



LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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National Assembly

No. 70 /NA  
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**LAND LAW**  
(Amended)

**Part I**  
**General Provisions**

**Article 1. (amended) Objectives**

This Law sets out the principles, regulations and measures on the management and monitoring of land-related work to ensure the effectiveness of the work aiming at ensuring the protection, development, and proper use of land in accordance with its purpose and to improve people's livelihood, ensuring peace, social order, social security and justice and thus contributing to national socio-economic development in line with the direction towards sustainability with added value to the land, as well as to protect the environment, the national borders and territorial integrity of the Lao People's Democratic Republic.

**Article 2. (amended) Land**

Land of the Lao People's Democratic Republic is the land area which lies within the borders of the Lao PDR and includes land surface, underground land, mountains, islands and submerged land.

Land of the Lao PDR is a valuable resource and the nation's huge capital which constitutes the place of living of Lao people and is an important mean and main factor for production, socio-economic development, national defense and security.

**Article 3. (amended) Land Ownership**

The Land of the Lao People's Democratic Republic is the ownership of the national community where the State represents the ownership holder and manages lands in a centralized and uniform manner across the country with land allocation plans, land use planning and land development.

The State grants long-term and secured land use rights Lao citizens as well as legal persons, collectives and organizations of Lao citizens.

The State grants the rights to armed forces, The Party and State organizations, Lao Front for National Development, Lao Federation of Veterans, mass organizations to manage and use State land.

Aliens, stateless persons, foreign individuals, foreign nationals of Lao ancestry have the rights to lease, receive concession of State land or purchase allocated State land use rights with determined timeframe and to lease the land of Lao citizens. Their organizations that have been established with the authorization of the State, have the right only to lease or receive concession of State land and lease land of Lao citizens.

The State acknowledges the right to use surface land only, while all underground and surface natural resources belong to the National Community.

The State will re-acquire the land use right back from the users of those lands in case of necessity and for national interests by paying compensation for the damages caused by the reacquisition.

The State will revoke the land use rights without paying any compensation to the land right users in case of infringement of laws or contracts.

#### **Article 4. (new) Definition of Terms**

The terms used in this Law have the following definitions:

1. **Land surface** refers to the surface of all land parcels with trees, non-timber forest products, plants, biodiversity, water, minerals, etc.;
2. **Underground land** refers to underground layer of land with soil layers, stone layers, underground water, gas, minerals, etc.;
3. **Island** refers to natural or newly emerged land in water areas;
4. **Submerged land** refers to soil laying beneath water with aquatic animal and plants, mineral, etc.;
5. **Taking possession of land** means unauthorized occupation of land under various forms;
6. **Land encroachment** means the violation of land use rights of the State, individuals, entities and organizations including aliens, stateless persons, foreigners, foreign national of Lao ancestry and their organizations by abusing powers, position, authorities, duties for personal benefits;
7. **State land use rights** refers to the land use rights of The Party and State organizations, Lao Front for National Development, Lao Federation of Veterans and mass organizations including lands which are permanently granted by the State or which are received through purchase of allocated State land use right with determined timeframe to be used for specific purposes in accordance with State land allocation plan and land use plan;
8. **Individual land use rights** refer to the land use rights of Lao citizens who have lawful land title for the land;

9. **Land use rights of legal entities and Lao citizen's organizations** refer to the right of legal entities or organizations of Lao citizens on the land for which land titles have been issued in accordance with laws;
10. **Land use rights of aliens, stateless person, foreigners, foreign national of Lao ancestry and their organizations established with the authorization of the State** refer to the land use rights which are acquired through lease, concession, purchase of allocated State land use rights with determined timeframe as place of living, making the living and operating business in compliance with the laws of Lao PDR;
11. **Land right status** refers to the right of landowner as recorded in the land register book and land title as to certifying the land ownership namely properties before marriage or conjugal property or the joint land use right;
12. **Land use certificate** refers to a document that certifies the land use right. It is issued by relevant State agency in pursuance of the policy on land allocation for Lao people to use as place of living and farming.;
13. **Certificate of land development** refers to the official document issued by relevant State agency after checking the compliance with criteria as defined in the land use certificate;
14. **Bestowal of land use right** means giving one's land use right to another person on conditions agreed prior to or after receiving the right. The beneficiary will become the owner of the land use right when the agreed conditions are completely fulfilled;
15. **Degraded forest land** means forest land area that has been heavily damaged for many consecutive years and it needs decades to rehabilitate itself. The canopy coverage does not exceed ten percent and the volume of perennial trees with diameter of more than ten centimeters but not exceeding twenty cubic meters per hectare;
16. **Barren forest land** means forest land area that has been heavily damaged for many consecutive years. This area is covered by groves and small plants such as cypress grass, almond grass, broom grass, bush where the trees can neither be self-rehabilitated nor regenerate the forest naturally;
17. **Land survey certificate** refers to the document certifying the lawful land use rights. It is issued by the District Office of Natural Resources and Environment following proper processes of surveying and adjudication of the land;
18. **State land use permit** refers to the document certifying the State land use right. It is issued to individual, legal entities and organizations to use the land for specific purposes in accordance with laws;
19. **Energy land area** refers to land area as location of dams, power houses, power stations, power transmission lines, corridors for power and gas pipelines and other land areas that are used for the purpose of energy production, transmission and distribution;
20. **Mining land area** refers to areas of exploration, location of processing factories, open space or indoors mineral storehouses, wastewater ponds, transport routes, residential areas, office areas, workshops, store house for explosives and chemical substances for exploration and productions purposes;

21. **Special Economic Zone land area** refers to area that have been defined as zones for attracting high-tech and innovative investment in commercial production, clean production that reducing the use of natural resources and energy for sustainable and environmentally friendly development;
22. **Industry and industrial estate land areas** refer to lands that have been defined as location of plants, factories, workers' residences, processing areas for exports, scientific and experimental research institutes or centers, wastewater treatment stations, industrial residue treatment centers, water pipelines and other land areas being used for industrial purposes;
23. **Maximum national benefits from land** refer to the use of land for specific purposes of socio-economic development, for revenue generation to the State budget, for poverty alleviation of all Lao ethnics, for national defense and security without loss of state land and with minimum adverse impacts on the environment and society;
24. **Logistic zones** refer to areas with logistics facilities such as goods transport stations, logistics sites for containers and warehouses;
25. **Land use fee** refers to annual obligation on land use to be paid to the State by the owner of land use right and those who are granted rights to use State lands including The Party and State organizations, Lao Front for National Development, Lao Federation of Veterans, mass organizations except lessee and concessionaire of State lands, purchaser of allocated State land use right determined timeframe and lessee of land from Lao citizens;
26. **Land related fees** refer to the administrative fees collected from individuals, legal entities and organizations operating social and economic activities that are authorized by State agencies that issue permits or certificates for the operations;
27. **Land service fees** refers to the administrative and technical fees collected by relevant government agencies from individuals, legal persons and organizations;
28. **One door service** refer to the unit at District Office of Natural Resources and Environment that provides services on land title registration, registration of activities and changes of land use rights;
29. **Condominium** refers to a multiple-storey building with many apartments. The building is authorized by the State to be constructed on the land that is registered as legal entity land;
30. **Apartment** refers to set of rooms in condominium that may be owned by Lao and foreign individuals, legal entities and organizations;
31. **New city** refers to modern trade, service and residential infrastructure development zones that are not a city in the administrative system.
32. **Rights over land** refer to the right of a person to use another person's land within the scope of land use right over that land parcel for personal benefits by building structures, planting trees, etc. on the land in compliance with a contract or other legal documents.

### **Article 5. (amended) State Policy on Land**

The State encourages individuals, legal entities, government and private organizations, Lao and foreign, to contribute to land protection, land development and effective use of land by adopting policies, methods and different measures such as: education, promotion of investment in labor, materials, capital, technology, infrastructure development and good governance.

The State applies a policy on reduction or exemption of fees on land surveying, registration and titling and the land use fees on paddy lands for poor families and in agricultural priority areas including areas declared natural disaster zones.

The States encourages, promotes human resource development, scientific and technological environmentally friendly researches and developments of national and local know-how for the management, administration, protection, use, development of land and the rehabilitation of degraded lands.

The States promotes the ownership and role of Lao Front for National Development, Lao Federation of Veterans, mass organizations, civil society organizations, mass media and the public to participate in the management, monitoring and implementation of land related policies, laws and regulations.

### **Article 6. (new) Principles on Land Activities**

Land activities shall follow the following principles:

1. Conformity with the Constitution, Laws, National Socio-Economic Development Plans, Land Allocation Master Plan, Land Use Strategy and Land Use Plans including the national defense and security aspects;
2. Nationwide centralized and uniform management and guarantee of no loss of State lands;
3. Ensuring to maintain agricultural land areas as defined in the Land Allocation Master Plan for food security. Of the total national land area, thirty percent will be set for use and development and the forest land must cover not less than seventy percent;
4. Ensuring that the land management and administration structures are relevant to actual circumstances at each time period with clear division of responsibilities between the central and local levels;
5. Ensuring coordination mechanism amongst sectors, local administrative authorities and all parties for the monitoring, protection, development and use of land in an efficient manner;
6. Ensuring the participation of Lao Front for National Development, Lao Federation of Veterans, mass organizations, civil society organizations, mass media and the public in the management, administration, monitoring and implementation of land related policies, laws and regulations

**Article 7. (amended) Protection of the Rights and Interests of the Holder of Land Use Rights**

The State protects the rights and lawful interests of the holder of land use rights including assets on the land surface in an effective, peaceful, regular and long-term manner.

**Article 8. (amended) Unauthorized Land Possession and Encroachment**

The States does not allow individuals, legal entities and organizations to take possession of and to encroach onto land.

The illegal possession and encroachment of lands are subject to legal sanctions and confiscation of the land. In case there are buildings or activities on the land, the buildings shall be demolished and the activities shall be ceased without any compensation from the State.

**Article 9. (new). Scope of the Law Application**

This Law is applied to individuals, legal entities and organizations including aliens, stateless persons, foreigners, foreign nationals of Lao ancestry and their organizations who reside and operate in the territory of Lao PDR.

**Article 10. (new) International Cooperation**

The State promotes international and regional cooperation through exchange of experiences, information, sciences, techniques, technologies, trainings and capacity building to ensure efficiency and to implement the Treaties and Conventions to which Lao PDR is a party.

**Part II**

**Land Allocation Master Plan, Land Use Strategy and Land Use Plan**

**Section 1**

**Land Allocation Master Plan**

**Article 11. (new) Land Allocation Master Plan**

The Land Allocation Master Plan is a systematic determination of zone and category of land in consistency with the characteristics and potentials of the natural resources, geographical locations and specificities of each locality with a view to protecting the environment, meeting the needs of the nation's sustainable development direction and the national defense and security tasks.

Land Allocation Master Plan comprises of:

1. National Land Allocation Master Plan
2. Local Land Allocation Plan

### **Article 12. (new) National Land Allocation Master Plan**

The National Land Allocation Master Plan defines the zones, categories of land with national strategic characteristics in order to use thirty percent of the country's total territory for socio-economic development, to build residences and production sites; and to manage, to preserve protected areas and to conserve natural resources with seventy percent forest coverage.

The Ministry of Natural Resources and Environment elaborates the National Land Allocation Master Plan in coordination with relevant ministries, agencies and local administrative authorities then submits the Plan to the Government for consideration before further submission to the National Assembly for approval.

### **Article 13. (new) Local Land Allocation Plan**

The local Land Allocation Plan is determination of local land zones and land categories that comprises plans for land allocation and use of natural resources at Provincial, District and Village levels as well as climate change prone areas in consistency with National Land Allocation Master Plan, land use strategies and sectoral land use plans, characteristics and potentials of natural resources, geographical location of each locality and national defense and security tasks.

The Provincial Department of Natural Resources and Environment prepares the local land allocation plan in coordination with sectors, relevant district and village administrative authorities and then submits the plan to the provincial administrative authorities for consideration and further submission to the Provincial People's Assemblies for endorsement.

## **Section 2 Land Use Strategy and Land Use Plan**

### **Article 14. (new) Land Use Strategy**

Land Use Strategy is the fundamental policy on the management, protection, development and land use planning for each land category in consistency with the National Land Allocation Master Plan and is part of the National Socio-Economic Development Plan.

The land use strategy comprises central and provincial land use strategies.

### **Article 15. (new) Central Land Use Strategy**

The ministry responsible for the sectoral management of respective land category elaborates land use strategy for the land under their responsibilities as part of the sector's Socio-Economic Development Plan in consistency with National Land Allocation Master Plan and in coordination with the Ministry of Natural Resources and Environment, relevant sectors and local administrative authorities.

The Government approves the land use strategy for respective land category based on the proposal from the relevant ministry.

### **Article 16. (new) Provincial Land Use Strategy**

The provincial department responsible for the management of respective land category elaborates land use strategy for the land under their responsibilities as part of the Provincial Socio-Economic Development Plan in consistency with provincial Land Allocation Plan at each time period and with the sectoral land use strategy in coordination with the Provincial Department of Natural Resources and Environment, relevant sectors and the district administrative authorities.

The Provincial administrative authorities approve the land use strategy for respective land category based on the proposal from the responsible department.

