

ສາທາລະນະລັດ ປະຊາທິປະໄຕ ປະຊາຊົນລາວ
ສັນຕິພາບ ເອກະລາດ ປະຊາທິປະໄຕ ເອກະພາບ ວັດທະນະຖາວອນ

ກະຊວງ ແຜນການ ແລະ ການລົງທຶນ
ກົມສົ່ງເສີມການລົງທຶນ

ເລກທີ 089 /
ນະຄອນຫຼວງວຽງຈັນ, ວັນທີ 27-02-2020


ຮຽນ: - ທ່ານ ລັດຖະມົນຕີ ກະຊວງ ອຸດສາຫະກຳ ແລະ ການຄ້າ ທີ່ເຄົາລົບ ແລະ ນັບຖື.
(ປະທານຄະນະຊີ້ນຳແຜນງານໂຄງການຊ່ວຍເຫຼືອລ້າຫຼາຍຝ່າຍເພື່ອພັດທະນາການຄ້າ PEC);
- ທ່ານ ຮອງລັດຖະມົນຕີ ກະຊວງ ອຸດສາຫະກຳ ແລະ ການຄ້າ (ຜູ້ຊີ້ນຳ);
(ໂດຍຜ່ານ ທ່ານ ຫົວໜ້າ ກົມແຜນການ ແລະ ການຮ່ວມມື, ກະຊວງ ອຄ)
ເລື່ອງ: ຂໍອະນຸມັດນຳໃຊ້ທຶນສະໜັບສະໜູນໂຄງການຢ່ອຍ (Challenge Facility - CF) ຂອງ
ໂຄງການສົ່ງເສີມຄວາມສາມາດໃນການແຂ່ງຂັນ ແລະ ການຄ້າ ຂອງ ສປປ ລາວ (LCT)
ເພື່ອຈັດຕັ້ງປະຕິບັດໂຄງການທີ່ສະເໜີໂດຍກົມທີ່ດິນ, ກະຊວງ ຊັບພະຍາກອນ ແລະ
ສິ່ງແວດລ້ອມ.

- ອີງຕາມຂໍ້ຕົກລົງວ່າດ້ວຍການແຕ່ງຕັ້ງຄະນະຄຸ້ມຄອງ ແລະ ຈັດຕັ້ງປະຕິບັດໂຄງການສົ່ງເສີມຄວາມສາມາດໃນການແຂ່ງຂັນ ແລະ ການຄ້າ ຂອງ ສປປ ລາວ ສະບັບເລກທີ 0358/ອຄ.ກຜຮ, ລົງວັນທີ 26 ມີນາ 2018;
- ອີງຕາມຂໍ້ຕົກລົງວ່າດ້ວຍການຄຸ້ມຄອງ ແລະ ນຳໃຊ້ການຊ່ວຍເຫຼືອທາງການເພື່ອພັດທະນາໃນຂະແໜງອຸດສາຫະກຳ-ການຄ້າ ແລະ ພາກເອກະຊົນ (ODA) ສະບັບເລກທີ 1998/ອຄ.ກຜຮ, ລົງວັນທີ 31 ຕຸລາ 2016;
- ອີງຕາມສັນຍາໂຄງການສົ່ງເສີມຄວາມສາມາດໃນການແຂ່ງຂັນ ແລະ ການຄ້າ ຂອງ ສປປ ລາວ ສະບັບເລກທີ 6318 – LA, ລົງວັນທີ 31 ຕຸລາ 2018;
- ອີງຕາມໜັງສືສະເໜີຂອງກົມທີ່ດິນ, ກະຊວງຊັບພະຍາກອນທຳມະຊາດ ແລະ ສິ່ງແວດລ້ອມ, ສະບັບເລກທີ 0490/ກຊສ.ກທດ, ລົງວັນທີ 05 ກຸມພາ 2020.

