



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY



Guidelines

**for the implementation of the Prime Minister's Decree
on International Non-Governmental Organizations**

Department of International Organizations

Ministry of Foreign Affairs

2014

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Guidelines

for the implementation of the Prime Minister's Decree on International Non-Governmental Organizations

By implementing the Prime Minister's Decree, N 013/PM, dated 08 January 2010 on International Non-Governmental Organizations, Minister of Foreign Affairs of the Lao People's Democratic Republic 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. Purpose

This Guideline is for the implementation of the Prime Minister's Decree, N 013/PM, dated 08/01/2010 on International Non-Governmental Organizations (INGOs), aimed at making the nation-wide implementation of the Decree easy, right and unified and management of the assistance from INGOs more effective and efficient and consistent with the National Socio-Economic Development Plan (NSED) in each period.

2. Definition

International Non-Governmental Organization or INGO is an international or foreign non-profit organization having a legal status, which desires to provide development assistance and humanitarian aids without any pursuit of profit.

3. Terminology

The meaning of the following terms is intended only for the INGO Decree only:

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 this Decree;

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 order to carry out its project;

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 Staff** means an approval of nomination by the Government for an INGO Representative or Project Director or 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 longer than 1 year.

CHAPTER II

Procedures and Requirements for Approval

4: An Overview

Any 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:

- First and foremost, INGO must obtain an Operation Permit from the Department of International Organizations, MoFA.
 - After receiving all required documents, all process may take maximum 60 working days to consider and approve the OP.
 - Operation Permit is valid for one year only and it can be renewable year by year, depending on the available assistant project.
 - Fee for issuance of OP is 150.000 LAK per year/per each.
- Second, 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.

- Third, upon receiving the Work Permit, the INGO can apply for entry visa for its staff for the initial period of 90 days, and it can be extendable for another 90 days, for the preparation of the project documents.
- Fourth, the INGO shall submit the project proposal and draft MoU to Department of International Organizations, MoFA for consideration and approval.
 - MoFA will do a cross check with concerned Ministries and local authorities for their comments on the proposed project.
 - All process may take maximum 60 working days for the process of consideration and approval.
- Fifth, upon receiving the approval, the INGO and its implementing partner shall prepare the MoU signing ceremony within 30 days. Without any signing ceremony, the implementation of the project cannot be started.

5: Operation Permit Approval Procedure

1. A letter from headquarters of the INGO address to Ministry of Foreign Affairs of the Lao PDR for seeking Operation Permit;
2. A copy of the registration in the country of origin;
3. A copy of the statute or rules of the INGO;
4. A copy of document(s) declaring financial status of the INGO;
5. Plan for assistance to be provided in Lao PDR;
6. Background activities of the INGO.

5.1. Termination of Operation Permit

Operation Permit shall be terminated under the cases stated in Article 15 of the Prime Minister's Decree, N 013/PM, dated 08 January 2010. In addition, any INGO that does not carry out any activities for a period of 1 year its Operation Permit will be automatically terminated.

In case of an INGO wishing to terminate its operation in Lao PDR, it shall submit a letter to MoFA 30 days in advance and it should comprise with the following documents:

1. A letter from the INGO Headquarters or Regional Office to MoFA informing its intention to end its operation;
2. A summary report of its implementation of the project in Lao PDR.

5.2 Extension of Operation Permit

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

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;
2. A copy of recent OP;
3. Background activities of the INGO working in Lao PDR throughout the previous projects and plan of activities for further projects.

Note: All process may take minimum 10 working days for the process of consideration and approval.

6. Project Approval

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

1. A letter from the INGO Country Representative Office in Lao PDR or its Headquarters to MoFA requesting for the project implementation approval;
2. A project proposal paper;
3. A draft MoU of the project; and
4. 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.*

- *All process may take maximum 60 working days to consider and approve and it also depends on submitted documents;*
- *After signing MOU, An INGO and its partners shall appoint Project Implementing Committee (PIC) stated in Article 7 of the Prime Minister's Decree, N 013/PM, dated 08 January 2010.*

7. Emergency support scheme

An INGO wishing to support relief in case of emergency event. MoFA will approve the activity directly within informing concerned sectors simultaneously. Concerned authorities and INGOs will implement the emergency support activities together.

