

# **THE LAND LAW**

Adopted by the National Assembly 21 October 2003  
Promulgated by the President of the State 5 November 2003  
Effective 5 November 2003  
(Effective on date of promulgation by the President)

*Unofficial Translation by:*

**PRICEWATERHOUSECOOPERS (LAOS) LIMITED**  
Units 1-3, 4<sup>th</sup> Floor, Vientiane Commercial Building  
PO. Box 7003, 33 Lane Xang Avenue, Vientiane, Lao PDR  
Tel: (856) 21 222-718/9 or 222-734 or 222-734; Fax: (856) 21 222-723

*[National Emblem]*

Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

No. 61/PDR

**EXECUTIVE DECREE**  
*of the*  
**PRESIDENT**  
*of the*  
**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
*On the*  
**Promulgation of Amendment of the Land Law**

- Pursuant to Section VI, Article 67, clause 1 of the Constitution of the Lao People's Democratic Republic on the Promulgation of the Constitution and the Laws adopted by the National Assembly;
- Based on the Resolution of the National Assembly of the Lao People's Democratic Republic No. 48/NA, dated 21 October 2003 on the adoption of Amendment of the Land Law;
- Based upon the proposal of the Standing Committee of the National Assembly, No. 24/SC, dated 27 October 2003.

*The President of the  
Lao People's Democratic Republic*  
decrees:

**Article 1:** The promulgation of Amendment of the Land Law.

**Article 2:** This Executive Decree becomes effective from the day of its signature onwards.

Vientiane, Date 05 November 2003

*[seal of the President of the Lao People's  
Democratic Republic]  
[signature]*

Khamtay Siphandone

Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

National Assembly  
2003

No. 04/NA  
Date: 21 October

**THE LAND LAW**

**PART I**  
**General Provisions**

**Article 1. Function of the Land Law**

The function of the Land Law is to establish a regime for the productive administration, preservation and use of land to meet its objectives and according to laws and regulations, contributing to increased national socio-economic development including protection of environment and water territories of the Lao People's Democratic Republic.

**Article 2. Land**

The land of the Lao People's Democratic Republic is the area of land which is located within the territory of the Lao PDR, comprised of the land's surface, subjacent land, mountains and cliffs, islands, including land under water, territorial waters and territorial airspace.

Lao PDR land is a principal national resource which provides a residence and livelihood for Lao citizens, is an important vehicle for production, socio-economic development and national peace and security.

**Article 3. (new) Land Ownership**

Lao PDR land is the property of the national community as provided in Article 17 of the Constitution which is centrally and uniformly administered by the State throughout the country and individuals, families, and economic organizations are assigned the right to use or lease or grant concession of that land. Armed forces, state organizations, political organizations, Lao Front for National Construction and the mass organizations are assigned the right to use that land. Resident aliens, stateless persons, foreign persons and organization may lease or obtain concession of that land.

**Article 4. (new) Promotion of Land Development**

The State promotes all socio-economic sectors to contribute in land development by issuing policies, methodologies, and measures such as education and training and the establishment of a fund for the preservation and improvement of land, promotion of investment in labor, materials, capital, technology, infrastructure construction and good management and administration of land in order to sustain land quality and increase the value of land.

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**Article 5. Protection of the Rights and Benefits of Those Who Have the Right to Use Land**

The State protects the legal rights and benefits of those who have received the right to use land to ensure efficiency, peaceful and sustainable land use, while also guaranteeing the rights to preserve, the right to use, the rights to usufruct, the right to transfer, and the right to inherit.

**Article 6. Preservation of Land and the Environment**

Individuals and organizations have the duty to preserve land in a good condition, without erosion, sinking, degrading, preserve the condition of the land to be suitable for each type of land, and not to diminish the area of each type of land without approval.

The use of land must not create a negative impact on the natural environment or society.

**Article 7. Prohibition on Squatting**

Illegal squatting occurring before or after the promulgation of the Constitution and this Law is hereby cancelled.

Individuals or organization are prohibited to squat the land, the use of land must be approved by the State.

**PART II  
Land Administration and Registration**

**Chapter 1  
Land Administration**

**Article 8. (new) Land Administration Organizations**

Land administration organization of Lao PDR consists of:

- National land administration organization;
- Provincial and city land administration organization;
- District and municipal land administration offices;
- Village land administration offices

The Government will determine the roles, the rights and the duties of the land administrative organizations.