### **Article 17. (new) Contents of Land Use Strategy**

A land use strategy contains:

1. Overall direction for the management of each land category in each zone which is included in the socio-economic development plan for each time period;
2. Overall goals and targets of the strategy;
3. Focused tasks in the management, safeguards and use of land in each zone;
4. Policies, mechanisms and measures for the implementation of land related activities;
5. Land related programs, projects and activities.

### **Article 18 (new) Land Use Plan**

The Land Use Plan defines the target for the use of each land category in each area as stipulated in the National Land Allocation Master Plan, land use strategy including land conversion plan and is part of the socio-economic development plan for each time period.

Sectors that manage the respective land use categories shall elaborate land use plan under their responsibility to be consistent with Land Allocation Master Plan, land use strategy for respective land category in coordination with the Natural Resources and Environment sector and relevant local administrative authorities.

The land use plan for respective land category at the central level is approved by the Government based upon the proposal by relevant ministry.

The land use plan for respective land category at local level is approved by the provincial administrative authorities based upon the proposal by relevant line department.

### **Article 19. (new) Land Use Purposes**

Each category of land shall be used for the following purposes:

1. Conservation purposes include protection forest areas, protected forest areas, production forest areas, wetland areas and other categories of lands



that are preserved by the State to protect the ecosystem and environment including the protection of border land areas;

2. Development purposes are areas used for agricultural production for food security, and zones designated an area of construction, industry, energy, mining, Special Economic Zones, communication, culture, tourism, national defense and security, etc.

### **Part III**

## **Classification of Land Regions, Land Categories, Land survey, Land Protection and Development and Conversion of Land Use**

### **Section 1**

#### **Classification of Land Regions and Land Categories**

#### **Article 20. (amended) Classification of Land Regions**

Land in the whole country is divided into the following three regions:

1. Plain regions;
2. Plateau regions; and
3. Mountainous regions.

Plain regions refer to areas with flat surface or bumpy surface where there is a slight difference between elevated and lower areas and is not higher than 100 meters above sea level.

The plateau regions refer to flat areas of land elevated above the surrounding areas. Most plateau regions are large areas with the difference between lower and higher areas of more than 150 meters and with altitudes from 100 to 1500 meters. Plateau region has stiff hill or cliff at least on one side or adjacent to mountain chain on one side.

Mountainous regions refer to areas of land higher than their surrounding areas comprising of cliffs and hills. Mountainous region has similar landscape but with different levels of slope. The Mountains are higher than 500 meters and mountain slopes are between 150 to 500 meters high.

#### **Article 21. (amended) Classification of land Categories**

Lands are classified into the following categories:

- Agricultural land;
- Forest land;
- Water area land;

- Industrial land;
- Communication land;
- Cultural land;
- Land for national defense and security purposes;
- Construction land.

## **Section 2**

### **Land Survey, Protection, and Development**

#### **Article 22. (amended) Land Survey**

Land survey refers to data collection about land namely land areas, land use status, soil quality, changes in land category by using appropriate techniques for land use planning in consistency with the National Land Allocation Master Plan and local land allocation plan.

#### **Article 23 (amended) Protection of Land and the Environment**

Individuals, legal entities and organizations including aliens, stateless persons, foreigners and foreign nationals of Lao ancestry and their organizations shall protect their lands to ensure that they are in a good conditions, to prevent soil erosion, land subsidence, and soil degradation and maintain the quality of the lands suitable for each land category, and to ensure that the area of each land category is not reduced in line with Land Allocation Master Plan and periodic sectoral land use plans.

Land shall be used with minimum impacts on the environment, society and the nature.

#### **Article 24. (new) Land Development**

Land development is the change of land, improvement and rehabilitation of the land quality with added values, with balanced ecosystem in each area and for each land category for an effective land use complying with Land Allocation Master Plan, land use strategy and sectoral and local land use plans at each time period.

## **Section 3**

### **Conversion of Land Category**

#### **Article 25. (amended) Conversion of Land Category**

The conversion of land use from one category to another can be made only if it is considered to be necessary to use the land for another purpose to maximise the benefits and to improve people's livelihood in line with Land Allocation Master Plan, land use strategy and sectoral and local land use plans which are part of the National Socio-Economic Development Plan and with minimum negative impacts on the natural and social environment and must obtain the prior approval from the

concerned management authorities as prescribed in Articles 28, 29 and 30 of this Law and in other relevant laws.

The person who receives permission to convert the land use category shall be responsible for paying the administrative and technical costs, rehabilitation fees, the conversion fees in accordance with laws.

#### **Article 26 (new) Types of Land Conversion**

There are two types of land conversion: temporary and permanent

Temporary land conversion refers to the changes of land use from one category to another with a view to carrying out certain activity and when the activity is completed, the converted land shall be reconverted back to its original category such as conversion of forest lands into industrial lands for mining.

Permanent land conversion refers to the changes of lands from one category to another for a long-term purpose such as conversion of forest lands into communication lands for road construction.

#### **Article 27. (new) Competent Agencies that Approve Land Use Conversion**

The agencies which have the authority to decide on the conversion of land categories are the following:

1. The National Assembly;
2. The Government;
3. Provincial People's Assemblies.

#### **Article 28. (new) Decision by the National Assembly**

The National Assembly makes decisions on the conversion of national protection forests, national conservation forests, provincial production and protection forests, provincial conservation forest to other land categories based upon the proposal from the Government.

#### **Article 29. (new) Decision by the Government**

The Government decides on the conversion from one land category to another considering the proposal from the Ministry of Natural Resources and Environment based on collaboration and mutual agreement between relevant ministries and local administrative authorities as follows:

1. Conversion of agricultural land into another land category from fifty hectares to one hundred hectares for one project;
2. Conversion of degraded forest land [that cannot be self-rehabilitated] into another land category from one hundred hectares to one thousand hectares for one project;
3. Conversion of barren forest land into another land category from two hundred hectares to ten thousand hectares for one project;

4. Conversion of industrial land into another land category from fifty hectares to seventy hectares for one project;
5. Conversion of communication land into another land category from fifty hectares to one hundred and fifty hectares for one project;
6. Conversion of cultural land into another land category from twenty hectares to fifty hectares for one project;
7. Conversion of national defense and security land into another land category less than thirty hectares for one project;
8. Conversion of construction land into another land category from fifty hectares to one hundred hectares for one project;
9. Conversion of natural wetland area classified as protected area from twenty hectares to fifty hectares for one project.

In case of conversion of land areas exceeding the area defined in this Article, approval from the National Assembly shall be obtained based upon the proposal from the Government.

**Article 30. (new) Decision by Provincial People’s Assembly**

Provincial People’s Assembly decides on the conversion from one land category to another based upon the proposal from the provincial administrative authorities as follows:

1. Conversion of agricultural land into another land category less than fifty hectares for one project;
2. Conversion of degraded forest land [that cannot be self-rehabilitated] into another land category less than one hundred hectares for one project;
3. Conversion of barren forest land into another land category less than two hundred hectares for one project;
4. Conversion of industrial land into another land category less than fifty hectares for one project;
5. Conversion of communication land into another land category less than fifty hectares for one project;
6. Conversion of cultural land into another land category less than twenty hectares for one operation;
7. Conversion of construction land into another land category less than fifty hectares for one project.
8. Conversion of natural wetland area classified as protected area into another land category less than twenty hectares for one project.

**Part IV**  
**Management of Land Use for Each Land Category**

**Article 31 (amended) Sectoral Management of Respective Land Category**

The Government tasks the Ministry of Natural Resources and Environment to centrally manage all categories of lands by delegating the responsibilities to the following sectors for the management of respective land use categories:

1. Ministry of Agriculture and Forestry manages the use of agricultural land and forest land including water area land located within the area of these land categories;
2. Ministry of Industry and Commerce manages the use of industrial land and industrial estates including water area land located within the area of these land categories;
3. Ministry of Energy and Mines manages the use of industrial land in the energy and mining areas, including water area land located within the area of these land categories;
4. Ministry of Planning and Investment manages the use of industrial land in Special Economic Zones including water area land located in the area of these land categories;
5. Ministry of Public Works and Transport manages the use of construction lands and communication lands including water area land located within the area of these land categories;
6. Ministry of Information, Culture and Tourism manages the use of cultural lands including water area land located within the area of these land categories;
7. Ministry of Defense and Ministry of Public Security manage the use of national defense and security lands including water area land located within the area of these land categories.

The Ministries that manage the use of lands as defined in this Article shall issue regulations on the management, protection, development and use of lands under their responsibilities in coordination with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities. With respect to land for national defense and security, the decisions are made by the Government.

In addition to the above-mentioned sectors that manage the use of respective land category, other parties also have the rights to manage and use the land they receive within the areas where the lands are used for activities they manage.

## **Section 1 Management of Agricultural Land**

### **Article 32. Agricultural Land**

Agricultural land is land which is determined to be used for cultivation, animal husbandry, fishery, irrigation and agricultural research and experiment.

### **Article 33. (new) Survey on Agricultural Land**

The Ministry of Agriculture and Forestry, in collaboration with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities, takes the lead in conducting surveys on agricultural land with the participation of the concerned local people.

### **Article 34: Agricultural Land Use Planning**

The Ministry of Agriculture and Forestry, in collaboration with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities, takes the lead in elaborating Agricultural Land Use Plan in consistency with the Land Allocation Master Plan and strategy for the management of agricultural lands.

### **Article 35 (new) Protection of Agricultural Land**

Agricultural land shall be protected through determination and conservation of land areas for effective use in agricultural activities in accordance with the purposes, by issuing regulations and measures to protect those lands in consistency with National Land Allocation Master Plan, strategy and land use plan of the Agriculture and Forestry sector and local land allocation plan for each time period.

### **Article 36 (new) Development of Agricultural Land**

The Agriculture and Forestry sector, in collaboration with the Natural Resources and Environment sector, other relevant sectors and local administrative authorities, develops agricultural lands in order to increase agricultural productivity by issuing policies, approaches and measures for maintaining and changing soil property, improving and rehabilitating soil quality and added value in consistency with the National Land Allocation Master Plan, land use strategies and land use plan of the Agriculture and Forestry sector and the local administrative authorities at each time period.

In case there is water area land located within the agricultural land development zones, actions shall be taken to ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, to not cause land erosion, to not alter the watercourse and water flows without permission.

### **Article 37 (new) Use of Agricultural Lands**

Individuals, legal entities or organizations shall use agricultural lands in their production according to the purposes and in compliance with the Land Allocation Master Plan, land use strategy and land use plans based on the existing

local potentials, family labor capacity and capital, focusing on productivity increase and gradually moving towards intensive agriculture practices.

**Article 38 (new) Determination of Area for Agricultural Land Use**

The Provincial administrative authorities define the area for agricultural lands use within their respective locality in line with Land Allocation Master Plan and Agricultural and Forest sector land use plans, geographical specificities, socio-economic growth and population density at each time period and thereafter submit the proposal to the Provincial People's Assembly for approval.

The authorization of agricultural land area to be used by individuals, legal entities or organizations shall be based on actual capacity and relevant laws.

The State acknowledges the right of Lao citizens on long term use of agricultural land by issuing land title at the Office of Natural Resources and Environment where the land is located as prescribed in Article 101 of this Law.

**Section 2  
Management of Forest Land**

**Article 39. (amended) Forest Land**

Forest land refers to the area of all land parcels, with or without forest cover, which has been defined by the State as forest land, including water catchment area within forest land as prescribed in the Forestry Law.

**Article 40. Survey on Forest Land**

The Ministry of Agriculture and Forestry, in collaboration with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities, conducts surveys on forest land with participation of the concerned local people.

**Article 41 (new): Forest Land Management Planning**

The Ministry of Agriculture and Forestry collaborates with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities in planning forest land management in compliance with Land Allocation Master Plan and Forest Management Strategy.

**Article 42: Protection of Forest Land**

The protection of forest land refers to the determination of boundaries of each forest land category, formulation of regulations and measures on the protection and development of forest as prescribed in Forestry Law and other relevant Laws.

### **Article 43 (new) Development of Forest Land**

The Agriculture and Forestry sector is charged with developing forest lands by establishing coordination mechanism amongst relevant sectors, local administrative authorities and all social strata including the public for their contribution to the development of forest lands by issuing policies, approaches and measures on the protection, improvement and rehabilitation of lands to create added values and a balance with forest ecosystem.

In case there is water area land located within the forest land development zones, actions shall be taken to ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, to not cause land erosion and to not alter the watercourse and water flows without permission.

### **Article 44 (amended) Use of Forest Land**

Forest lands can be used for public purpose, family and businesses ensuring there are no adverse impacts on forest, soil quality, environment and society.

The State acknowledges the use of land by people who have been living and making their living in forestland before the area is classified as forestland. The Ministry of Agriculture and Forestry is tasked with coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities to conduct surveys, data collection and re-allocation of the forest lands and then issue land use certificates to individuals or families in accordance with the laws; and encourage them to contribute to the protection of forests as defined in the Forestry Law and other relevant laws.

## **Section 3 Management of Water Area Land**

### **Article 45. (amended) Water Area Land**

Water area land refers to submerged land or land located around wetland within other land categories such as swamps, ponds, lakes, saturated grass lands, water spring lands, land at water edges; land in the middle of waters, newly-formed land, land formed when water recedes, or land converted by a change or diversion of waterways, natural or human made water storage or waterways, both permanent or temporary.