ກົມສົ່ງເສີມການລົງທຶນ, ກະຊວງ ແຜນການ ແລະ ການລົງທຶນ ໃນນາມຜູ້ຈັດຕັ້ງປະຕິບັດ ເສົາຄ້າທີ A (Pillar A - Component A3) ຂອງໂຄງການສົ່ງເສີມຄວາມສາມາດໃນການແຂ່ງຂັນ ແລະ ການຄ້າ, ຂໍຖືເປັນກຽດຮຽນມາຍັງທ່ານ ເພື່ອພິຈາລະນາອະນຸມັດທຶນສະໜັບສະໜູນໂຄງການຢ່ອຍ (CF) ຈຳນວນ 01 ໂຄງການ ທີ່ກົມສົ່ງເສີມການລົງທຶນ, ກະຊວງ ແຜນການ ແລະ ການລົງທຶນ ໄດ້ສະເໜີມາ ຊຶ່ງໄດ້ຜ່ານການປຶກສາຫາລືຮ່ວມກັນ ແລະ ໄດ້ຮັບການເຫັນດີຈາກບັນດາຜູ້ໃຫ້ທຶນແລ້ວ, ລາຍລະອຽດມີດັ່ງນີ້:

1. ຊື່ໂຄງການ: ປັບປຸງການອຳນວຍຄວາມສະດວກ ແລະ ການບໍລິການຈົດທະບຽນຊັບສິນ (Reform the property registration service and facility)
2. ເປົ້າໝາຍຂອງໂຄງການ: ປັບປຸງບັນດາຂັ້ນຕອນ, ເວລາ ແລະ ຕົ້ນທຶນໃນການໂອນໃບຕາດິນ, ກຳມະສິດນຳໃຊ້ທີ່ດິນຈາກບຸກຄົນໜຶ່ງໄປໃຫ້ບຸກຄົນອື່ນ ໂດຍນຳໃຊ້ລະບົບເຕັກໂນໂລຊີທັນສະໄໝ ເພື່ອໃຫ້ບັນລຸເປົ້າໝາຍລວມ ຂອງຄຳສັ່ງນາຍົກ ເລກທີ 02/ນຍ ເພື່ອປັບປຸງຄວາມສະດວກໃນການດຳເນີນທຸລະກິດ ຢູ່ ສປປ ລາວ.
3. ກິດຈະກຳຫຼັກຂອງໂຄງການ:
 - 3.1 ປັບປຸງດ້ານລະບຽບການທີ່ມີຢູ່ ຊຶ່ງປະກອບມີການທົບທວນຂັ້ນຕອນການຈົດທະບຽນຊັບສິນ ແລະ ຈັດຮ່າງມາດຕະຖານສັນຍາຊື້-ຂາຍ ເພື່ອຈັດລະບຽບ ແລະ ຫລຸດຜ່ອນຂໍ້ຜິດພາດ, ຂັ້ນຕອນການຈັດເກັບຂໍ້ມູນເຂົ້າ

- ສູ່ລະບົບດິຈິຕ້ອນ, ການຈົດທະບຽນຊັບສິນ ການໂອນກຳມະສິດຜ່ານລະບົບດິຈິຕ້ອນ, ຂໍ້ແນະນຳກ່ຽວກັບ ການຈົດທະບຽນທີ່ດິນຜ່ານລະບົບດິຈິຕ້ອນ ແລະ ການບໍລິການ;
- 3.2 ພັດທະນາແນວຄວາມຄິດການຈັດຕັ້ງປະຕິບັດສູນບໍລິການທີ່ດິນຜ່ານເວັບໄຊ້ ຊຶ່ງປະກອບມີການຂຶ້ນແຜນ ແລະ ການປັບປຸງຂຶ້ນຕອນການບໍລິການພາກທຸລະກິດ;
 - 3.3 ອອກແບບການປັບປຸງ ແລະ ເຊື່ອມສານ ລະບົບບໍລິຫານຈັດການຖານຂໍ້ມູນທີ່ດິນ ໃຫ້ສອດຄ່ອງກັບຂຶ້ນ ຕອນການຈົດທະບຽນທີ່ດິນ ແລະ ຂະບວນການທີ່ໄດ້ຮັບການປັບປຸງຄືນໃໝ່;
 - 3.4 ປັບປຸງແຜນຜັງເວັບໄຊ້ທີ່ມີຢູ່ປະຈຸບັນ ໃຫ້ສາມາດນຳໃຊ້ໄດ້ງ່າຍຂຶ້ນ ແລະ ຂໍ້ມູນທີ່ສາມາດກວດສອບໄດ້.
4. ພາກສ່ວນຈັດຕັ້ງປະຕິບັດ: ກົມທີ່ດິນ, ກະຊວງ ຊັບພະຍາກອນທຳມະຊາດ ແລະ ສິ່ງແວດລ້ອມ
 5. ໄລຍະເວລາ: 01 ມີນາ 2020 ເຖິງ 28 ກຸມພາ 2021
 6. ງົບປະມານ: 150,000 ໂດລາສະຫະລັດ

