

Peace Independence Democracy Unity Prosperity

Ministry of Finance

No. 703/MOF

Vientiane, July 20<sup>th</sup>, (omitted)

**Minister's Regulation  
Relation to the Position, Role, Functions,  
Rights and Organisational structure  
of the Department of Land and House Management**

- with reference to the Prime Minister's Decree No. 104/PM issued on 6/7/93 relating to the organisation of the Ministry of Finance;
  - with reference to the Prime Minister's Decree No. 171/PM issued on 11/11/93 relating to the rules for the Civil Service of the Lao PDR Government;
  - with reference to the Finances Minister's Regulation No. 128/MOF dated 17/2/94 on the establishment of the Finance Divisions in the provinces, municipalities and Special Zones, the Finance Office in the District and in the village;
  - with reference to the study and proposals of the Director of Department of Land and House Management and the unanimous accord of the Direction Committee of the Ministry of Finance;
- The Minister decides to issue the Regulation a below:

**Section I  
Position and Role**

**Article 1:** The Department of Land and House Management (in abbreviation: DOLHM) is one of the Departments structure) in accordance with the Prime Minister's Decree No. 104/PM issued on 6/7/93 relating to the organisation of the Ministry of Finance.

**Article 2:** The Department of Land and House Management play a role of implementing agency for the Minister concerning the study of the draft of administrative policy, the control of the implementation of land and house management based on Party's guidelines and state laws in order to ensure uniform practice in land management and land use throughout the country.

**Section II  
Functions and Rights**

**Article 3:** The functions of the Department of Land and House Management are:

- 3.1 To establish and implement the laws, decrees and other regulations relating to land and house management.
- 3.2 To give direction in the implementation of land and house management and to mobilise the land possessors and users to fulfil their obligation in accordance with laws and regulations promulgated by the State.
- 3.3 To give direction to the Offices of Land and House Management of the provinces, municipality special zones and districts regarding the setting-up of land records which are to be used in the management of private land and house.
- 3.4 To organise training for personnel on specific subject relating to land and house management.
- 3.5 To set up the plan for revenue from land and house management for the whole country.
- 3.6 To give direction in the implementation of land tax policy, in the campaign, propagation and payment of land tax.
- 3.7 To make a plan and to manage the use of the budget in the implementation of the words along vertical organisational line (cash, materials, fixed materials, essential equipments and vehicles).
- 3.8 To make research, prepare lessons and give lectures on land and house management at Finance schools and other places within the country.

3.9 To make report on the situation of land house management.

**Article 4:** The Department of Land and House Management has the following rights:

4.1 To control the implementation of land and house management, the collection of land tax and other fees which are related to land and house.

4.2 To control the cadastral work for land and house in order to make land map and to have the right to ask questions to the land and house users in order to obtain data and information which would facilitate the management of land and house.

4.3 To educate, give a warning of the offences, fine and file a case against the possessor and user of land and house who has no legal authorisation.

4.4 To mediate the disputes on land and house accordingly to the proposals made by the disputing parties.

4.5 To request, whenever it is essential for the assistance from the administrative authority and the peace-keeping force in order to perform the functions successfully.

To conduct a study and make proposals to higher authority regarding the regulation on land and house management.

4.66 To manage the personnel and conduct a research in coordination with the Department of Organisation and personnel development and then, make proposals to higher authority and other concerned authorities regarding the policy for personnel having good performance (level upliftment, grade promotion, raise in salary base, congratulation certificate...) and the penalty for personnel who violates the laws and regulations.

### **Section III**

#### **Organisational Structure, Distribution of Responsibilities of the Department Director**

**Article 5:** The personnel organisation of the Department of Land and House Management is as follows:

5.1 The Department of Land and House Management is comprised of one Director who is appointed by the Prime Minister. The Director is responsible before the higher authorities, of the success and failure in the implementation of policies and laws which shall be expanded to the grassroots levels. In addition, the Director is charged of directing the research work on laws, system rules, principles of ideological guiding, planning of land management throughout the country.

5.2 The Department of Land and House Management had 1-2 Deputy-Directors who are appointed by the Minister of Finance. Deputy-Directors are charged to assist the Director and implement regulations on general works of the Department and are responsible of a specific work accordingly to the resolution and assignment of the Director. They are also responsible of the administrative works, finance, accounting, land record survey, land tax, land registration and fees, payments. In case of the absence of the Director, the Deputy Director shall be acting Director in accordance with assigned rights and functions (responsible before the law).

5.3 The Department of Land and House Management is comprised of a number of Divisions cadres, technical personnel who take charge of a specific work assigned by the Director and Deputy Directors, chiefs and Deputy-chiefs of the offices in the provinces municipality and special zones, chiefs and Deputy-chief of working units. In addition, in the whole country, there are a number of the assistants of technical personnel who are responsible of specific work confided by the chiefs or Deputy chiefs in each level.

5.4 The Department of Land House Management has the office of Land and House Management in each province, municipality and special zone the Unit of Land and House Management in each district and land tax collector in each village.

**Article 6:** The organisational structure at central level (Department) consists of 4 Divisions as follows:

6.1 Division of Administration, Finance Accounting and Training.

6.2 Division of Land Record Survey.

6.3 Division of Land and House Registration.

6.4 Division of Land tax and fees.

**Article 7: Rights and Duties of each Division in the Department:**

7.1 The Division of Administration, Finance Accounting and Training is charged of administrative works, in-coming and out-going documents and general documents management, budget planning, finance accounting of revenue and expenditure and personnel training.

-Implementing policy for personnel and making proposals for salving difficulties faced by personnel.

-Managing the list of land personnel throughout country, making synthesis summary of reports received from each province.