### **Article 46 (new) Survey on Water Area Land**

The sector that manages the use of respective land category where there is water area land, takes the lead in coordinating with the Natural Resources and Environment sector, other relevant sectors and local administrative authorities to conduct surveys on water area land that is located within the land category under the sector's responsibilities with the participation of concerned local people.

### **Article 47 (new): Water Area Land Use Planning**



The Sector that manages the use of respective land category where there is water area land, takes the lead in coordinating with the Natural Resources and Environment sector, other relevant sectors and relevant local administrative authorities in preparing water land use plan for the land located within the land category under the sector's responsibility in consistency with Land Allocation Master Plan, strategy on the management, administration and use of water and water resources

#### **Article 48 (new) Protection of Water Area Land**

Water area land shall be protected through determination of the area boundaries and reserved areas to ensure the quality, quantity of waters and water resources within the water catchment areas and reservoirs in a sustainable manner as prescribed in this Law and the Law on Water and Water Resources and in compliance with the Land Allocation Master Plan, strategy on the Management, Administration and Use of Water and Water Resources and the land use plans from other sectors and local administrative authorities at each time period.

#### **Article 49 (amended) Use of Water Area Land**

Individuals, legal entities or organizations wishing to develop and use water area land shall obtain the authorization from the sector responsible for the management of respective land category and to ensure that no harm is made to the water quantity and quality and to ensure the sustainability of the ecosystem.

In using water area lands, the following conditions shall be fulfilled:

1. to not cause land erosion;
2. to not cause obstruction to waterways;
3. to not cause water shallow or inundation;
4. to not contaminate water bodies with wastes or poisoned stuff;
5. to not cut trees or destroy forest at watershed areas;
6. to not excavate and take soil away from swamps, wetlands, gravel, sand.  
In the case of necessity to use such land, approval must be obtained from the concerned government agency in accordance with laws.

### **Section 4 Management of Industrial Land**

#### **Article 50. (amended) Industrial Land**

Industrial land refers to land which is determined to be the location of industrial zones, industrial estates, energy, mining, Special Economic Zones and other lands that are used for industrial purposes.

### **Article 51 (new) Survey on Industrial Land**

The Ministry of Industry and Commerce, the Ministry of Energy and Mines and the Ministry of Planning and Investment, in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities, take the lead in conducting surveys on industrial lands with participation of the concerned local people.

### **Article 52 (new): Industrial Land Use Planning**

The Ministry Industry and Commerce, the Ministry of Energy and Mines and the Ministry of Planning and Investment, in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities take the lead in preparing industrial land use plan under their responsibilities in consistency with Land Allocation Master Plan and the industrial land management strategy.

### **Article 53 (new) Protection of Industrial Land**

Industrial land shall be protected through determination of boundaries of land areas to be used for the purposes of creating industrial zones, industrial estates, energy, mining zones, Special Economic Zones by issuing regulations and measures for protection of those lands in conformity with the National Land Allocation Master Plan, the land use plans from the sectors responsible for respective land use purpose and local administrative authorities at each time period.

### **Article 54 (new) Development of Industrial Land**

The Industry and Commerce sector, Energy and Mines sector and the Planning and Investment sector coordinate with the Natural Resources and Environment sector, other relevant sectors, and local administrative authorities in development of industrial land within their responsibilities by issuing policies, approaches and measures for maintaining and changing soil properties, improving and rehabilitating soil quality and added value in consistency with the National Land Allocation Master Plan, land use strategies and land use plan of the Agriculture and Forestry sector and the local administrative authorities at each time period.

In case there is water area land located within the industrial land development zones, actions shall be taken to ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, to not cause land erosion, to not alter watercourse and water flow without permission.

### **Article 55. (amended) Use of Industrial Land**

Legal entities and organizations can use industrial land for specific purposes in accordance with the sectoral land use strategy and land use plan and local administrative authorities on the condition that the land use shall not cause adverse impacts on social and natural environment and shall comply with relevant laws.

## **Section 5 Management of Communication Land**

### **Article 56. (amended) Communication Land**

Communication land refers to land which is used as public road, public road delimitation area, earth and gravel ditches, drainage channels, bridge sites, airports and runways, cargo and passenger transport terminals, tunnels, railways, warehouses, logistics sites, transportation storehouses, telecommunication infrastructure sites, and other land used for communication purposes.

### **Article 57 (new) Survey on Communication Land**

The Ministry of Public Works and Transport takes the lead in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities to conduct survey on communication land with participation of the concerned local people.

### **Article 58: Communication Land Use Planning**

The Ministry of Public Works and Transport takes the lead in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities in preparation of communication land use plan in consistency with Land Allocation Master Plan and the communication land management strategy.

### **Article 59 (new) Protection of Communication Land**

Communication land shall be protected through determination of boundaries to be reserved for use in accordance with their purposes by issuing regulations and measures for the protection of those lands in conformity with the National Land Allocation Master Plan, the Public Works and Transport sector's land use plan and local administrative authorities for each time period.

### **Article 60 (new) Development of Communication Land**

The Public Works and Transport sector coordinates with Natural Resources and Environment Sector, other relevant sectors and local administrative authorities in development of communication land by issuing policies, approaches and measures for protection and effective use of the land in consistency with the National Land Allocation Master Plan, land use strategy and land use plans of the Public Works and Transport sector and local administrative authorities for each time period.

In case there is water area land located within the communication land development zones, actions shall be taken to ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, not to cause land erosion, not to alter watercourse and water flows without permission.

**Article 61. (amended) Use of Communication Land**

Legal entities and organizations can use communication land for specific purposes in accordance with the sectoral land use strategy and land use plans and local administrative authorities on the condition that the land use shall comply with urban planning and relevant laws.

**Section 6  
Management of Cultural Land**

**Article 62. (amended) Cultural Land**

Cultural land refers to the locations of cultural heritages and is related to historical traces, artefact sites, heritage sites, traditional objects, archaeological sites, memorials, temples, religious sites, cultural buildings, including cultural sites and other places which are classified by the State as cultural land.

**Article 63 (new) Survey on Cultural Land**

The Ministry of Information, Culture and Tourism takes the lead in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities to conduct surveys on cultural land with participation of the concerned local people.

**Article 64 (new): Cultural Land Use Planning**

The Ministry of information, Culture and Tourism takes the lead in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities to prepare cultural land use plan in consistency with Land Allocation Master Plan and cultural land management strategy.

**Article 65 (new) Protection of Cultural Land**

Cultural land shall be protected through determination of boundaries to be preserved and conserved as cultural and historical lands by issuing regulations and measures for the protection of those lands in line with the National Land Allocation Master Plan, Information, Culture and Tourism sector's land use plan and local administrative authorities for each time period.

**Article 66 (new) Development of Cultural Land**

The Information, Culture and Tourism sector coordinates with the Natural Resources and Environment sector, other relevant sectors, and local administrative authorities on development of cultural land by issuing policies, approaches and measures for the conservation, protection and rehabilitation of cultural lands in line with the National Land Allocation Master Plan, land use strategy and land use plans of the Information, Culture and Tourism sector and local administrative authorities for each time period.

In case there is water land located within the cultural land development zones, actions shall be taken to ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, to not cause land erosion, to not alter the watercourse and water flows without permission.

**Article 67. (new) Use of Cultural Land**

Individuals, legal entities and organizations can use cultural lands for conservation and tourism purposes in line with the sector's land use strategy and land use plan and the local administrative authorities on the condition that the land use shall ensure that it does not cause adverse impacts on those land categories and shall comply with relevant laws.

**Section 7  
Management of National Defense and Security Land**

**Article 68. (amended) National Defense and Security Land**

National defense and security land refers to land used for national defence and security work such as: location of military camps; offices, agencies, army units, academies, residences, schools, military and police training fields, technical training fields, airports, ports, warehouses, hospitals, factories, and military and police recreational places; production site of support forces, defense and security strategic locations, and other lands which are used for national defense and security.

**Article 69. (amended) Use of Land for National Defense and Security**

In case of necessity, the armed forces and security forces can use other land categories including lands of individual, legal entities or organizations for the national defense and security tasks based upon decision of the Government.

When it is no longer necessary to use those lands, the lands shall be returned to the land use right owners. In case the use of land causes damages to a developed land, the State will pay compensation to the landowner in accordance with laws.

The use of water area land located within the national defense and public security land shall ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, to not cause land erosion, to not alter watercourse and water flows without permission.

**Section 8  
Management of Construction Land**

**Article 70. (amended) Construction Land**

Construction land is land used for development of new towns, construction of residential places, offices, premises of organizations, and public facilities, trade,

service facilities and other constructions in allocated zones and in consistency with urban plan as prescribed by the laws.

#### **Article 71. (amended) Categories of Construction Land**

Construction land is divided into the following categories:

1. Construction land for public facilities is land used for public benefit such as public parks, education sites, sports stadiums, hospitals, markets, playgrounds, cemeteries, sacred forests, waste disposals, water supply facilities, and other land for public use;
2. Construction land for residential places is land used for building places of residence of individuals and families;
3. Construction land for offices, premises of organizations is land used for building offices and premises of The Party and State organizations, Lao Front for National Development, Mass Organizations, enterprises, civil society organizations, embassies or international organizations;
4. Construction land for trade and service facilities is land used for building trade and service premises such as condominiums, apartments, housing, hotels, guesthouses, trade centers, and shopping malls.
5. State land allocated for sale with determined timeframe.

#### **Article 72 (new) Survey on Construction Land**

The Ministry of Public Works and Transport takes the lead in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities to conduct survey on construction land with participation of the concerned local people.

#### **Article 73 (new): Construction Land Use Planning**

The Ministry of Public Works and Transport takes the lead in coordinating with the Ministry of Natural Resources and Environment, other relevant ministries and local administrative authorities to prepare construction land use plan in line with the Land Allocation Master Plan and construction land management strategy.

#### **Article 74 (new) Protection of Construction Land**

Construction land shall be protected through determination of the land area boundaries and reserved for use according to the purpose of each construction land sub-category by issuing regulations and measures for the protection of those lands in line with the National Land Allocation Master Plan, the Public Works and Transport sector's land use plan and local administrative authorities for each time period.

#### **Article 75 (new) Development of Construction Land**

The Public Works and Transport sector coordinates with the Natural Resources and Environment sector, other relevant sectors, and local administrative authorities on development of construction land by issuing policies, approaches and measures for the protection and development of construction land, creating

added values in line with the Land Allocation Master Plan, land use strategy and land use plan of the Public Works and Transport sector and local administrative authorities for each time period.

In case there is water area land located within the construction land development zones, actions shall be taken to ensure the sustainability of the ecosystem, to not cause harm to the water quantity and quality, to not cause land erosion, to not alter watercourse and the water flows without permission.

#### **Article 76. (amended) Use of Construction Land**

The use of construction land shall not violate the rights and interests of any other person and shall secure the legal servitude (easement). All construction must comply with the town planning, be authorized by the concerned competent authority, fully conform with technical standards, and ensuring the environment protection and comply with the relevant laws.

Use of construction land for office premises of The Party and State organizations, Lao Front for National Development, Lao Federation of Veterans and Mass Organizations, in realization of the plan to allocate and grant land use rights by the State, shall strictly follow the regulations on construction land management and other relevant laws.

The State reserves construction land for public purposes to serve the nation's common interests. In case of changes in categories of those land use, the changes shall also serve the nation's highest common interests and be conducted within the allocated areas and with the approval of Public Works and Transport sector in coordination with the Natural Resources and Environment sector and relevant local administrative authorities.

#### **Article 77. (new) Scope of Construction Land Use Right**

The Provincial administrative authorities determine the areas of construction land within their respective localities in line with the Land Allocation Master Plan and land use plan of the Public Works and Transport sector, relevant laws, geographical specificities, socio-economic growth and population density at each time period and submit the proposal to the Provincial People's Assemblies for approval.

The authorization of construction land area for individuals, legal entities and organizations shall be based on their actual capacities and comply with relevant laws.

The State acknowledges long-term land use right on construction lands of Lao citizens through the issuance of land title for the land at the Office of Natural Resources and Environment of the district where the land is located as prescribed in Article 101 of this Law.

**Part V**  
**Land Use Management**

**Section 1**  
**State Land Use Management**

**Article 78. (new) State Land**

State Lands refer to all land parcels that are under the use and management of the Party and State organizations, Lao Front for National Development, Lao Federation of Veterans and Mass Organizations, including lands that are reserved and preserved by the State.

**Article 79 (new) Acquisition of State Land**

State acquires State land through one of the following cases:

1. The State has allocated and reserved land as State Land;
2. Individuals, legal entities, organizations lose their land use right as prescribed in Article 144 of this Law;
3. Cessation of land use rights of individuals, legal entities, organizations as prescribed in Article 147 of this Law except the case No. 4;
4. Voluntary transfer of the land use rights to the State;
5. Other cases as prescribed by laws.

**Article 80. (new) State Land Use Management**

The Sector of Natural Resources and Environment plays a central role in managing the use of State lands by drawing up an inventory and issuing land titles for lands the use of which is under the management of the Party and State organizations, Lao Front for National Development, Lao Federation of Veterans, Mass Organizations and local administrative authorities including individuals, legal entities and collectives that use State land; the land seized by court decisions to become State assets or managed by the State.