**Article 9. (new) Land Administration**

The State uniformly and centrally administers land throughout the country through the National Land Administration Department whose duties are prescribed in Article 10 of this Law, in coordination with the relevant sectors and local authorities and assigns the administration of sectorial land to the Ministry of Agriculture and Forestry, the Ministry of Industry and Handicrafts, the Ministry of

Communications, Transportation, Posts, and Construction, the Ministry of Information and Culture, the Ministry of Defense, and the Ministry of Security .

### **Article 10. (new) Rights and Duties of the Land Administration Organizations**

The land administration organizations have the following overall rights and duties:

1. Study draft policies, laws, presidential edicts, decrees, rules and regulations related to land management;
2. Survey, measure, allocate and prepare a land use plan at local, provincial and national levels;
3. Coordinate with the relevant sectors and local authorities in land use planning, preservation, development, classification of land, evaluation of land quality, determination of land areas and control land use;
4. Assign the right to use and lease land, and grant concession of the land and withdraw the right to use land;
5. Create a land registration book, value land, register the land; issue land titles and collect land statistics;
6. Collect land royalties;
7. Resolve land disputes;
8. Administer state land and protect environment;
9. Establish policies to administer the institution and activities relating to the purchase and sale of rights to use land;
10. Create land information systems;
11. Establish policies and rules to administer entrepreneurs in various fields related to land such as surveyor, valuator, agent or brokers dealing with the purchase and sale of land;
12. Perform other rights and duties as assigned by the Government.

### **Article 11. (new) Classification of Land into Areas and Types**

Land throughout the entire country is classified into areas and types as follows:

1. Classification of land based on areas:  
Plains, plateaus and mountainous areas consist of:
  - urban areas;
  - rural areas;
  - specific economic areas;
  - special economic areas.
2. Classification into types:
  - agricultural land;
  - forestry land;
  - land in water area;
  - industrial land;
  - communication land;
  - cultural land;
  - national defense and security land; and
  - construction land.

**Article 12. (new) Determination of the Area of Each Type of Land**

The Government allocates and determines the area of each type of land throughout the country and submits it to the National Assembly for consideration and adoption.

The local administrative authorities determine the area of different types of land within their scope of authority in compliance with the classification of land types by the State and thereafter submit such determination to the high level authorities for consideration and adoption.

**Article 13. (new) Land Leases**

The State authorizes Lao citizens to lease state land for a maximum period of thirty (30) years. Such lease may be extended on a case by case basis.

The actual period of land lease varies depending on the nature and the size of activities to be carried out on such land.

The lease of a developed land between Lao citizens depends upon agreements between the parties and must be certified by village authority and the Notary Office and registered with the district and municipal administrative authorities, where the land is located.

**Article 14. Transformation of Land Type**

The transformation from one type of land to another type of land may be undertaken if it is necessary to use that land for another purpose, without creating any adverse impact on the environment or society. The transformation of land must be authorized by a competent administrative organization.

**Chapter 2  
Administration of Agricultural Land**

**Article 15. Agricultural Land**

Agricultural land is land allocated for use in plantation, animal husbandry, and agricultural research and includes irrigation land.

**Article 16. Administration of Agricultural Land**

The Ministry of Agriculture and Forestry administers agricultural land, determines various types of agricultural land, prepares and issues regulations related to the administration, preservation, development and use of such types of land, and submits to the Government for consideration and adoption.

**Article 17. (new) Determination of the Scope of the Right to Use Agricultural Land**

The State authorizes individuals and families to use agricultural land in accordance with the allocation plan, objectives, for long term productive use within the following limits:

- To grow rice and raise livestock - not to exceed one (1) hectare per one laborer in a family;
- To grow industrial plants and seasonal vegetable farming - not to exceed three (3) hectares per laborer in a family;
- To grow fruit trees - not to exceed three (3) hectares per laborer in a family; and
- The use of denuded land or defoliated land to plant grass for livestock - not to exceed fifteen (15) hectares per one laborer in a family.

In allocating agricultural land for use by individuals, the State will consider on a case by case basis based on the features, size, actual capacity to produce, conditions and local agricultural land allocation plans.

One laborer may receive the right to use many types of agricultural land if such individual has the conditions and capacity to produce.

Individuals wishing to use more agricultural land than what has been allocated to him, may apply for a lease or a concession from the State.

The allocation of agricultural land to an entity for the purpose of production is based on the actual capacity of that organization.

**Article 18. (new) Grant of the Right to Use Agricultural Land**

The district and municipal administrative authorities consider, decide and assign the right to use agricultural land under their jurisdiction to individuals and organizations by issuing a land certificate. This land certificate shall have a term of three (3) years. If within that period of time, land is used in accordance with the objectives and regulations and there is no objection or claim, or such objection or claim has been resolved, the district and municipal authorities will request the provincial or city land administration organization to issue a land title for long term use.

