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LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity

National Assembly

No. 03/99/NA
Dated 3 April 1999

URBAN PLANNING LAW

CHAPTER I

GENERAL PROVISIONS

Article 1 Objectives of the Urban Planning Law

The Urban Planning Law determines principles, regulations, and measures regarding the management and use of land, construction and building throughout the country and at the local level to be in compliance with policies and laws, aiming to develop towns in line with the socio-economic development plan, to ensure that all social activities in towns are peaceful, safe and orderly, hygienic, civilized, [and to] protect archeological sites, architecture of a cultural nature as well as to protect the environment and natural landscapes.

Article 2 Urban Planning

Urban planning is the allocation and development of towns, including the establishment of socio-economic, technical and administrative regulations and measures and the maintenance of the environment to be in reasonable harmony and in compliance with socio-economic growth periodically.

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Urban planning is comprised of urban plans, analyses and regulations of the management of towns.

Article 3 Towns

Towns, according to this Law, are places of habitation of communities as per the following characteristics:

- being the location of the country's capital, capital municipality, municipalities of provinces, special zones, towns [and] focused socio-economic zones;
- having populations of reasonable density;
- having public services and utilities such as: roads, drainage systems, hospitals, schools, sports places, public parks, water supply, electricity, telephones etc.

Towns are divided into 3 levels being:

1. towns under [the control] of central level [authorities];
2. towns under [the control] of provinces, capital municipalities and special zones;
3. towns under [the control] of districts.

Article 4 Principles of Urban Planning

Urban planning must be systematized through a harmonized coordination between relevant sectors, local administrative authorities and the public.

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Urban planning must suit the level of socio-economic growth of each area, ensuring peace, safety, order, hygienic, convenience, cleanliness, beauty and cultural beliefs of the ethnic minorities, the nation and the environment.

Town urban planning must comply with the provincial urban planning. Provincial urban planning must comply with the regional urban planning and regional urban planning must comply with national urban planning.

Article 5 Obligations on the Implementation of Urban Plans

Domestic and foreign individuals and organizations in the Lao PDR are all obliged to strictly implement issued urban plans.

CHAPTER II**URBAN PLANNING****Article 6 Urban Planning**

There are 4 levels of urban planning as follows:

1. national urban planning;
2. regional urban planning;
3. provincial urban planning; and
4. town urban planning.

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National urban planning is the establishment of the general directions for long term and medium term throughout the country regarding the determination of zones to build and develop towns, focused socio cultural-economic zones, forest reserves and forest zones, other natural resource zones, national defense and order, road networks etc. according to the distinguished features of according to the special features with regard to geography, population, natural resources, economy and relationships between different parts of the country.

The Ministry of Communication, Transport, Post and Construction is to study national urban planning in coordination with the relevant sectors and local administrative authorities and then to submit to the Government for consideration and decisions and to submit such to the National Assembly for consideration and adoption.

Article 8 Regional Urban Planning

Regional urban planning is the establishment of the major long term and medium term direction in any region of the country regarding the determination of areas to build and expansion of towns, centralized socio cultural-economic zones, forest reserves and forest zones, other natural resource zones, national defense and zones, road networks etc. according to the special features with regard to geography, population, natural resources, economy. Regional urban planning is more detailed than national urban planning.

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The Ministry of Communication, Transport, Post and Construction is to study regional urban planning in coordination with relevant sectors and local administrative authorities and then submit to the Government for consideration and approval.

Article 9 Provincial Urban Planning

Provincial urban planning is the establishment of the main long term and medium term principal direction in any province of the country regarding the determination of zones to build and expand the towns, centralized socio cultural-economic zones, forest reserves and forest zones, other natural resource zones, national defense and order zones, road networks etc. according to the special features with regard to geography, population, natural resources, economy. Provincial urban planning is more detailed than regional urban planning.

The Ministry of Communication, Transport, Post and Construction is to study provincial urban planning in coordination with relevant sectors and local administrative authorities and then to submit to the Government for consideration and approval.