**Article 81. (new) Use of State Land for Collective Purposes**

Use of State land for collective purposes is the granting of State land use rights to the villagers in one or more villages to collectively use the lands in accordance with the local land allocation plans and the laws. These lands include cemeteries, sacred forest, common ponds, temples, schools, health centers, village administrative office, village markets.

State land use rights for collective purposes comprises the rights to protect and utilize the land for collective interests of the villagers from one or more villages with no rights to transfer, sell, exchange, lease the land use rights, nor granting concession, using the rights as shares or as collateral.



### **Article 82 (New) Inventory of State Land**

The Party and State organizations, Lao Front for National Development, Lao Federation of Veterans and mass organizations managing and using State Lands shall compile an inventory of all categories of State Lands under their management and then submit the inventory to the Natural Resources and Environment sector for consolidation into a centralized inventory

### **Article 83 (new): Allocation of State Lands for Residences and for Sale with determined timeframe**

The provincial administrative authorities coordinate with relevant sectors, district administrative authorities and village administrative authorities to allocate State construction lands for construction of buildings or housing development as residences of Lao citizens such as civil servants, military personnel, police personnel, general public through lease or sale in accordance with regulations and sale of allocated State land use right with determined timeframe; and submit the proposal to the Provincial People's Assemblies for approval.

### **Article 84 (new): Reclaims and Cancellation of State Land Occupation**

The provincial administrative authorities coordinate with relevant sectors, district administrative authorities and village administrative authorities to inspect and reclaim State lands that have been illegally occupied and encroached and to revoke the land use rights granted by individuals, legal entities and organizations. In case the occupation and the granting have documents certifying the land, a proposal shall be submitted to the Governor of the province, Mayor of Vientiane Capital to cancel those documents.

The Ministry of Natural Resources and Environment is tasked with coordinating with other relevant ministries, local administrative authorities to inspect and reclaim State lands that have been illegally granted and revoke the land use rights granted by the organizations. In case the land certification documents have been illegally issued by ministries, provincial administrative authorities, the Government will cancel those documents based upon the proposal from the relevant ministries or authorities.

## **Section 2 Management of Lands of Lao Citizens**

### **Article 85 (new) Land Use Management**

The State manages the use of land of individuals, legal entities and organizations by making land records, certifying the land use, issuing land titles and registering activities and changes of land use rights in order to acknowledge the land use rights, to monitor the activities and changes of the land use rights in accordance with laws.

### **Article 86 (new) Land Use**

Individuals, legal entities and organizations who are granted land use rights shall use their lands in accordance with their purposes and in consistency with the

Land Allocation Master Plan, land use strategy and land use plan adopted by the State for each time period.

### **Section 3**

#### **Management of Lands Use of Aliens, Stateless Persons, Foreigners, Foreign Nationals of Lao Ancestry and their Organizations**

#### **Article 87. (new) Land Use Management**

The State acknowledges and manages the land use by aliens, stateless persons, foreigners and foreign nationals of Lao ancestry as well as their organizations established in Lao PDR with the authorization from the State; who have been legally living, making their living and doing businesses in Lao PDR for a long time through leasing, concessions of State lands, or purchase of allocated State land use rights with determined timeframe by issuing land use certificates or State Land titles in accordance with contracts and relevant laws.

The State acknowledges the right to legally lease the land of Lao citizens.

#### **Article 88. (new) Land Use**

Aliens, stateless persons, foreigners and foreign nationals of Lao ancestry as well as their organizations established in Lao PDR with the authorization from the State shall use their lands in accordance with the purposes, the lease agreement, the land concession agreement, the purchase of allocated State land use rights with determined timeframe in consistency with Land Allocation Master Plan, land use strategy and land use plans adopted by the State for each time period.

### **Part VI**

#### **Land Administration**

#### **Article 89 (new) Land Administration**

Land administration is consisted of:

1. Land information system;
2. land registration system;
3. land registration for condominium construction;
4. land valuation;
5. land transactions;
6. Revenue generation from land.

## **Section 1 Land Information System**

### **Article 90. (new) Land Information System**

Land information system is a fundamental and necessary tool that uses modern technology for the management and administration of land in order to ensure the quality, convenience, efficiency, promptness and accuracy for effective use of information in land-related works

The Ministry of Natural Resources and Environment is responsible for the development, improvement and use of national land information system as bases for land revenue collection by the financial sector and to connect the system to the National Statistic System in coordination with other line ministries, agencies and local administrative authorities.

The Natural Resources and Environment sector at local level is responsible for establishing databases under their responsibilities as basis for land revenue collection by the financial sector and to connect the system to the National Land Information System in coordination with other concerned local line agencies.

The sectors managing sectoral land use are responsible for the development, improvement, management and use of their respective land use database which is connected to the National Land Information System in coordination with the Natural Resources and Environment sector, relevant sectors and local administrative authorities including the provision of their land use data to the Natural Resources and Environment sector.

### **Article 91. (new) Access to and Use of Land Related Information**

Individuals, legal entities or organizations can access and use land information/data in the National Land Information System, subjected to payment of service fees in accordance with regulations.

Relevant sectors shall be responsible for the provision of land-related data to individuals, legal entities or organizations in accordance with regulations

## **Section 2 Land Registration System**

### **Article 92. (new) Land Registration System**

The land registration system comprises:

1. Land record registration;
2. Land title registration;
3. Registration of activities related to land use rights;
4. Registration of changes of land use rights.

### **Article 93. (new) Land Record Registration**

Land record registration is the collection of statistics on different land categories into Land Record Book and land record database in order to monitor the activities, changes of land use purposes and to be used as basic information for land title registration and for payment of land use fees in accordance with laws.

The District Office of the Natural Resources and Environment coordinates with village administrative authorities to establish land record for each land category.

### **Article 94. (new) Land Title Registration**

Land title registration is the issuance of first edition of land title to individuals, legal entities and organizations for certifying legal rights to use different land categories and for facilitating the management and protection of lands in a uniform manner across the country.

The component parts of the land title registration are:

1. Individual land parcel plan;
2. Cadastral Map;
3. Land Register and Land Register Book;
4. Land Parcel Register Index;
5. Land title.

All land parcels shall be registered and titled at district office of Natural Resources and Environment in accordance with the allocation, zoning and classification of lands as prescribed in Article 101 of this Law.

### **Article 95. (new) Individual Land Parcel Plan**

Individual land parcel plan is a geometry of a land parcel that has been surveyed. It contains the following information: reference number of the cadastral map, land parcel number, scale, land location, land parcel dimensions, boundary markers' numbers, numbers of adjacent land parcels, adjoining roads, drainage.

### **Article 96. (new) Cadastral Map**

Cadastral map is a map combining many land parcels into one map sheet that contains the following information: reference number of cadastral map, reference number of each land parcel, location of land boundaries, roads, drainage.

### **Article 97. (amended) Land Register and Land Register Book**

Land register is a document that records information from land title registration in sequence number with the signature and seal of the Head of District Office of Natural Resource and Environment as prescribed in Article 101 of this Law.

Land register book is a book that compiles land registers of the lands for which land titles have been issued in each village which might have more than one book depending on the number of land parcels.

The Ministry of Natural Resource and Environment is tasked with defining the detailed content and format of land register and land register book.

**Article 98. (new) Land Parcel Register Index**

Land Parcel Register Index is a systematic consolidation of all land register books for each village into one book with a view to monitoring the changes of land areas and boundaries, land parcel numbers, land title numbers.

**Article 99. (amended) Land Title**

A land title is the only main document as evidence about land use rights that is identically copied out of the land register and only one original copy shall be given to the owner as long-term evidence until there is a change according to the conditions prescribed in the laws.

There are two types of land titles: State Land title and land title of individual, legal entity and organization.

The Ministry of Natural Resource and Environment is tasked with defining the detailed content and format of land title.

**Article 100. (amended) Documents for Land Title Registration**

The issuance of land title requires the following documents:

1. Certificate of acquisition of the land use rights such as: certificate of land granted by the State, agreements of transfer, bestowal, sale, certificate of inheritance, land survey certificate, certificate of land development, certificate of land guarantee
2. Photocopy of ID card or residency certificate and family book; for legal entity or civil society organization: photocopy of business license, business register or authorization letter for the establishment of the civil society organization;
3. Declaration of payment of land use fee;

**Article 101. (amended) Procedures for Land Title Registration**

Land title registration shall be performed at one door service unit of the District Office of Natural Resources and Environment, through the following processes:

1. The District Office of Natural Resources and Environment in coordination with relevant village authorities conducts adjudication and data collection on how the land use right has been acquired, and takes measurement [survey] of the parcel in presence of the owners of the adjacent land parcels or their delegated representative who also certify the survey. The land parcel

survey plan and land file for each parcel are created thereafter for land title registration. All these steps must be completed within fifteen days.

2. The District Office of Natural Resources and Environment issues public announcement in the media and posts the announcement at village authority office where the land is located for public review and possible objection. The notification period is thirty days from the day the notification is issued.
3. If there are no objection or the objection has been addressed, the competent District Office of Natural Resources and Environment shall issue land titles within five working days.
4. In case there is an objection, conflict or pending issues about the land parcel, the issue shall be settled in accordance with laws before the District Office of Natural Resources and Environment issues Land title registration for that land parcel.

After the completion of land title registration for each parcel of land, a report must be submitted to the district administrative authorities and Provincial Department of Natural Resources and Environment

The Ministry of Natural Resources and Environment shall issue the regulations on land title registration processes.

#### **Article 102. (new) Land File**

A land file is the consolidation of all documents related to land title registration and the registration of activities and changes of the land use rights such as land right acquisition document, copy of family book or ID cards, residency certificate, business licenses and technical forms.

For land title registration of each land parcel, it is required to create a land file as long-term evidence and to safely keep it in the database system and to allow periodic monitoring of the activities and changes of the land use rights.

#### **Article 103. (amended) Issuance of Copy of Land Title**

The issuance of a copy of land tile is the re-issuance of the land titles to replace a lost or damaged land title.

Individuals, legal entities or organizations wishing to make a request for reissuance of their land tiles shall submit their request to the Office of Natural Resources and Environment of the district where the land is located, using the standard [request] form.

Upon receipt of the request, the District Office of Natural Resources and Environment shall examine, collect evidence and background information on the causes of loss or damage of land titles and then submit a summary with comments within fifteen days from the day the request is received. If the land title has been damaged with remaining parts that can be used as evidence, the request can be submitted to the District Office of Natural Resource and Environment for reissuing a copy of the land title to the requester. If the land title is lost or destroyed without trace of evidence that can certify the land title, the District Office of Natural

Resources and Environment will hand the investigation document to the requestor for submission to the court to consider certifying the loss of the land title before a copy of the land title can be issued.

The Ministry of Natural Resources and Environment issues the regulations on evidence, remaining parts of the lost or damaged/destroyed land titles.

#### **Article 104. (amended) Registration of Activities of Land Use Rights**

The registration of activities of land use rights is recording and certifying land use rights that the land use owner assigns the rights through lease, mortgage, sale with redemption right, legal servitude by contract, rights over the land and other activities.

The registration of activities of land use rights shall be undertaken at the District Office of Natural Resources and Environment where the land is located in presence of the contractual parties and land officers.

In case a land title is used as collateral with one mortgagee, following the mortgage registration, the owner of the land use right shall give the original land title to the mortgagee to keep. In case a land title is used as collateral with many mortgagees, following each mortgage registration, the original the land title will be kept with one of the mortgagees according to the agreement amongst the mortgagees.

The District Office of Natural Resources and Environment shall proceed with the registration of the activities of land use rights within three working days from the day the application is received and issue a certification to the mortgagee and the mortgagor, acknowledging that the land title is used as security for a loan according to the contract.

The District Office of Natural Resources and Environment has the duties and responsibilities to accurately, transparently and strictly manage the information and documents on the land titles that are registered with activities of the land use rights in accordance with the regulations.

In case of direct objection by the stakeholder or the grantees of land use rights as prescribed in Article 126 of this Law, the registration of activities of land use rights shall be suspended until the issue is settled according to laws.

The Ministry of Natural Resources and Environment issued a regulation on the registration of activities of land use rights.

#### **Article 105. (amended) Registration of Changes of Land Use Rights**

The registration of the changes of land use rights is recording and certifying changes of the land use rights from the original owner to another person by issuing a new land title as result of such assignments as inheritance, sale, use of land use rights as shares, handover or bestowal of land use rights, exchange, revocation or re-acquisition of the land use right, legal servitude, court decision.

The registration of the changes of land use rights shall be undertaken at the District Office of Natural Resource and Environment in presence of contractual parties and land officers for the case of sale, use of the land use right as shares, handover or bestowal of land use rights, exchange of land use rights.

The District Office of Natural Resource and Environment shall proceed with the registration of the changes of land use rights within five working days from day the application is received from the land use right owner.