**Chapter 3  
Administration of Forest Land**

**Article 19. Forest Land**

Forest land area is the areas covered by forest or land area not covered by forest but which has been declared as forest land by the State as provided in the Forest Law.

**Article 20. Administration of Forest Lands**

The Ministry of Agriculture and Forestry administers forest land, determines various types of forest land, prepares and issues regulations relating to the administration, preservation, development, and use of the types of land, including the protection of the environment and thereafter submits such to the Government for consideration and adoption.

**Article 21. (new) Determination of the Scope of the Right to Use Forest Land**

The State authorizes individuals and families to use denuded or defoliated forest land according to their objectives, on a long term and sustainable basis for not more than three (3) hectares per one laborer in a family. Those who need to use forest land in excess of the above shall have the right to request a lease or a concession from the State.

For organizations, approval of forest land area for use shall be subject to the actual production capacity.

**Article 22. (new) Grant of the Right to Use Forest Land**

The district and municipal administrative authorities in coordination with the village administrative authority considers and makes decision to grant the right to use forest land within their administration to individuals and organizations by issuing certificates. Land certificates have a term of three (3) years. If within that period of time, land use has been in accordance with laws and regulations, and there has been no objection or claim, or such objection or claim has been resolved, a request for a land title for long term use may be submitted to the provincial or city land administration division.

**Chapter 4  
Administration of Land in Water Areas**

**Article 23. Land in Water Areas**

Land in water areas is land which is under water or is in the area surrounding a source of water: under water land, land surrounding a water source, land adjoining water, land in the middle of water, and land newly emerged, land where water has receded or land arising from the modification or the diversion of a water course.

**Article 24. (new) Administration of Land in Water Areas**

The Ministry of Agriculture and Forestry administers land in water areas, researches and issues regulations regarding the administration, preservation, development and use of that type of land in coordination with the local administrative authorities where that land is located, and thereafter submits such to the Government for consideration and adoption.

**Article 25. Regulation of the Use of Land in Water Areas**

The use of land in water areas must comply with the following conditions:

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1. To avoid erosion;
2. To avoid interference with water flow;
3. To avoid water becoming shallow or flood;
4. To avoid pollution which is toxic to the water source;
5. To avoid logging and destruction of forests in water source areas; and
6. To avoid excavation of peat and restricted soils. If required then this must be approved by the relevant agency.

#### **Article 26. Use of Land in Water Areas**

Village administrative authorities where the land in a water area is located shall research and submit to the district, municipal administrative authorities relative to the transfer of such lands to individuals or organizations to preserve and use as appropriate.

If the land in water area is located within an individual or organization's right to use, if the agency administering water and water resources and the Science, Technology and Environment Organization inspect and see that such land use has no adverse impact on that land area, that land shall remain under such individual or organization for continuing use.

### **Chapter 5 Administration of Industrial Land**

#### **Article 27. Industrial Land**

Industrial land is the limit or area of land determined by the state to be the location for plants, factories, residential areas for workers, industrial areas, industrial zones, industrial cooperative, industrial scientific research institution or center, waste water treatment plant, industrial waste disposal area, power source, electrical transmission right of way, power or gas pipe right of way, a water pipe, a mining area and other land used for industrial purposes.

#### **Article 28. Administration of Industrial Land**

The Ministry of Industry and Handicrafts administers industrial land, researches and issues regulations regarding the administration, preservation, development and use of industrial land, including preservation of the environment and thereafter submits such to the Government for consideration and adoption.

The administration of land on which there is an electrical transmission line right of way, a power or gas pipeline right of way, a water pipeline, must be coordinated with the communication and transportation, post and construction division and other relevant divisions.

#### **Article 29. Rules related to Industrial Land Use**

Individuals and organizations who use industrial land must adhere to the following conditions:

1. To obtain approval from the industry and handicrafts division;
2. To obtain approval from the urban division;

3. To avoid creating damages to others, to the public, or to the environment; and
4. To repair the surface and rehabilitate the land to its original condition once the land is no longer used (for mining project).

## **Chapter 8 Administration of Communication Land**

### **Article 30. Communication Land**

Communication land is land used for roads, curbs, canals, bridge sites, telephone line rights of way, areas for communications stations, airports, ports, goods and passenger vehicle stations, tunnels, railways, warehouse stations for transportation purposes and other land used in communication and transportation works.

