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Unofficial Translation

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Prime Minister's Office

No. 71/PM

DECREE OF THE PRIME MINISTER ON THE
ADMINISTRATION OF NON-GOVERNMENTAL
ORGANIZATIONS (NGOs) IN THE LAO PEOPLE'S
DEMOCRATIC REPUBLIC

- Based on the Constitution of the Lao People's Democratic Republic,
- Pursuant to Law 01/95 of March 8, 1995, on the Government of the Lao PDR,
- At the proposal of the Minister of Foreign Affairs.

The Prime Minister decrees the following:

CHAPTER I
General Provisions

Article 1. This Decree on the Administration of Non-Governmental Organizations in the Lao People's Democratic Republic outlines regulations pertaining to the organization, operations, rights and obligations of Non-Governmental Organizations, and aims at creating conditions favorable and suitable for their operations and ensuring external contributions to socio-economic development and environmental protection in the Lao PDR.

Article 2. Non-Governmental Organizations, hereinafter called NGOs, refer to entities holding the legal status of NGOs and conducting development or humanitarian development activities without any profit-seeking or any other purposes inconsistent with the policy guidelines, laws, regulations and fine traditions of the Lao PDR.

Article 3. NGOs allowed to operate in the Lao PDR shall meet the following conditions:

1. Status of juridical entity in compliance with the laws and regulations of their country of origin or where their headquarters are based;
2. Clear by-laws;
3. Sound financial status;
4. Acknowledgment by the international community.

CHAPTER II

Issuance, Extension, Amendment and Withdrawal of Permits

Article 4. NGOs preparing to conduct assistance activities in the Lao PDR shall require a permit from the Ministry of Foreign Affairs under different forms according to the following scope and features:

1. Operation permit;
2. Project office permit; and
3. Representative office permit.

Article 5. The Operation Permit allows the relevant NGO to operate in the Lao PDR as follows:

1. Contact and inquiries with the relevant organizations of the Lao PDR to assess needs and draft project documents to be submitted for approval;
2. Monitoring of assistance projects executed by Lao agencies.

Article 6. The Project Office Permit allows NGO representatives executing assistance projects to open their project offices at the central and / or local levels in Laos for the implementation of project activities.

Article 7. The Representative Office Permit allows NGOs to establish representative offices in Vientiane in view of ensuring efficient operations.

NGOs which will be authorized to set up representative offices shall have adequately and efficiently implemented assistance projects in the Lao PDR for at least 5 years, provided that projects are suitably budgeted (of a minimum of US Dollar five hundred thousand per project, excluding salaries , office, travel and insurance expenses) and may be implemented in the long-term (at least 2 years).

Article 8. On-going projects shall be monitored and assessed on-site on a regular basis by the relevant Lao agencies and NGOs. Each evaluation and assessment shall be recorded and signed by both parties concerned.

Article 9. NGO personnel shall be made of expatriates authorized by the Ministry of Foreign Affairs as requested by NGOs to conduct activities in the Lao PDR according to the conditions mentioned under Article 4 of this Decree.

Lao citizens employed by NGOs shall be considered as local staff.

Article 10. NGOs wishing to apply for permits mentioned under Article 4 of this Decree shall be required to submit complete documentation to the Ministry of Foreign Affairs for consideration. Upon receiving such application, the Ministry of Foreign Affairs shall notify its decision to the relevant NGOs within:

1. Thirty (30) days in the case of an operation permit;
2. Sixty (60) days in the case of a project office permit; and
3. Ninety (90) days in the case of a representative office.

Article 11. A permit issued for the first time shall be effective for a period not exceeding:

1. Six (6) months in the case of NGO operations as provided under Article 5.1;
2. One (1) year for NGO operations as provided under Article 5.2;
3. Two (2) years in the case of a project office permit; and
4. Four (4) years in the case of a representative office permit.

Where the extension of any of the above mentioned permits is required, NGOs shall submit an application to the Ministry of Foreign Affairs within thirty (30) days prior to the permit's expiry. Each extension shall not exceed the first permit's period of effectiveness.

NGOs shall notify the issuance and/or extension of permits within thirty (30) days to the central and/or local level line agencies in charge of their projects.

Article 12. NGOs intending to amend issued permits, - such as changes in names and positions, new address of the project office or representative office, replacement of the project director or representative, changes in the number of personnel, transfer of personnel from one project to another and modification to the scope and nature of their operations, - shall apply to the Ministry of Foreign Affairs. The Ministry of Foreign Affairs shall provide an answer in writing within thirty (30) days from the application's receipt.

