



The Lao People's Democratic Republic

Peace Independence Democracy Unity Prosperity

Sekong Province

No:32/PG, SK

Sekong, Dated: 16 May 2022

Agreement

**on the Endorsement of Compensation Price from the
600 MW Monsoon Wind Farm Project Including the
500kV High Voltage Transmission Line Project
in the Area of Dak Cheung District, Sekong Province of
Impact Energy Asia Development Co., Ltd**

- Based on the Law on Local Administration of Lao PDR, Issued No. 68/NA, dated 14 December 2015 Chapter III Section 4 Article 20 on the Rights and Responsibilities of the Province Governor, Capital Governor.
- Based on the Decree on Compensation and Resettlement of Development Projects, No. 84/GOV, dated 05/4/2016
- Based on the Agreement of the Province Governor-Sekong Province, Issued No. 74/PG.SK, dated 09 April 2018. On the Endorsement of the Compensation Unit Price for the Affected People from the Investment Projects within Sekong Province;
- Based on the Proposal Letter of the Division of Natural Resources and Environment, Issued No. 091/DONRE, dated 03 May 2022.

The Province Governor Agreed on the following:

Section 1

General Provisions

Article 1: Objective

This issued agreement determine the principles, regulations and measures regarding the management, monitoring of the compensation so that the 600 MW

Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project in the area of Dak Cheung District, Sekong Province of Impact Energy Asia Development Co., Ltd can take to be implemented correctly and efficiently aiming on ensuring that the affected will receive appropriate compensation to improve their lives to be better or similar as the previous along with making this project participate in the socio-economic development of Sekong Province which is Dak Cheung District to be sustainable.

Article 2: Compensation

The compensation is to be compensate as land, material or monetary for land, buildings, crops, livestock and income of the affected people from the 600 MW Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project in the area of Dak Cheung District with the replacement value.

Article 3: Definitions

The words used in this issued agreement are defined as follows:

- 1) Project Owner means any individuals, legal entities or organizations which has received the authorization to undertake the study, survey, design, construction and operations of the development project.
- 2) Development Project means investment project or activities that operate within Sekong province, specifically Dak Cheung district area which must compensate or resettle people.
- 3) Affected Person means individuals, legal entities or organization that are permanently or temporarily, which is registered in the registration of affected person date.
- 4) Replacement Value means value that is calculated as material, monetary or land that must be used to replace land; buildings, crops, livestock or income of the people affected from the development project.
- 5) Temporary Impact means land area that is affected by the project during a period of time of the operation of the activities of the development project. When completed, this land area can once again be used by the owner.
- 6) Permanent Impact means land area that is affected by the project throughout the concession period, which the owner can never use the land again.

Article 4: Basic Principles Regarding the Compensation

- 1) Protect the legitimate rights and interests of the affected person.
- 2) Be equitable, accurate, transparent, open and justiciable.
- 3) The coordination, consultation and participation between the project owner, affected person, public organizations and other relevant sectors.

Article 5 Eligibility for Compensation

- 1) Must be an individuals, legal entities or organizations that are affected in construction area of the project, compensation policies according to this issued agreement will be applied.

- 2) The person who will receive the compensation policies need to registered assets and with verification signature from the local authorities, district and provincial committee.
- 3) Every asset that are damaged due to the development of 600 MW Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project will be compensate to be better.
- 4) In case of the road construction inflicts impact on the land or assets of the people within the construction area, the project developer must compensate with cash to the asset owner. If located outside the project area, there shall be an appropriate compensation and hand over to the local administration to mobilize so that the people acknowledge, understand, and can participate in any one of the developments, because the road is one of the national infrastructures that will benefits the public for use and can provide conveniency in travelling.
- 5) The project owner or developer will pay compensation in monetary value to the people will pay according to the records of the compensation calculation of the district, provincial committee and will pay after the completion of documenting and was approved according to the procedure.

Article 6: Scope of Application

This issued agreement is only applicable to the 600 MW Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project in the area of Dak Cheung District, Sekong Province of Impact Energy Asia Development Co., Ltd.

Article 7: Developing of the Compensation Plan

Before the implementation of the project which is signing the project concession, the project owner must coordinate with the relevant organizations in each level to collect information of the affected person including the detail list of compensation in order to develop a compensation plan to be include in the Socio-Environmental and Natural Management and Monitoring plan of the project that will be implemented.

