



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

**Ministry of Industry and Commerce**

**Department of Foreign Trade Policy**

**No: 0280/MOIC.DFTP**

**Vientiane, dated 27 February 2017**

**Instruction**

**On the implementation of some articles of Border Trade Agreement between the  
Government of Lao's People Democratic Republic and the Government of the Socialist  
Republic of Vietnam.**

- Pursuant to the structure and implementation of Ministry of Industry and Commerce, No 552/PM, dated 23 December 2011.
- Pursuant to the Border Trade Agreement between Lao PDR and Viet Nam. Dated 27 June 2015.

To increase and implement the Border Trade Agreement between Lao-Vietnam more properly and efficiently. Minister of Industry and Commerce issuing the instruction on the implementation of some articles of preferential treatment from Vietnam and obligation of Laos need to implement as follows:

**I. Preferential treatment Vietnam's privilege to Laos**

The agreement ranks the level of preferences of the Socialist Republic of Vietnam for Lao PDR in 03 levels.

**1. Border district level**

Article 5.4 of the Lao-Vietnam Border Trade Agreement stipulates that: manufactured goods, livestock and industrial crops grown by people living in border areas of the Lao PDR and certified by relevant authorities of Laos, including sanitary and phytosanitary certificates, it shall be exempt from import duty and taxes when importing into Vietnam and do not need for any license, no need to pass a sanitary and phytosanitary inspection, technical measures and food safety inspections, except in case of notification by any party under contacting party regarding the risk of a particular commodity.

## **2. Border provincial level**

Article 7 of the Lao-Vietnam Border Trade Agreement specifies that

- 2.1. Manufactured and unprocessed agricultural products, livestock and industrial crops grown by the people and businesses living in border areas of the Lao PDR under the investment of Vietnamese investors in accordance with the laws and regulations of each party, it shall be exempt from import duty and VAT while import to Vietnam as indicated in Annex 2 of contract Agreement.
- 2.2. Manufactured goods, livestock and industrial crops grown by people and businesses living in border areas of the Lao PDR under the investment of Vietnamese investors in accordance with the laws and regulations of each party, it shall be exempt from import tariffs based on when importing Vietnam as indicated in Annex 2 of contract Agreement.
- 2.3. Manufactured goods, livestock and industrial crops grown by the people and businesses living in the border provinces of Lao PDR under the investment of Vietnamese investors in accordance with the laws and regulations of each party, it shall not be subject to quotas and other import permits when importing into Vietnam.

## **3. National level**

No. 1 of Article 6 specifies that Vietnam shall impose a 0% tariff priority on goods originating from the Lao PDR as specified in Annex 01 of the Agreement. Lao Trade Officials must issue a Certificate of Origin for goods imported to Vietnam.

All provinces of the Lao PDR, including Vientiane Capital, may apply to the Vietnamese side the privileges granted to Laos as mentioned in No.1 of Article 6.

The Provincial Department of Industry and Commerce and Vientiane Capital are issuing certificate of origin for goods imported to Vietnam as indicated in Annex 01 of the Agreement. For the application of Certificate of Origin has to comply with Article III of this instruction.

The Provincial Department of Industry and Commerce and Vientiane Capital should consider issuing the Certificate of Origin as soon as the document is completed, it is no later than 02 working days.

## **II. The obligations of the Lao PDR shall be fulfilling**

In order to exercise the privilege as above mentioned in article I of this instruction, authorized Laos officials must issue a CO, Certificate of no disease of plant, animal and food imported to Vietnam which the Vietnamese authorized authority must recognize that.

## **III. Application for Certificate of Origin**

Individuals, businesses, or companies wishing to exercise the privileges as specifies in the Lao-Vietnam Border Trade Agreement shall follow:

1. The application form prescribed by the Foreign Trade Policy Department, Ministry of Industry and Commerce.
2. A copy ID card or census book.
3. Copy of ID card or enterprise registration, if a businessman or company.

The District of Industry and Commerce Office, Provincial Department of Industry and Commerce and Vientiane Capital shall consider issuing the CO as soon as the document is complete, no later than 02 working days.

#### **IV. Scope of Certificate of Origin**

Certificate of Origin issued by the Provincial Department of Industry and Commerce, Vientiane Capital, District of Industrial and Commercial Offices can only be used in their area of responsibility.

#### **V. Implementation**

1. To the Foreign Trade Policy Department, Department of Import and Export, Ministry of Industry and Commerce, Vientiane Capital and Provincial Department of Industry and Commerce and District of Industrial and Commercial to disseminate to all stakeholders within their responsibility to be fully and effectively and efficiency implemented.
2. In exercise if any problems, the authorities have to report to the Ministry of Industry and Commerce and coordinate with relevant agencies for timely resolution.
3. In case there is some provision of this Agreement which this instruction does not refer to, it is important to consider the content of the Border Trade Agreement between the Government of Lao PDR and the Government of Vietnam.