In case of direct objection by the stakeholder or the grantees of land use rights as prescribed in Article 126 of this Law, the registration of changes of land use rights shall be suspended until the issue is settled according to laws

### **Section 3**

#### **Registration of Land for Condominium Construction**

#### **Article 106. (new) Registration of Land for Condominium Construction**

Individuals or legal entities wishing to build condominiums shall request for an authorization to operate condominium business at the one stop investment service office as defined in the Law on Investment Promotion and shall apply for a construction permit from the Public Works and Transport sector and shall request for registration of land for condominium construction at the Provincial Department of Natural Resources and Environment.

The Ministry of Natural Resources and Environment is tasked with issuing regulations on the registration of land for condominium construction.

#### **Article 107. (new) Documents for Registration of Land for Condominium Construction**

Documents for registration of land for condominium construction are as follows:

1. land title of individual, legal entity;
2. business register;
3. construction permit;
4. plan [design] of the condominium;
5. feasibility study;
6. socio-environmental impact assessment;
7. by-laws of the legal entity;
8. other relevant documents;

Additional documents required in case of the land for condominium construction is being leased from the State or from individual, legal entity:



1. title for the State Land or for the individual, legal entity land
2. lease agreement.

**Article 108. (new) Consideration on Registration of Land for Condominium Construction**

The Provincial Department of Natural Resources and Environment considers registering condominium construction land for the legal entity within ten working days after the application is received.

In case the land is being leased from the State, individual or legal entity, it shall be registered for the condominium construction, but the name of the land use right owner must remain on land title of the lessor.

**Section 4  
Land Valuation**

**Article 109. (new) Land Valuation**

Land valuation is the determination of the value of land in each locality based on the geographical specificities, infrastructure and the level of socio-economic growth at each time period.

Land valuation is undertaken for the following purposes:

1. Calculation of fees for registration of activities and changes of land use rights;
2. Implementation of the Policy on State Land Conversion;
3. Payment of compensation from reacquisition of land use rights;
4. Sale of land use rights following court's decision;
5. Sale, exchange of land use rights, use of land as shares, as collateral.

The Provincial Governor, Mayor of Vientiane Capital submits a proposal to the Provincial People's Assembly for approval of land valuation to serve the purposes as indicated in points 1, 2 and 3 of this Article.

For the land valuation purpose indicated in point 4 of this Article, the Provincial Governor, Mayor of Vientiane Capital appoints a land valuation committee in accordance with regulations. With regard to land valuation for the purposes of sale, exchange of land use rights, use of land as shares, use of land as guarantee deposit, the legal entities authorized to operate land related business as prescribed in Article 156 of this Law are tasked with conducting the land valuation.

The Ministry of Natural Resources and Environment issues specific regulations on the processes of land valuation for each land category.

**Article 110. (new) Land Re-valuation**

Land re-valuation must be conducted every three years. If deemed necessary, the re-valuation can be conducted earlier than this timeframe.

**Section 5  
Land Transactions**

**Article 111. (new) Land Transactions**

Land transaction is an activity and a change of land use rights of individual, legal entity and organization such as sale of land use right, exchange of land use right, use of land use right as shares, and as guarantee deposit.

**Article 112. (new) Land Transaction Services**

The District Office of Natural Resources and Environment has the duties to provide land transaction services to create enabling conditions and facilities for the activities and changes of land use rights such as sale of land use rights, exchange of land use rights and use of land use rights as shares, as collateral.

The Ministry of Natural Resources and Environment issues regulations on land transaction services.

**Section 6  
Land Revenue Collection**

**Article 113. (new) Land Revenue**

Land revenue is a revenue generated from land use fee, lease value, concession value, taxes, sale of allocated State land use rights with determined timeframe, fines and land related fees and technical fees in accordance with laws and regulations.

**Article 114. (new) Land Revenue Collection**

Finance sector collects land use fee, land-related taxes, land lease and concession values, sale and conversion of land use rights, land use conversion fees and land-related fines, fees for land title registration and registration of subsequent land transactions, land-related fees in accordance with laws and regulations.

The Natural Resources and Environment sector collects land-related service fees in accordance with laws and regulations.

Land revenue shall be collected by using modern technology to ensure transparency, efficiency and accuracy. The land revenue shall be handed to national budget as defined in relevant laws.

**Article 115. (new) Determination of Land Related Fees**

The Government works out the land use fees, land related fees and technical charges in line with the context of socio-economic growth at each period, applying the policy on reduction or exemption of survey-measurement services, land title registration and paddy land use fees for poor families and for those using lands in priority agricultural production areas, including the declared natural disaster zones, and make proposal to the National Assembly Permanent Committee for consideration.

**Part VII**  
**Land Lease and Concession**  
**And Sale of Allocated State Land Use Right with Determined Timeframe**

**Section 1**  
**Lease of Land from Lao Citizens, Lease and Concession of State Land**

**Article 116. (new) Land Lease**

Land lease is an agreement concluded between the lessee and the lessor to use the land for specific activities in accordance with the agreement and laws in the field of trade, services, residences, tourism, sports, diplomatic missions and international organizations.

**Article 117. (amended) Lease of Land from Lao Citizens**

Land lease among Lao citizens including legal entities or organizations of Lao citizens are concluded based on the mutual agreement of both parties and certified by the village administrative authorities, notary and registered as activity of land use right at the District Office of Natural Resources and Environment where the land is located.

Aliens, stateless persons, foreigners, foreign nationals of Lao ancestry who legally reside in Lao PDR and their organizations that have been established with the authorization from the State can lease lands from Lao citizens including legal entities or organizations of Lao citizens for a period not exceeding thirty years with option of renewal as agreed by the contractual parties and subjected to approval of provincial administrative authorities based upon the proposal from the Provincial Department of Natural Resources and Environment. The land lease agreement shall be certified by village administrative authorities, notary and registered as activity of land use rights at the District Office of Natural Resources and Environment where the land is located.

**Article 118. (new) Land Concession**

Land Concession is the authorization by the State for the concessionaires to use state allocated lands in certain areas to conduct concession investment activities in accordance with the contract and the laws, for example in the sector of agriculture, tree plantations, tourist sites, industrial zones or industrial estates, Special Economic Zones, development of new cities, development of power source, mining.

In case the concession area covers the national defense and security zones, the concession will be feasible only if an approval is obtained from the Central National Defense and Security Committee.

#### **Article 119. (new) Lease or Concession of State Lands**

The lease or concession of State Land shall go through the bidding process and take place within land area allocated by the State. The lessee or concessionaire shall conduct an environmental impact assessment including the elaboration of social and natural environment management and monitoring plans as prescribed in the laws and regulations.

After the Government or provincial administrative authorities grant lease or concession of State land to individuals, legal entities or domestic and foreign organizations, the Department of Natural Resources and Environment of the province where the land is located issues the State land title to the lessee or concessionaire within five working days in accordance with the lease or concession terms.

State land lease or concession is defined in a separate regulation.

#### **Article 120. (amended) Terms of Lease or Concession of State Lands**

The terms of State land lease or concession operated by individuals, legal entities or domestic and foreign organizations shall be based on the characteristics, size, and conditions of the intended operations. The period shall not exceed fifty years and may be extended upon the decision of the Government or the National Assembly or Provincial People's Assemblies based on the evaluation of the project activities or operations and the decision of the Government or provincial administrative authorities.

Lease of State lands by embassies or international organizations is based on the mutual agreement between the Government of Lao PDR and the Government of the concerned countries or the international organizations for a period not exceed ninety-nine years and can be extended based upon the proposal from the Ministry of Foreign Affairs in coordination with the Ministry of Natural Resources and Environment and relevant provincial administrative authorities. In addition to lease of State land, the Government allows foreign embassies to use lands in Lao PDR through exchange, transfer of lands based on the agreement between the Government of Lao PDR and the Governments of the concerned countries.

### **Section 2 Right and Obligations of Lessee or Concessionaire**

#### **Article 121. (amended) Rights of Lessee or Concessionaire**

The lessee or concessionaire has the following rights:

1. to use land; to own the property including buildings, premises and other structures on the land the subject of the lease or concession; to transfer the

- property to Lao nationals or foreigners in accordance with the laws and regulations;
2. to use the assets related to the land lease or concession as collateral with the domestic bank or financial institution, if approved by the Government or the provincial administrative authority within its jurisdiction, in accordance with the provisions of the finance sector, with exception of the lease of land from Lao citizens;
  3. to use the assets related to land lease or concessions as collateral with foreign banks or financial institutions if approved by the Government based on the proposal of the Ministry of Finance, with exception of the lease of land from Lao citizens;
  4. to sub-lease land use rights with consent from the lessor and the sub-lease term must not extend beyond the term of the head lease;
  5. to transfer to other individuals the lease or concession rights, partly or totally, within the remaining terms of the agreement and in accordance with the contract and laws;
  6. to receive incentives according to the investment promotion policy as prescribed in the Investment Promotion Law and other relevant laws;
  7. to enjoy exemption of land use fee;
  8. to pass on the inheritance of the land lease or concession agreement according to the contract terms and the laws;
  9. to use lease or concession agreement as contribution to share capital with another person, subjected to approval from the concerned government authorities;
  10. exercise other rights as prescribed in the laws

#### **Article 122 (amended) Obligations of the Lessee or Concessionaire**

The lessee or concessionaire has the following obligations:

1. to use the land in accordance with its purposes;
2. to completely and timely pay the rent or concession fees, royalties, taxes, duties, service fees, and other obligations in accordance with relevant laws;
3. to pay compensation to those affected by their operations;
4. to strictly fulfill environmental obligations in accordance with laws and regulations;
5. to not violate the rights and interests of other persons;
6. to comply with legal servitude in accordance with the laws;
7. to fulfill other obligations as prescribed in the laws and the agreement terms and conditions.

### Section 3

#### Sale of Allocated State Land Use Right with Determined Timeframe

##### **Article 123. (amended) Sale of Allocated State Land Use Right with Determined Timeframe**

The sale of allocated State land use right with determined timeframe is the sale of the land use rights between the State and Lao citizens, aliens, stateless persons, foreigners and foreign nationals of Lao ancestry for development of new cities, construction of condominiums, apartments, housing development with a term not exceeding fifty years from the date the sale contract is signed. The land use right can be sub-purchased based on the agreement of relevant State agency. The buildings on the land can be sold or leased to other persons or legal entities.

Buyer of building on the land is the owner of the building during its remaining term and has the right to sell, transfer or pass on the building for inheritance. Lessee of the building on the land has the rights and obligations as defined in the agreement with the lessor.

Upon the expiration date of the sale as defined in paragraph one of this Article, the land use right of the land which the building is on will become the State property again. Nevertheless, the buyer or lessee of the building can continue to use the State allocated land in the form of purchase with determined timeframe or lease the State land.

The calculation of the State land area for the buyer or lessee of each building type is defined in a separate regulation

##### **Article 124 (new) Rights and Obligations of Buyers of Allocated State Land Use Right for Determined Timeframe**

In addition to the rights prescribed in Article 133 of this Law, the buyers of allocated State Land Use Right with determined timeframe also have the following rights:

1. to own the land use right, to own the property he has built such as buildings, constructions on that land;
2. to transfer, sell, lease the land use right for the remaining term to individuals, legal entities and domestic or foreign organizations;
3. to exchange, mortgage, use the property as shares for the remaining term, with individuals, legal entities and domestic or foreign organizations;
4. to pass on the land use right for inheritance not exceeding the remaining term;
5. to sell or lease the property of their built assets to individuals, legal entities and domestic or foreign organizations
6. to enjoy the exemption of land use fee;

7. to receive incentives according to investment promotion policy as prescribed in the Investment Promotions Law and other relevant laws;
8. to exercise other rights in accordance with laws.

For the case of transfer, sale, use as loan guarantee, use as shares, inheritance of the land use right, the Government and provincial administrative authorities must be informed in advance.

Buyers of allocated State land use right with determined timeframe have the following purposes:

1. to use the land in accordance with its purpose;
2. to protect and keep the land in good conditions, to not cause land erosion, soil degradation, to preserve the quality of land and to not cause negative effect to the social and natural environment;
3. to not violate other person's rights and interests;
4. to pay income taxes from sale of the land use rights and the building, pay land related fees and service charges in accordance with laws;
5. to fulfill other obligations as prescribed in the laws and regulations

**Article 125 (new): Competent Authority to Make Decisions on Sale of Allocated State Land Use Rights with Determined Timeframe**

The Government makes decision on the sale of allocated State land use right with determined timeframe for the land area of more than one hundred and fifty hectares to Lao citizens, aliens and stateless person; and decision on the sale of allocated State land use right with determined timeframe to foreigners and foreign nationals of Lao ancestry.

Provincial administrative authorities make decisions on the sale of allocated State lands use right with determined timeframe for land area not exceeding one hundred and fifty hectares to only Lao national, aliens and stateless persons

District administrative authorities, village administrative authorities and other authorities do not have the right to make decision on the sale of allocated State land use right with determined timeframe

The sale of allocated State land use right with determined timeframe must be registered as change of the land use right at the Department of Natural Resources and Environment of Province where the land is located, and land title must be subsequently issued to the buyer once the sale value is fully paid to the State by the buyer of the allocated State land use right with determined timeframe, except as otherwise specified in the contract.