Article 10 Town Urban Planning

Town urban planning is the determination of land areas to build, and expand towns in habitation zones, office zones, agricultural zones, industrial zones, commercial and service zones, transport and communication zones, sports and

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culture zones, public parks, national defense and order zones, public utilities and services zones etc.

The Ministry of Communication, Transport, Post and Construction is to study urban planning of major towns which [are administered] by the central-level authorities in coordination with relevant sectors and authorities of provinces, capital or special zones and discuss with the local people to gather their opinions and submit to the Government for consideration and approval.

The authorities of provinces, capital or special zones are to study the urban planning of towns which [are administered] by provinces, capital or special zones in coordination with relevant sectors and discuss with the local people to gather their opinions and then submit them to the Ministry of Communication, Transport, Post and Construction for consideration and approval.

The district authorities are to study urban planning of towns and focused social-economic zones [which are administered by] districts in coordination with relevant sectors and discuss them with the local population to gather their opinion and submit to the authorities of provinces, capital or special zones for consideration and approval.

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CHAPTER III

URBAN PLANNING REGULATION

SECTION I

REGULATION REGARDING THE USE OF URBAN PLANNING LAND AND CONSTRUCTION

Article 11 Urban Planning Land

Urban planning land is an area of land that has been determined for urban planning in order to develop into a town. The areas of urban planning land include state-owned land, community-owned land, [and] land owned by other organizations or by individuals.

Article 12 Reservation or Transfer of Land Zones

The State has the right to reserve or transfer land to serve the combined interest and perspective development such as: establishment of new communities, construction of roads, industrial zones, agricultural zones, forest reserve zones, tourism zones, national defense and order zones etc.

The State must compensate as appropriate for the transfer of already developed land owned by organizations or individuals [to be used] to serve the public interest.

Article 13 Allocation of Urban Planning Land Zones

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Urban plans of towns comprises the following zones: habitation zones, organization office zones, commerce and services zones, public park zones, heritage conservation zones, socio-cultural zones, tourism zones, agricultural zones, industrial zones, national defense and order zones etc.

Town urban planning land is allocated as follows:

Towns or municipalities under the central-level or provincial authorities which is divided in four zones being:

1. central town zones;
2. zones surrounding towns;
3. outskirts zones; and
4. town expansion zones.

Towns or municipalities under the district authorities are divided into two zones being:

1. central town zones; and
2. town expansion zones.

Article 14 Centre Zone

Town centre zones are zones presenting a higher density in terms of levels construction and population than other zones, having green zones and a complete public utilities and services system as well as being the centre of

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commerce, services, [and] other business operations, excluding the operation of industrial factories of all three levels or warehouse stocks covering a large area.

Town centre zones comprise land for the construction of habitation, places for commerce [and] services, offices etc.

Article 15 Zones Surrounding Towns

Zones surrounding towns are zones presenting a lesser density in terms of level of construction and population than town center zones, having green zones and public utilities and service systems as well as being places of commerce, services, [and] other business operations, excluding the operation of level one and level two industrial factories.

Zones surrounding towns comprise land for the construction of habitation, places for commerce, services, offices, sports stadiums, public parks, socio-cultural places etc.

Article 16 Outskirt Zones

Outskirts zones are zones located around the zones surrounding towns, presenting a lesser density in terms of levels of construction and population than the zones surrounding towns, having agriculture and handicraft activities and level two and level three industrial factories as well as a significant number of empty zones.

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The outskirts zone comprises land for the construction of habitation, offices, places for handicraft [activities], small and medium industries as well as warehouses covering a large area etc.

Article 17 Town Expansion Zones

Town expansion zones are zones located next to, and outward from the outskirt zones, allocated to ensure the expansion of towns, population growth and socio-economic activities.

Town expansion zones comprise land for the construction of habitation, educational institutions, airports, commerce, services, handicrafts, level one industrial factories activities, transport as well as land for agriculture, forestry, serving relaxation, tourism etc.

