



LAO PEOPLE'S DEMOCRATIC REPLUBIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY



Ministry of Energy and Mines

No 0352/MEM
Vientiane Capital, date 13 March 2012

--Decision

**on Import and Export Licensing Procedures
of Minerals and Mineral Products**

- Pursuant to Law on Minerals No. 04/NA, dated 08 December 2008;
- Pursuant to Enterprise Law No.11/NA, dated 09 November 2005;
- Pursuant to Law on Processing Industry No. 01/99/NA, dated 03 April 1999;
- Pursuant to Decree on the Import and Export of Goods No. 114/GoL, dated 6 April 2011; [and]
- Pursuant to Prime Minister's Decree on the Goods Import Licensing Procedures No. 180/PM, dated 07 July 2009.

The Minister of Energy and Mines hereby issues the following Decision:

Chapter 1
General Provisions

Article 1. Purpose

This Decision sets out rules, procedures and measures to manage the importation and exportation of minerals and mineral products, including the importation for processing, without quantitative restriction, aiming at the administration of the selling and purchasing of minerals and mineral products for the maximum benefits of country's economy.

Article 2. Definitions

The terms used in this Decision shall have the following meanings:

- (1) "Minerals" means naturally occurring inorganic compounds and non renewable. They have chemical and physical characteristics in solid, liquid, gas forms
- (2) "Mineral products" means minerals that have been processed to be semi-finished or finished products.

The above mentioned minerals and mineral products are defined under HS Code 2601 to 2617 (except 2612) in the Tariffs Nomenclature of Lao PDR.

Article 3. Scope of application

This Decision applies to individual, legal entity both domestic and foreign engaging in the importation and exportation of minerals and mineral products.

Chapter 2
Importation or exportation of minerals and mineral products

Article 4. The requirements for importation and exportation of mineral and mineral products

Domestic and foreign individuals, entities and institutions have the rights to import or export minerals and mineral products in accordance to the relevant laws and regulations of Lao PDR.

Article 5. Importation and exportation of mineral and mineral products

The importation and exportation of minerals and mineral products shall be licensed by the Department of Mines, Ministry of Energy and Mines.

Article 6. Required documents attached to apply for import or export license for minerals and mineral products

6.1. Documents required attaching with the application for importation of minerals and mineral products are as follows:

1. Application for import license of minerals and mineral products;
2. Copy of documents for each following case:
 - Valid enterprise registration certificate or concession registration Certificate (for enterprises located in Lao PDR); or
 - Valid enterprise registration certificate issued by the competent authority of the relevant country (for enterprises located outside Lao PDR).

Documents in foreign language shall be translated in Lao language and verified by the Notary Office of Lao PDR.

6.2. Documents required attaching with the application for exportation of minerals and mineral products are as follows:

1. Application for export license;
2. Valid enterprise registration certificate or concession registration Certificate
3. Copy of documents for each following case:
 - Approval for mining extraction (in case exporter have been granted the concession from the Government); or
 - Supply contract from the concessionaire (in case exporter have not been granted the concession from the Government).

Article 7. Import and export license of minerals and mineral products

The import and export license of minerals and mineral products shall be implemented in accordance with the Decree no.180/PM dated 07 June 2009 on Import Licensing Procedures. Such license cannot be transferred to others.

Article 8. Fees and charges

Fees and charges for issuance the license shall be implemented in accordance with the Presidential Edict No. 03/PO of 19 November 2008 on “Fees and Services Charges”.

Article 9. Provision of documents upon actual importation

- Upon actual importation, importers shall provide the following documents to the customs authority:

1. Import or export license of minerals and mineral products issued under this Decision; and
2. Other required documents as per customs regulations.

Chapter 3

Final Provisions

Article 10. Implementation

Department of Mines shall coordinate with relevant authorities to implement this Decision accordingly and effectively.

Article 11. Effectiveness

This Decision shall be effective after the date of signature.

Minister of Energy and Mine,

[Signed and sealed]

Soulivong DALAVONG