



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Steering Committee for
Economic Integration

Ref no. 023/NSCEI
Vientiane Capital, Date: 20th Oct 2010

Agreement
On the Structure and Role of the
Trade Facilitation Secretariat

- Pursuant to the Law of Lao PDR, ref no. 02/NA, dated 6th May 2003
- Pursuant to the Prime Minister's Degree on organization and role of the National Steering Committee for Economic Integration, ref no. 118/PM, dated 11 July 2008.

Deputy Prime Minister, Minister of Foreign Affairs, the Present of the National Steering Committee for Economic Integration agreed to the followings:

Section 1
General Provisions

Article 1. Objective

This agreement is established to identify location, roles, responsibilities, rights, organizational structure and implementation of the Trade Facilitation Secretariat. This agreement will be a reference for coordinating and facilitating trade by focusing on simplifying administrative procedures and easing trade barriers to support and promote expansion of trade.

Article 2. Definition of trade facilitation

"Trade Facilitation" means making the process of moving goods within the country's territory, importation-exportation, and transit of goods convenient, simple, streamlined, transparent and in compliance with laws, regulations of Lao PDR, and agreements and conventions that Lao PDR is a partner of.

Article 3. Location and roles

Trade Facilitation Secretariat, acronym is "TFS", is an organizational body under the National Steering Committee for Economic Integration (NSCEI), which will be based in the Ministry of Industry and Commerce, and will be a secretariat for the National Steering Committee for Economic Integration on the work related to Trade Facilitation.

Section II
Rights and scope of responsibilities

Article 4. Roles

The Trade Facilitation Secretariat has the following roles:

- 4.1 Reviews and comments on policies, strategies, master plans, laws, legislations, decrees, rules, regulations, bilateral agreements, sub-regional agreements, regional and multilateral agreements related to the movement of goods within the country's territory, importation-exportation, and transit of goods.
- 4.2 Coordinates with line ministries; organizations equivalent to ministry; and coordinates with public and private sectors at both central and provincial levels to ensure consistency in implementation of trade facilitation
- 4.3 is a focal point to coordinates with international organizations residing in and outside the country with respect to trade facilitation
- 4.4 Collaborates with concerned agencies in preparing and carrying out bilateral, sub-regional, regional and multilateral negotiations of agreements related to Trade Facilitation;
- 4.5 Reviews and improves procedures and systems for the movement of goods within the country's territory, importation-exportation and transit of goods to be compliant with agreements and treaties that Lao PDR is a partner of;
- 4.6 Monitors, supports and evaluates the implementation of laws, rules and regulations, international agreements and treaties relevant to Trade Facilitation that Lao PDR is a partner of;
- 4.7 Supports and promotes the use of modern communication systems and the Lao PDR Trade Portal within the country to integrate with sub-regional, regional and international system;
- 4.8 Organizes trainings to upgrade and disseminate information for public and private employees to raise awareness on legislations, information, agreements and treaties in association to Trade Facilitation that Lao PDR is a partner of;
- 4.9 Coordinates with all concerned agencies to mobilize funding and allocate experts to run activities on trade facilitation;
- 4.10 Summarizes and reports the progress of the Trade Facilitation Secretariat's work to higher authorities on a regular basis;
- 4.11 Develops an annual budget plan for the Secretariat to ensure efficient implementation;
- 4.12 is responsible for other tasks assigned to it by the National Steering Committee for Economic Integration, head of the Secretariat and other tasks stated in the laws and regulations.

Article 5. Scope of responsibilities

The Trade Facilitation Secretariat has a scope of responsibilities as follows:

- 5.1 guides, manages, monitors and evaluates the implementation of Trade Facilitation and encourages concerned agencies to take part in the gradual improvement of such task;
- 5.2 Reports to the National Steering Committee for Economic Integration and the Government regarding the improvement, formulation or the revoking of laws, legislations, decrees, rules and regulations relevant to Trade Facilitation;

- 5.3 Coordinates and cooperates with concerned agencies, both local and foreign, public and private sectors in accordance with the secretariat's roles and responsibilities;
- 5.4 Reviews and reports issues and constraints in Trade Facilitation to line ministries and concerned agencies to address them consistently, expediently, in a manner that is rationalized, simplified, transparent and compliant with the Law of Lao PDR and international treaties that Lao PDR is a partner of;
- 5.5 Exchanges and collects information on implementation and management of Trade Facilitation both locally and overseas to learn and improve Trade Facilitation to be highly effective;
- 5.6 Disseminates agreements related to Trade Facilitation at bilateral, sub-regional, regional, and multilateral level; and implements international treaties that Lao PDR is a partner of regarding trade facilitation;
- 5.7 Provides information and advice to public and private sectors on legislations relevant to Trade Facilitation and movement of goods within the country's territory, importation-exportation, and transit of goods;
- 5.8 Attends the bilateral, sub-regional, regional and multilateral meetings relevant to Trade Facilitation;
- 5.9 Proposes the appointment of representatives to be members of international committees to implement the agreements relevant to Trade Facilitation;
- 5.10 Has the right to use a budget, vehicles, and other required equipment provided for by the National Steering Committee for Economic Integration and the Government;
- 5.11 Has the right to implement other tasks assigned by the National Steering Committee for Economic Integration, head of the Secretariat, and tasks as stated in the law.