Article 18 Town or Municipalities under District Authorities

Towns or municipalities under district authorities have similar characteristics to town centre surrounding zones under the central-level authorities or provincial authorities.

Town or municipalities under district authorities comprise land for construction of habitation, offices, commerce, services, handicraft activities, agriculture, small and medium industries etc.

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Town expansion zones are allocated to ensure the expansion of towns, population growth and socio-economic activities.

Town expansion zones comprise land for the construction of habitation, educational institutions, airports, commerce, services, handicraft, activities of level one industrial factories, transportation as well as the land for agriculture, forests for relaxation, tourism etc.

Article 19 Use of Urban Planning Land

The use of urban planning land must be in accordance with the type of land as provided for in the Land Law.

Habitation places and offices are aimed to be constructed in areas of hilly land.

Commercial shops, service premises and other businesses in accordance with principles are to be constructed in populated areas where there are business relations, convenient import-export transportation. All construction activities to serve the public must have parking areas.

Agricultural land must be allocated at plain areas, sloping land and at areas reserved for agricultural production.

Industrial activities are to be constructed in lightly populated areas which cover a large area, ensuring safety and the environment.

SECTION 2

DETAILED ZONE ALLOCATION

Article 20 Detailed Zone Allocation

In addition to the four zones determined in article 13 above, land for building and construction must also be allocated in a more detailed manner. There are 3 types of allocation being:

1. the allocation of land specifically in towns;
2. the reallocation of town sections; and
3. the allocation of parcels of land.

Article 21 Allocation of Land Specifically in the Towns

The allocation of land specifically in the towns is the allocation of specific land located within a limited area of urban plans in order to create and expand public utilities and services systems and other socio-economic activities.

An urban plan may cover one or several plans for specific land allocation as deemed necessary.

Article 22 Reallocation of Town Sections

Reallocation of town sections is the allocation, improvement and restoration of non standard town sections as provided by regulations on the use of land in an urban planning zone.

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The allocation of parcels of land is the division of parcels of land to ensure that an urban area is peaceful, safe, orderly, attractive, convenient, and in compliance with the urban plan.

SECTION 3**TOWNS ESTABLISHED PRIOR TO HAVING URBAN PLANS, TOWNS WITHOUT URBAN PLANS AND NEWLY ESTABLISHED TOWNS****Article 24 Towns Established Prior to Having Urban Plans**

Urban planning for towns established prior to having urban plans must be based on the actual situation of such towns [and] take in to consideration existing constructions presenting cultural and architectural value, which are divided into 3 types being:

1. [constructions] which should be protected;
2. [constructions] which should be restored; and
3. [constructions] which should be rebuilt.

Article 25 Towns without Urban Plans

For towns that have not had any urban planning, survey plans must be established [in order to] establish urban plans. The Construction and building must comply with regulations set out by the Ministry of Communication, Transport, Post and Construction.

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For towns that are to be newly established, an urban plan must first be set up. The construction and building must strictly comply with issued urban planning regulation.

SECTION 4**AUTHORIZATION AND MANAGEMENT AFTER CONSTRUCTION****Article 27 Authorization for Construction or Major Repairs**

Construction or major repair permits are issued to all activities which apply for construction or major repairs authorization in accordance with urban planning regulations such as:

- constructions;
- building repairs (changes, partial or total dismantling);
- excavation or land fill; and
- installation of electricity pylons, telephone pylons, large aerials, high water towers, pedestrian bridges [flyovers] etc that comply with issued urban planning regulations.

Article 28 Compliance Certificates for Construction or Repair

After completion of construction or repair, the relevant urban planning management authority must conduct inspections [and] if it considers that the

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inspected constructions or repairs are in compliance with its design and with urban planning regulations, it will issue a compliance certificate.

Article 29 Management after Construction or Repair

After completion of construction or repair, the relevant urban planning management authority must monitor and verify that the constructions or repairs constructions or repair do not violate urban planning regulations.

