

Datasheet for business formalities.

Technical Assistance for Business Regulation Review and Rationalization in Lao PDR

REGISTRATION DATA		
Name of formality	License to Establish an Employment Service Enterprise	
Type of formality	License	
Formality Code	Date of last modification	Responsible Authority
MoLSW-SDED-2	27.12.2017	Skill Development and Employment Department

BACKGROUND DATA	
Means of presentation	At the Authority Offices
Specific sector linked to the formality	N - Administrative and support service activities
Purpose for enforcing the business formality	Employment Service enterprise may lead to the risk of human trafficking or discrimination in the employment opportunities, therefore, it is necessary for the government to request for the application of the permit to establish and operate this service to prevent such risk.
Who should complete this business formality?	Any person or entity that intends to operate the employment service both employment service for domestic labour market or the employment service for both domestic and foreign markets.
The formality has online information?	NO
Link to online information	
The formality has an application form?	NO
Any additional comment concerning the formality	The application form shall be submitted and reviewed by the Provincial Department of Labour and Social Welfare first before being proceeded further for approval by the Minister.

REQUIREMENTS AND SUPPORTING EVIDENCE	
Time it takes to the authorities to process the formality	60 - For the employment service only for domestic employment service, the review period would be 30 working days (excluding the review period from the Provincial Department of Labor and Social Welfare) - For the domestic and foreign employment services, the review period shall not be more than 60 working days
Qualifications needed by the business to get the formality	1. Having Lao nationality or being the joint venture between Lao and foreign investor; 2. Having staff that has good track record and good education background and skills suitable for the business operation; 3. Not being insolvent or bankrupt; 4. Having office, equipment and staff that are qualified to provide fundamental skill improvement; 5. Having registered capital and working capital

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REQUIREMENTS AND SUPPORTING EVIDENCE	
	of 200 Million LAK for the domestic employment service or 2 Billion LAK for the domestic and foreign employment service 6. Placing a guarantee of 2,000 USD for the domestic employment service or 20,000 USD for the domestic and foreign employment services; provided that the guarantee shall be placed before the issuance of the license and it shall be returned upon the termination of the enterprise without any outstanding liability
Is there any reason for the authority to deny the issuing of the formality?	Only if the applicants fails to meet the required qualifications

RENEWAL INFORMATION	
Does the formality have a validity or an expiration date?	How long will the formality be valid for? (in months)
YES	24
What is the process and conditions to renew the formality?	Shall renew the license by giving notification to the government authorities 30 days in advance, unless it shall be deemed that they waive its rights; provided that the following conditions shall be complied with: 1. The applicant shall comply with the law and regulation issued 2. The applicant shall provide employment service and labors governance in an efficient manner 3. The applicant shall not cause any harm to socio-economic condition 4. The applicant shall pay tax to government correctly in full 5. The applicant shall reach the estimated employment target as delegated by the Government authority in due manner 6. The applicant shall report the employment statistic to the government authority on a regular basis

ISSUING FEES				
Has application fees?	Service fees businesses need to disburse	Certificate fees businesses need to disburse	Application fees businesses need to disburse	Total fees businesses need to disburse
YES	0.00	1000000.00	10000.00	1010000.00
Comments	Reference: Presidential Edict 03/PR - Certificate Fee for domestic employment service is 500,000 LAK - Certificate fee for domestic and foreign employment services is 1,000,000 LAK - Application fee is defined under Decision No. 043/MLSW			

RENEWAL FEES

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RENEWAL FEES				
Has renewal fees?	Service fees businesses need to disburse	Certificate fees businesses need to disburse	Renewal fees businesses need to disburse	Total renewal fees businesses need to disburse
YES	0.00	500000.00	10000.00	510000.00
Comments	Reference: Presidential Edict No. 03/PR - Renewal fee for domestic employment service is 250,000 LAK - Renewal fee for domestic and foreign employment service is 500,000 LAK - Application fee is defined under Decision No. 043/MLSW			

LEGAL FRAMEWORK			
Name	Number	Date	Comment
Order on the Establishment and Management of the Employment Service Enterprise	043/ຮສສ	12.01.2010	Chapter II Establishment of the Employment Enterprise (Article 11 to Article 19)
Law on Labour (Revised)	43/ສພຊ	24.12.2013	Article 46 Establishment and Dissolution of the Employment Service Enterprise Article 47 Conditions for the Establishment of the Employment Service Enterprise Article 48 Issuance and Renewal of the Employment Service Enterprise

REQUIRED DOCUMENTS	
Document Name	Comment
Request Letter	ຫ້ງສີສະເໜີຂໍສ້າງຕັ້ງ ໂດຍຜ່ານພະແນກແຮງງານ ແລະ ສະຫວັດດິການສັງຄົມ ແຂວງ ແລະ ນະຄອນຫຼວງວຽງຈັນ
Criminal Certificate	
Education Qualification Evidence	
Estimated Income	ແຜນຄາດຄະເນລາຍຮັບໃນອະນາຄົດ 2 ປີຂ້າງໜ້າ
Feasibility Study	
Photograph of the Managing Director	
Copy of Passport of the Managing Director	
Copy of ID card or Family book of Managing Director	

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REQUIRED DOCUMENTS	
Address Certification	
Article of Association	
Location Map of the Enterprise	
Organisation Structure of Board of Directors	
Curriculum vitae of Managing Director	
Application Form	

STATISTICS (Issue or/and renewed number)		
Year	Issued	Renewed
2016	4	4

LIST OF ATTACHED DOCUMENTS		
Name of document	Type of document	File of document