### **Article 31. Administration of Communication Land**

The Ministry of Communication Transportation Posts and Construction administers communication land, researches and issues regulations regarding the administration, preservation, development and use and maintenance of communication land and thereafter submits such to the Government for consideration and adoption.

### **Article 32. Use of Communication Land**

The use of communication land must follow specific regulations issued by the relevant agency.

## **Chapter 7 Administration of Cultural Land**

### **Article 33. Cultural Land**

Cultural land is a location for cultural heritage related to historical traces, antique articles, venerable items, temples, the natural panorama, cultural constructions and other locations determined by the State as cultural and tourism land.

### **Article 34. Administration of Cultural Land**

The Ministry of Information and Culture administers cultural land throughout the country, researches and issues regulations regarding the administration, preservation, development and use of cultural land, and thereafter submits such to the Government for consideration and adoption.

Individuals or organizations who use cultural land must comply with regulations regarding the administration, use, and preservation of cultural land.

**Chapter 8**  
**Administration of Land for National Defense and Security**

**Article 35. Land for National Defense and Security**

Land for national defense and security is land used for the purposes of national defense and security works: military bases, offices, residences, schools and army and police training fields, large artillery fields, air fields and army boat docks, warehouses, hospitals, plants, factories, army and police rest and relaxation areas and other land used in national defense and security.

**Article 36. (new) Administration of Land for National Defense and Security**

The Ministry of Defense and the Ministry of Security administer research and issue regulations regarding the administration, preservation, development and use of land for national defense and security, which are under their administration, and thereafter submits such to the Government for consideration and adoption.

**Article 37. Use of Other Types of Land for National Defense and Security**

When necessary, the departments responsible for national defense and security may use other types of land whether belonging to an individual or organization in national defense and security activities with the approval of the Government.

At the end of land use, such land must be returned to its original owner. If such use caused damage to the person who has received the right to use the developed land, there should be consideration of reasonable compensation for such damage.

**Chapter 9**  
**Administration of Construction Land**

**Article 38. Construction Land**

Construction land is land which has been determined to be used for residences, plants, factories, offices, and public sites.

**Article 39. (new) Administration of Construction Land**

The National Land Administration Organization administers construction land, researches and issues regulations regarding the administration, preservation, development and use of construction land and thereafter submits such to the Government for consideration and adoption.

**Article 40. Types of Construction Land**

Construction land is divided into the following types:

- Construction land for public use;

- Construction land for residences;
- Construction land for factories and plants;
- Construction land for offices.

Construction land for public use is the land used for the benefit of the public such as: parks, schools, hospitals, markets, children playgrounds, sport fields, etc., which are used by the public.

Construction land for residences is land used for building residences for individuals and families.

Construction land for factories and plants is land used for industrial production and processing.

Construction land for offices is land used for the purposes of building offices of the government, enterprises, embassies or international organizations.

The allocation of construction land must comply with the city plan and follow the proportion allocated to each type of construction land.

#### **Article 41. Rules related to the use of Construction Land**

The State must preserve construction land for public use to serve the public interest. If there is a change in the purpose of the use of that land, such land must be used for the public interest as well and must be approved by the relevant agency.

The use of construction land shall not affect the interests of others and must ensure rights of way. All construction activities must be approved by the urban planning agency, must strictly adhere to urban planning regulations, must obtain approval from the relevant agency, and must meet all technical standards while also protecting the environment.

#### **Article 42. Determination of the Scope of the Right to Use Construction Land**

The State authorizes individuals and families to use construction land consistent with the objectives, for peaceful, long term, and productive use in an amount not exceeding eight hundred (800) square meters per each person in a family.

The authorization to organizations to use construction land area depends on their actual capacity.

### **Chapter 10 Land Registration**

#### **Article 43. (new) Land Registration**

Land registration is to certify the legal use of land to individuals and organization to avoid fraud and to facilitate the management and protection of land uniformly throughout the country.

In registering a land, information related to such land such as name and address of the person who has the right to use the land (name of the spouses in case of conjugal property), type of land, extent and areas, method of acquisition and location of the land must be recorded in a Land Registration Book.

#### **Article 44. Forms of Land Registration**

There are two (2) forms of land registration, such as:

- The systematic registration of land; and
- The registration of land by request.

Systematic land registration is the registration of land without request. This is done systematically in an area where there is a need for allocation and division of areas and types of land for administration.

The registration of land by request is the registration of land which is done according to an individual's or an organization's request to certification their right to use the land.