8. Project Extension and Amendment

An INGO wishing to extend or amend project document or MoU shall seek approval from MoFA in accordance with the requirements stated in Article 14 of the Prime Minister's Decree, N 013/PM, dated 08 January 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):

It is required that the INGO and its implementing partner must conduct the project evaluation and assessment at least 30 days before submitting request for project renewal.

1. A letter of support from its implementing partners, the local authority and concerned Ministry, to MoFA for the renewal of the project;
2. A copy of the project approval letter;
3. A report of the project evaluation and assessment;
4. A draft project document;
5. Draft MoU;

Note: All process may take maximum 60 working days for the process of consideration and approval.

8.2. Project Implementation Extension Request:

1. A letter addressing to MoFA requesting for an extension;
2. A copy of the project approval letter;
3. A summary report on the progress of the project and pending activities and remaining budget that required an extension;

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

Note: All process may take maximum 30 working days for the process of consideration and approval.

8.3 Additional Funding Approval to the Existing Project:

1. A letter addressing to MoFA certifying the availability of the additional fund and requesting for an approval;
2. A copy of the project approval letter;
3. A summary report on the progress of the project;
4. Plan of activities to be covered by the additional funding;
5. A letter of consent from its implementing partners from local and Ministerial level for the proposal.

Note: All process may take maximum 30 working days for the process of consideration and approval.

8.4 MoU Amendment Request:

An INGO wishing to propose amendments to MoU shall submit its proposal to MoFA at least 30 days for MoFA to consider and approve before the new activities can be implemented. Documents required:

1. A letter of proposal to MoFA;
2. A copy of the project approval letter;
3. A summary report on the progress of the project;
4. A copy of the existing MoU with track-change proposed amendments on;
5. A letter of consent from its implementing partners from local and Ministerial levels with the proposal.

Note: All process may take maximum 30 working days for the process of consideration and approval.

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, with 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.

Note: MoFA will consider and approve based on the following requirements:

- *Relevance and in line with the National Social-Economic Development Plan of the Lao PDR;*
- *Clear identification of the concrete steps for implementation;*
- *Clear identification of the implementing agencies;*
- *Clear identification of the target area and equipment for the implementation;*
- *Clear identification of the budget and financial sources for carrying out the activity;*
- *Received an approval from agency and locality involved;*

Note: All process may take maximum 60 working days for the process of consideration and approval.

10. Project Office Approval

An INGO wishing to open its Project Office in Lao PDR must seek 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 which it must comprise with the following documents:

1. A letter addressed to MoFA requests to open the Project Office
2. A copy of the project approval letter;
3. Information on address of the project office, phone number and other information;
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.

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.*
- *Role and responsibility of Project Office:*

- *To coordinate with main partners/ concerned Ministry and local authority. Coordination should be done through concerned Ministry and local authority.*
- *To direct management and monitoring of the project activities.*

11. Representative Office Approval

An INGO wishing to open its Country Representative Office in Lao PDR shall meet the requirement of a minimum five-year experience of successful development assistance in Lao PDR 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. The request shall be submitted in writing to MoFA together with the following documents:

1. A letter from INGO Headquarters or Regional Office addressed to MoFA requests to open its Country Representative Office;
 2. A copy of Operation Permit;
 3. The report of its assistance in Lao PDR at least in the last 5 years;
 4. Future plan for assistance in Lao PDR;
 5. The report of its assistance provided to countries in the region;
 6. Financial resources for running the Country Representative Office;
 7. A written permission from the landlord and certified by the local authority to use the location or property as an Office premise;
 8. A clear defined mandate and organizational structure of the Office;
- MoFA will consider and make decision and officially reply to the INGO as soon as possible, and in any case, it should be no longer than 30 days.
 - *Role and responsibility of Country Representative Office:*
 - *To coordinate directly with MoFA and main partners/ concerned Ministry,*
 - *To ensure the assistant program be implemented.*

12. Regional Office Approval

An INGO wishing to open its Regional Office in Lao PDR shall meet the requirements of having 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 shall comprise with the following documents:

1. A letter from INGO Headquarters addressed to MoFA requests to open its Regional Office;
2. A copy of Operation Permit;
3. A copy of Country Representative Office Approval;
4. The report of its assistant projects in Lao PDR;
5. The report of its assistant projects to countries in the region;
6. Financial resources for running the Regional Office;
7. Future plan on assistance to Lao PDR;
8. A written permission from the landlord and certified by the local authority to use the location or property as an Office premise;
9. A clear defined mandate and organizational structure of the Regional Office.