Article 8: The Implementation of the Compensation Plan

The project owner must compensate accurately and in accordance with the significant principles in each of following cases:

- 1) In the case of that the affected person possesses the legal document regarding the right of land use, however, has lost all or most of the land area, in which the remaining land area cannot be use. The project owner must fully compensate, by allocating a new replacing land following the calculated replacement value and to receive the document regarding the right of use of that land as well as be responsible for the costs to receive this document. In the case where appropriate land cannot be allocated or that land has a lower replacement value that the land of the affected person, the project owner must compensate in other form following the replacement value.
- 2) In the case of that the affected person possesses the legal document regarding the right of land use, and has lost a partial of land and the remaining land area can still be use, the project owner must compensate for that lost, using the calculated replacement

value. As for the remaining land area, the affected person must receive the document regarding the right of use of that piece of land in which the project owner bear all the costs.

- 3) In the case that the affected person has the right of use of the land according to the traditions has lost the right regarding the possession, protection, development and use of land with peace, continuous and prolonging, without invading the conservative land area or government restricted land area with the verification from the local authorities and relevant sectors. The project owner must compensate according to clause 1 or 2 determined in this article.
- 4) In the case where the affected person does not possess the document regarding the right of land use as determined in clause 1,2 and 3 of this article. He/she will not be compensated on the loss of this land, but will be compensated on the loss of buildings, trees and other crops from the project owner following the calculated replacement value.
- 5) In the case of all or partial loss of buildings, the project owner must compensate with the replacement value of this building to the affected person that is the righteous owner of that building without deducting or reducing the compensation value for the remaining construction materials.
- 6) In the case where the land or the buildings is temporary halt of use, the project owner must compensate to the affected person who is the righteous owner of the land or buildings in each case as well as ensuring the return of the land or the buildings in its original condition.
- 7) In the case of loss of trees, crops, livestock or income, the project owner must compensate with the replacement value.
- 8) In the case of loss of infrastructures and facilities to the community, the project owner must repair it into a state of similarity to its original and must pay special attention if it is a loss of cultural, religion and customs infrastructures of the local people.
- 9) The implementation of the compensation to the affected person in every case, the project owner must coordinate with the responsible board at a provincial, district level for monitoring, inspection and verification of accuracy and completion following the compensation plan.
- 10) The affected person must acknowledge that any activities that operate after the affected person rights registration date will not receive compensation from the project owner, except for the case of compensation plan if not implemented as scheduled as determined in clause 12 of this article.
- 11) The project owner must implement the compensation plan to its completion within 24 months starting from the date that this plan is officially endorse. If the project owner does not complete the implementation within the scheduled time period, the project owner can propose the compensation responsible board at a provincial, district level for consideration to extend the duration not exceeding 12 months to complete the implementation of the compensation. If still not yet completed, there must be an re-

evaluation of the compensation value that was not successfully implemented and be propose for reconsideration.

- 12) In the case through the price evaluation of the compensation responsible board at a provincial, district level is seen that the compensation plan was not implemented within 12 months after the affected person registration date, there must be a re-evaluation of compensation value that was not implement and be propose for reconsideration.

8.1 The Compensation in Conducting Customs of Cemetery, Sacred Forest and Ma He Sak Forest

The compensation of cemetery, sacred forest or Ma He Sak forest (Lao Name) will be compensate overall, once, during conducting religion customs.

Table for Determining Compensation Unit Price for Sacred and Cemetery

SN	Type	Unit	Compensation Price	Remarks
1	Cemetery, Sacred Forest, Ma He Sak Forest (Lao Name)	Village	10,000,000	
2	Rituals Regarding Village Traditions	Times/Village	4,000,000	In the case where the project does not affect the cemetery but run through the village
3	Fixing Customs and Graves Outside the Cemetery of the Village	Grave	5,000,000	Grave located at dry season rice field head, lowland rice field tail are affected by the development.

8.2 Land Compensation

Table for Compensation Unit Price of Land Affected from the Project

Type	Impact Type			
	Direct (Permanent)		Indirect (Temporary)	
	Unit (m ²)	Price/Kip	Unit (m ²)	Price/Kip
General Building Land	1 m ²	10,000	1 m ²	2,000

Lowland Rain Water Rice Field Land	1 m ²	9,000	1 m ²	1,000
Old Lowland Rice Field Land	1 m ²	5,000	1 m ²	1,000
Garden Land	1 m ²	3,500	1 m ²	1,000
Undeveloped Reserved Land Area	Will Not be Compensate			
Developed Reserved Land Area	1 m ²	1,000	1 m ²	800
Livestock Stable Land	1 m ²	3,000	1 m ²	1,000
Industrial Plants Land	1 m ²	3,000	1 m ²	1,000