#### **Article 45. (new) Application to Register Land**

Individuals or organizations seeking to register land must submit an application to register with the land administration division of provinces, the capital city through the village administrative authorities and the land administrative unit of district, municipality.

Application for land registration consists of:

1. A letter indicating the method of land acquisition which could be by allocation by the state, inheritance or transfer;
2. Certificate of land use in the case of agricultural land and forestry land;
3. Certificate of Land Guarantee from the original Land Owner or the administrative authority where the land is located;
4. Other necessary documents.

#### **Article 46. (new) Verification of the Application Requesting Land Registration**

When the application requesting land registration reaches the land administrative unit of district, municipality, such unit must verify the data provided in the request to make sure it complies with the law by coordinating with the village administrative authorities where that land is located. Within 30 days, the land administrative offices of district, municipality must reply to the applicant.

Once the data has been verified and found to be correct and in compliance the laws, officers from the land office must measure the land and create a map to be attached to the application documents for submission to the land administrative divisions of provinces, city for consideration and registration.

#### **Article 47. (new) Land Registration Book**

The Land Registration Book is a book used to record in chronological order the registration of land the first page of the Registration must be signed and sealed by the Director of the National Land Administration Organization with running numbers and a seal on each page.

The Land Registration Book must have the following main contents:

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1. Name and surname of individuals or organizations who have received the right to use land;
2. The date, month, year of birth, nationality, profession and present address of the person who has the right to use land;
3. Name of father and mother of the person who has received the right to use land;
4. Number of land title;
5. Number of the land map;
6. Limits, area and land type;
7. Land map, and
8. Land title number

#### **Article 48. Land Certificate**

Land Certificates are official documents which certify the right to temporarily use and possess agricultural or forest land issued by the administrative authorities of districts, municipalities to individuals or organizations who have the right to use that land.

Individuals and organizations who have received Land Certificates are entitled to give such land as inheritance within the timeframe on such certificate, but are not entitled to transfer, to use as capital contribution, to use as security, or to lease it.

#### **Article 49. (new) Land Title**

A Land Title is the sole evidentiary document related to the permanent right to use land of which only one (1) copy is taken from the Land Title Book for the land owner to hold as long term evidence until there is a change prescribed by law.

Before issuing a Land Title, the relevant office must make a public notice at the land administration office, the administrative office of districts, municipalities and the village administrative office, the place where the land is located, issue a notice through the State mass media, publish in the newspaper and declare by radio broadcasts or releases on television based on actual conditions within 90 days from the date of signing such public notice. If within that period, there is no objection or such objection has been resolved, then a Land Title will be issued to the person who has received the right to use land.

#### **Article 50. (new) Issuance of a Copy of Land Titles (Substitute for Title)**

In the case a Land Title is lost or is destroyed, but there is evidence justifying the land title the land administrative divisions of provinces and city shall issue a copy of the Land Title to the individual or organization requesting it.

If the Land Title which is so lost or destroyed has left no trace of evidence substantiating that it is that relevant Land Title, before issuing of a copy of that Land Title, there must first be a decision of the local people's courts where that land is located.

Issuance of Land Title copies in all cases must be declared to the public thirty (30) days in advance according to the regulations.

**Article 51. (new) Legal Registration related to Land**

The legal registration related to land is the recording of all activities related to changes in the right to use land into the Registration Book at the land administration offices of district, municipalities as assigned by the land administration divisions of the provinces, city for monitoring the circumstances of changes to that land.

**PART III**

**Rights and Obligations of Those Using Land**

**Chapter 1**

**Rights and Obligations of Lao Citizens related to Land**

**Article 52. Acquisition of the Right to Use Land**

Individuals or organizations will receive the right to use land based upon any of the following:

1. State grant;
2. Transfer; and
3. Inheritance.

**Article 53. (new) Rights of the Person who has Received the Right to Use Land**

Those who have received the right to use land have rights as follows:

- Right to protect land;
- Right to use land;
- Right to receive the usufruct from the land;
- Right to transfer the right to use land; and
- Right to inherit the right to use land.

**Article 54. Right to Protect Land**

The right to protect the land is a right granted by the State to individuals or organization to protect the land for use for a specific objective.

**Article 55. Right to Use Land**

The right to use land is the right to use land for a purpose according to the State allocation plan to meet the needs of the person who has received the right to use land.

**Article 56. Right to Receive Usufruct of the Land**

The right to receive usufruct of developed land is the right to enjoy usufruct or income from the land belonging to a person who has received the right to use such as from leasing the land, from contributing it as capital, and using the developed land as security.

