

Datasheet for business formalities.

Technical Assistance for Business Regulation Review and Rationalization in Lao PDR

REGISTRATION DATA		
Name of formality	Certificate for Enterprise Registration of Public Company	
Type of formality	Certificate	
Formality Code	Date of last modification	Responsible Authority
MolC-ERMD-7	05.01.2018	Enterprise Registration and Management Department

BACKGROUND DATA	
Means of presentation	At the Authority Offices
Specific sector linked to the formality	All sectors
Purpose for enforcing the business formality	To certify and confirm that a company has been legally established and confirm the scope of business operation or the objectives that the company can perform, upon the issuance of this Formality, such company shall be entitled to commence their business operation within ninety days, if the company not performs it business that company should be inform Authority and should be apply for the Operating License with relevant authority.
Who should complete this business formality?	Individuals or legal entity who intends to incorporate a public company limited, a form of enterprise created by dividing capital into shares and each shares will has equal value, the shareholders in such enterprise are responsible for the company's liability up to the value of the unpaid portion of their shares and that enterprise has at least nine founding shareholders, can transfer the shares and sell shares publicly to the general public.
The formality has online information?	YES
Link to online information	www.erm.gov.la
The formality has an application form?	YES
Any additional comment concerning the formality	

REQUIREMENTS AND SUPPORTING EVIDENCE		
Time it takes to the authorities to process the formality	13	1. For the Negative List business (meaning the list of business types that are highly sensitive to national stability, social order, and fine national traditions and to the environment, which require the permission of, and inspection by, the relevant authorities prior to the registration of the enterprise), the total review period is 13 working days. 2. For the non-Negative List business, the review

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REQUIREMENTS AND SUPPORTING EVIDENCE	
	period is 10 working days.
Qualifications needed by the business to get the formality	There is no specific qualifications needed for the application of this Formality, except in the case where such company limited will be conducting the business that are subject to specific requirements under other legal acts, in particular, the business under the Negative List. For those Negative List businesses, the relevant sectorial authorities may have their specific requirements on qualifications and the applicant shall comply with those requirements and the DERM authority will have to take into consideration all of those specifications from the sectorial authorities as the qualifications need to get this Formality, In addition, it is necessary to look at the relevant terms and conditions of the relevant sector, and also to look at the type of business which the investor proposes.
Is there any reason for the authority to deny the issuing of the formality?	That the sectorial authorities reject the application based on their technical review

RENEWAL INFORMATION	
Does the formality have a validity or an expiration date?	How long will the formality be valid for? (in months)
NO	0
What is the process and conditions to renew the formality?	

ISSUING FEES				
Has application fees?	Service fees businesses need to disburse	Certificate fees businesses need to disburse	Application fees businesses need to disburse	Total fees businesses need to disburse
YES	90000.00	5000000.00	0.00	5090000.00
Comments	1. Reference: Presidential Edict No. 003/PR 2. Certificate Fee will be collected based on the registered capital of the Enterprise as follows: - Registered Capital of less than 1 Million LAK No fee - Registered Capital of more than 1 Million to 10 Million LAK 20,000 LAK - Registered Capital of more than 10 Million to 20 Million LAK 50,000 LAK - Registered Capital of more than 20 Million to 50 Million LAK 100,000 LAK - Registered Capital of more than 50 Million to 100 Million LAK 300,000 LAK - Registered Capital of more than 100 Million to 400 Million LAK 500,000 LAK - Registered Capital of more than 400 Million to 1 Billion LAK 1,000,000 LAK - Registered Capital of more than 1 Billion to 10 Billion LAK			

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ISSUING FEES	
	2,000,000 LAK - Registered Capital of more than 10 Billion to 20 Billion LAK 3,000,000 LAK - Registered Capital more than 20 Billion LAK 5,000,000 LAK 3. Service Fee for the application will be collected as follows: (i) Incorporation Contract 10,000 LAK; and (ii) Application Form for public company 70,000 LAK

RENEWAL FEES				
Has renewal fees?	Service fees businesses need to disburse	Certificate fees businesses need to disburse	Renewal fees businesses need to disburse	Total renewal fees businesses need to disburse
NO	0.00	0.00	0.00	0.00
Comments				

LEGAL FRAMEWORK			
Name	Number	Date	Comment
Law on Enterprises (Revised)	46/ສພຊ	26.12.2013	Part II Enterprise Chapter 2 Enterprise Registration (Article 14 to Article 18) Part V Company Chapter 3 Public Company Limited (Article 185)

REQUIRED DOCUMENTS	
Document Name	Comment
Power of Attorney (in case the applicant appoints the attorney to proceed with the application)	ຄັດຕິດບັດປະຈຳຕົວຜູ້ຮັບມອບສັນທະໃຫ້ມາພົວພັນເອກະສານ
Copy of ID / family registry / passport of Investor	
Copy of ID card or Family book of Managing Director	ກໍລະນີຜູ້ອຳນວຍການເປັນຄົນລາວ
Photograph of the Managing Director	ຮູບ ຂະໜາດ 3x4 ຈຳນວນ 6 ໃບ (ຂອງຜູ້ອຳນວຍການ ທີ່ຕົກລົງໃຫ້ຕິດໃສ່ໃບທະບຽນວິສາຫະກິດ ແລະ ທະບຽນອາກອນ) ຮູບຖ່າຍບໍ່ເກີນ 3 ເດືອນ.

STATISTICS (Issue or/and renewed number)

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STATISTICS (Issue or/and renewed number)		
Year	Issued	Renewed
2016	1	0

LIST OF ATTACHED DOCUMENTS		
Name of document	Type of document	File of document
Public Company Application Form	Application form	public-company-application-for... 59ea0dd58540a.doc