7.2 The Division of survey of Land record is charged in coordination with other concerned sectors, of making the study regarding regulations on cadastral survey, regulations governing the survey of land record, directing the provinces, municipality, special zones and districts in organising cadastral survey in order to establish systematic land records which are to be used for land tax collection and land title issuing.

7.3 The Division of Land and House Registration is charged of directing the provinces, municipality, special zones and districts in the whole country regarding the organisation of land and house registration work, the establishment of regulations in the management of land and house registration in case there are modifications in land use right. In addition, this Division is also charged of giving instructions concerning book-keeping, registration and collection of registration fees and other related fees.

7.4 The Division of Land Tax is responsible of giving directions and monitoring the provinces, municipality, special zones and districts throughout the whole country regarding the organisation for making a summary and planning land collection.

7.5 Conducting a collection of data and information on the implementation of land tax collection as well as solving questions of the people regarding the land tax payment.

**Article 8: The Offices of Land and House Management of the province, municipality and special zones have the following functions:**

8.1 To coordinate with administrative authorities of various levels in organising the propagation of policy regarding land management and use so that the land possessors and users shall perform their obligations towards the state fully and correctly.

8.2 To establish land records which are to be used in the management and planning of land use, land tax collection and land title issuing.

8.3 To conduct research on land use authorization accordingly to the target of the transfer of land and house to Lao citizens, aliens and foreigners in accordance with prevailing relations.

8.4 To register all documents related to land and house. Fees shall be collected from registration.

8.5 To manage the documents of land and house registration by taking into account of the changes occurring in each period of time.

8.6 To guide and control the Land and House Management Units of the districts on the matters of implementation of land management, collection of land tax and other fees related to land and house management on the basis of division of functions.

8.7 To give direction on the collection of animals and hunting-guns fees.

8.8 To make monthly, quarterly and annual reports on land and house management situation and send them, on time, to local administrative authorities, Finance Division, Finance Ministry and other concerned Departments.

**Article 9: The organisational structure of the offices of Land and House Management in the provinces, municipality and special zones consists of 4 working units as follows:**

1. Administrative, Organisation, Finance Accounting Unit.
2. Cadastral service and Land Record Survey Unit.
3. Land Registration and Land Title Issuing Unit.
4. Land Tax and Fees Unit.

**Article 10:** The Unit of Land and House Management of the district has the following functions:

10.1 To coordinate with District Administrative Committee in organising the propagation of regulations governing land management and use so that the land possessors and users could perform their obligations towards the state fully and correctly.

10.2 To establish land record and land tax record in each village area which are to be used by land personnel at village level for carrying out land tax collection.

10.3 To issue receipts for land tax payment to land owners which are to be used as evidences.

10.4 To conduct the collection of data on land and houses which are the subjects of applications for registration and for transfer in order to submit them for the consideration and approval of the offices of Land and House Management of the provinces, municipality and special zones.

10.5 To conduct a cadastral survey and to create land map which is to be joined to other document accordingly to the request made by the (omitted) person.

10.6 To register all contract documents relating private land and houses which are (omitted) the District accordingly to the division of responsibilities.

10.7 To conduct an inspection and follow-up of land tax collection works being performed in villages in order to deposit the money to the National Treasury on prescribed time period.

**Article 11:** The organisational structure of the Unit of Land and House Management of the district consist of 3 working groups as follows:

11.1 Service and Finance Management Group.

11.2 Land Record Management, Cadastral Service and Contract Registration Group.

11.3 Group in charge of land tax, land tax record for each type of land to be taxed, distinguishing the types of land for the purpose of land tax collection.

**Article 12:** The chief of village is charged to determine and organise the tax collection personnel of the village in a manner as he considers to be appropriate to the real situation of his locality, subject to the agreement of the Land and House Unit of the district Finance Office.

**Article 13** missing.

#### **Section IV Working Method System**

**Article 14:** The Department of Land and House Management, the offices of Land and House Management of the provinces, municipality and special zones, and the Units of Land and House Management shall perform their functions on the basis of the principles of democratic centralisation, leading in group and sharing of responsibilities among individuals, and shall adopt the principles of one-leader system, clear distribution of works and demarcation of rights and power in decision-taking to the group as well as to individual.

To adopt a macro-management, based on monitoring, controlling and encouraging all levels along vertical organisational line, of the laws and regulations issued by the Ministry of Finance.

**Article 15:** The working activities shall be conducted accordingly to established plan and works-plan, and there shall be regular monitoring, controlling, supporting, evaluating and lessons-drawing of the implementation of the works-plan which is made through weekly, monthly and annual meetings of all concerned parties.

#### **Section V Criteria for Government Personnel Working in Land and House Management.**

**Article 16:** Recruitment of personnel to land and house management organisation shall be made through selection, passing a test (interview) or entry examination, depending on cases, which are organised by concerned authority on the basis of the following criteria:

16.1 Being faithful and fully agreed with the guideline and policy laid down by the Party and the State.

16.2 Having good knowledge in Laws and good level of technical skill (holding a certificate).

16.3 Having strong ideological belief capable of making a distinction between friend and enemy, attitudes of fairness, economical, hard-working, raising social interest beyond one own-interest, non-egoetical and non-corrupt.

16.4 Having cooperative character within the group and outside the group, being very friendly with other people, and loving to work with the masses.

**Article 17** missing.

**Article 18:** The Department of Land and House Management and other concerned agencies are charged of undertaking the propagation, direction and implementation of the present Regulation in a responsible manner.

**Article 19:** This Regulation is effective from the date of signature. All previous Regulations having the provisions which are not in conformity with the present Regulation shall be cancelled.

The Minister

Unofficial translation.