**Article 57. (new) Right to Transfer the Right to Use Land**

The right to transfer the right to use land is the right to grant the use land to another person through transfer, grant or exchange.

**Article 58. (new) Right to Inherit the Right to Use Land**

The right to inherit the right to use land is the right to use developed land inherited by husband or wife, children, grand children, father or mother or close relatives according to the Law after the death of the person who had received the right to use land.

In case the area of inherited land and the land being used exceed the area allocated for a certain type of land prescribed by the law, Article 86 shall apply

**Article 59. Rights of State and Political Organizations, National Front for Construction, Mass Organizations and State Economic Organizations**

State and Political Organizations, National Front for Construction, Mass Organizations and State Economic Organizations which have been granted the right to use land must only protect and use such land. They do not have the right to transfer, lease, give concession, use as capital contribution, or use as security.

**Article 60. Obligations of Land Users**

Those who use land have the following obligations:

1. Use the land in accordance with its objectives;
2. To not cause a negative impact to the condition of the land, to not cause adverse impacts upon the natural or social environment;
3. To not violate rights and interests of others;
4. Adhere to irrefutable circumstances (Rights of ways) as provided for in the laws;
5. Pay land fees;
6. Comply with financial obligations such as land tax, tax on transfers and assignments, income taxes from leases, inheritance taxes, fees for change of names, fees for legal registration related to land in due time by the user of land, and
7. Comply with other regulations regarding land.



**Article 61. Irrefutable Circumstances (Right of way)**

Individuals or organizations who are surrounded by other person's land access to road are entitled to request a right of way from the person who has received the right to use land which is closest to a road. The person who has received the right to use land who is so requested must allow a right of way where he views appropriate and has the right to request compensation for damage to his crops, items built upon the land, or developments where that right of way will cross over.

In the case of laying electricity lines, telephone lines, digging of canals, laying of water pipes or municipal water pipes, etc., across the land of a person who has received the right to use land which causes damage to trees, crops, or items built, that individual has the right to request damages arising from that act. If the person giving the right of way has already received a benefit, then no further damages shall be calculated, except if those damages are substantial. In that case, a reasonable damage calculation shall be made.

**Article 62. (new) Loss of Right to Use Land**

A person who has received the right to use land will lose that right in the following cases:

1. Use of State granted land inconsistent with its contemplated purpose;
2. Continuous failure to pay land tax for three (3) years after warning;
3. Failure to use land according to the agreement and the Land Law;
4. Those adjudicated by a court as having lost their rights.

**Article 63 (new). Termination of Rights to Use Land**

The right of an individual or organization to use land shall terminate in any of the cases below:

1. Voluntary forfeiture of the right to use land;
2. State withdraws and takes the land back for use in the public interest;
3. Transfer the right to use land to another person;
4. Death without successor.

**Chapter 2**

**Rights and Obligations of Resident Aliens, Stateless Persons and Foreign Persons  
Related to Leasing and Granting Concession of Land**

**Article 64 (new). Leasing or Concession of Land of Resident Aliens, Stateless  
Persons and Foreign Persons**

Resident aliens, stateless persons, foreign persons and their organizations of those persons and foreign persons living, investing and conducting legal activities in Lao PDR may lease or request for concession of land from the State.

Resident aliens and stateless persons and their organizations who wish to lease developed land from Lao citizens must first receive approval from the provincial and city administration authorities where that land is located.

Foreign persons and their organizations who wish to lease developed land from Lao citizens must obtain approval from the National Land Administration Organization based on the recommendations of provincial and city administrative organization where that land is located.

**Article 65. (new) Term of Lease or Concession of Land**

The term of land lease or concession from the State to resident aliens, stateless persons and their organizations shall be subject to the characteristics, size, and conditions of the activities, but at most shall not exceed thirty (30) years and may be extended on a case by case basis by Government approval.

The term of leases for developed land by resident aliens, stateless persons and their organizations from Lao citizens shall not exceed a maximum of twenty (20) years and may be extended based on agreement of the parties with the consent of the provincial and city administrative authorities where the land is located.

For foreign persons who invest in the Lao PDR, the lease or concession term from State shall be subject to the features, size and conditions of the activity or project, but shall not exceed a maximum of fifty (50) years and can be extended on a case by case basis according to Government agreement.

For foreign persons who invest in the Lao PDR, the lease term from Lao citizen shall be subject to the features, size and conditions of the activity or project, but shall not exceed a maximum of thirty (30) years and can be extended on a case by case basis based on agreement of the parties with the approval of the National Land Administration Organization upon recommendation of provincial, city administrative authorities.

