

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Office of the Prime Minister

No. 236/PM

Decree
on the
Implementation of the Land Law

- Reference the Law on the Government of the Lao PDR, No. 01/96, dated 8 March 1995.
- Reference the Land Law, No. 01/97/NA, dated 12 April 1997.
- Reference the Proposal of the Minister of the Ministry of Finance

The Prime Minister issues this Decree:

Article 1: This Decree is issued to implement the Land Law regarding the effective, legal, and uniform administration, protection, use and development of land throughout the country.

Article 2: Lao PDR land is the property of the national community in respect of which the State conducts central and uniform administration throughout the country. Individuals or organizations are absolutely prohibited from using land as a commodity for sale or purchase as provided for in Article 3 of the Land Law and Article 4 of the Property Law.

The State will not acknowledge and will deem void all types of common or public land seizures and all illegal succession to land.

Article 3: The Central Land Allocation and Land and Forest Land Granting Committee is the entity to coordinate with relevant agencies and local administrative authorities [in] carrying out land surveys and allocation, inspection and collection of data relative to land in order to allocate land types, land, and to establish a country-wide centralized plan as provided for in Articles 10, 11, and 12 of the Land Law.

Article 4: Surveying and allocating land, delimiting land area and dividing up land types must adhere to the Law and the National Socio-Economic Development Plan [and must be] submitted to the National Assembly for adoption, such as:

- area of land and forest lands which have geographic features, such as: land and forests in the plateaus, water source areas and mountains;
- areas of land and forest lands that have features of targeted use, such as: agricultural land and forests;
- areas of land and forest lands for rehabilitation and improvement, such as: construction land, industrial land, communications land, cultural land, national defense and peace and public order land, land in water areas, reserved forest land and national heritage [forest land];
- areas of land and land that have technical features that primarily contribute to guaranteed economic growth and public justice.

Article 5: The protection of rights and benefits of those who have legally developed land must strictly comply with Articles 5, 55, 56, 57, and 58 of the Land Law.

Article 6: Transforming land from one type into another type for use in yet another objective can be undertaken provided that it is necessary and does not affect the public or the environment, and such must first have received approval from the relevant land

administration agency. For areas of agricultural land that have already been allocated, it is absolutely prohibited to use such for another objective. In necessary cases, there must be consideration by the Ministry of Agriculture and Forestry and the Central Land Allocation and Land and Forest Land Granting Committee for uniform agreement and consensus [to allow such transformation].

Article 7: Law suits and other matters related to land must be resolved strictly in conformity with Articles 72, 73, 74, and 75 of the Land Law.

[Regarding] land lawsuits in respect of which the courts have properly issued final decisions, [concerned parties] are to strictly comply [with such decisions].

Article 8: Relevant ministries have the duty to issue detailed and conforming regulations and measures that do not conflict regarding the administration, protection, and use and development of land under one's sole administration or in conjunction with other sectors as provided by the Land Law in order that the drafting of Ministerial agreements [decisions] regarding such regulations is completed in an appropriate time frame and are [produce] well-integrated [regulations]. All sectors must regard the Office of the Prime Minister as central to necessary coordination and inspection of the substance of each draft of such agreements [decisions].

Article 9: The Office of the Prime Minister, relevant ministries, ministry-equivalent committees, organizations and local administrative authorities are assigned to effectively implement this Decree.

Article 10: This Decree is effective from the date of its signature onwards.

Vientiane, date 18 December 1998
Prime Minister
[seal of the Prime Minister]
[signature]
Sisavath Keobounphan