ສຳລັບບົດສະເໜີໂຄງການດັ່ງກ່າວຂ້າງເທິງນັ້ນ, ກົມທີ່ດິນ, ກະຊວງ ຊັບພະຍາກອນທຳມະຊາດ ແລະ ສິ່ງແວດລ້ອມ ໄດ້ດັດແກ້ ແລະ ປັບປຸງເນື້ອໃນຕາມຄຳເຫັນ ຂອງຜູ້ໃຫ້ທິນທີ່ໄດ້ຄົ້ນຄ້ວາພິຈາລະນາຮ່ວມກັບກົມສິ່ງເສີມການລົງທຶນ, ກະຊວງ ແຜນການ ແລະ ການລົງທຶນ ແລະ ພາກສ່ວນຈັດຕັ້ງປະຕິບັດໂຄງການ NIU ເປັນທີ່ຮຽບຮ້ອຍແລ້ວ. ກົມສິ່ງເສີມການລົງທຶນ ຈຶ່ງຮຽນສະເໜີມາຍັງທ່ານ ເພື່ອພິຈາລະນາອະນຸມັດທຶນສະໜັບສະໜູນໂຄງການຍ່ອຍ (CF) ຈຳນວນ 01 ໂຄງການ ທີ່ໄດ້ສະເໜີມານັ້ນ ເພື່ອເປັນການຊຸກຍູ້ການຈັດຕັ້ງປະຕິບັດວຽກງານປັບປຸງຄວາມສະດວກໃນການດຳເນີນທຸລະກິດຢູ່ ສປປ ລາວ ຕາມຄຳສັ່ງເລກທີ 02/ນຍ ໃຫ້ໄດ້ຮັບຜົນດີ (ລາຍລະອຽດຄັດຕິດມາພ້ອມນີ້) ດັ່ງນັ້ນ, ຈຶ່ງຮຽນລາຍງານມາຍັງທ່ານເພື່ອ ໃຫ້ທິດຊີ້ນຳ ແລະ ອະນຸມັດຕາມທາງຄວນດ້ວຍ. 

ອະນຸມັດ:
ທ່ານ ລັດຖະມົນຕີ ກະຊວງ ອຄ



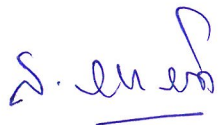

ແຂ້ມິນິ ພິນເສນາ

ຍັງຢືນ:
ທ່ານ ຮອງລັດຖະມົນຕີ (ຜູ້ຊີ້ນຳກົມຜຮ), ກະຊວງ ອຄ

ຫົວໜ້າກົມ




ອຸຕະແກ້ວ ແກ້ວດວງສິນ



ຄຳເຫັນ
ທ່ານ ຫົວໜ້າກົມແຜນການ ແລະ ການຮ່ວມມື, ກະຊວງ ອຄ 




ພູວງ ພິງສາ



Proposal for Challenge Facilities

Section 1: Summary Page1	
<i>Project title:</i>	Reform the property registration service and facility
<i>Implementing agency:</i>	Ministry of Natural Resources and Environment, Department of Land (Implementation Agency).
<i>Beneficiary:</i>	The beneficiaries of this project will be the <ol style="list-style-type: none"> 1. Government of Lao PDR; 2. Individual land property owners, entrepreneurs; companies, commercial banks etc.
<i>Location:</i>	Vientiane Capital, Lao PDR
<i>Project duration:</i>	12 months
<i>End of project:</i>	28, February, 2021
<i>Total project cost:</i>	US\$ 150,000
<i>Challenge fund funding sought:</i>	DB Challenge Facility
<i>Other sources of funding:</i>	None
Section 2: Project Description	
<i>2.1 What are the main objectives of the proposed project?</i>	This project aims to improve the procedures, time and cost for an individual person or a legal entity such as a business to transfer a land title, use rights or other under rights from one person/entity to another through procedural reforms based on the new land law and introduction of technical innovations in the ongoing modernization and digitalization process related to land registration service provisions and management of data. The overarching goal is to contribute to the PM order No.02 to ease and improve doing businesses in Lao PDR and to strengthen good governance in the land sector through increased transparency and credibility of registration processes and fees through a unified and secure digital data management system.

