

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

Ministry of Public Work and Transport

No. 2525/MPWT
Vientiane Capital, date 30 January 2023

Instruction

**On the Transport Management of Cargo, Container and Document
through the Cross Border Transport Management "CBTM" system**

- Pursuant to Law on Multimodal Transport no. 28/NA, dated 18 December 2012;
- Pursuant to Decree on Organization and Operation of Ministry of Public Work and Transport no. 667/PM, dated 21 December 2021;
- Pursuant to Notification of Prime Minister Office no. 710/PMO, dated 23 May 2022.

The Minister instructs:

1. Objective

This Instruction defines the principle and method on the management, monitoring and inspection of cargo, container and transport vehicle through inland, water, rail and air international checkpoint with the use of the CBTM system in the facilitated and speedy manner in consistent with law and regulation by recording, storing and reporting the transport data via electronic system or printing out the document from the system.

2. Definition

Terms are using in this Instruction have following meaning:

- 1) **CBTM system** means a web-based application of the Lao International Truckers and Freight Forwarders (LITFA) who has a centralized database. This system is used for the in-out data record, and storing cargo, container and transport document via the electronic system. The system can be used through the smart phone, computer, tablet and other electronic devices;
- 2) **Quick Response Code "QR Code" of the CBTM System** means the symbol in square form or other forms which is used for collecting and monitoring the cargo, the storage location and the guarantor in Lao PDR;
- 3) **Customs Territory** means the complete land of Lao PDR which stipulates the boundary for the performance of the customs officers. The customs officers can perform their duties outside the territory in accordance with the treaties which Lao PDR is a party and the relevant international agreements;
- 4) **Operation within Customs Boundary** means the activity within boundary of 30 kilometers of border checkpoint or customs office which is the area for technical operation on the control, monitoring and inspection of customs officers and customs authorities at each level;
- 5) **Electronic Document Form** means the forms which have developed and printed out from the CBTM system after the entrepreneur's data entry on the system;

- 6) **Cargo Manifest** means the list of cargo which transports via inland, water, rail and air that consist of cargo import, export and transit;
- 7) **Container Temporary Admission Document (TAD)** means the document for tracking the arrival of cargo container, the storage and the use of cargo container of the entrepreneurs who operate the cargo transport in the Lao customs territory by recording the activities through the checkpoint in the periodical manner from the date of arrival until the date of departure from Lao border;
- 8) **Cargo Truck Tracking Permit (Truck Routing Bill: TRB)** means the document for tracking the foreign cargo truck that obtain the permit to deliver or receive the cargo within the country (outside the territory of customs international checkpoint). The TRB must be issued from the CBTM system and get approval each time, and to be enable to validate via the reference number of QR code on mobile phone;
- 9) **Delivery Order (DO) issued from the CBTM system** means the letter of attorney for customs declaration to bring the cargo from the customs international checkpoint for the entrepreneurs or the assigned representatives.
- 10) **Operator** means the business unit in Lao PDR that has registered as a member of LITFA, namely the entrepreneur of logistic and transport, forwarder, warehouse, dry port, container yard, container freight station, customs declarant and import-export.

3. Condition on the Implementation of Foreign Transport Vehicle Management Procedure for Temporary Admission in Lao Customs Territory

The implementation of foreign transport vehicle management procedure for temporary admission in Lao customs territory has the following conditions:

- 1) Cargo transporter shall register as a member of LITFA in accordance with the activity that obtain the approval and pay a member charge in the complete manner within the first quarter (for an old member) or for a new ordinary member shall pay the charge after the approval, and pay the registration and member charge in the complete manner;
- 2) Cargo transporter who has a contract party with a foreign transporter that obtain the business operation approval in the correct manner, and has a certificate of guarantor for the contract party in accordance with the form of the LITFA on the CBTM system;
- 3) Cargo transporter shall be responsible for the expense, system charge and other charges issued by the LITFA;
- 4) Staff of cargo transporter shall pass the training on the use of the CBTM system, pass the examination and has the own code for entering the system.
- 5) Cargo transporter shall be responsible for issuing the transport document on behalf of the foreign transporter and be responsible for the transport guarantee including the insurance each time.
- 6) Cargo transporter has not been subject to the prosecution or detention about the cargo transport business operation, and in accordance with relevant law and regulation.

4. Duties and Responsibilities of a Person Who Obtains the Guarantee Approval of Foreign Transport Vehicle for Temporary Admission in Lao Customs Territory

A person who obtains the guarantee approval of foreign transport vehicle for temporary admission in Lao customs territory has the following duties and responsibilities:

- 1) Be responsible to the law in mediating the case, pay the civil and criminal damage instead of the foreign transport vehicle which the company is the guarantor in case the accident or regulatory violation in the Lao customs territory such as fees, fines for staying over the expiration date and transporting out of the specified route, overweight, violating the traffic rule of cargo truck, cargo container and others in accordance with

the regulations of Ministry of Finance, Ministry of Public Work and Transport, and other relevant ministries in the periodical manner;

- 2) Be responsible for and ensure the payment of occurred fee in accordance with the stipulated the law and regulation, pay all associated fees and taxes (namely value added tax and mandatory profit tax) and relevant service charges in compliance with the contract and service of the LITFA;
- 3) Ensure the cargo transport vehicle management in the specified route, the specified lift-up and lift-down point of cargo, and the entry and exit of the foreign vehicle in consistent with this Instruction strictly;
- 4) If a member who obtain the authorization does not follow such requirements and conditions, the LITFA can terminate the agreement anytime.