Note:

- *MoFA will consider and make decision and officially reply to the INGO as soon as possible, and in any case, it should be no longer than 15 days.*
- *Role and responsibility of Country Representative Office:*
 - *To coordinate directly with MoFA*
 - *To be the coordinate office of the region.*

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

An INGO wishing to bring its staff of foreign nationality to work in Lao PDR shall request for approval from MoFA in accordance with the requirements set in Article 11 of the Prime Minister Decree No. 013/PM, dated 8 January 2010. The request shall comprise with the following documents:

13.1 Regional Representative:

1. A letter from INGO Headquarters addressed to MoFA.
2. CV. It should also include education background, work experience, permanent address and family status;
3. A copy of passport;
4. A copy of education certificate(s),

5. A copy of Regional Representative Office Approval.

Note:

- MoFA needs at least 30 days to consider and approve.
- Work Permit is 1 year and it can be renewable.

13.1.1 Work Permit Extension for Regional Representative:

1. A letter from the Headquarters of the INGO addressed to MoFA at least 30 days in advance of the expired date;
2. A copy of passport;
3. A copy of Stay Permit.
4. A copy of recent Work Permit

13.2 Country Representative/Country Director:

1. A letter from INGO Headquarters or Regional Office addressed to MoFA.
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);
3. A copy of their passports;
4. A copy of their education certificates,
 - MoFA needs at least 30 days to consider and approve.
 - Work Permit is 1 year and can be renewable.

13.2.1 Work Permit Extension for Country Representative/Country Director:

1. A letter for the Headquarters or Regional Office of the INGO addressed to MoFA at least 30 days in advance of the expired date;
2. A copy of passport;
3. A copy of Stay Permit.
4. A copy of recent Work Permit

13.3 Project Director/Coordinator

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA;
2. CV. It should also include education background, work experience, permanent address and family status;

3. A copy of passport;
4. A copy of education certificate(s);
5. A copy of Project Approval;
 - MoFA will consult with concerned Ministry which is the implementing partner of the project for their comment.
 - MoFA needs at least 30 days to consider and approve.
 - Work Permit is 1 year and it can be renewable.

13.3.1 Work Permit Extension for Project Director/Coordinator:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed Concerned Ministry then submit to MoFA at least 30 days in advance of the expired date;
2. A copy of passport;
3. A copy of Stay Permit;
4. A copy of recent Work Permit.

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

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA that covers titles, activities and duration;
2. CV, and among other things, should also include education background, work experience, permanent address and family status;
3. A copy of passport;
4. A copy of education certificate(s);
5. Office's organizational structure chart;
 - MoFA to consider and approve within 30 days.
 - Work Permit is 1 year and it can be renewable.

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

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA at least 30 days in advance of the expired date;

2. A copy of passport;
3. A copy of Stay Permit.
4. A copy of recent Work Permit.

13.5 Foreign Staff for the Project Office:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA that covers titles, activities and duration;
2. CV. It should also include education background, work experience, permanent address and family status;
3. A copy of passport;
4. A copy of education certificate(s);
 - MoFA needs to consult with concerned Ministry which is the implementing partner of the project for their comment.
 - MoFA will consider and approve according to the staff required under MoU.
 - MoFA needs at least 30 days to consider and approve.
 - Work Permit is 1 year and it can be renewable.

13.5.1 Work Permit Extension for Foreign Staff for the Project Office:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA at least 30 days in advance of the expired date;
2. A copy of passport;
3. A copy of Stay Permit.
4. A copy of recent Work Permit

13.6 Short Term Staff for the Country Representative Office:

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

1. A letter from Country Representative Office addressed to MoFA explaining the necessary of the short term mission;
2. CV;
3. A copy of passport.
 - MoFA needs at least 15 days for consideration and approval.

