minister's Decree, No. 013/PM, dated 08/01/2010, such as:
- 25.2.1 Operation Permit approval ( OP );
  - 25.2.2 Work Permit approval;
  - 25.2.3 Project approval;
  - 25.2.4 Approval of INGO Representative, Project Director and Staff;
  - 25.2.5 Approval of Project Office, Representative Office and Regional Office;
  - 25.2.6 Approval for a short-term activity;

- 25.2.7 Authorization of entry visa ( B2) to INGO staffs;
  - 25.2.8 Approval of Stay Permit Card in Lao PDR to INGO staffs;
  - 25.2.9 Approval for tax exemption equipment or vehicle to be imported under the project; and
  - 25.2.10 Approval of any renew or extension request.
- 25.3 The Secretariat also has duty to carry out outreach activities of the spirit and letters of the Decree aimed at making it effective and same implementation nation-wide.

#### **26. Local Committee on Management and Coordination of INGO:**

The Committee on Management and Coordination of INGO at the local level as stated in the Article 24 of the Prime Minister's Decree No. 013/PM, dated 08/01/2010.

#### **27. Role of Local Committee on Management and Coordination of INGO:**

- 27.1 Local Committee on Management and Coordination of INGO, with under the supervision of the Vice Provincial Governor, it is assigned to assist the Committee on Management and Coordination of INGO in coordination, management, monitoring and evaluation of the implementation of concrete development project including management of INGO expatriates serving in respective local levels; formulate and submit development project proposal for consideration and approval and evaluation report on the project implementation to the Committee on Management and Coordination of INGO;
- 27.2 The Central Committee authorizes the Local Committee on Management and Coordination of INGO to establish its own Secretariat, of which the Head of Provincial or Capital External Relations Department is the Head of the Secretariat and comprised of some staff as deemed necessary;
- 27.3 Role of the Secretariat of the Local Committee are as follows:
- 27.3.1 Serve as a focal point for coordination and oversight of the INGO assistant projects at local level;
  - 27.3.2 Coordinate with concerned authorities at local level in considering proposed assistant projects and submit its recommendations to provincial leadership for consideration, who will then submit its comments to MoFA for consideration and approval;

- 27.3.3 Collect and archive information on assistance from and cooperation with INGOs and report it to the Local and National Committees on Management and Coordination of INGO;
- 27.3.4 Budget for the operation of the Local Committee on Management and Coordination of INGO and its Secretariat is to be from the Provincial regular budget.

## CHAPTER VI

### Recognition and Sanctions

#### 28. Recognition:

- 28.1 INGO or its staff, who demonstrate an outstanding effort and contribution to national development and effective implementation of development project are entitled to receive appropriate honorable recognitions from the Government of Lao PDR;
- 28.2 Implementing partner from the Government can nominate an INGO or a staff of the INGO, who make outstanding effort and contribution to national development to receive appropriate honorable recognition. The INGO or its staff can also initiate the request for the recognition. The request must go through concerned Ministry then submit to MoFA considers and, as appropriate, submit it to Government for consideration and approval.

#### 29. Sanctions:

- 29.1 INGO or its staff, who carry out an activity in violation of the Prime Minister's Decree No. 013/PM, dated 08/01/2010, shall be warned, Operation Permit or Project shall be suspended depending on the nature of the transgression;
- 29.2 INGO or its staff, who carry out an activity in contrary to the policy of the Government of Lao PDR and in violation of the law and regulation as well as the Lao fine traditions and movement in contrary with the duties shall be subjected to the laws and regulations of the Lao PDR.

## CHAPTER VII

### Final Provision

This guideline replaces the previous guidelines of the MoFA, No. 1865/MFA, dated 08/07/1999 and enters into force from the date of signature.

Deputy Prime Minister  
Minister of the Minister of Foreign Affairs

( Signed )

Dr. Thongloun SISOULITH