Minister,

Ms. Khemmani Pholsena



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

**Request Letter of Certificate of Origin**  
**Based on Lao-Vietnam Border Trade Agreement**

To:.....

Subject: Request for CO on the Lao-Vietnam Border Trade Agreement

Name and surname.....ID card or census book(citizen)/ID card  
 or Enterprise Registration (Business man or company) no.....

Dated.....issued by.....

Aims to request for Certificate of Origin of goods as follow:

No	Goods items	HS Code (If available)	Origin goods from District/province/Vientiane Capital

I certified that all above information is truly.

Therefore, this is for your consideration on the requested.

At....., dated.....

Requestor signature

Name

(Seal of Company)



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**Certificate of Origin**  
**Based on Lao-Vietnam Border Trade Agreement**

To:.....

Subject: Request for CO on the Lao-Vietnam Border Trade Agreement

Name and surname.....ID card or census book(citizen)/ID card  
 or Enterprise Registration (Business man or company) no.....  
 Dated.....issued by.....

Aims to request for Certificate of Origin of goods as follow:

Company name or exporter			District of Industrial and Commercial Offices, Provincial Department of Industry and Commerce, Vientiane Capital, .....		
Address: village..... District.....province..... Tel:..... Fax.....			Tel:..... Fax:..... Email:.....		
No	Goods items	HS Code (If available)	District/province with Origin of goods from Vietnam border	District/province with Origin of goods no at the Vietnam border	District/province with Origin of goods under Vietnam investor

The District of Industry and Commerce Office, Provincial Department of Industry and Commerce and Vientiane Capital certified all above information on CO are truly and completely.

(Name organization of issue)  
 Authority signature  
 Organization seal

## Procedures

### Issuing Certificate of Origin base on Lao-Viet Nam Border Trade Agreement

#### I. Documentation

##### 1. For the citizen at border districts with Viet Nam:

- 1.) Requested Form (As Format Form);
- 2.) Identification or Household Book
- 3.) Phytosanitary certificate (If has requested from Viet Nam).

##### 2. For trader

Goods has country of origin from Laos under Viet Nam investor as mentioned at Article 01 (Annex 02 and 03) and goods has origin from Laos for all general traders as mentioned on No 01 Article 03 (Annex 01) of Lao-Viet Nam Border Trade Agreement must be submit document as following:

- 1.) Requested Form (As Format Form);
- 2.) Identification/Household Book/Transit Book or Power Antony
- 3.) Business License
- 4.) Tax Certificate
- 5.) Investment or joint venture Certificate (in case requested)
- 6.) Phytosanitary certificate (If has requested from Viet Nam).

#### II. Submitting document

1. Citizen living in Viet Nam border: documents has to apply at the Trade Office District where is the own investment location or produce;
2. For the traders who has terms condition in Article 07 of Lao-Viet Nam Border Trade Agreement: documents has to apply at the Department of Industry and Commerce at the province or Trade Office District where is the own investment, produce location or purchase;
3. All general traders: documents has to apply at the Department of Industry and Commerce at the province or Trade Office District where is the own investment, produce location or purchase;

