



**Lao People's Democratic Republic**  
**Peace Independence Democracy Unity Prosperity**

Ministry of Industry and Commerce

No. 0045/PSO.ERMD  
Vientiane Capital, 18 January 2019

**Instruction**

**On Business Operation License for Business Activities in Industry and Commerce Sector**

- Pursuant to the Organization and Implementation of the Ministry of Industry and Commerce No.230/PM, dated 24 July 2017.
- Pursuant to the Prime Minister Order on Improvement of Regulations and Coordination Mechanism of Doing Business in the Lao PDR No 02/PM, dated 1 February 2018.
- Pursuant to the Decision on Business registration No 0023/MOIC.ERMD, dated 09 January 2019.

In order to improve the content of Prime Minister's Order on Improvement of Regulations and Coordination Mechanism of Doing Business in the Lao PDR at Article 1.2 and Decision of the Minister of Industry and Commerce on Business registration No 0023/MOIC.ERMD, dated 09 January 2019 to become more effectively and uniformity through the country on the issuance of Business Operation License for Business Activities in Industry and Commerce Sector according the new doing business conditions in Lao PDR.

**Minister of the Industry and Commerce issued instruction as following:**

**1. Principle of issuing on Business Operation License for Business Activities in Industry and Commerce Sector**

The industry and commerce activities that are required business licenses namely industry and handicraft, domestic trade, import and export by the relevant departments taking into account to determined list activities and present to Minister of Industry and Commerce for approval.

The Minister of Industry and Commerce conferred on the relevant departments, the Provincial/Capital Department of Industry and Commerce, District/Capital Office of Industry and Commerce to consider issuing business licenses based on classification considered in accordance to Article 3 of this instruction.

## **2. Content and changes the content of a business license**

The content and business license application form shall comply with relevant departments requirements in accordance to Article 17, Decision of the Minister of Industry and Commerce on Business registration No 0023/MOIC.ERMD, dated 09 January 2019.

To changes the content of business licenses, enterprises be able to demand to the authorities who bearing with business licenses directly. To change the content of each time, the relevant departments must sent 01 original copied to the registration authority take place within 5 working days since the date obtaining new (revise) business license in order to collect data and access the enterprise database.

## **3. Dividing responsible for consideration of issuing business license**

To issues business license are includes 3 levels taking to account as following:

- 3.1. Central level is Department of Industry and Handicraft, Department of Domestic Trade and Department of Import and Export;
- 3.2. Provincial level is Provincial/Capital Department of Industry and Commerce;
- 3.3. District/Capital level is the Office of Industry and Commerce at District.

The details of the consideration for the issuing business licenses are mentioned in the Decision on the approval for Business Activities in Industry and Commerce Sector that required business licenses at Ministry of Industry and Commerce.

## **4. The right to sign a business licenses of each level**

The right to sign a business license of each level shall be official authorized as following:

- 4.1. Central level is department management level of concerned department by having decision of Director General's assigning two or more who has the right to sing of Business License.
- 4.2. Provincial level is provincial of Department management level, capital by having decision of Head of Provincial Department of Industry and Commerce assigning two or more who has the right to sing of Business License.
- 4.3. District level is the Head Office of Industry and Commerce at District, Capital management level by having decision of Head of Office of Industry and Commerce at District assigning two or more who has the right to sing of Business License.

## **5. Procedures and deadlines for issuing business license**

To obtain business license under control of the business activities of industry and commerce sector must be follow:

- 5.1. Fill out the documents as set in Article 6 of this instruction to the Departments or Provincial/Capital Department or District Office of Industry and Commerce, Capital based on the dividing responsibilities for consideration as mentioned in Article 3 of this instruction.

5.2. After receiving documents, the document shall be verified and immediately inform to the applicant in each case as follows:

5.2.1. Complete and accurate documents, the authority must be provided to the applicant. The receipt shall include receipt date and the appointment date for obtaining the business license. For the appointing date of receipt business license shall be no later than 10 working days from the date of receipt documents.

5.2.2. Incomplete or inaccurate documents, the authority must be notified immediately to the applicant and suggested for correction, showing the point of amendment and the signature of the counselor in the document. After a complete and accurate revision that should follow the procedures and deadlines outlined in section 5.2.1 of above mentioned.

5.3. After completed issue of a business license, the authority must to submit 01 original copied of the business license to the enterprise registration within 5 working days since the date of issuing license to collect data and access the enterprise database.

5.4. In case of disagreement, the authority must be official informed the applicant within 10 working days since the date of receipt documents. In the letter must indicate the detail reasons for disagreement and notify to the enterprise registration to be notified and monitored.

## **6. License application requirements information**

License application requirements information for business activities of industry and commerce sector are including:

6.1. Business license Applications Form as published in the Department of Industry and Handicraft, Department of Domestic Trade, Department of Import and Export as determined under responsibilities of the Department.

6.2. Original Business Registration or 01 Copied.

6.3. Notify letter (1 original) for business license issuing by Enterprise Registration sector.

## **7. Expire date and Extension of a business license**

Business License for activities that do not require technical monitoring and periodic assessments are issued once in the course of the enterprise. For the activities that need to be periodically monitored and evaluated, there is an expired date based on the reason to use in each activity.

For a business license with expiration date of 30 days, to continue business license must be submitted the application form to the issuing party requesting for extension.

Application requirements for extension are including:

1. Business license Applications Form as published in the Department of Industry and Handicraft, Department of Domestic Trade, Department of Import and Export as determined under responsibilities of the Department.
2. Original Business Registration
3. Copied past year of Tax payment Certificate

## **8. Duties and obligations of the enterprise in business activities of industry and commerce sector**

The enterprises that allow operating business activities of industry and commerce sector must to follow the duties and obligations as following:

- 8.1. To operate the business compliance as specified in the business license.
- 8.2. Summarize the report of business activities to the parties that issued business licenses regularly.
- 8.3. Follow with applicable law and regulations.

## **9. Managing and Monitoring business license**

After issuing the business license, the authorities must be coordinate with relevant parties in terms of managing and monitoring of the business activities.

## **10. Implementation**

The Department of Industry and Handicraft, Department of Domestic Trade, Department of Import and Export, Provincial/Capital of Department of Industry and Commerce and Office of District of Industry and Commerce, are effectively implementation and summarize 6 monthly and annually reports on issuing business license. In terms of implementation if there are difficulties that should report to the upper level for consideration.

## **11. Effectiveness**

This instruction becomes effective after the signed and published on Official Gazette after 15 working days. This will be start implementing from 1 February 2019. For the registered companies during the prior of implementing of this guidance, it can continue to be implemented, when any changes of the enterprise registration content that must be compliance with the new requirements of this instruction.

Minister  
(Signed and sealed)

Ms. Khemmani Pholsena