For specific economic zone and special economic zone, the maximum lease or concession term of the land shall not exceed seventy-five (75) years and may be extended on a case by case basis by approval from the National Assembly.

Leases or concession of land area over ten thousand (10,000) hectares must be approved by the National Assembly.

The determination of actual lease or concession term shall be subject to the features, size and conditions of each activity.

Embassies or international organizations which need to use land in the Lao PDR, may lease, exchange or transfer by agreement between the Government of the Lao PDR and the Government of the relevant country. In such cases, the lease term shall not exceed ninety-nine (99) years.

**Article 66. (new) Rights to Receive usufruct from Lease or Concession of Land of Resident Aliens, Stateless Persons, Foreign Persons and their Organizations**

Resident aliens, stateless persons, foreign persons and their organizations who have leased or obtained concession from the state in compliance with the Laws of the Lao PDR shall have the following rights:

1. Sell asset owned by them which are related to the lease or concession agreement. However, the State has a priority to purchase such assets;
2. Use asset owned by them related to the lease or concession agreement for security with a bank or other financial institutions which duly operate in accordance with Laws in Lao PDR. For fixed asset an approval from the government is required;
3. Sublease the right to use land, but must be approved the State and the sublease shall not exceed the term prescribed in the master lease agreement;
4. Inherit the lease or concession agreement in accordance with the term of the agreement;
5. Use the land lease or concession agreement for the purposes of joint venture with another person, but this must be approved by the State first.

The rights indicated above are also applicable to the lease by resident aliens, stateless person, foreign persons and their organizations from Lao citizen

#### **Article 67. (new) Obligations of Resident Aliens, Stateless Persons and Foreign Persons and Their Organizations related to Land Leases or Concession**

Obligations of resident aliens, stateless persons, foreign persons and their organizations related to land leases or concession are as follows:

1. Use land in accordance with its objectives;
2. Do not create damage to the quality of the land, do not create adverse impact on the natural or social environment;
3. Do not violate the rights and interests of others;
4. Adhere to irrefutable circumstances as provided for in the law;
5. Pay land lease or concession and other land-related fees;
6. Fully comply with regulations and conditions regarding land lease or concession.

### **Chapter 3 Compensation for Damages**

#### **Article 68. Causes for Compensation of Damages**

There are three (3) types of causes for compensation of damage as follows:

1. Damage due to a violation of laws and regulations;
2. Damage from irrefutable circumstances; and
3. Damage from the return of land

#### **Article 69. Compensation for Damage Due to Violation of Laws and Regulations**

Individuals or organizations who use land that cause damage to others or to the public due to a violation of laws and regulations must make compensation for damages which arise from their acts.

**Article 70. Compensation for Damages from Irrefutable Circumstances**

Individuals or organizations who have received the right to use land from irrefutable circumstances of others who have reserved a right of way or a water ditch for itself which causes the crops, constructed items of others or of the public to be damaged, that individual and organization must make reasonable compensation for that damage.

**Article 71. (new) Compensation for Damages Arising From the Return of Land**

When it is necessary to use an individual's or and organization's land for the public interest, the State will take the land back but must make appropriate compensation for damages to the relevant person.

To ensure that the return of land to the State is properly compensated land shall be reserved in the proportion of five (5%) percent of the total land of the village, district, municipality, province, or city.

In case when the reserved land is not yet used such land may be temporary leased to individuals or organizations.

**Article 72. Determination of Damages**

In determining damages, a committee comprised of representatives of interested parties will assess and determine the value of the damages.

**Chapter 4**

**Land Granted by Administrative Authorities to the People during the Struggle for Liberation and Land of those Who Abandoned the Country and Fled Abroad**

**Article 73. (new) Land Granted by Administrative Authorities to the People during the Struggle for Liberation**

The State does not acknowledge the claim for the return of land which administrative authorities have granted to the people during the period of the struggle for liberation.

**Article 74. Land of those Who Left their Homes during the Period of the Struggle for Liberation**

The State does not acknowledge claims for the return of land which the owner has abandoned during the period of the struggle for liberation.

**Article 75. Land Granted as Common Property**

The State does not acknowledge claims for the return of land of individuals and organizations who had given up their lands as common property either during the period of the struggle for liberation or during the present.

**Article 76. Land of those who Fled Abroad**

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The State does not acknowledge claims for the return of land by those who have fled abroad.