Article 30 Issuance of Detailed Regulations

The Ministry of Communication, Transport, Post and Construction will issue detailed regulations regarding the implementation of urban planning regulations.

CHAPTER IV**INVESTMENT IN THE CONSTRUCTION OF PUBLIC UTILITIES AND SERVICES
SYSTEMS****Article 31 Purpose of Investment**

Investment in the construction of public utilities and services systems is done to facilitate socio-economic development and to improve living conditions of the public, such as: construction of roads, drainage systems, water supplies, electricity, telephones, sports stadiums, public parks etc.

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The State promotes all economic sectors to invest in construction and development of facilities as determined in article 31 above, with investment in the following forms:

- investment by the State;
- investment by the State with domestic or foreign private [investors];
- investment by the State and the public;
- investment by a community;
- investment by domestic or foreign private [investors]; and
- investment by domestic and foreign private [investors].

CHAPTER V**URBAN PLANNING MANAGEMENT AND INSPECTION****SECTION 1****URBAN PLANNING MANAGEMENT AUTHORITIES****Article 33 Urban Planning Management Authorities**

Urban planning management authorities consist of:

- the Ministry of Communication, Transport, Post and Construction;

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- provincial, capital and special zone communication, transport, posts and construction divisions;
- provincial, capital and special zone urban administration and development authorities;
- district communication, transport, post and construction offices; and
- village administrative administrations.

Article 34 Rights and Duties of the Ministry of Communication, Transport, Post and Construction

The Ministry of Communication, Transport, Post and Construction has the following rights and duties in urban planning management:

- to set up a strategic plan, create national, regional and provincial urban plans to submit to the Government;
- to issue regulations, technical standards, principles, regulations [and] methods regarding the urban planning;
- to consider [and] approve urban plans for towns under provincial, capital or special zone authority;
- monitor, inspect and evaluate the implementation of urban planning; and

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- perform other rights and duties as provided by laws and under assignment by the Government.

Article 35 Rights and Duties of Provincial, Capital and Special Zones Communication, Transport, Post and Construction Divisions

Provincial, capital and special zone communication, transport, post and construction divisions have the following rights and duties in urban planning management:

- create town urban plans to submit to the Ministry of Communication, Transport, Post and Construction for consideration and approval;
- implement and inspect the construction, repair and building to be in compliance with urban plans;
- issue construction or repair permits and issue compliance certificates;
- implement regulations regarding the use of land in towns where there are no urban plans in coordination with land [management] authorities and local administrative authorities; and
- perform other rights and duties as assigned by the Ministry of Communication, Transport, Post and Construction.

Article 36 Rights and Duties of Provincial, Capital and Special Zone Urban Administration and Development Authorities

Provincial, capital and special zone urban administration and development authorities have the following rights and duties:

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- plan the implementation, management and inspection of urban development tasks;
- build, improve [and] restore urban infrastructures and urban administration;
- manage and control the implementation of construction works;
- supply necessary information and technical documents regarding urban planning;
- create income sources in the creation and development of urban planning; and
- perform other rights and duties as assigned by provincial governors, capital city mayors [and] special zone heads.

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District communication, transport, post and construction offices have the rights and duties to manage, implement urban plans as assigned by provincial, capital or special zone communication, transport, posts and construction divisions.

Article 38 Rights and Duties of Village Administrations

Village administrations have the rights and duties to assist district communication, transport, post and construction offices in the implementation of urban plans, village cleaning, orderliness as well as the management of construction and building within their villages.

Article 39 Dissemination of Urban Plans

Urban plans at various levels that have been already approved must be broadly disseminated for the public's notice and strict adherence.

SECTION 2**URBAN PLANNING INSPECTION AUTHORITIES****Article 40 Purpose of Urban Planning Inspection**

The inspection of the adherence to urban plans at various levels is the inspection of the use of urban planning land, building and construction in compliance with urban planning regulations in order to ensure peace, safety, order, convenience, hygiene, public health, and the attractiveness of towns.