#### III. Issuing Certificate of Origin

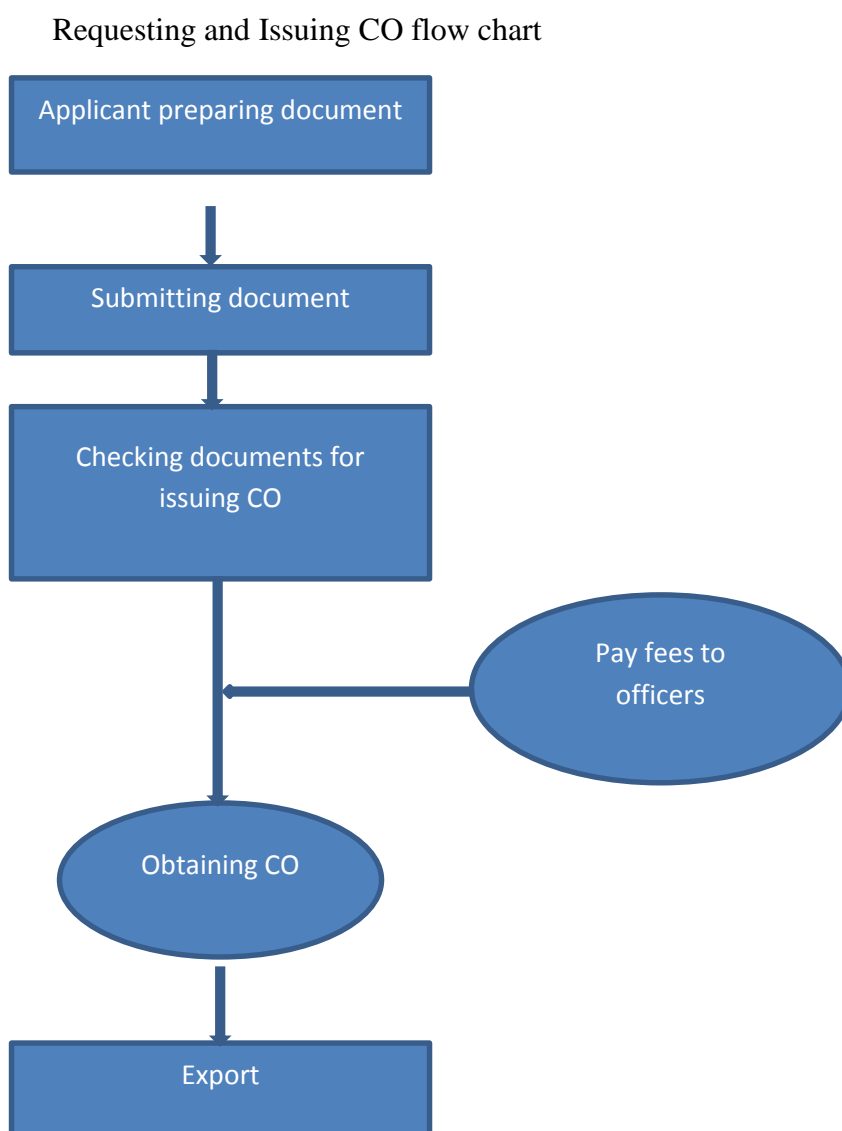
1. If checking documents is correct and compliance, the authorities have to study regarding to issuing CO for requester within 02 working days;
2. CO requester must pay fees for issuing CO, the bill or evident for the fees payment will be submit for obtaining CO from government authorities (for the fees is based on Edict on Fees and Service Charges No. 003/PO from time to time).

### 3. Validation and preserve

- 1.) The certificate issuing by authorities have 03 copies (01 original and 02 hard copies) which the original version will attached with other documents for export to Viet Nam that requested to have CO based on Lao-Viet Nam Border Trade Agreement;
- 2.) CO will valid for 06 months after the date of issuing and be able only single use;
- 3.) Preserving CO: applicant for CO and officer must keep CO hard copies at least 02 years after the dated of issuing CO.

### IV. The modification or cancel certificate

- ❖ In case of CO and SPS are losing/damage and SPS based on Lao-Viet Nam Border Trade Agreement. It has to follow the instruction on the implementation Phytosanitary under Lao-Viet Nam Border Trade Agreement, No 0162/MOFA, dated 01 February 2017;
- ❖ In case of necessity that have to visit the farmer location, the government officers will visit one per year and each working time is based on actual practice which not more than 07 working days.





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Company.....

No.....

At....., dated.....

Request letter

To:.....

Subject: Request for issuing CO based on Lao-Viet Nam Border Trade Agreement

My name is (Name and surname/Company name).....

Address/office location Village.....; District:.....

Province:.....; tel:.....; fax:.....

Email:.....; Identification/Business License No.....

Dated:.....; issuing by:.....

Aims to obtaining CO as following:

No	Description	HS Code	Amount	Unit	Value	CO from District/province or Capital

I certify that all mentioned above is accurately correct.

Therefore, this will be propose for kindly consideration.

Applicant Signature

Full name

(Seal of Company)





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Company.....

No.....

At....., dated.....

Request letter

To:.....

Subject: Propose for modification or cancel CO based on Lao-Viet Nam Border Trade Agreement

My name is (Name and surname/Company name).....

Address/office location Village.....; District:.....

Province:.....; tel:.....; fax:.....

Email:.....; Identification/Business License No.....

Dated:.....; issuing by:.....

Propose to  modify  cancel the previous CO No.....dated.....

The

reasons.....  
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.....  
.....  
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Applicant Signature

Full name  
(Seal of Company)



LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

**Certificate of Origin based on Lao-Viet Nam Border Trade Agreement**

No.....

Dated.....

Company name or exporter..... Address: Village.....District.....Province..... Tel:.....; Fax:.....							
No	Description	HS Code	Amount	Unit	District/province connect to Viet Nam Border	District/province or Capital that is of goods connect to Viet Nam Border	District/province that is origin goods under Viet Nam investment

Office of Industry and Commerce at District/Province/Capital certified that information has mentioned on certificate of origin is correctly and truly.

Head of Industry and Commerce at province/District

Office of Industry and Commerce at district/Department of  
Industry and Commerce at province/capital

.....  
Tel.....  
Fax.....  
Email.....