5. The Management of Cargo Container, Import, Storage and Export

The management of cargo container, import, storage and export shall perform as follows:

- 1) Cargo container of entrepreneur which previously registered and has the service life in the condition of the international transport, shall perform the same as the vehicle;
- 2) Individual cargo container (has not been previously registered or end of service life), shall be registered in the CBTM system by using the specific container code of entrepreneur to track the arrival of cargo container and empty container, the storage and use of cargo container of the entrepreneurs in operating the cargo transport in Lao customs territory;
- 3) Cargo container shall be stored in the dry port area or warehouse that obtain the approval from the Department of Transport, Customs Department, and administrated by the CBTM system;
- 4) Storage location of container where obtain the approval as the warehouse in accordance with the customs law, the maximum time of warehouse shall be considered as the maximum time of container storage (if exceed, shall follow the customs regulation).

6. The Management of Cargo Container, Import, Storage and Export

The National Trade and Transport Facilitation Committee Secretariat is the management committee which assigned by the National Trade and Transport Facilitation Committee, is managing body in collecting the transport statistics by collecting the data on development, investment, business operation including the other important statistics via the CBTM system to ensure the reporting is in the correct and timely manner.

7. The Revenue Collection

The LITFA is granted to collect the service charge for using the CBTM system according to the approval of the National Trade and Transport Facilitation Committee for the maintenance charge of the CBTM system to be able to use and manage in the sustainable manner.

8. User ID

User ID of the CBTM system is determined in three levels as follows:

- 1) User ID of the National Trade and Transport Facilitation Committee Secretariat;
- 2) User ID of the international border checkpoint;
- 3) User ID of the entrepreneur.

9. Implementation and Effectiveness

The Department of Transport, Ministry of Industry and Commerce, the National Trade and Transport Facilitation Committee Secretariat shall take the initiative to collaborate with the relevant sectors to disseminate, guide, instruct and manage the implementation of this Instruction in the effective manner.

A person, legal entities and organizations shall acknowledge and cooperate in implementing this Instruction strictly.

This Instruction shall become effective from the date of signature and publication on Lao Official Gazette.

Minister

Viengsavath SIPHANDONE

CBTM Manual

I. Cargo Manifest

1. Inward Cargo Manifest (ICM) is the document for validating the delivery and receive of cargo between transporter and receiver at final destination;
2. Outward Cargo Manifest (OCM) is the document for validating the delivery and receive of cargo between transporter and warehouse service provider at the customs checkpoint of departure;
3. Transit Cargo Manifest (TCM) is the document for validating the delivery and receive of cargo between transporter and warehouse entrepreneur at the border checkpoint of origin where the cargo arrival to wait for the vehicle transshipment to transport to the border checkpoint of destination.

II. Implementation Procedure

1. Import Procedure of Foreign Cargo Container

- 1) The entrepreneur to proceed the data entry on the CBTM system by selecting the TAD-Container Control, then select the container storage location to store the container in accordance with the law and the regulation stipulated in Customs Law no. 81/NA, dated 29 June 2020, article 72-77 (In case of the empty container will not be returned after delivery);
- 2) Shall pay the permit charges for cargo container temporary admission according to the bill or/and via the bank electronic system;
- 3) At the time of cargo container import, the LITFA staff or authorized person from the LITFA at the border checkpoint, will update the Manifest Gate In to confirm the arrival of full cargo container, and the update the Container Gate In to confirm the arrival of empty container.

2. Storage Procedure of Foreign Cargo Container

- 1) After the cargo container enters into Lao PDR, the container that want to store in Lao PDR to wait for containing the cargo to export, shall be stored at the dry port or warehouse specified by the customs authority and public work and transport sector in accordance with the stipulated law and regulation;
- 2) The entrepreneur to update the TAD-Container Control to deliver the empty container to the storage location as well as to give the D53 sticker to the border customs officer at the storage location to sign the permit for cargo container temporary admission as the evidence of the cargo container delivery and D53 sticker;
- 3) After the cargo container and the D53 is delivered at the storage location, the responsibility of the D53 life extension shall belong to the container storage warehouse entrepreneur. If the container stays over the specified time, shall apply for the extension with the responsible customs officer nearest. If any violation, the container storage warehouse entrepreneur shall take responsibility to any occurred fines without affecting to the transport entrepreneur who firstly imported the container.