8.3 Buildings Compensation

1) Compensation Unit Price for Hut and Fence Post-Rail

SN	Type	Unit	Compensation Price (Kip)	Remarks
1	Grass Thatch Hut, Hear Wood (Lao Name) Wall (Small) 2x3 m	01 Hut	450,000	Labor costs for moving as the owner can reuse materials
2	Grass Thatch Hut, Hear Wood (Lao Name) Wall (Medium) 4x8 m	01 Hut	600,000	
3	Zinc Roof Thatch Hut, Aem Paen (Lao Name) (Large) 4x8 m	01 Hut	900,000	
4	Concrete Mill/Zinc Roof Thatch	01 m ²	20,000	
5	Fence (Barbed Wire)	01 Meter Long/3 Row	5,000	After payment, repairment is the owner responsibility.
6	Mai Kaen Lorn Wood (Lao Name) Wooden Fence Post	01 Post	10,000	

7	Cement Fence Post	01 Meter Long	35,000	
8	General Wooden Fence Post	01 Meter Long	5,000	

2) Compensation Unit Price for Housing

- In case of villages and families of 23 villages infrastructure (Housing) are affected from the 600 MW Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project in the area of Dak Cheung District, Sekong Province of Impact Energy Asia Development Co., Ltd. The committee from relevant provincial, district, village organizations and affected people conduct inspection, assessment and compensation calculation appropriately.
- The calculation is based on the agreement of Sekong Province Governor, issued No. 74/PG.SK, dated 09 April 2018. On the endorsement of compensation unit price for the affected people from the investment projects within Sekong province.
- Based on the policies of the 600 MW Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project not to affected the housing of the people.

8.4 Compensation on Crops (Agricultural Trees, Industrial Plants and Annual Crops)

- 1) Compensation Unit Price for Agricultural Trees that Give Fruit
Compensation Calculation Formular: $[(\text{Digging Cost} + \text{Seedling} + (\text{Maintenance Fees} \times \text{Years Maintenance}))] + [(\text{Price} \times \text{Product}) \times \text{Calculated Compensation Year(s)}]$

SN	Trees Species	Digging Cost Kip/Hole	Seedling Cost	Maintenance Fee	No. of Years Maintenance	No. of Years Calculated Compensation	Product Fruit/kg/Year	Price Kip/kg	Compensation value Kip/kg/Tree
1	Jack Fruit	10,000	25,000	20,000	4	3	30	5,000	575,000
2	Mango	10,000	35,000	20,000	4	3	20	5,000	425,000
3	Tamarind	10,000	25,000	20,000	4	3	20	5,000	425,000
4	Mandarin Orange	10,000	35,000	20,000	3	3	10	5,000	245,000
5	Betel Nut	10,000	35,000	20,000	4	3	10	3,000	215,000
6	Khaen (Lao Name)	10,000	35,000	20,000	4	3	8	3,000	187,000
7	Longan	10,000	35,000	20,000	4	3	30	10,000	1025,000
8	Guava	10,000	35,000	20,000	4	3	8	3,000	197,000
9	Jujube	10,000	35,000	20,000	4	3	15	5,000	350,000
10	Custard Apple	10,000	20,000	20,000	4	3	8	10,000	350,000
11	Coconut	10,000	50,000	20,000	5	3	40 Coconut/Tree	8,000	1,120,000
12	Cashew	10,000	25,000	20,000	4	3	15	10,000	565,000
13	Durian	10,000	50,000	20,000	6	3	30	30,000	2,880,000
14	Avocado	10,000	35,000	20,000	4	3	15	10,000	575,000
15	Asian Pear	10,000	35,000	20,000	15	3	15	70,000	3,495,000
16	Lychee	10,000	35,000	20,000	4	3	10	5,000	275,000
17	Lin Mai (Lao Name)	10,000	15,000	20,000	3	3	10	10,000	385,000
18	Chan (Lao Name)	10,000	20,000	20,000	4	3	20	4,000	350,000
19	Indian Gooseberry	10,000	10,000	20,000	6	3	15	5,000	365,000
20	Pomelo	10,000	35,000	20,000	4	3	10	2,000	185,000
21	Ngew (Lao Name)	10,000	10,000	20,000	5	3	10	10,000	420,000
22	Mulberry Egg Fruit	10,000	20,000	20,000	4	3	15	3,000	245,000
23	Star Apple	10,000	15,000	20,000	5	3	15	5,000	350,000
24	Rambutan	10,000	35,000	20,000	4	3	15	10,000	575,000
25	Hang Yung (Lao Name)	10,000	10,000	20,000	4	3	10	5,000	250,000
26	Lemon	10,000	25,000	20,000	3	3	15	5,000	320,000