The sale of allocated State land use right with determined timeframe shall be conducted in the form of bidding

**Part VIII**  
**Acquisition of Rights, Rights and Obligations, Loss of Rights**  
**and Cessation of Land Use Rights**

**Section 1**  
**Acquisitions of Land Use Rights**

**Article 126 (amended) Acquisition of Land Use Rights of Lao Citizens**

Lao citizens including Lao legal entities and organization will acquire land use rights on one of the following bases:

1. Allocation by the State;`
2. Transfer;
3. Inheritance.
4. Sale of allocated State land use rights with determined timeframe as prescribed in Article 123 of this Law.

**Article 127. (new) Allocation by the State**

Land allocated by the State is when the State grants State land use right to become land use right of Lao citizens including legal entities and organizations to use the land for a specific purpose in accordance with Land Allocation Master Plan and the government land use plans as prescribed in the laws including the customary land use rights.

There are two types of allocation by the State:

1. Definite assignment is the allocation of land use right as compensation for compulsory acquisition, recognition of customary land use right, implementation of policy on conversion of State land use rights, etc. whereas the receivers have the rights of protection, use, benefit, transfer and right related to inheritance of the land use right;
2. Indefinite assignment is the allocation of land use right as place for living, for making the living, implementation of policy on conversion of State land use rights, etc., whereas the receivers have the same rights as indicated in point 1 of this Article, except transfer of land use rights and some cases of the right to benefit from the land such as lease, mortgage.

The State acknowledges the allocation of State land use right to individuals with outstanding merits during the revolution and those who have made great contribution to the nation to use the land as a place of residence and the land use rights can be transfer to private land use right of the receiver in accordance with laws.

**Article 128. (new) Transfer**

Transfer is the change of land use right through sale, exchange, handover or bestowal of land use right and the use of land use right as shares.



### **Article 129. (new) Inheritance**

Inheritance is the assignment of land use right [of the deceased] to an eligible heir according to law or will.

Persons eligible to inherit the land use rights are only Lao citizens who permanently reside in Lao PDR.

If the eligible person to inherit the land has not reached the maturity of eighteen years old or lacks capacity to act, the name of the person shall be kept on the land title, but a trustee of the land shall be appointed to guarantee the highest interests of the eligible person as prescribed in the Civil Code.

### **Article 130. (new) Acquisition of the Customary Land Use Right**

The acquisition of customary land use right is the acquisition by Lao citizens of their occupied and used lands through clearance, development, protection and regular use of the land for more than twenty years before this Law becomes effective and without document certifying the acquisition of the land but subjected to certification from village administrative authorities and the owners of adjacent land parcels regarding the continuous land occupation and use without any disputes or with disputes which have been already settled.

While land registration has yet to conduct for issuing individual land titles, the State acknowledges and protects the customary land use rights of the person and proceeds with land title registration in accordance with the laws.

### **Article 131 (new) Acquisition of Land Use Rights by Aliens, Stateless Persons, and Foreigners**

Aliens, stateless persons, foreigners, foreign nationals of Lao ancestry and their organizations who receive the authorization from the State to legally reside, invest or operate business in Lao PDR are granted the right to use land through lease or concession of State lands, purchase of allocated State land use right with determined timeframe.

Aliens, stateless persons, and their organizations who receive the authorization from the State to permanently and legally reside in Lao PDR are granted the right to use land through lease of land use rights from Lao individuals, legal entities and organizations of Lao citizens.

### **Article 132. (new) Acquisition of Land Use Rights through Purchase Apartments in Condominiums**

Buyer of apartment in condominium who hold Lao nationality have the land use right on the land at the ratio of the apartment's area per square meter in the condominium construction land that identified in the economic-technical feasibility study of the condominium and has the ownership of the apartment according to the contract.

Aliens, stateless persons, foreigners and foreign nationals of Lao ancestry who buy apartments in condominiums have only long-term ownership of the

apartments with the same term as the lifespan of the building. The land use right on the land on which the condominium is built still belongs to the legal entity that owns the land use right,

In case it is a State land, the buyers of apartments in condominiums, whether they are Lao citizens, aliens, stateless persons, foreigners, foreign nationals of Lao ancestry, have the rights to collectively use the State land only.

The owners of the apartments shall register their ownership with the Natural Resources and Environment sector.

## **Section 2**

### **Rights and Obligations of Holders of Land Use Rights**

#### **Article 133. (amended) Rights of Holders of Land Use Rights**

The holder of land use right has the following rights:

1. the right to protect the land;
2. the right to use the land;
3. the right to gain benefits from the land;
4. the right to transfer land use right;
5. The right related to inheritance of land use right.

Aliens, stateless persons, foreigners and foreign nationals of Lao ancestry and their organizations who have been established with the authorization from the State, will obtain those rights as provided in Article 131 of this Law.

#### **Article 134. (amended) Right to Protect the Land**

The right to protect the land is the right to manage and protect the land with a view to using it for a specific purpose.

#### **Article 135. (amended) Right to Use the Land**

The right to use the land is the right to use land for a specific purpose in order to meet the needs of the holder of land use rights, in accordance with the land allocation plan of the State and laws without any adverse impacts on social the natural environment.

#### **Article 136. (amended) Right to Benefit from the Land**

The right to benefit from the land is the right to harvest crops or collect income generated from the land that one's uses, such as the produce, the rent, mortgage loan.

#### **Article 137. (amended) Right to Transfer Land Use Rights**

The right to transfer land use rights is the right to give land use rights to other persons by sale, transfer or exchange of land use rights, the use of land as guarantee, shares.

**Article 138. (amended) Right Relating to Inheritance of Land Use Rights**

The right related to inheritance of the land use rights is the right to receive the land use right of deceased person according to law or will.

**Article 139: Right to Use Land Use Rights as Shares**

Individuals, legal persons and organizations with Lao citizenship can use their land use rights as shares for joint venture with Lao or foreign investors registered as legal entities in accordance with the laws of Lao PDR through land valuation and the registration of the changes of land use rights as prescribed in Article 105 of this Law. The land use rights obtained from purchase of allocated State land use right with determined timeframe can also be used as shares for joint venture with Lao and foreign enterprise.

For the procedures, approach and settlement of issues related to the use of land use rights as shares for joint venture with Lao and foreign entities as prescribed in this Article, the Law on Enterprise and other relevant laws shall be applied.

**Article 140. (amended) Rights of Holders of State Land Use Rights**

The Party and State organizations, Lao Front for National Development, mass organizations including collectives, who are granted State land use rights have only the right to protect and to use the State land under their management but do not have the right to transfer, right related to inheritance, right to lease, grant concession or use land as guarantee. The Ministry of Finance decides to allow state-owned enterprises to use State land use rights as shares or mortgage with banks or other financial institutions legally operating in Lao PDR based on the agreement of the Ministry of Natural Resources and Environment and relevant local administrative authorities within the determined timeframe as authorized by the Government.

**Article 141. (amended) Obligations of Holders of Land Use Rights**

The holders of land use right including the Party and State organisations, Lao Front for National Development, Lao Federation of Veterans and mass organizations have the following obligations:

1. to develop and use the land in accordance with Land Allocation Master Plan, land use strategy and respective land use plan.
2. to use land according to its objective; in case there is a need to convert land use category, prior approval from relevant sectors is required;
3. to protect and keep the land in good conditions, to not cause land erosion, soil subsidence, soil degradation, to maintain the quality of the soil, and to not cause adverse impact on the natural or social environment; to prevent the area of each land category from reducing without authorization;
4. to not violate the rights and interests of other persons;
5. to comply with the legal servitude as prescribed in the laws;

6. to pay taxes, land use fees, land related fees and service fees in accordance with the laws and regulations;
7. to fulfill other obligations in accordance with the laws.

**Article 142. (amended) Legal Servitude**

Legal servitude is an unavoidable circumstance that occurs by nature and is defined in the laws, contract or other legislation.

Legal servitude by nature and by the laws is the utilization or use of other person's land to bring about benefits to one's land in form of passageway, installation of power transmission lines over or under the land, and drain passage.

Legal servitude by contract or other legislation is the utilization or use of other person's land to increase benefits for one's land for the purpose defined in the agreement or the legislation. This legal servitude is created from the moment it is properly registered as prescribed in the Civil Code and other relevant Laws.

The registration of legal servitudes and other rights over the land shall follow a specific regulation in relation to the registration of the activities and the changes of land use rights as prescribed in Articles 104 and 105 of this Law

**Article 143 (new) Creation of Passageway, Installation of Transmission Lines and Creation of Drain Passage.**

An individual possessing a house surrounded by houses or land under the land use right of other individuals without passageway to the road has the right to request a passage from the neighboring land use right holder closest to the road. The requested land use right holder must authorize a passageway but is entitled to ask for reasonable compensation for damages incurred to plants or constructions in using land as a passageway

When an installation of power transmission lines, telephone cables, the digging of water canals, the laying of culverts or public water pipes pass through the land of individuals that cause destruction or damage to trees or crops, the land use right owner may request compensation for the damages inflicted by such acts; In case the land use right owner benefits from the activity, no compensation will be paid.

Any individual needing to drain water from their place of residence has the right to request the passage of drains through the land of the neighbor living right behind or near canals. Requested parties must authorize such work but are entitled to ask for indemnity of damages inflicted upon crops or constructions. The requester of drain passage must maintain the cleanliness, proper condition of the drainage.

### **Section 3**

#### **Loss, Revocation and Cessation of Land Use Rights**

#### **Article 144. (amended) Loss of Land Use Rights**

Holder of land use rights will lose such rights in any of the following cases:

1. has not paid land use fees for three consecutive years;
2. has made no development nor production from the second year after receiving the land use right. In addition to paying full land use fees, the holder will be subject to written warning. In the third year, the holder will be fined fifty percent the land use fee amount. In the fourth year, the holder will be fined a hundred percent of the land use fee amount. In the fifth year, the holder will be fined five percent of the land value base on the land valuation rates in the area. In the sixth year, the holder will lose the land use rights if no actions are taken.
3. has not paid for the lease or concession of State land fees according to the contract for two consecutive years;
4. use allocated State land not in accordance with the objectives, after written warning;
5. failed to claim the land use right within the terms allowed to claim;
6. land use rights are lost by court decision;
7. cases as prescribed in Article 147 of this Law and other cases

#### **Article 145. (amended) Loss and Revocation of State Land Use Right**

The Party and State organizations, Lao Front for National Development, Lao Federation of Veterans, mass organizations including collective organizations and state-owned enterprises, who have been granted State land use rights, but do not make land use plan, use the land not in accordance with its objectives and do not pay land use fee for three years, will lose the land use rights.

The Government makes decision to revoke land use rights of the Party and State organizations, Lao Front for National Development, Lao Federation of Veterans, mass organizations including collective organizations and state-owned enterprises at the central level based on the proposal from the Ministry of Natural Resources and Environment.

The Provincial Governors, Mayor of Vientiane Capital make decision to revoke land use rights of the Party and State organizations, Lao Front for National Development, Lao Federation of Veterans, mass organizations including collective organizations and state-owned enterprises at local level based on the proposal from the Provincial Department of Natural Resources and Environment.

With respect to the revocation of State land use rights from individuals, legal entities or organizations who have not actually used the lands or have used the land not in accordance with the laws or the contract; have not paid land use fee, including by selling, leasing or granting concession of the land use right without permission, the Ministry of Natural Resources and Environment shall investigate the case and submit proposal to the Government or provincial administrative authorities for further consideration to revoke those rights based on the common agreement with sectors and relevant local administrative authorities.

**Article 146. (amended) Revocation of Land Use Rights**

Only the court can make decisions on revocation of land use rights except the cases defined in paragraphs two, three and four of Article 145 of this Law.

**Article 147 (amended) Cessation of Land Use Rights**

Land use rights of the land use right holder will be ceased in the following cases:

1. Voluntary relinquishment of land use rights;
2. Reacquisition of the land by the State for public purposes or for State development projects;
3. Revocation of land use rights in accordance with Articles 145 and 146 of this Law;
4. Transfer of land use rights to another person;
5. Loss of Lao nationality;
6. Death without any heir.
7. Transfer of the land use rights by the Government or local administrative authorities to people during the period of country's struggle for liberation;
8. The holders of land use rights who did not claim their rights before the year 1994 according to the Decree of the Council of Ministers on the Land and House of the former regime personnel subjected to court decision, the Lao who fled the country and those sent to reeducation No 129/PM dated 18 November 1989; and before 1996 according to Prime Minister's Decree on Land No 99/PM dated 19 December 1992;
9. The holders transferred their rights to become a collective property during the period of country's struggle for liberation as well as at current time;
10. The holder has not claimed the rights from the person who has honestly, openly, peacefully and continuously occupied the land for more than 20 years from the date of the occupation.

## **Part IX Compensation for Loss of Land Use Rights**

### **Article 148. (new) Compensation**

Compensation is an indemnity of damages [and losses] for those who are impacted by violation of laws, legal servitude and reacquisition [expropriation] of land use rights. Compensation is implemented in form of provision of a new parcel of land, materials or money and other means based on land valuation undertaken in each region and for each land category.

### **Article 149. (amended) Causes for Compensation**

The causes for paying compensation are as follows:

1. loss caused by violation of laws;
2. loss caused by legal servitude;
3. loss caused by the reacquisition [expropriation] of land use rights.

### **Article 150. (amended) Compensation for Losses Caused by Violation of Laws**

Individuals, legal entities or organizations who use their land and thereby causing damages to another person or to the public shall pay compensation for the damages resulting from their acts.

