

**Datasheet for business formalities.**

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

REGISTRATION DATA		
<b>Name of formality</b>	<b>Permit to Construct on and by the Water</b>	
<b>Type of formality</b>	Permit	
<b>Formality Code</b>	<b>Date of last modification</b>	<b>Responsible Authority</b>
MoPWT-IWTD-7	26.09.2017	Inland Waterways Transport Department

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>	Improper construction around the water area may lead to risk on environmental and social impacts, in particular change in water flow so it is important to issue this Formality to avoid and prevent all those risks.
<b>Who should complete this business formality?</b>	Any person or legal entity that intends to construct on or in the water, on the water bank, on the island or other water sources (i.e. construction of the bridge, pier, embankment construction work, sand and gravel platform, vessel canal or construction of other structures around that area, fish pond in the river)
<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>	1. Ministry of Public Works and Transportation will approve big construction projects or the projects with the total value of more than 50 Billion LAK; 2. Provincial Department of Public Works and Transportation will approve small and medium-sized projects or the projects with the total value of less than 50 Billion LAK. 3. After the construction completion, the owner shall notify the Public Works and Transportation authority within the period of not more than 15 days for the final inspection and if everything is confirmed, the authority will issue the confirmation to the owner as the reference.

REQUIREMENTS AND SUPPORTING EVIDENCE		
<b>Time it takes to the authorities to process the formality</b>	7	7 working days after the document review and detailed site visit.

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<b>REQUIREMENTS AND SUPPORTING EVIDENCE</b>	
<b>Qualifications needed by the business to get the formality</b>	1. Such construction shall not cause any damage or obstruction to the water traffic; shall preserve the embankment area as much as possible; shall not obstruct the water scenery; shall not cause adverse impact on environment and water ecosystem; shall not cause any change in water flow; shall not be situated in the area that the Government already has the development plan. 2. Such construction shall also meet with the requirements or construction standards defined for each type of constructions.
<b>Is there any reason for the authority to deny the issuing of the formality?</b>	Deny in case that the construction does not match with the general and specific standards defined under the laws.

<b>RENEWAL INFORMATION</b>	
<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	3
<b>What is the process and conditions to renew the formality?</b>	In case the construction cannot be completed within 3 months, the project owner can renew this Formality, but can only be renewed 2 times unless the Formality will be terminated immediately.

<b>ISSUING FEES</b>				
<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	1000000.00	0.00	0.00	1000000.00
<b>Comments</b>	Reference: Presidential Edict No. 03/PR Fee is collected for the inspection and review of the construction plan by the water.			

<b>RENEWAL FEES</b>				
<b>Has renewal fees?</b>	<b>Service fees businesses need to disburse</b>	<b>Certificate fees businesses need to disburse</b>	<b>Renewal fees businesses need to disburse</b>	<b>Total renewal fees businesses need to disburse</b>
YES	1000000.00	0.00	0.00	1000000.00
<b>Comments</b>	Reference: Presidential Edict No. 03/PR Fee is collected for the inspection and			

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RENEWAL FEES	
	review of the construction plan by the water.

LEGAL FRAMEWORK			
Name	Number	Date	Comment
Order governing the Construction Activities by the Water	7736/ຍຸຸຂ	08.06.2010	Chapter II Management of Waterway Construction (Article 5 to Article 10) Chapter III Inspection and Confirmation of the Construction Completion (Article 12)

REQUIRED DOCUMENTS	
Document Name	Comment
Certificate to approve the Environmental and Social Impact Assessment	If required
Construction Layout	

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

LIST OF ATTACHED DOCUMENTS		
Name of document	Type of document	File of document