

**Datasheet for business formalities.**

**Technical Assistance for Business Regulation Review and Rationalization in Lao PDR**

REGISTRATION DATA		
<b>Name of formality</b>	<b>Certificate to approve the Environmental and Social Impact Assessment</b>	
<b>Type of formality</b>	Certificate	
<b>Formality Code</b>	<b>Date of last modification</b>	<b>Responsible Authority</b>
MoNRE-DNREP-7	10.01.2018	Department of Natural Resources and Environment Policy

BACKGROUND DATA	
<b>Means of presentation</b>	At the Authority Offices
<b>Specific sector linked to the formality</b>	All sectors
<b>Purpose for enforcing the business formality</b>	The Investment Project and Activities that are required to conduct the Environmental and Social Impact Assessment are the projects that have high possibility to cause environmental and social impacts so when the project owner prepares the Environmental and Social Impact Assessment and the Environmental and Social Management and Monitoring Plan, it is necessary to consider, review and approve the completeness, accuracy and quality of the report and plan.
<b>Who should complete this business formality?</b>	Any investment projects and activities that are listed in List of Investment Projects and Activities that shall conduct Initial Environmental Examination or Environmental and Social Impact Assessment No. 8056/MONRE
<b>The formality has online information?</b>	NO
<b>Link to online information</b>	
<b>The formality has an application form?</b>	NO
<b>Any additional comment concerning the formality</b>	

REQUIREMENTS AND SUPPORTING EVIDENCE		
<b>Time it takes to the authorities to process the formality</b>	175	1. Review period for the Scoping and TOR for the Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management and Monitoring Plan (ESMMP) is 15 working days 2. Administrative review of ESIA and ESMMP shall be completed in 10 working days and Technical review of ESIA and ESMMP shall be completed within 95 working days 3. In case of the Complicated Investment Projects and Activities, DESIA will appoint the technical task force to assist in the technical review; provided that the technical task force will have additional review time of 55 working

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REQUIREMENTS AND SUPPORTING EVIDENCE	
	days so the total review period will be increased from 120 working days to 175 working days.
<b>Qualifications needed by the business to get the formality</b>	1. The ESIA and ESMMP shall be prepared pursuant to the Writing Guideline for ESIA and ESMMP and shall ensure the public involvement as required under the relevant laws and regulations. 2. ESIA and ESMMP shall be prepared by the Environmental Service Provider who gets the license pursuant to the laws and regulations.
<b>Is there any reason for the authority to deny the issuing of the formality?</b>	Rejecting the ESIA and ESSMP in case the Ministry of Natural Resources and Environment considers that result from the study and review in ESIA and ESMMP shows that substantial, unavoidable and unremedied social and environmental impacts; or such investment projects and activities are not in consistent with the National Environmental Policy or Strategic Plan of the Natural Resources and Environment Agencies.

RENEWAL INFORMATION	
<b>Does the formality have a validity or an expiration date?</b>	<b>How long will the formality be valid for? (in months)</b>
YES	60
<b>What is the process and conditions to renew the formality?</b>	Two Environmental Compliance Certificates will be issued: one to approve the ESIA and another one to approve the ESMMP. The Environmental Compliance Certificate for the approval of ESIA shall have the validity until the end of the Investment period while the Environmental Compliance Certificate for the approval of ESMMP shall have the validity from 2 to 5 years, depending on the severity of the impacts the Investment Projects and Activities will cause.

ISSUING FEES				
<b>Has application fees?</b>	<b>Service fees businesses need to disburse</b>	<b>Certificate fees businesses need to disburse</b>	<b>Application fees businesses need to disburse</b>	<b>Total fees businesses need to disburse</b>
YES	36000000.00	1000000.00	0.00	37000000.00
<b>Comments</b>	- Referring to Presidential Edict 03/PR - For the Concession Agreement (hydropower project), the project owner shall negotiate the Standard Environmental and Social Obligations with the Government and they will have to pay the additional service fee of 5 Million LAK			

RENEWAL FEES				
<b>Has renewal fees?</b>	<b>Service fees</b>	<b>Certificate fees</b>	<b>Renewal</b>	<b>Total renewal</b>

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<b>RENEWAL FEES</b>				
	<b>businesses need to disburse</b>	<b>businesses need to disburse</b>	<b>fees businesses need to disburse</b>	<b>fees businesses need to disburse</b>
YES	1500000.00	500000.00	0.00	2000000.00
<b>Comments</b>	- Referring to Presidential Edict 03/PR			

<b>LEGAL FRAMEWORK</b>			
<b>Name</b>	<b>Number</b>	<b>Date</b>	<b>Comment</b>
Decree on the Compensation and Resettlement from the Development Project	84/ລບ	05.04.2016	
Decision on the Approval and Declaration of the List of Investment Projects and Activities that shall conduct Initial Environmental Examination or Environmental and Social Impact Assessment	8056/ກຊສ	17.12.2013	
Instruction on the Process for the Environmental and Social Impact Assessment of the Investment Projects and Activities	8030/ກຊສ	17.12.2013	
Instruction on the Process for the Initial Environmental Examination of the Investment Projects and Activities	8029/ກຊສ	17.12.2013	
Law on Environment Protection (Revised)	29/ສພຊ	18.12.2012	Article 22

<b>REQUIRED DOCUMENTS</b>	
<b>Document Name</b>	<b>Comment</b>
Environmental and Social Management and Monitoring Plan	
Environmental and Social Impact Assessment	

<b>STATISTICS (Issue or/and renewed number)</b>		
<b>Year</b>	<b>Issued</b>	<b>Renewed</b>
2016	16	0

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<b>LIST OF ATTACHED DOCUMENTS</b>		
<b>Name of document</b>	<b>Type of document</b>	<b>File of document</b>
ESIA Writing Guideline	Department Guideline	esia-writing-guideline 599a6a7105902.pdf