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 6 months. Documents required:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
2. CV. It should also include education background, work experience, permanent address and family status;
3. A copy of passport;
4. A copy of education certificate(s).
 - MoFA will consult with the concerned Ministry which is the implementing partner of the project for their comment;
 - MoFA needs at least 30 days to consider and approve.

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 representative.
- 14.2 An 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 Bureau within 1 week since the date of the employment.
- 14.3 For local staff employment in provinces, the INGO shall 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 Any INGO is going to employ local staff shall 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 Any INGO wishing to terminate the employment agreement with local staff by any reason shall notify its party to the agreement and the Diplomatic Service Bureau in writing 45 days prior to the termination. The letter shall include reason(s) for the cancelation of the agreement. Before termination of the agreement, the INGO shall 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 1 November 2010 on Management of Local Staff Working with the Foreign Organization in Lao PDR. In case of an employee wishing to terminate the employment agreement he/she shall also inform the INGO 45 days in advance.
- 14.6 INGOs shall facilitate and allow local staff to attend meetings and activities organized by the Diplomatic Service Bureau of which it will notify in writing at least 7 days in advance of the event. It is expected that there can be such event 2 times per year with the total number not exceeding 5 working days.
- 14.7 Local staff must pay income tax to the Government as other Lao citizens in accordance with the Law on Tax of the Lao PDR No. 05/NA, dated 20 December 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 of which it 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:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA (please specify date and port of entry);
2. A copy of Letter of Approval from MoFA (Work Permit);
3. A copy of passport;

15.1.2 Project Director and staff:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA (please specify date and port of entry);
2. A letter of consent from line Ministry which is its implementing partner of the project;
3. A copy of Letter of Approval from MoFA (Work Permit);
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.*
- *Letter of request for entry visa should be sent to MoFA at least 2 weeks in advance of the date of entry.*

15.2. Stay Permit/Stay Permit Card

Each INGO personnel is entitled to receive a Stay Permit/Stay Permit Card for a maximum duration of 1 year each. 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:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
2. A copy of approval letter from MoFA(Work Permit);

3. A copy of Entry Visa.

15.2.1 Stay Permit/Stay Permit Card Extension:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
2. A copy of approval letter from MoFA (Work Permit);
3. A copy of passport
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:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
2. A copy of approval letter from MoFA;
3. A copy of passport;
4. A copy of Entry Visa Stamp;
5. A copy of Stay Permit.

15.3.1 Multiple Entry Visa Extension

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
2. A copy of approval letter from MoFA;
3. A copy of passport;
4. A copy of Stay Permit.
5. A copy of the Recent Multi Entry Visa

16. Equipment and Vehicle Procurement

16.1 Equipment and Vehicle for Country Representative Office

An INGO Country Representative Office wishing to import tax exempted equipments and vehicles for its Office shall make a request to and get approval from MoFA. Documents required:

1. A letter from INGO Country Representative Office addressed to MoFA (please also inform the number of existing staff and vehicle);
2. Invoice;
3. Equipment/vehicle specification;

Note: MoFA will consider and approve based on the reasonable need of the equipment and vehicle.

16.2 Equipment and Vehicle for the Project:

An INGO wishing to import tax exempted equipments and vehicles for its project as stated in the MoU shall make a request to and get approval from MoFA. Documents required:

1. A letter from INGO Headquarters or Regional Representative Office or Country Representative Office addressed to MoFA;
2. A letter of consent from line Ministry which is its implementing partner of the project;
3. A copy of the MoU;
4. Invoice;
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 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 item. Documents required:

1. A letter from INGO Country Representative Office addressed to MoFA;
2. A copy of Country Representative/Country Director approval letter from MoFA;
3. A copy of passport;
4. A copy of Stay Permit;
5. Invoice;
6. Equipment/vehicle specification;

Note:

- *A letter of approval from Department of International Organizations to Department of Protocol should be issued within 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 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;*
- *Requirements for vehicle registration have been elaborated in Article 13 of the Prime Minister's Decree, N 013/PM, dated 08 January 2010, details are as follows:*
 1. *Valid proof of purchasing documents;*
 2. *Valid proof of vehicle to be used for the work of INGO;*
 3. *Declaration of the financial source for purchasing vehicle;*
 4. *Other requirements applicable in this decree and in related laws and regulations of the Lao PDR.*

17. Vehicle Registration Renewal

An INGO wishing to renew registration for its vehicle for its Office or Project shall submit a letter to MoFA at least 30 days before expiry of the registration.