Article 13. NGOs shall terminate their activities in the following cases:

1. Expiry of the permit.
2. Decision by the Ministry of Foreign Affairs to cancel the permit as provided under Article 17 of this Decree.
3. The assistant project is completed.

NGOs shall be responsible for the complete settlement of all issues related to their operations in the Lao PDR within thirty (30) days prior to the expiry of their permits or within thirty (30) days from the notice of termination.

CHAPTER III Rights and Obligations of NGOs in the Lao PDR

Article 14. NGOs authorized to set up project offices or representative offices shall be entitled to :

- Rent premises as office residence;
- Employ expatriate personnel as provided under Article 9.1 of this Decree to work in their offices and projects in the Lao PDR as authorized;
- Employ a reasonable number of local staff as provided under Article 9.2 of this Decree according to the scope of work in offices and projects; and
- Import the necessary equipment and materials for their offices, projects and personal belongings into the Lao PDR to meet the working and living requirements of representatives and personnel. The import of such materials, equipment and supplies shall be subject to the laws and regulations of the Lao PDR.

Article 15. NGOs authorized to operate in the Lao PDR shall have the following obligations:

- Operate in compliance with the Lao Government's policy guidelines in respect with the laws, regulations and fine traditions of the Lao PDR;
- Operate within the scope and nature of activities provided by permits, agreements, memorandums of understanding and/or assistance projects signed by the relevant authorities of the Lao PDR and the relevant officers of the assistance agencies;
- Be responsible for their activities in the Lao PDR;
- Submit semi-annual and annual reports on the joint implementation of their assistance projects with the relevant Lao agencies to the Ministry of Foreign Affairs;
- Prepare reports or explanatory documents in relation with issues pertaining to their activities to the Ministry of Foreign Affairs when requested; and
- Prepare final reports in collaboration with the relevant line agencies of the Lao PDR on project implementation to the Ministry of Foreign Affairs.

CHAPTER IV Awards and Sanctions

Article 16. NGOs and NGO personnel providing appropriate and efficient assistance in the Lao PDR shall be awarded by the Lao Government.

Article 17. NGOs failing to conduct activities in compliance with their permits, the relevant regulations and/or to consistently abide by the provisions of this Decree shall be ordered to temporarily suspend the implementation of their projects, terminate their projects, or their permits shall be withdrawn according to the nature of such failure.

Article 18. NGO personnel conducting activities inconsistent with the Lao Government's policy guidelines, in breach of the laws, regulations and fine traditions of the Lao PDR shall be subject to proceedings as provided by the laws of the Lao PDR.

CHAPTER V Final Provisions

Article 19. NGOs and their personnel performing assistance activities in the Lao PDR before and after the entry into force of this Decree shall all comply with its provisions.

Article 20. NGOs conducting assistance activities in the Lao PDR prior to the entry into force of this Decree shall apply for permits as follows:

1. NGOs authorized to open representative offices shall not be required to reapply, but shall submit an application to the Ministry of Foreign Affairs within sixty (60) days from this Decree's effective date in view of issuing permits as provided under Article 11 of this Decree.
2. NGOs operating through their project offices in the Lao PDR shall submit an application to the Ministry of Foreign Affairs within sixty (60) days from this Decree's effective date for the issuance of permits as provided under Article 11 of this Decree.

Article 21. The Ministry of Foreign Affairs shall outline regulations and recommendations on the application of this Decree. The Ministry of Foreign Affairs shall be entitled to convene meetings between officers of the relevant governmental agencies to assess the implementation of projects by NGOs and give the necessary guidance to officers of concerned line agencies and local administration for the proper implementation of this Decree.

Article 22. Ministries, central level organizations, provinces, Vientiane Municipality and Special Zone shall have the duty to extend close cooperation to the Ministry of Foreign Affairs in the proper and efficient implementation of this Decree, and shall be directly responsible for NGOs' activities within their sectors and localities. Where this Decree is breached, reports shall be made to the Ministry of Foreign Affairs in view of timely solutions. In the case of prominent achievements and proper compliance with the laws and regulations of the Lao PDR, reports shall be similarly made in view of considering appropriate awards.

Article 23. The Decree is effective 30 days from its signing. Any provisions and regulations inconsistent with this Decree are superseded.