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The urban planning inspection authorities are the same as the urban planning management authorities as determined in article 33 above.

Article 42 Content and Methods of Urban Planning Inspection

Urban planning inspection is the inspection of the implementation of urban planning regulations, such as: use of urban planning land, construction and building, safety measures, hygiene etc.

There are three types of urban planning inspection as follows:

- inspection under normal procedures;
- inspection with prior notice; and
- surprise inspection.

In inspecting the implementation of urban planning regulations, the urban planning authorities must coordinate with the relevant sectors and local authorities.

SECTION 3**DISPUTE RESOLUTION****Article 43 Types of Disputes**

There are two types of disputes that occur regarding the implementation of urban planning regulations as follows:

1. administrative disputes; and
2. civil disputes.

Article 44 Administrative Disputes

Administrative disputes are disputes regarding the issuance of construction or repair permits, compensation settlements, construction and building that are not in compliance with urban planning regulations and other violations of urban plans of an administrative nature.

Administrative disputes will be solved in accordance with administrative regulations.

Article 45 Civil Disputes

Civil disputes are disputes arising from the non compliance of a construction or repair which causes damages to other individuals or organizations and other violations of urban plans of a civil nature.

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Civil disputes will be solved by mediation, if such mediation is unsuccessful, the injured party may file a suit with the courts.

CHAPTER VI**POLICIES FOR PRODUCTIVE PERSONS AND MEASURES AGAINST VIOLATORS****Article 46 Policies for Productive Persons**

Individuals or organizations who have contributed to the creation and development of urban plans or have excellent results in the implementation of urban planning regulations will receive compliments or other policies as appropriate.

Article 47 Measures against Violators

Individuals or organizations who violate this Law will be subject to education, liable for compensation of damages, fines or criminal punishment depending on the severity of the case.

Article 48 Education Measure

Individuals or organizations who have committed minor violations of this Law such as: placement of construction materials, discharge of rubbish, [or] waste outside authorized places, addition or improvement [of building] encroaching upon public places or other minor violations will be subject to warnings and education as well as the obliged to cease or remove the constructions or

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buildings which are not in compliance with urban planning regulations, depending on the case.

Article 49 Compensation for Damages

Individuals or organizations who violate this Law, causing damages to State assets, the community or of individuals must compensate such damages according to regulations and laws.

Article 50 Fines

Individuals or organizations who violate this Law will be fined as follows: fined at 10 percent of the value of the unauthorized constructed items or repairs. In the event that a construction or repair does not comply with urban plans, the violator must dismantle such construction depending on the case.

Individuals or organizations, who have [already] been subject to education measures as provided for in article 48 of this Law but continue their violations, will be also fined.

Article 51 Criminal Measures

Any Individual including members of the public and civil servants, whose violation of this Law qualifies as a criminal offense such as: use of fake documents, document counterfeiting, abuse of authority for personal benefit, negligence in function causing damage to life, the health of individuals or State

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or collective assets [or] non implementation of safety measures causing, death or injury, will be subject to criminal punishment.

Article 52 Additional Penalties

In addition to the penalties as provided for in articles 48, 49, 50 and 51 above, any violator who causes serious damages to the assets of State, community or of individuals will be subject to additional penalties such as: suspension of activities, withdrawal of permit , dismantling of violating construction or repair depending on the cases.

CHAPTER VII**FINAL PROVISIONS****Article 53 Implementation**

The Government of Lao People's Democratic Republic is responsible for the implementation of the present Law.

Article 54 Effectiveness

This Law shall become effective 90 days from the date that the President of the Lao People's Democratic Republic issues the promulgating decree.

All regulations, provisions that contradict this Law are hereby repealed.

Vientiane, dated 3 April 1999

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The President of the National Assembly

[Seal of the National Assembly]

[Signature]

Samane Vignaket

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