2) Compensation Unit Price for Industrial Plants

Compensation Calculation Formular: Digging Cost + Seedling Cost + Maintenance Fee + Price According to the Tree Age

SN	Tree Species	Digging Cost	Seedling Cost	Maintenance Fee	Price According to the Tree Age (Kip/Year)				
					1	2	3	4	5 or More
1	KedSaNar (Lao Name)	10,000	10,000	10,000	20,000	30,000	40,000	50,000	60,000
2	Yang Bong (Lao Name)	10,000	10,000	10,000	35,000	45,000	55,000	65,000	85,000
3	Forest Champa	10,000	10,000	10,000	30,000	40,000	60,000	80,000	90,000
4	Yang (Lao Name)	10,000	20,000	20,000	30,000	40,000	50,000	60,000	90,000
5	Rubber Tree	10,000	15,000	20,000	30,000	40,000	50,000	60,000	70,000
6	Teak Wood	10,000	5,000	5,000	25,000	35,000	45,000	55,000	300,000
7	Macrocarpas, Hardwood	10,000	20,000	10,000	30,000	40,000	50,000	60,000	150,000
8	Du Lai, Kha Nhung (Lao Name)	10,000	20,000	10,000	30,000	40,000	60,000	80,000	170,000
9	Wick (Lao Name)	5,000	5,000	5,000	25,000	30,000	35,000	40,000	70,000
10	Kang Pink (Lao Name)	5,000	5,000	5,000	12,000	20,000	25,000	30,000	35,000

Remarks: In case where the tree has a cross-section of 20 cm or more, calculate the volume and treat as following the market price, as for the usage of the plants will be given to the project owner and the plants owner to discuss and agree.

3) Compensation Unit price for Agricultural Trees that Have Not Yet to Give Fruit

Compensation Calculation Formular: [(Digging Cost + Seedling Cost + (Maintenance Fee x Year(s) Maintenance

SN	Tree Species	Digging Cost (Kip/Hole)	Seedling Cost (Kip)	Maintenance Fee (Kip/Seedling/Year)	No. of Years Maintenance	Compensation Value	Remarks
1	Pomelo	10,000	35,000	20,000	4	125,000	
2	Ngew (Lao Name)	10,000	10,000	20,000	5	120,000	
3	Star Apple	10,000	15,000	20,000	5	125,000	
4	Rambutan	10,000	35,000	20,000	4	125,000	
5	Hang Yung (Lao Name)	10,000	10,000	20,000	4	100,000	
6	Lemon	10,000	25,000	20,000	3	95,000	
7	Mandarin Orange	10,000	35,000	20,000		115,000	
8	Betel Nut	10,000	35,000	20,000	3	125,000	
9	Khaen (Lao Name)	10,000	25,000	20,000	4	115,000	
10	Mulberry Egg Fruit	10,000	20,000	20,000	4	110,000	
11	Jack Fruit	10,000	35,000	20,000	4	125,000	
12	Mango	10,000	35,000	20,000	4	125,000	
13	Tamarind	10,000	35,000	20,000	4	125,000	
14	Longan	10,000	35,000	20,000	4	125,000	
15	Guava	10,000	35,000	20,000	4	110,000	
16	Jujube	10,000	35,000	20,000	4	160,000	
17	Custard Apple	10,000	20,000	20,000	4	115,000	
18	Coconut	10,000	50,000	20,000	5	180,000	
19	Cashew	10,000	25,000	20,000	4	125,000	
20	Durian	10,000	50,000	20,000	6	345,000	
21	Avocado	10,000	35,000	20,000	4	125,000	
22	Asian Peer	10,000	35,000	20,000	15	345,000	
23	Lychee	10,000	35,000	20,000	4	125,000	
24	Lin mai (Lao Name)	10,000	15,000	20,000	3	85,000	
25	Chan (Lao Name)	10,000	20,000	20,000	4	110,000	
26	Indian Gooseberry	10,000	10,000	20,000	6	140,000	