Vientiane, 28 April 1998

Prime Minister

Sisavath Keobounphanh



ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນະຖາວອນ

ນາຍົກລັດຖະມົນຕີ

ເລກທີ 71 /ນຍ

ດໍາລັດ

ຂອງນາຍົກລັດຖະມົນຕີ ວ່າດວັນ ການຄົ້ນຄອງ
ບັນດາ ອົງການຈັດຕັ້ງທີ່ບໍ່ສັງກັດລັດຖະບານ ທີ່ມາປະຕິບັດງານ
ຢູ່ສາຫະລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ

- ຮຶງຕາມ ລັດຖະບານນີ້ແມ່ນ ແກ້ວສາຫະລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ.
- ຮຶງຕາມ ກົດໝາຍ ວ່າດວັນ ລັດຖະບານແຕ່ງ ສປປ ລາວ ສະບັບເລາທີ 01/95
ວິວວັນທີ 08 ມິນາ 1995.
- ຮຶງຕາມ ການສະເໜີມືຂອງ ລັດຖະມົນຕີ ວ່າດວັນນະຊາງງານຕ່າງປະເທດ.

ນາຍົກລັດຖະມົນຕີ ອອກຕົ້ນລັດ :

ຫມວດ ທີ I ຂໍ້ຈຳນົດຫົ່ວໄປ

ມາດຕາ 1 . ຕຳລັດ ວ່າດວັນ ການຄົ້ນຄອງບັນດາອົງການຈັດຕັ້ງທີ່ບໍ່ສັງກັດລັດຖະບານ ຜົນງານປະຕິບັດງານ
ຢູ່ສາຫະລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ ສະບັບນີ້ ກ່າວມີດະບຽບການຈັດຕັ້ງ, ການຜົ່ນໂຫດ
ອວກເວັນ, ສິນ ແລະ ຜົນກະຊວງອົງການຈັດຕັ້ງທີ່ບໍ່ສັງກັດລັດຖະບານ ແມ່ນໃສ່ເຜື່ອສ້າງເງິນໄຂ ທີ່ສະຄວາມ
ແລະ ເພົມາະສົມໃຫ້ແກ່ງໆການປະກິດຕັ້ງຮ່າງເກົ່າ ແລະ ເຜື່ອຍາດແຍ່ງເຄີ່ມາຈົດໝາຍ
ຈາກພາຍັນຄວາເຂົ້ານາປະກິດຕັ້ງສ່ວນ ໃນການຜົດທະນາດ້ານເສດຖະກິດ, ສັງຄົມ ແລະ ປຶ້ງປັ້ງເຕີງສາມສື່ງຍອດ
ລົ້ນ ຢູ່ສປປ ລາວ.

ມາດຕາ 2 . ອົງການຈັດຕັ້ງທີ່ບໍ່ສັງກັດລັດຖະບານ ມີຊື່ຫຼັກ ແມ່ນພາສາລາວວ່າ ອົງການ ອັບລາຍລະ ແຕ່ງ
ພາສາອັ້ງກິດວ່າ NGOs (ອິງດູງຫຼັກ) ຂະໜາມຈັດຕັ້ງທີ່ມີບານະຫາວັດດ້ານກິດເຫມາຍ ແມ່ນອົງການອົງການ
ເຂົ້ານາດົກເປົ້າກິດຈະການຂອງຫຼັກໃຫ້ ດ້ວຍການສົດທະນາ ທີ່ມີ ດ້ວຍມະນຸດສະພໍາ ໂດຍບໍ່ຊອກ ຖາດີໃນກິດຕັ້ງ,
ທີ່ມີ ໂດຍບໍ່ມີເປົ້າກິດຈະການຂອງຫຼັກ ຕໍ່ວິວດີບັນຍາວຫາວຸນະໄອຍບາຍ, ລະບຽບກິດເຫມາຍ ແລະ ອິດຄອງໄປມາ
ທີ່ນີ້ໃຫຍ່ ພົບປາວຸງ.

ມາດຕາ 3 . ອົງການ ອະດີ ຕໍ່ວິວດີບັນຍາວຫາວຸນະໄອຍບາຍ ຕໍ່ວິວດີບັນຍາວຫາວຸນະໄອຍບາຍ ຕໍ່ວິວດີບັນຍາວຫາວຸນະໄອຍບາຍ
ເງິນໄຂ ຕັ້ງດີນິ້ນີ້ :

ມາດຕາ 13 . នຶ່ງການ ອບລ ຈະຕັ້ງຢູ່ເຜົ້າເຈາະແກ່ລົມໃຫວອອກງານຂອງເຕີ່ມື້ງ ນິຍົມລະວິ ດັ່ງຕໍ່ໄປນີ້:

