

Regulation on the Import and Export licensing procedures of Controlled Goods from Trade Authorities

- Pursuant to the Decree on the establishment and operation of the Ministry of Commerce and Tourism No. 24/PM, dated 24 March 1999
- Based on the Decree on import and export No. 205/PM, dated 11 October 2001

The Minister of Commerce sets out

Chapter I General Principles

Article 1

. Licensing

An import or export licensing is a measure to administer import and export of goods in the Lao PDR, with an aim:

- To control the implementation conditions, criteria of the applicants for import or export activities;
- To monitor the conditions and criteria of import or export applicants, and to collect statistics of controlled-good imports or exports;
- To avoid a severe adverse impact on domestic production or national balance of payments;
- To control the import or export of prohibited goods which are occasionally needed for import or export.

Article 2

. Applicant

An applicant comprises of importer, exporter as specified in Article 9 and Article 10 of the Decree on Import and Export No. 205/PM, dated 11 October 2001.

Article 3

. Goods subject to licensing

The goods subject to an import or export license are controlled goods by which the Minister of Commerce has specified the criteria for import or export. The importer or exporter must strictly follow every procedure and regulation in this Regulation and in the laws and regulations of relevant sectors.

The detail of goods items subject to import or export licensing will be announced later.

Chapter II Licensing procedures

Article 4

. Licensing authority

Importer or exporter who wishes to import or export goods subject to control is required to submit an application with trade authorities as follows:

- Prohibited goods: approval from the Ministry of Commerce with a permission from the Prime Minister;
- Some controlled goods: approval from the Ministry of Commerce;
- Other controlled goods: approval from trade services in provinces, Vientiane municipality, and special zones.

Article 5

. Licensing procedures

A license needs to be acquired prior to the import or export where accompanying documents include:

- Business registration and tax certification;
- Application form;
- Buying or selling contract;
- Technical certification from relevant authorities.

Article 6

. Licensing consideration

The consideration of licensing application shall be in time, simple, and transparent for importer or exporter who supplies all required documentation as specified in this regulation.

The delay of licensing process without justification or unjustified reasons is considered in breach of this regulation and penalties shall be applied case by case.

Article 7

. Time validity of a license

How long a license is valid depends on types of imports or exports. Related authorities specified in Article 4 of this regulation shall determine the time validity of licensing.

Chapter III Penalties

Article 8

. Breach of licensing regulation

An importer or export who does not adhere to this regulation shall not have the right to import or export.

Article 9

. Fraud, claim and other breaches

Any act related to fraud, claim, and other breaches to acquire a licensing shall be penalized according to seriousness or is subject civil penalty.

Chapter IV Final provisions

The Foreign Trade Department acts as a focal point to coordinate with related authorities, including trade services in the provinces, Vientiane Municipality and special zones, to implement in detail and for effectiveness of this regulation. The list of additional or reducing imports or exports subject to licensing shall also be provided to the Ministry of Commerce in subsequent notification.

Article 11

. Enforcement

This regulation shall be into force from its date of signatory. Any other provisions and regulations inconsistent with this regulation shall be nullified.

Vientiane Municipality, Date 25 January 2002

Phoumy Thipphavone

Minister of Commerce