3. Export Procedure of Foreign Cargo Container

- 1) The entrepreneur to proceed the data entry on the CBTM system by selecting the TAD-Container Control, then select the container at the container storage location to create the permit for cargo container temporary admission;

- 2) Shall pay the permit charges for cargo container temporary admission according to the specified form each time;
- 3) Receive the cargo container from the container storage location as well as receive the document and D53 with signature when the cargo container arrived the border checkpoint of destination, the LITFA staff at border checkpoint to update the Manifest Gate Out to confirm the departure of the cargo container;
- 4) In case of exporting the empty container, shall update the Container Gate Out to confirm the departure of empty container.

4. Transit and Re-Export Procedure of Foreign Cargo Container

- 1) For the transit and re-export procedure of cargo container, shall select border checkpoint where to import and export when creating the permit document for cargo container temporary admission on the CBTM system;
- 2) When exporting the cargo container at the border checkpoint of destination, shall use the D53 sticker to update the D53 system of the customs, and the LITFA staff to update the Manifest Gate Out to confirm the departure of the transit cargo container.

5. Export Procedure of Domestic Cargo Container

- 1) The entrepreneur to proceed the data entry on the CBTM system by selecting the TAD-Container Control, then select the container at the container storage location to create the permit for cargo container temporary admission;
- 2) Receive the cargo container from the container storage location with the signature of the container owner or representative when the cargo container arrives the border checkpoint of destination, the border LITFA staff shall update the Manifest Gate Out to confirm the departure of the cargo container;
- 3) In case of exporting the empty container, shall update the Container Gate Out to confirm the departure of the empty container.

6. Storage Procedure of Domestic Cargo Container

Domestic Cargo Container can be stored at the warehouses specified by the customs authority in accordance with the stipulated law and regulation or specified by container owner without any deadline.

7. Import Procedure of Domestic Cargo Container

- 1) The entrepreneur to proceed the data entry on the CBTM system by selecting the TAD-Container Control, then select the cargo container to create the permit document for cargo container temporary admission;
- 2) Receive the cargo container from the container storage location with the signature of the container owner or representative, and update the Manifest Gate In to confirm the arrival of the cargo container;
- 3) In case of re-importing the empty container, shall update the Container Gate In to confirm the arrival of the empty container.

III. Procedure for Cargo Import, Export and Transit

1. Cargo Import Procedure

- 1) After receiving the cargo detail, the transporter or representative shall validate the cargo, and create the ICM;

- 2) The transporter shall submit the ICM to the officer at the international border checkpoint where the cargo arrival to inspect and compare between the cargo in the vehicle and the cargo transport document. If it is correct, the border management or the authorized person shall certify the inspection with signature on the ICM, and then return to the driver to proceed next step.

2. Transit Cargo Procedure

- 1) After receiving the cargo detail, the transporter or representative shall validate the cargo and the guarantor in Lao PDR (Notify Party), shall create the TCM (Inward);
- 2) The transporter shall submit the TCM to the officer at the international border checkpoint where the cargo arrival to inspect and compare between the cargo in the vehicle and the cargo transport document. If it is correct, the border management or the authorized person shall certify the inspection with signature on the TCM (Inward), and then return to the driver to proceed next step;
- 3) The authorized representative in Lao PDR (Notify Party) shall submit such information to the officer at border checkpoint or the dry port which is the transshipment of multimodal transport to proceed the customs formalities next step;
- 4) After the guarantor or representative in Lao PDR completed the customs declaration for transit cargo, shall proceed the data entry on the transport vehicle that will be exported via the specified border checkpoint of destination;
- 5) The transport vehicle controller (clause 1) or representative, shall notify the ICM (Outward) to the warehouse service provider or dry port at the border checkpoint to confirm the right for receiving the cargo from the guarantor in Lao PDR (Notify Party);
- 6) The customs warehouse service provider or dry port at the border checkpoint shall lift-up the cargo into the transport vehicle for the transporter or the representative as the detail in the TCM (Outward);
- 7) The transporter or representative to receive the cargo from the customs warehouse service provider or dry port at the border checkpoint with signature on the ICM (Outward), and use such document to proceed the release document and invoice to the guarantor in Lao PDR.

3. Cargo Export Procedure

After receiving the cargo detail, the transporter shall validate the cargo and create the OCM by determining the station of origin for transport, and the border checkpoint of cargo departure on the OCM to track the domestic movement between the way, and to use as the basis for collecting data for the government sector.

IV. Procedure for Cargo Delivery Order

1. The transport entrepreneur or the cargo receiver in the transport document of the country of origin (Notify Party) is the creator and determiner of the general customs declarant or the customs declaration service provider who obtains the authorization from the cargo owner to takeover;
2. The general customs declarant or the customs declaration service provider who obtains the authorization from the cargo owner to click accept on the CBTM system (Inbox);
3. The general customs declarant or the customs declaration service provider use the delivery order that printed out from the CBTM system to proceed the detailed customs declaration next step;

4. The officer representing at the dry port, international border checkpoint or warehouse shall release the cargo to the entrepreneur specified in the delivery order and the data is only available on the system. In case the specified entrepreneur cannot deliver and receive by its own, the delivery order shall be made to the authorized person via the CBTM system.