Section III Organizational Structure

Article 6. Organizational and personnel structure

The Trade Facilitation Secretariat is composed of a Head of the Secretariat, Deputy Heads of the Secretariat, and the secretariat members as follows:

Head of the Secretariat:

1. Vice Minister of Industry and Commerce

Deputy Head of the Secretariat:

1. Director General of Import and Export Department, Ministry of Industry and Commerce;
2. Director General of Customs Department, Ministry of Finance;
3. Director General of Transport Department, Ministry of Public Works and Transport;
4. Director General of Agriculture Department, Ministry of Agriculture and Forestry.

Members of the Secretariat include:

1. Director General or Deputy Director General of Livestock and Fishery Department, Ministry of Agriculture and Forestry;
2. Director General or Deputy Director General of Food and Drug Department, Ministry of Health;
3. Director General or Deputy Director General of Foreign Trade Policy Department, Ministry of Industry and Commerce;
4. Director General or Deputy Director General of Investment Promotion Department, Ministry of Planning and Investment;
5. Director General or Deputy Director General of Treaties and Law Department, Ministry of Foreign Affairs;
6. Director General or Deputy Director General of Immigration Department, Ministry of Public Security
7. Director General or Deputy Director General of International Cooperation Department, Bank of Lao PDR;
8. Director General or Deputy Director General of Intellectual Property, Standards and Measurement Department, National Authority of Science and Technology
9. Director General or Deputy Director General of Posts Department, National Authority of Posts and Telecommunications
10. President or Vice President of the Lao National Chamber of Commerce and Industry

The mentioned deputy head and members shall assign 1 person at director or deputy director level of a division under their supervision to implement tasks in accordance with the scope of responsibilities indicated under Article 4 and Article 5 of this agreement.

Article 7. Supporting Organizational Structure

The Trade Facilitation Secretariat is not a standing agency. The Secretariat's office is located in the Department of Import and Export, the Ministry of Industry and Commerce. It is a Trade Facilitation focal point that is responsible for coordinating with concerned sectors.

Section IV Implementation

Article 8. Principles and Implementation

8.1 The Trade Facilitation Secretariat works under the direction of the National Steering Committee for Economic Integration and head of the Secretariat;

8.2 The TFS works in in a centralized and egalitarian manner;

8.3 The TFS shall have a suitable action plan with proper terms. The secretariat is also responsible for the continuity of the assigned tasks;

8.4 The TFS shall clearly define tasks for the deputy head and the members to strictly implement their roles, rights based on their scope of responsibilities;

8.5 Reports and feedbacks to the higher level organization shall be made in a timely and regular manner.

Article 9. Meeting and reporting arrangements

9.1 The Trade Facilitation Secretariat shall hold an ordinary meeting twice a year. Special meetings may be organized if it is necessary to resolve important and urgent issues;

9.2 Any approval reached from each meeting will be based on consensus of all secretariat members;

9.3 TFS shall report on implementation progress and all situations arising in Trade Facilitation work to the National Steering Committee for Economic Integration and the Government on a regular basis and shall share minutes of meetings with the line ministries, members of concerned organizations to ensure the implementation is carried out in a consistent and timely manner.

Section V Final Provisions

Article 10. Stamp

The Trade Facilitation Secretariat shall have a specific stamp for approval of implementation under its roles and scope of responsibilities.

Article 11. Implementation Budget

The Trade Facilitation Secretariat shall have a specific budget to implement its tasks. The budget plan shall be formulated annually to be aligned with the budget plan of the National Steering Committee for Economic Integration through approval from the Ministry of Industry and Commerce.

Article 12. Implementation

Members of the Trade Facilitation Secretariat, line ministries, ministry-equivalent organizations, local authorities, and concerned sectors shall acknowledge, disseminate, and implement tasks indicated under this agreement rigorously.

Article 13. Effective date

This agreement shall be effective from the date of signing thereafter.

Deputy Prime Minister,
Minister of Foreign Affairs,
President of NSCEI

(signed and sealed)

H.E Thongloun Sisoulith