### **Article 151. (amended) Compensation for Losses Caused by Legal Servitude**

Individuals, legal entities or organizations who benefit from legal servitude granted by other persons, for passageway or drain passage and thereby causing losses to the crops, or construction of the persons or the public, the individuals or organizations shall pay appropriate compensation for such losses.

### **Article 152. (amended) Compensation for Losses Caused by Land Reacquisition**

Compensation for losses caused by land reacquisition comprises:

1. Compensation for loss caused by public purpose projects;
2. Compensation for loss caused by State investment projects.

### **Article 153. (amended) Compensation for Loss Caused by Public Purpose Projects**

When it is necessary to use land of individuals, legal entities or organizations for public purposes such as roads, schools, hospitals, public parks, airports, transmission line corridors, drainage, irrigation, water pipes, waste disposals, the State will re-acquire the land use rights but shall pay compensation for the damages to the land holders.

For the compensation, a committee shall be established to assess the damages of properties on land and the land value as prescribed in Article 109 of this Law and with the participation of the owners of the land use rights.

**Article 154. (new) Compensation for Loss caused by State's Investment Projects**

When it is necessary to use land of individuals, legal entities or organizations for State investment projects, land lease or concession in line with the National Socio-Economic Development Plan such as agriculture, tree plantations, mining exploitations, development of power sources, roads, industrial zones or industrial estates, Special Economic Zones, the State will re-acquire those land use rights but shall pay compensation to the landowners.

For the compensation, a committee shall be established to assess the damages of properties on land and the land value as prescribed in Article 109 of this Law. The committee shall comprise relevant sectors with the participation of sectors responsible for the projects, projects owners, the owners of land use rights and relevant local administrative authorities.

**Article 155. (new) Determination and Payment of Compensation for Damages caused by Re-acquisition of Land Use Rights**

The compensation for damages caused by re-acquisition of land use rights for public purposes and investment projects as prescribed in Articles 153 and 154 of this Law shall be determined by the province governors, Mayor of Vientiane Capital based on the endorsement of the Provincial People's Assemblies.

The payment of compensation for damages caused by re-acquisition of land use rights shall be paid before the re-acquisition is taking place based on the valuation of land and assets on the land.

**Part X  
Land Related Businesses**

**Article 156. (new) Land Related Businesses**

Land related business comprises surveys, measurements, land valuation, sale of allocated State Land with determined timeframe and other land related services.

**Article 157. (new) Criteria for Land Business Operators**

and business operators shall meet the following criteria:

1. Holding Lao nationality for business related to sale-purchase of land use rights;
2. Meeting all criteria as prescribed in the Law on Enterprises and other relevant laws;



3. Having competent and technical staff with at least three years of experiences with certified practical land-related work.

### **Article 158 (new) Land Business Operations**

Individuals, legal entities or organizations wishing to operate land businesses shall submit the application together with supporting documents to the relevant sectors as indicated in the Law on Investment Promotion and shall request technical authorization from the Natural Resources and Environment Sector.

## **Part XI Prohibitions**

### **Article 159. (new) Prohibitions for Individuals, Legal Entities or Organizations**

Individuals, legal entities or organizations, are prohibited from the following behaviors:

1. encroaching or settling down in the areas of protection forest land, conservation forest land, preserved watershed;
2. falsifying land titles, seals, signatures and other documents related to land;
3. using land not in accordance with its objectives and laws;
4. moving, altering and destroying land boundary markers;
5. illegally selling-purchasing land use rights;
6. illegally using State land including village collective land for leasing, exchanging, selling, using land as guarantees or transferring the land without authorization;
7. converting land category and changing land use purposes without authorization;
8. infringing land use right sale contract, land lease or concession agreement; avoiding payment of rents or land concessions fees, royalties, land use fees, taxes, service fees;
9. using violence or threatening against officials or civil servants;
10. denying cooperation or obstructing land dispute settlement;
11. having other behaviors that are in violations of the laws.

### **Article 160. (new) Prohibitions for Responsible Officials and Civil Servants**

Officials and civil servants are prohibited from the following behaviours:

1. abusing power, position, duties for personal gains, for the interests of family, friends and relatives;
2. requesting, asking for and receiving bribes;
3. abusing rights and duties causing prejudice to the State interests, collective groups or people's legitimate interests, domestic and foreign investors;

4. neglecting duties, disinformation, holding back and delaying the consideration of land related documents;
5. authorizing the activities or changes of land use rights of disputed lands;
6. issuing duplicate land titles, illegally issuing certification on land use rights to individuals, legal entities, organizations namely for water area land, cultural land, protection forest land, conservation forest land, production forest land, areas prohibited by the State.
7. performing duties with injustice, partiality towards other people, legal entities, organizations and collectives;
8. acting as an agent, consultant for individuals, legal entities and organizations in relation to land;
9. disclosing confidential information without authorization;
10. falsifying land documents, signatures, seals;
11. destroying evidence, land documents, moving, altering or destroying land boundary markers;
12. other behaviors in violation of laws.

## **Part XII Settlement of Land Issues and Land Disputes**

### **Article 161 (amended) Settlement of Land Issues with Administrative Nature**

The settlement of land issues with administrative nature is the settlement of issues related to the use of land without authorization, not in line with the purpose, not use of land after being granted, failure to pay taxes or land use fees, land boundary issue and other issues having administrative nature according to laws.

If a land issue or conflict with administrative nature occurs within a locality or a sector, the District Office of Natural Resources and Environment of that locality in collaboration with the sector managing the land use rights shall take the lead in examining and addressing the issue by collecting detailed information and coordinating with relevant sectors and relevant local authorities and then submit the case to the district administrative authorities to make decision based on the laws.

In case one of the parties is not satisfied with the decision of the settlement of the land-related dispute with administrative nature, the party has the right to request the provincial administrative authorities to examine, inspect and settle the issue or dispute according to laws, with the Provincial Department of Natural Resources and Environment playing the central role in coordinating with relevant sectors and district administrative authorities. If one of the parties is still not satisfied with the decision made, the provincial administrative authorities shall notify the conflicting parties in writing to lodge the case to the People's Court for proceeding and making decision according to laws.

### **Article 162 (new) Forms of Land Dispute Settlement**

Land dispute can be settled in the following forms:

1. compromise or mediation;
2. arbitration by the Economic Dispute Resolution Organization;
3. to lodge complaint to the court;
4. international settlement.

### **Article 163. (new) Compromise or Mediation**

When there is a land conflict, the parties can negotiate to reach a compromise or seek mediation on the basis of mutual benefits that are reasonable and fair for both parties.

### **Article 164. (new) Dispute Settlement by the Organization of Economic Dispute Resolution**

In case a land dispute is related to business operation, the parties can lodge an application to the Organization for Economic Dispute Resolution for consideration and making decision.

### **Article 165. (amended) Complaint to the Court**

In case of land dispute that cannot be mediated, or a compromise cannot be reached, the parties can refer the dispute to People's Court for consideration in accordance with laws.

### **Article 166. (new) International Settlement**

The international settlement shall comply with international treaties and conventions to which Lao PDR is a party.

## **Part XIII Land Management and Inspection**

### **Section 1 Land Management**

### **Article 167. (amended) Land Management Agencies**

The Government is in charge of the management of land in the whole country in a centralized and uniform manner whereas the government assigns the Ministry of Natural Resources and Environment to assume direct responsibilities and to take the lead in coordinating with the Ministry of Agriculture and Forestry, the Ministry of Industry and Commerce, the Ministry of Planning and Investment, the Ministry of Post and Telecommunication, the Ministry of Public Works and Transport, the Ministry of Information, Culture and Tourism, the Ministry of National Defense, and the Ministry of Public Security, other line Ministries, organizations and local administrative authorities

Land management agencies comprises:

1. Ministry of Natural Resources and Environment;
2. Provincial Department of Natural Resources and Environment;
3. District Office of Natural Resources and Environment;
4. Village Unit of Natural Resources and Environment which is the same as Village Economic-Finance Unit.

**Article 168. (amended) Right and Duties of the Ministry of Natural Resources and Environment**

In managing land related tasks, the Ministry of Natural Resources and Environment has the following rights and duties:

1. to elaborate policies, Land Allocation Master Plan, strategies, land use plans, related laws and regulations;
2. to translate policies, Land Allocation Master Plan, strategies, land use plans, land related laws and regulations into detailed plans, programs, and projects for implementation;
3. to carry out advocacy, dissemination and education on policies, Land Allocation Master Plan, strategies, land use plans, land related laws and regulations;
4. to coordinate with line ministries and local administrative authorities to conduct surveys, data collection on each land category in each locality under the land use management of the ministries, ministry-equivalent agencies and local administrative authorities and thereafter to consolidate the information into a report for the consideration and approval by the Government;
5. to assess the results of the implementation of strategies and land use plans in line with the Land Allocation Master Plan of relevant ministries and local administrative authorities including the review of the implementation of the Land Allocation Master Plan every five years and then report to the Government;
6. to examine the proposals for conversion of one land category to another in order to ensure the nation's maximum benefits and the people's livelihood in consistency with the laws, Land Allocation Master Plan, strategies, sectoral and local land use plans and to minimize the adverse impacts on social and natural environment;
7. to make proposals to the Government with respect to the sale of allocated State land use right with determined timeframe to Lao citizens, aliens, stateless persons, foreigners and foreign nationals of Lao ancestry as prescribed in Article 125 paragraph one of this Law;
8. to coordinate with relevant sectors and local administrative authorities in elaborating and implementing Land Allocation Master Plan and strategies, local land use plans across the country;
9. to supervise land title registration, to issue land use certificates, land development certificate, land category conversion, creation of land record book,

- land valuation, registration of activities and changes of land use rights and registration of land for condominium construction;
10. to monitor and inspect the land uses and the land related business;
  11. to receive requests or suggestions and to resolve land issues with administrative nature by coordinating with other relevant ministries, organizations and local administrative authorities;
  12. to train, build and upgrade staff's capacity, manage and use personnel in land related work;
  13. interact with foreign countries and enhance regional and international cooperation;
  14. to regularly prepare and submit report on land related activities to the Government;
  15. to exercise other rights and perform other duties as prescribed by laws.

**Article 169. (new) Rights and Duties of Provincial Department of Natural Resources and Environment**

In managing land related tasks, the Provincial Department of Natural Resources and Environment has the following rights and duties according to the scope of its responsibilities:

1. to carry out advocacy, dissemination and education on and implementation of policies, Land Allocation Master Plan, strategies, land use plans, land related laws and regulations
2. to prepare land allocation plans, local land use plans to be consistent with Land Allocation Master Plan and National Socio-Economic Development Plan at each period by coordinating with relevant sectors and district administrative authorities;
3. to elaborate, manage and use local land database in order to connect it with the National Land Information System;
4. to coordinate with other sectors and district administrative authorities for the protection, development, inspection of land use and to participate in dispute settlement in their respective locality;
5. to conduct surveys, measurement of State land areas and to issue land survey certificate and land use permission for lease and concession;
6. to examine and propose to the provincial governors, Mayor of Vientiane Capital on granting or revocation of land use rights in accordance with land allocation plan and sectoral land use plans;
7. to make proposals to the provincial governors, Mayor of Vientiane Capital with respect to the sale of allocated State land use with determined timeframe to Lao citizens, aliens, stateless persons, foreigners and foreign nationals of Lao ancestry as prescribed in Article 125 paragraph two of this Law;
8. to supervise the surveys, measurement and adjudication of land use rights for land title registration, for issuing land use certificates, land development

- certificate, creation of land record book, registration of activities and changes of land use rights;
9. to examine and make proposals to the provincial administrative authorities with respect to the conversion of land category;
  10. to make consideration on land title registration, registration of changes of land use rights and registration of land for condominium construction and to issue technical permission for land-related business operations;
  11. to conduct land valuation in their respective locality by coordinating with line departments and district administrative authorities and thereafter submit it to the provincial governor, Mayor of Vientiane Capital for approval following the endorsement of the Provincial People's Assemblies;
  12. to calculate and collect service fees in accordance with the laws and regulations;
  13. to monitor the use of lands such as the conversion of land category, change of land use objective;
  14. to receive requests or suggestions and to resolve land related issues with administrative nature according to laws by coordinating with relevant departments and district administrative authorities;
  15. to promote, maintain, build and upgrade staff's capacity, manage and use the personnel in land related work;
  16. to interact with foreign countries and enhance regional and international cooperation as assigned by higher authorities;
  17. to regularly prepare and submit report on land related activities to the Ministry of Natural Resource and Environment and provincial governor, Mayor of Vientiane Capital;
  18. to exercise other rights and perform other duties as prescribed by laws.

