

LAO PEOPLE'S DEMOCRATIC REPLUBIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Prime Minister

No 68/PM

Decree

on Exportation of Lao Labor to work overseas

- Pursuant to the Law of Government of Lao PDR No. 01/95 dated 08 March 1995;
- Pursuant to the Labour Law No. 002/NA dated 14 December 1994;
- Pursuant to the proposal of Minister of Law and Social Welfare

The Prime Minister issues the Decree:

Part I
General Provisions

Article 1: This Decree defines regulations and facilitates services in exporting Lao labors to work overseas, focusing on creating employment opportunities and labor skill development for Lao citizens, improving capacity-technical knowledge, and strengthening international cooperation for skill development of Lao labors.

Article 2: The Government shall protect benefits of persons and legal entities that are authorized to export Lao labors to work overseas and all legitimate Lao labors working overseas.

Part II
Conditions, Rights and Responsibilities of Lao Labors working overseas

Article 3: Conditions for Lao Labors to work overseas

- Must be Lao citizen;
- Must be over the age of 18 years;
- Must graduate at least high school;
- Be in good health;
- Be a good citizen (have a clean personal history).

Article 4: Rights of Lao Labors working overseas

- Receive wages and allowances according to the contract;
- Receive benefits protection according to the contract and Law;
- Sign employment agreement with Labor Recruitment Agencies.

Article 5: Responsibilities of Lao Labors working overseas

- Strictly implement the employment rules of the country you have been posted to;
- Implement the signed employment contract;
- Respect regulations, Laws and customs of Lao PDR and the country you have been posted to;
- Pay fees/taxes, perform obligations to the government correctly.

Part II

Conditions, Rights and Responsibilities of Labor Recruitment Agencies

Article 6: Conditions for Labor Recruitment Agencies

- Must be an agency that is authorized to export Lao labors to work overseas;
- Must be a reliable agency with **capital guaranteed**;
- Must have an organization with knowledgeable human resources;

Article 7: Rights of Labor Recruitment Agencies

- Look for employment opportunity in labor market in overseas and sign contract with **foreign company**
- Export Lao labors to work overseas according to the contract
- Receive service fees as defined in Article 12 of this Decree
- Receive benefits protection according to the Law

Article 8: Responsibilities of Labor Recruitment Agencies

- Supervise the exported Lao labors according to the contract;
- Respect regulations, Laws and customs of Lao PDR and the country you have exported Lao labors to;
- Supply information to Ministry of Labor and Social Welfare;
- Protect the benefits of Lao labors working overseas;
- Organize training for Lao labors in accordance with the advice of Ministry of Labor and Social Welfare;
- Pay fees/taxes, perform obligations to the government correctly.

Article 9: Labor Recruitment Agencies shall have following documentations:

- Letter to Ministry of Labor and Social Welfare to request authorization for exportation of Lao labors;
- Enterprise registration/license for exportation of Lao labors to work overseas;
- Employment contract between Lao labor and Labor Recruitment Agency;
- Labor supplying contract between Labor Recruitment Agency and foreign company/**client that requires/uses Lao labor**.

Part IV
**Rights and Responsibilities of government authorities on
administration/supervision of Lao labors working overseas**

Article 10: Rights and Responsibilities of Ministry of Labor and Social Welfare:

- Consider a request for authorization to export Lao labors to work overseas/operation the services in exporting Lao labors to work overseas;
- Define detailed regulation on administration of Labor Recruitment Agencies and Lao labors working overseas;
- Define types of jobs, areas that not permit the exportation of Lao labors to work overseas;
- Monitor and follow up the exportation of Lao labors to work overseas;
- Coordinate with relevant authorities to resolve any problems occurred;
- Create Lao labor exportation plan in accordance with 5 year plan and annual plan.

Article 11: Ministry of Foreign Affairs, Ministry of Home Affairs, Ministry of Finance, Planning and Cooperation Committee and other relevant ministries have rights and responsibilities to coordinate with Ministry of Labor and Social Welfare on issuing regulations and instructions under their purview regarding the exportation of Lao labor to work overseas

Part V
Registration and Services Fees

Article 12: Fees for the exportation of Lao labors to work overseas shall be paid/collected in accordance with the Law. Other fees and charges which are not defined in the Law shall not be collected. **Service fees of Labor Recruitment Agency** shall be under administration of Ministry of Labor and Social Welfare.

Part VI
Policies for Good Performers and Measures against Violators

Article 13: Labor recruitment agencies with outstanding performance in implementing this Decree shall receive appropriate recognition/favor

Article 14: Labors, labor recruitment agencies, persons, legal entities and organizations violating this Decree shall be subject to fine and penalties in accordance with the Law

Part VII
Final Provision

Article 15: Ministry of Labor and Social Welfare, ministries, ministry equivalents and provincial authorities have rights and duties to strictly implement this Decree.

Article 16: This Instruction takes effect from its signature date. Any previous principles, regulations, decisions or resolutions regarding the management and exportation of Lao labors to work oversea which contradict with this Decree are hereby repealed

Vientiane Capital, 28 May 2002

Prime Minsiter

[Sign and Seal]

Bounyang VORACHIT