- 1- ບົນທະນຸມາຄະນິໄຕຕາຍ;
- 2- ມີຄ່າເຕີ່ມື້ງໃຫ້ເຫັນ ບົນທະນຸມາຄະນິໄຕພະແນກ ຕັ້ງທີ່ໃໝ່ໄວ້ ບົນທະນຸມາຄະນິໄຕຕາຍ
17 ຂອງເຕີ່ມື້ງແສະບັບນີ້.
- 3- ໂຄງງານເຊັ່ນແລັກເສີງເສີງສື່ງແລ້ວເຫັນ;

ນຶ່ງການ ອບລ ຈະຕັ້ງຮັບສິດຊຸມໃນການແກ່ໄອຫຼາຍບັນຫາທີ່ມີວິທີ ກໍ່ການໃຫ້ເຫຼື່ອມາປະໄດ້ ອກງານ ຢູ່ ສປປ ລາວ ຊື້ສ່າລັບແປ່ນທີ່ຮູບຮົດນໍ້າ ພາຍໃນ ສານສີບ (30) ມີ ກວ່ານີ້ໂຄນິໄຕຕາຍ ຂອງ ບົນທະນຸມາຄະນິໄຕຕາຍ, ແລ້ວ ພາຍໃນ ສານສີບ (30) ມີ ທັນສົງຈານມີໄດ້ຮັບແຈ້ງ ອີ່ມູດໃໝ່ການປະໄດ້ຮູບຮົດຮກງານ.

ຫາມວັດທີ III

ສົດ ແລະ ຜົນທະ ຂອງ ນຶ່ງການ ອບລ ຢູ່ ສປປ ລາວ

ມາດຕາ 14 . ນຶ່ງການ ອບລ ທີ່ໄດ້ຮັບໃນທະນຸມາຄະນິໄຕຕັ້ງແລ້ວການໂຄງການ ແລ້ວ ຖ້ອງການຜູ້ອາວຸ່ມນໍາ ແລ້ວກໍ່ນ ຈະວິສິບ ດັ່ງຕໍ່ໄປນີ້ :

- ເຊົ່າຫຼັງການ, ເຊື່ອນໜ້າ;
- ນໍາເຊີ້ນມະນີມາງານຕ່າງປະເມັດຂອງນຶ່ງການ ອບລ ຕັ້ງທີ່ໄດ້ຮັບໃຫ້ໃນມາດຕາ 9 ອັງ 1 ຂອງຄະດີລັດສະບັບນີ້ ເຊົ່າກາປະມິບັນຫຼາກງານຕ້ອງການ ແລະ ໂຄງງານ ຢູ່ ລາວ ໂດຍທີ່ໄດ້ຮັບອະນຸມີແ;
- ວ່າຈຳຊັງມະນີມາງານເຫຼື່ອທຶນ ຕັ້ງທີ່ໃໝ່ໄວ້ໃນມາດຕາ 9 ອັງ 2 ຂອງ ດ້ວຍເລີດ ສະບັບນີ້ ໃນ ຈຳກວດທີ່ຕາມກາລີນ ແລະ ຜົດຕອຍງົວບົບິ່ນມາດຕະກູງງານກົດຝຶການຕ້ອງການ ແລະ ໂຄງງານ;
- ນໍາເຊີ້ນຜູ້ອາວຸ່ມນໍາ ສຳພົບປະໄດ້ໂຄງການ ແລະ ເຊົ່າທີ່ໃຊ້ສ່ວນຕົວ ເຊົ່າມາ ສປປ ລາວ ແລ້ວ ອົບປະໄດ້ກຳລົວ ຕ້ອງການປະມິບັນຫຼາກງານ ແລະ ຮູ່ອີກຕາມແປ່ນຢູ່ ຂອງຕະຫຼາດນີ້ ແລະ ປະມິມາງານ. ການ ນໍາເຊົ່າອື່ນທຶນ, ອຸປະກາຄາ ແລະ ເຊົ່າທີ່ໃຊ້ຕົ້ນກ່າວ່າວິ່ນ ຈະຕອງປະມິບັນຫຼາກງານທີ່ແມ່ຍາດ ຂອງ ສປປ ລາວ.