**PART IV  
Land Use Inspection**

**Article 77. Land Use Inspection**

Land use inspection is the monitoring of preservation, development and use of land by individuals and organizations to ensure compliance with objectives, laws and regulations and to ensure efficiency.

**Article 78. (new) Land Use Inspection Agency**

The inspection of each type of land use for compliance with objectives and laws and regulations is the duty and responsibility of the agency administering the relevant type of land as provided for in Article 9 of this Law.

The national land administration organization inspects land grants, land leases or concession and land registrations.

**Article 79. Rights and Duties Related to Land Use Inspection**

Land Administration Organizations have the following rights and duties related to land inspection:

1. Demand necessary documents related to inspection from individuals or organizations;
2. Inspect the location of the land;
3. Give guidance to land users;
4. Order a suspension or a temporary cessation of activities related to improper land use;
5. Request the relevant agencies to consider withdrawal of land use rights;
6. Exercise other rights and duties related to the inspection of land use.

**PART V  
Resolution of Land Issues, Policies toward those who are Productive and Measures  
against Offenders**

**Article 80. (new) Resolution of Land Issues which are of an Administrative Nature**

Resolution of land issues which are of an administrative nature such as: unauthorized land use, use of land not in compliance with its objectives, failure to use land according to laws and regulations, failure to use land within a prescribed time after obtaining the land, failure to pay land taxes, duties, or fees according to regulations as provided and other land issues which are of an administrative nature. The relevant land administration organization in coordination with the administrative authorities where the land is located must resolve such land issues.

If the concerned land user is dissatisfied with the resolution, they shall have the right to appeal to the next higher level authority for resolution.

**Article 81. (new) Resolution of Land-Related Issues which are of a Civil Nature**

Disputes related to land which are of a civil nature: inheritance of developed land, transfer of the right to use and other civil contracts related to land must be handled by the people's court in accordance with the laws and regulations.

In the resolution of disputes related to land which are of a civil character, the village administrative authority where that land is located shall first conduct mediation. If no agreement can be reached a request may be submitted to the administrative authorities of districts, municipalities for further mediation. If no agreement is reached, the parties may bring the case to the people's courts.

**Article 82. Policies towards those who are Productive**

Individuals or organizations who legally use land, effectively protect, preserve and productively develop land shall receive commendations, shall receive facilities in leasing additional land or in obtaining concession and other incentives as determined by the Government.

**Article 83. Measures against Offenders**

Individuals or organizations which use land in violation of the land laws and regulations, cause damage to the public, the environment, property, health or the lives of others shall be fined or be subject to criminal sanctions according to the seriousness of the case and should compensate for the damages caused.

In addition to the major penalties referred to above, offenders may be subject to additional sanctions such as: withdrawal of Land Certificates, Land Titles, or other permits related to the right to use land,

**Article 84. Criminal Measures**

In the performance of works related to land, individuals who violate the laws and regulations such as: abuse of title and position, abuse of authority, accepting bribes, falsifying documents for personal benefits, causing damage to the interests of the State, cooperatives or other individuals, shall be subject to criminal sanctions and must compensate for damages.

**PART VI  
Final Provisions**

**Article 85. (new) Implementation**

The Government of the Lao People's Democratic Republic shall have the duty to issue a decree and detailed regulations for the implementation of this Law and must conduct systematic inspections related to land throughout the country and more specifically to inspect the method of acquisition of the right to use land, the size of the land, and land use.

**Article 86. (new) Timeframe for Resolution of Problems related to Land**

Lao citizens who properly and legally held land previously but who have an area of land in excess of the area as provided in Article 17, 21 and 42 of this Law must comply with the Land Law within a period of three (3) years from the date of official notice regarding resolution of the excess of land issued by the Government. If the concerned individuals wish to continue to use such land, they shall be subject to the duties which are higher than the usual rates. Otherwise such individuals shall no longer have the right to use such excess land.

Resident aliens, stateless persons, and foreign persons and their organizations who had previously held land, must comply with the provisions of this Law within a period of three (3) years from the date of official notice regarding resolution of the excess of land issued by the Government. Beyond this period, concerned parties shall lose their rights to use such land. If they wish to continue to use, they will have priority in their request to lease or to obtain concession from the State.

In case of embassies and international organizations, the Government will decide.

#### **Article 87. Effectiveness**

This Land Law is effective from the date the President of the Lao People's Democratic Republic issues a Presidential Decree promulgating it.

This Land Law supersedes the Land Law No. 01-97/NA, dated 12 April 1997. All regulations which conflict with this Law shall be revoked.

President of the National Assembly

*[seal and signature]*  
Samane Vignaket