

Datasheet for business formalities.

Technical Assistance for Business Regulation Review and Rationalization in Lao PDR

REGISTRATION DATA		
Name of formality	License to Operate an Internet Data Center and Cloud Service	
Type of formality	License	
Formality Code	Date of last modification	Responsible Authority
MoPT-ITTD-11	31.10.2017	Department of Information and Communication Technology

BACKGROUND DATA	
Means of presentation	At the Authority Offices
Specific sector linked to the formality	J - Information and communication
Purpose for enforcing the business formality	In order to ensure the unity, standardisation and quality of the operation of internet data centre with an aim to ensure the ease, quick and safe provision of the information via internet network
Who should complete this business formality?	Individual or legal entity that intends to provide service of renting the space for equipment installation, renting the space for the server installation, renting the server, renting the server spaces, renting software or information database or others to any person or legal entity. 1. The Type I Formality for the investor who have a large Internet information service center with its own premises; 2. The Type II Formality for the investor who have middle of information center service providers with no self-contained building but with own room; 3. The Type III Formality for the investor who have service provider that uses the information in the center of the information center of others.
The formality has online information?	YES
Link to online information	www.ITD.Gov.la
The formality has an application form?	YES
Any additional comment concerning the formality	1. First, the Temporary Formality shall be issued for 1 year and if the applicant can achieve 60% of all the business operation plan, the Permanent Formality shall be issued; provided that the Temporary Formality can only be renewed once. 2. Operate without this Formality shall be subject to penalty of 50,000,000 LAK 3. Failure to start their business operation within 1 year or failure to achieve 60% of the annual work plan shall be subject to the penalty of 20,000,000 LAK 4. Failure to renew the Formality within 30 days of the expiration date shall be subject to penalty of 20,000,000 LAK

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REQUIREMENTS AND SUPPORTING EVIDENCE		
Time it takes to the authorities to process the formality	30	1. Review period for the Type I Formality is within 30 working days; 2. Review period for the Type II Formality is within 20 working days; 3. Review period for the Type III Formality is within 15 working days.
Qualifications needed by the business to get the formality	The business operator shall comply with the following standards: 1. Location standard – shall be situated in the suitable location, the building structure shall have a wall of at least 20 cm-thickness, shall have all the structure that meets that standard TIA-942; the area shall ensure the weight endurance of 800 kg/square meters 2. Technical standard – shall have direct connection to National Internet Centre or get connected via the Internet Service Provider; shall have data monitoring and collection equipment to protect customers’ information as well as the back-up system; all the equipment and its installation layout shall be verified to ensure the compliance with the standard as defined by the relevant authorities, including Post, Telecommunication and Information sector and all the equipment shall be installed in Lao 3. Safety standard – shall have detailed regulations on how to manage and maintain the equipment to ensure its safety and shall have emergency response plan, in particular shall have all the suitable and immediate plan to assure the safety of the customers’ information (i.e. Firewall, Anti-DOS or filtering)	
Is there any reason for the authority to deny the issuing of the formality?	Deny in the case that the applicant cannot meet the required qualification or conditions defined under the law.	

RENEWAL INFORMATION	
Does the formality have a validity or an expiration date?	How long will the formality be valid for? (in months)
YES	60
What is the process and conditions to renew the formality?	1. The validity period of the Formality is divided into 2 phase: (i) Phase 1 - Temporary Formality for the period of 1 year; and (ii) Phase 2 - Permanent Formality for the following period: 5 years for Type 1, 3 years for Type 2 and 2 years for Type 3; 2. Renewal of this Formality shall be completed at least 30 days prior to the expiration date; provided that the applicant shall comply with the defined conditions in the law.

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	300000.00	50000.00	50000.00	400000.00

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ISSUING FEES	
Comments	Reference: Presidential Edict No. 03/PR

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	300000.00	50000.00	50000.00	400000.00
Comments	Reference: Presidential Edict No. 03/PR			

LEGAL FRAMEWORK			
Name	Number	Date	Comment
Law on Information and Communications Technology	02/ສພຸ	11.07.2016	Part V ICT Business Activities Article 35 to Article 38
Agreement on License to operate Internet Information Centre	590/ປທສ	18.03.2016	Chapter 2 Issue of License Article 5 to Article 12

REQUIRED DOCUMENTS	
Document Name	Comment
Certificate for Enterprise Registration of Company Limited	
Bank Statement confirming the capital importation	
Education Qualification Evidence	
Curriculum vitae of Technical Staffs	
Copy of Passport of the Managing Director	
Copy of ID card or Family book of Managing Director	
Feasibility Study	
Location Confirmation of Enterprise	
Curriculum vitae of Managing Director	
Power of Attorney (in case the applicant appoints the attorney to	

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REQUIRED DOCUMENTS	
proceed with the application)	
Address Certification	
Photograph of the Managing Director	ຮູບສີ 3x4, ຈຳນວນ 2 ໃບ ບໍ່ໃຫ້ເກີນ 3 ເດືອນ

STATISTICS (Issue or/and renewed number)		
Year	Issued	Renewed
2017		
2016		

LIST OF ATTACHED DOCUMENTS		
Name of document	Type of document	File of document
ໃບຄຳຮ້ອງ ຂໍໃບອະນຸຍາດດຳເນີນທຸລະກິດດ້ານເຕັກໂນໂລຊີຂໍ້ມູນ ຂ່າວສານ	Application form	599aafa47bd50.pdf