Documents required:

1. A letter from its Representative Office or Project Office to the Lao PDR addressed to MoFA;
2. A copy of car registration paper;
3. A copy of the Office or Project Approval.

18. Equipment and Vehicle after the Completion of INGO's activities 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 or the closer of the Office, the equipments and vehicles must be re-exported, or otherwise handed over to the Lao Government, particularly to its implementing partner to the project.

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

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

SECTION III

Reporting, Evaluation and Assessment

20. Reporting

The INGO shall submit its progress report on the implementation of the project every 3 months to the Local Secretariat on INGO, 6-month, annually and final report to Department of International Organizations, MoFA; **concerned Ministry and Provincial Foreign Affairs Department.**

- **Project Financial Report shall be submitted every 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 6-month 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 should focus on the following areas:

- The implementation of activities of the project
- Budget utilization
- Coordination

After the evaluation, its report must be submitted to the Local Committee on Management and Coordination of INGO within 30 days.

The cost of travel, accommodation and DSA of the invited Government Officer participating in the evaluation of the project shall be covered by the project. The DSA 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.

SECTION IV

Rights and Obligations of INGO in the Lao PDR

22. Rights of INGO in the Lao PDR

An INGO received an approval from the Government 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 Decree. INGO and all its staff are not entitled to diplomatic privilege and immunity.

22.1 **Stamp of INGO Country Representative Office in the Lao PDR**

Only INGO Country Representative Office is entitled to earn office stamp. Documents require:

1. A letter from INGO Country Representative Office in Lao PDR,

2. A copy of stamp model

Note: Project Office is only allowed to use stamp of the Headquarter.

23. Obligations of INGO

1. INGO, staff members and their dependants working in Lao PDR have the obligations as stated in Article 18 of the Prime Minister's Decree, N 013/PM, dated 08/01/2010, including obligations stated in this guideline.
2. INGO staff of foreign nationality working in Lao PDR must pay income tax to the Lao Government in accordance with the Law on Tax of the Lao PDR No. 05/NA, dated 20 December 2011, unless there is a bilateral double taxation avoidance agreement with Lao PDR together with a prove of the tax payment to his/her own government.

SECTION V

Coordinating Mechanism

24. Management and Coordination of INGO

The Government 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 Decree. The Committee is under the supervision of the Minister of Foreign Affairs.

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**.

25. Secretariat of Committee on Management and Coordination of INGO

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.

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 Decree, such as:

1. Operation Permit approval
2. Work Permit approval
3. Project approval
4. Approval of INGO Representative, Project Director and Staff
5. Approval of Project Office, Representative Office and Regional Office
6. Approval for a short-term activity
7. Authorization of entry visa
8. Approval of Stay Permit Card
9. Approval for tax exemption equipment or vehicle to be imported under the project, and
10. Approval of any renew or extension request.

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 Decree No. 013/PM, dated 08 January 2010.

27. Mandate of Local Committee on Management and Coordination of INGO and Secretariat of Local Committee

1. Local Committee on Management and Coordination of INGO 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.

2. The 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.
3. Mandates of the Secretariat of the Local Committee are as follows:
 - 3.1. Serve as a focal point for coordination and oversight of the INGO assistant projects at local level;
 - 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.
 - 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.
 - 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.

SECTION VI

Recognition and Sanctions

28. Recognition

An 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 Lao PDR.

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 to MoFA who will consider and, as appropriate, submit it to Government for consideration and approval.

29. Sanctions

An INGO or its staff who carry out an activity in violation of this Decree shall be warned, Operation Permit or project shall be suspended depending on the nature of the transgression;

An INGO or its staff who carry out an activity in contrary to the policy of the Government and in violation of the law and regulation as well as the Lao fine traditions shall be subjected to the laws and regulations of the Lao PDR

SECTION 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.

Vientiane,, 2014

Deputy Prime Minister

Minister of the Minister of Foreign Affairs

Thongloun Sisoulith