ມາດຕາ 15 . ນຶ່ງການ ອບລ ທີ່ໄດ້ຮັບ ອະນຸມາຄະນິໄຕຕັ້ງແລ້ວກໍ່ນ ຩີເນື້ອນຕົ້ນ ລາວ ທີ່ໄດ້ມີທີ່

- ເຊື່ອນໄຫວໂດຍສະຫງົບພົມພາກງານໂບບາຍ ຂອງ ລັດຖະບານລະວິ ຍໍາລັດລົງກົມິໂມງນີ້
- ຕະຫຼາດນີ້ໃຫ້ມາຍ ແລະ ຂີດຄອງປະເມີນໄດ້ງາມ ຂອງ ສປປ ລາວ;
- ກົດສົ່ງໄຫວ່ອງງານໃຫ້ສ່ວນຄວ່າງຕາມຂອບເຂດ ແລະ ລັບເສະນະຂະຫຼາດ ເພີ້ນຕົ້ນທີ່ໄດ້
- ໄຫວ່ອງໃຫ້ບໍລິຫານທີ່ກົດໆ ແລະ ເຊັ່ນໄດ້ຫຼືກົບສິດຊຸມນໍາກົດ ແລະ ເຊັ່ນໄດ້ຫຼືກົບສິດຊຸມນໍາກົດ
- ເຫັນໄດ້ຫຼືກົບສິດຊຸມນໍາກົດ ແລະ ເຊັ່ນໄດ້ຫຼືກົບສິດຊຸມນໍາກົດ
- ແຈ້າຫຼັກທີ່ ທີ່ໄກຮ່ວ່ວຂອງ ຂອງມີຄ່າຢ່າງຕົ້ນ ມີຄ່າຢ່າງຕົ້ນ ແລະ ປະມິມາງານ
- ໄຫວ່ອງປະເມີນຫຼັກງານເຄື່ອນໄຫວ່ອງງານ ທີ່ມີຄ່າຢ່າງຕົ້ນ ກົດສົ່ງໄຫວ່ອງງານ ທີ່ມີຄ່າຢ່າງຕົ້ນ
- ກົດສົ່ງໄຫວ່ອງງານເຄື່ອນໄຫວ່ອງງານ ທີ່ມີຄ່າຢ່າງຕົ້ນ ຍໍາລັດລົງກົມິໂມງນີ້ (8) ເຊື່ອນ ແລະ ປະຈຳປີ; ນັກງານໃຫວ່ອງມີຄ່າຢ່າງຕົ້ນ

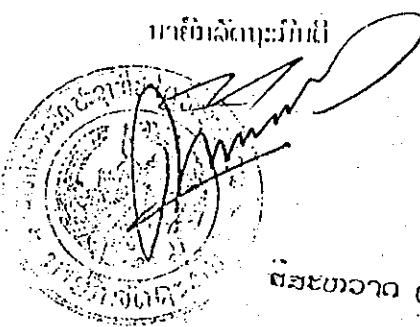
មាតិទា 21. ពេលវិល នគរបាលរាជរដ្ឋប្រជាសាធារណ៍ នគរបាលសុខភាព នគរបាល នគរបាលជូនកែវកំណត់
ចំណោម ដែលក្នុងវា ឲ្យមិនមែនដីលើក នគរបាលរាជរដ្ឋប្រជាសាធារណ៍ នគរបាលសុខភាពជូនកែវកំណត់
នគរបាលសុខភាព ធំនៅទីខែទី ដែលជាបុរាណដែលបានបញ្ជាក់ថា នគរបាលសុខភាព នគរបាល
នគរបាលសុខភាព នគរបាលជូនកែវកំណត់ នគរបាលជូនកែវកំណត់ នគរបាលសុខភាព នគរបាល
នគរបាលជូនកែវកំណត់ នគរបាលសុខភាព នគរបាលជូនកែវកំណត់ នគរបាលជូនកែវកំណត់ នគរបាល

មាតិទា 22. ពេលវិល នគរបាលជូនកែវកំណត់ នគរបាលសុខភាព នគរបាលជូនកែវកំណត់ នគរបាល
នគរបាលជូនកែវកំណត់ នគរបាលសុខភាព នគរបាលជូនកែវកំណត់ នគរបាលជូនកែវកំណត់ នគរបាល
នគរបាលជូនកែវកំណត់ នគរបាលជូនកែវកំណត់ នគរបាលជូនកែវកំណត់ នគរបាលជូនកែវកំណត់ នគរបាល

មាតិទា 23. ជាដំណឹងសារីហិរញ្ញវត្ថុ ឲ្យអាជីវកិច្ច ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល
ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល ឲ្យនគរបាល

នគរបាល, នៅថ្ងៃ 20 APR 1990

បានចូលរួមជាមិន



ជាមួយ កែវបុនយ៍