**Article 170. (new) Rights and Duties of District Office of Natural Resources and Environment**

In managing land related tasks, the District Office of Natural Resources and Environment has the following rights and duties under its responsibilities:

1. to disseminate and to implement policies, Land Allocation Master Plan, strategies, land use plans, land related laws and regulations;
2. to establish, manage and use land database in their respective localities;
3. to coordinate with other [district] line offices and village administrative authorities for the protection, development, monitoring of land use rights and participate in land dispute settlement in their respective localities;
4. to conduct survey and adjudication of land use rights for land title registration, issuing land use certificates, land development certificate, creation of land record book;
5. to conduct land title registration and to register the changes of land use rights including the subdivision and consolidation of land parcels, [and] to register the activities of land use rights;

6. to calculate and collect service fees from registration of the activities and changes of land use rights in accordance with the laws and regulations;
7. to monitor the use of lands such as conversion of land category, change of land use objectives;
8. to receive requests or suggestions and to resolve land related issues with administrative nature according to laws by coordinating with relevant offices and village administrative authorities
9. to promote, build and upgrade the staff's capacity, manage and use the personnel in land related work;
10. to regularly prepare and submit report on land related activities to the Provincial Department of Natural Resource and Environment and district administrative authorities;
11. to exercise other rights and perform other duties as prescribed by laws.

**Article 171. (new) Rights and Duties of Village Unit of Natural Resources and Environment**

In managing land related tasks, the Village Unit of Natural Resources and Environment has the following rights and duties under its responsibilities:

1. to implement policies, laws and regulations related to land;
2. to collect data on land records or statistics on land use within the village;
3. to certify the origins of lands, to certify documents, contracts and other land related documents;
4. to participate in land dispute settlement;
5. to monitor land use rights such as the conversion of land category, change land use objectives;
6. to regularly prepare and submit report on land related activities to the District Office of Natural Resource and Environment and district administrative authorities;
7. to exercise other rights and perform other duties as prescribed by laws.

**Article 172. (new) Rights and Duties of the Ministry of Agriculture and Forestry**

The Ministry of Agriculture and Forestry has the rights and duties to manage the use of agricultural lands and forestry lands including water area lands located in the land categories under the sectors' responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and conversion of agricultural and forestry lands; and have other rights and duties as prescribed by laws.

**Article 173. (new) Rights and Duties of the Ministry of Industry and Commerce**

The Ministry of Industry and Commerce has the rights and duties to manage the use of industrial lands in industrial zones and industrial estates including water area lands located within the land categories under the sector's responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on the land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and conversion of industrial lands and have other rights and duties as prescribed by laws.

**Article 174. (new) Rights and Duties of the Ministry of Energy and Mines**

The Ministry of Energy and Mines has the rights and duties to manage the use of industrial lands in energy and mining development areas including water area lands located within the land categories under the sector's responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on the land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and conversion of industrial lands in energy and mining areas and have other rights and duties as prescribed by laws.

**Article 175. (new) Rights and Duties of the Ministry of Planning and Investment**

The Ministry of Planning and Investment has the rights and duties to manage the use of lands in Special Economic Zones including water area lands located within the land categories under the sector's responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on the land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and conversion of industrial lands in Special Economic Zones and have other rights and duties as prescribed by laws.

**Article 176. (new) Rights and Duties of the Ministry Public Works and Transports**

The Ministry of Public Works and Transport has the rights and duties to manage the use of construction lands and communication lands including water area lands located in the land categories under the sector's responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on the land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and



conversion of construction and communication lands and have other rights and duties as prescribed by laws.

**Article 177. (new) Rights and Duties of the Ministry of Information, Culture and Tourism**

The Ministry of Information, Culture and Tourism has the rights and duties to manage the use of cultural lands including water area lands located within the land categories under the sector's responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on the land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and conversion of cultural lands and have other rights and duties as prescribed by laws.

**Article 178. (new) Rights and Duties of the Ministry of National Defense and Ministry of Public Security**

The Ministry of National Defense and the Ministry of Public Security have the rights and duties to manage the use of lands for national defense and security purposes including water area lands located within the land categories under the sector's responsibilities by coordinating with the Ministry of Natural Resources and Environment, relevant ministries, agencies and local authorities; to take the lead in elaborating strategies, land use plans and regulations on the land use management under its responsibilities; to establish databases and provide land data [and information] to the Ministry of Natural Resources and Environment; to monitor the use and conversion of national defense and security lands and have other rights and duties as prescribed by laws.

**Article 179. (new) Rights and Duties of Local Administrative Authorities**

The local administrative authorities have the rights and duties to manage the use of each land category within the scope of the responsibilities as follows:

- a. The Provincial administrative authorities have the following rights and duties:
  1. to study and elaborate local land allocation plans, strategies and the land use plan under their responsibilities and in consistency with the Land Allocation Master Plan, Social-Economic Development Plans for each period, strategies and sectoral land use plans, the potentials and specificities of each locality in terms of natural resources, geographical location and for national defense and security purposes and make submission to the Provincial People's Assembly for consideration and approval as well as to report to the Government;
  2. to conduct surveys and data collection on land in each locality, on each land category under their responsibility and to use it as a reference for the formulation of strategies, land allocation plans and land use plans in order to achieve the objectives and targets as defined in the Land Allocation Master Plan;

3. to establish databases on land, provide information on land in each locality, on land category under land use management by respective departments, district administrative authorities, municipalities, cities, and village administrative authorities to the Ministry of Natural Resources and Environment for consolidation and further report to the Government;
  4. to monitor and assess the results of the implementation of the land allocations plans, strategies and land use plans of sectors, district administrative authorities, municipalities, cities, and village authorities every five years and thereafter report to the Provincial People's Assemblies and the Government;
  5. to coordinate with relevant ministries and provincial administrative authorities on the management and protection of each land category, as well as to enhance monitoring and inspection efforts and impose strict measures on individuals, legal entities and organizations who violate the laws and regulations;
  6. to undertake periodic land valuation and the conversion of land category; to make decisions on granting or revoking land use rights, to lease or grant concession of land in accordance with their role by coordinating with relevant sectors;
  7. to make decision on the sale of allocated State land use right with determined timeframe specifically to Lao citizens, aliens, stateless persons, as prescribed in Article 125 paragraph two of this Law;
  8. to take the lead in the monitoring [and inspection] of land lease of concession projects;
  9. to take the lead in the monitoring [and inspection] of the management of land use in each locality, for each land category by coordinating with the Ministry of Natural Resources and Environment and other relevant ministries as well as to impose strict measures on individuals, legal entities and organizations who illegally occupy and take possession of land and to settle land disputes under their responsibilities in the locality;
  10. to re-inspect, improve the organization and personnel who perform the duties indicated in points 1 to 9 of this Article with the aim of ensuring quality and fully meeting the standards;
  11. to inspect and assess the coordination mechanism among line departments of the province, Vientiane Capital and district administrative authorities, municipalities, cities, and village authorities and to ensure the participation of all relevant parties and local people in the management of land;
  12. to organize awareness-raising campaigns for dissemination of information on land management works to all social strata and the public in order to build good understanding and ensure strict compliance with the laws.
- b. the District administrative authorities have the following rights and duties:
1. to participate in land allocation, and local land use planning;
  2. to conduct surveys and data collection on land in each locality, each and category under the responsibilities of the districts, municipalities, cities, and

- to submit reports to the provincial administrative authorities as reference information for the formulations of strategies, land allocation plan and land use plan in order to achieve the objectives and targets as defined in the Land Allocation Master Plan;
3. to establish databases, provide information on land at each locality, on each land category under the management and use of the offices within district administrative authorities, municipalities, cities, and village authorities to the provincial administrative authorities for consolidation and further report to the Government;
  4. to coordinate with provincial departments and village administrative authorities in the management and protection of each land category as well as to enhance monitoring and inspection efforts and to impose strict measures on individuals, legal entities and organizations who violate the laws and regulations
  5. to periodically participate in land valuation and the conversion of land category according to their roles;
  6. to participate in the monitoring [and inspection] of land lease and concession projects that have been authorized by the central and local sectors;
  7. to take the lead in monitoring [and inspection] of the management of land use at each locality, on each land category by coordinating with the Provincial Department of Natural Resources and Environment and other relevant agencies as well as to impose strict measures on individuals, legal entities and organizations who illegally occupy and take possession of land and to settle land disputes under their responsibilities in the locality;
  8. to organize awareness-raising campaigns for dissemination of information on land management works to all social strata and the public in order to build good understanding and ensure strict compliance with the laws
- c. in addition to exercising the rights and performing the duties as defined in Article 171 of this Law, the village administrative authorities have also the following rights and duties:
1. to participate and to cooperate with district administrative authorities in the elaboration and implementation of the Land Allocation Master Plan to be successful according to the plan and targets;
  2. to provide information on land under the management and use of individuals, legal entities and organizations within the village to the District Office of Natural Resources and Environment for consolidation and further report to the district administrative authorities;
  3. to encourage all social strata and the villagers in the village to gain understanding of, to make contribution to and participate in the management, protection, development and use of land in accordance with the set objectives and to fulfill their obligations for their land use in accordance with the laws.

### **Article 180. (new) Rights and Duties of Other Sectors and Agencies**

The other sectors and agencies have the rights and duties to protect, develop and elaborate land use plans including data collection and drawing land inventory under their responsibilities and to coordinate, cooperate with the Natural Resources and Environment Sector and other relevant sectors that manage the use of each land category for the management, monitoring and implementation of land related work in accordance with their respective roles.

### **Article 181. (new) Land Officers**

Land officers are civil servants based at the Natural Resources and Environment Sector who are appointed to perform the duties of land use inspection and other duties as mandated.

Land officers have the following rights and duties:

1. to demand for and to examine documents needed for land use inspection from individuals, legal entities or organizations;
2. to inspect the area and location of land;
3. to advise land users;
4. to propose the suspension or cessation of land use that does not comply with contract and laws;
5. to request the competent authorities to consider revoking land use rights in accordance with the laws;
6. to interact and cooperate with other agencies;
7. to regularly prepare and submit report on land related activities to their respective authorities;
8. to exercise other rights and perform other duties as prescribed by the laws.

## **Section 2 Land Inspection**

### **Article 182. (new) Land Inspection Agency**

Land Inspection Agency comprises:

1. Internal inspection agency which is the same as Land Management Agency as defined in Article 167 of this Law;
2. External inspection agency which are the National Assembly, Provincial People's Assemblies, Government Inspection Agency, State Inspection agencies at all levels, State Audit Organization, Lao Front for National Development, mass organizations and the media.

### **Article 183. (amended) Content of Inspection**

Land inspection has the following contents:

1. The implementation of Policies, Strategies, Land Allocation Master Plan, land use plan, land related laws and regulations;
2. The organization and operations of Land Management Agency;
3. The exercise of the rights, the performance of duties and the application of legal measures against violators.

#### **Article 184. (new) Forms of Inspection**

There are three forms of inspections:

1. regular inspections;
2. inspections with prior notice;
3. ad hoc inspection.

Regular inspections are inspections that are conducted on a regular basis with clearly defined timeframe at least twice a year.

Inspections with prior notice are inspections conducted when complaints are lodged and deemed necessary and the target shall be notified at least twenty-four hours in advance.

Ad hoc inspections are inspections conducted in complex situations and when it is deemed necessary to take urgent measures without notifying the target in advance.

Inspection shall include both inspection of documents and of actual practices at the workplaces.

### **Part XIV Policies towards Persons with Outstanding Performances and Measures Against Violators**

#### **Article 185. (amended) Policies towards Persons with Outstanding Performance**

Any individual, legal entity or organization with outstanding performances in implementing this Law regarding the management, protection, development and use of lands in accordance with the purposes in an effective manner will receive formal appreciation or receive other benefits in accordance with regulations.

#### **Article 186. (amended) Measures against Violators**

Any individual, legal entity or organization who violates this Law shall be subject to corrective education, warning, disciplinary measures, fine, payment of compensation for damage or to criminal sanctions in accordance with the laws.

Any individual who commits acts or accomplices in falsifying land titles, issuing double or duplicated land titles will subject to fine at double amount of the damages and will be subjected to criminal sanctions in accordance to the laws.

In case individuals, legal entities or organizations are found to sell land use rights to aliens, stateless person, foreigners and foreign nationals of Lao ancestry

and their organizations who have been established with the authorizations of the State, by registering the land in the name or without name of Lao citizen, will not only be subject to measures of punishment as prescribed in paragraph one of this Article but the land in question will also be confiscated by the State.

## **Part XI Final Provisions**

### **Article 187. (New) Implementation**

The government of the Lao People's Democratic Republic implements this Law.

### **Article 188 (amended) Effectiveness**

This Law enters into force three hundred and sixty-five days after the President of the Lao People's Democratic Republic issues a Presidential Decree on the Promulgation of this Law and after it is published in the Official Gazette for fifteen days.

This Law supersedes the Land Law No. 04/NA dated 21 October 2003.

The investors or developers who signed land related contracts with the Government or provincial administrative authorities under the 2003 Land Law can still implement their contracts until the contracts expire. If the investors or developers wish to adhere to the provisions of this Law, they have the right to submit request to the relevant sector within a hundred and twenty days and the relevant sector shall notify the requester to implement accordingly.

Aliens, stateless persons, foreign individuals, foreign nationals of Lao ancestry and their organizations who have been holding land use rights in the past are required to make arrangements in compliance with this Law within a period of three years commencing from the date this law enters into force in the form of lands lease from the State. Beyond this period, the concerned persons will lose their land use rights unless the Government makes decision on specific cases. Regarding the land of embassies and international organizations, the decision shall be made by the Government.

Regulations and provisions which are in contradiction with this Law shall be repealed.

**President of the National Assembly**

[seal and signature]

Pany Yathotou