4) Compensation Unit price for Coffee Tree

SN	Crops Species	Unit	Does Not Give Product Newly Planted 2 Years or Less	Not Yet Harvested	Large Tree Harvested
1	Arabica/Robusta	Tree/Kip	15,000	35,000	60,000
2	Catimor	Tree/Kip	15,000	40,000	80,000
3	Old Coffee	Tree/Kip	15,000		30,000
4	Cardamom	m ²		5,000	15,000

5) Compensation Unit Price for Single Season Lowland Rice Field, Dual Season and Upland Rice Field

Crops Species		Direct Impact (Permanent)			Indirect Impact (Temporary)		
		Product Kg/Year/ha	Compensation Value	Compensation Year(s)	Product Kg/Year/ha	Compensation Value	Compensation Year(s)
Wet Season Rice	Sticky Rice	3,500	3,000	3	3,500	3,000	1
	Boiled Rice	3,500	3,500	3	3,500	3,500	1
Dual Season Rice	Sticky Rice	5,000	3,000	3	5,000	3,000	1
	Boiled Rice	5,000	3,500	3	5,000	3,500	1
Upland Rice	Sticky/Boiled	3,000	3,000	3	3,000	3,000	1

Remark: Calculation Method

- Calculation = [((Productivity x Rice Field Area) x Rice Price) x Compensation Year(s)]
- Example: Mr. A have 0.5 ha wet season rice field.
- Calculation = [((3 x 0.5) x 3,000,000) x 3]
- Result = 15,750,000 Kip

6) Compensation Unit Price on Carbohydrate Type Crops

Crops Species	Direct Impact (Permanent)			Indirect Impact (Temporary)		
	Product Kg/Year/ha	Compensation Value	Compensation Year(s)	Product Kg/Year/ha	Compensation Value	Compensation Year(s)
Raw Cassava		720	1		720	1
Corn		10,000	1		10,000	1
Sweet Potato		7,000	1		7,000	1
Taro		6,000	1		6,000	1
White Potato (Mun Phao)		5,000	1		5,000	1

7) Compensation Unit price Bamboo, Log Hive and Other Annual Crops

SN	Impact Species	Unit	Price (Kip)	Remarks
1	San Phai (Lao Name)	Stem	15,000	450,000 Kip/Group
2	Mai Phai ban, Mai Phai Warn (Lao Name)	Stem	20,000	750,000 Kip/Group
3	Others bamboo	Group/Pile	100,000	
4	Banana	Group/Pile	100,000	More than 5 tree/ 1 group
5	Pineapple	Kg	5,000	
6	Papaya	Tree	60,000	
7	Khaem (Planted) Natural khaem (Lao name)	m ²	8,000	
8	Dragon Fruit	Kg	15,000	
9	Galangal, Ginger, Cinnamon Head	Group/Pile	10,000	
10	Pumpkin, Large Gourd, Gourd	Group/Pile	50,000	
11	Cucumber, Watermelon, Bean	Group/Pile	20,000	
12	Tomato, Eggplant, Chili	Tree	15,000	
13	Sver (Lao Name)	Group/Pile	50,000	
14	Dak Cheung Ginseng Type 1	Kg	50,000	
15	Dak Cheung Ginseng Type 2	Kg	35,000	
16	Dak Cheung Ginseng Type 3	Kg	25,000	
17	Log Hive (Avis Cerana Honey)	Litre	120,000	

Remarks:

- For Fruit-Tree and other crops that are not listed in the above table, calculation shall be made according the agreement No. 74/PG.SK, dated 09 April 2018 or calculate in comparison with fruit-tree and crops that have similar value as seen appropriate;
- Tree that will receive compensation is the one that is planted, for tree that already give fruit but is yet to reach 6 years of age is to be calculate the same as tree that is 6 years of age.

Section 3

Restrictions and Dispute Resolution

Article 11: Implementation

Hand over to the commission, committee secretariat for socio-environmental management at a district, provincial level jointly with the 600 MW Monsoon Wind Farm Project including the 500 kV High Voltage Transmission Line Project in Dak Cheung District, Sekong Province coordinate with the village authorities, district authorities, departments and every related state organizations to advertise, public relations and encourage the affected people to acknowledge and participate in the overall development of the government that has been put in place for peace and good results.

Article 12: Effectiveness

This issued agreement consisted of 4 sections, 12 articles, is effective from the date of signature and can be revised for alignment in each period if seen as needed.

Sign on Behalf of the Province Governor
Deputy Province Governor

[Stamp and Sign]