<p>2.2 What are the specific issues to be addressed within those main objective</p>	<p>To reach the above-mentioned objective the ongoing revision process of relevant regulations and decrees need to be completed to have a suitable regulatory and legal framework for the envisioned web-based access system on top of the existing modern digital land registration system (LaoLandReg).</p>
<p>2.3 What activities exactly is the Challenge Facility being asked to fund?</p>	<p>The DB Challenge Facility is being asked to fund following activities:</p> <ul style="list-style-type: none"> (i) Finalization of the ongoing regulatory framework, which include revision of (i) an instruction for property registration and a standardized purchase-sell agreement to reduce potential mistakes and irregularities, (ii) an instruction for conversion from an analogue to a digital system, also to enable digital land transformation in the registration, as well as (iii) provide concrete recommendations on digital land legislation and administration services. (ii) Development of the final concept for land service center including business process re-engineering and planning of the webservices. (iii) Customization and streamlined design of the LaoLandReg cadaster database management system according to the elaborated re-engineered processes for land property registration. (iv) An update of the current DoL/MoNRE webpage to make it more user-friendly and to improve information transparency.
<p>2.4 What results can be expected and how do they relate to the objectives in point 2.1 above?</p> <p><i>List the specific outputs the project seeks to achieve, the expected outcomes to measure the achievement of project and expected impact produced by the project interventions</i></p>	<p>The project will contribute to the ongoing modernization and digitalization of land registration services with a focus on regulatory reforms of business processes by finalizing the concept for land service centres including necessary legal changes and to work out necessary technical innovations to improve the overall property registration environment.</p> <p>In that regard, the project aims to have following outputs:</p> <ul style="list-style-type: none"> (i) The relevant official and legal documents namely the instruction for property registration, including a standardized purchase-sell agreement to reduce the potential for mistakes and irregularities and the instruction for conversion from an analogue to a digital system have been revised to provide an unambiguous regulatory framework for the ongoing digitalization of the land registration system. (ii) The concept of land service centers has been finalized including the institutional set-up, re-engineering of work processes, provision of web services and the establishment of an appropriate ICT infrastructure and is in line with the WB project

	<p>Support for Enhancing Systematic Land Registration. In a next phase the conceptualized webservices could be developed and be piloted in selected target areas.</p> <p>(iii) The LaoLandReg land registration system (v.7) has been tested and further customized and adjusted to cope with the requirements of the re-engineered work processes for land property registration.</p> <p>(iv) The current DoL website has been improved from a communication perspective through a user-oriented provision of information and documents, such as purchase-and-sale form. This measure would improve the information transparency which could have positive impact on the overall property registration/transaction environment.</p> <p>(v) The staff of the Land Department in the central and provinces have better knowledge on practices in the fields of land management and property registration; and their skills are updated to effectively operate the digital systems.</p>
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<p><i>2.5 What is the Implementing Agency's role in the area to be addressed by the proposed project?</i></p>	<p>Ministry of Natural Resources and Environment, Department of Land will manage the project.</p>
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<p><i>2.7 Are there any efforts being undertaken by the Implementing Agency, other government agencies, domestic stakeholders, bilateral or multilateral development partners to address the issues identified in point 2.2 above? Are other sources of funding available?</i></p>	<p>The German Development Cooperation (GIZ) supports the DoL since 2009 with the development of a modern digital cadastre database management system (LaoLandReg). The development of the system took place in different stages. By the end of 2020 the system will be able to cater all kinds of land registration applications (first registration, subsequent registration, registration of encumbrances and under rights), calculate and process land related fees and be able to do a simple process monitoring of lodged land registration applications. The system will also be able to manage all land related digitized documents in a separate archive database which is linked to the cadastral database. Additionally, GIZ supported the establishment of an ICT environment at DoL and 3 provinces (Houaphan, Luang Namtha & Xaignabouly) by provision of databases servers and network which allows a replication of the province cadastre data at national level and controlled online access to data hosted on the servers.</p>
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Section 3: Project risks / obstacles and risk mitigation measures

3.1 Describe the risks and obstacles during project preparation and implementation. Explain mitigating measures.

Unable to identify international/national consultants with adequate skills to develop and implement the efficient system which may cause delay in the project implementation

Mitigation: Development of TORs will be supported by NIU, who will also seek technical support from relevant units within the WBG. Recruitment of consultants will be carried out by NIU based on WB procurement guidelines. Consulting opportunities will be advertised widely in domestic media as well as UN Development Business's portal.

Insufficient time and time constraint for design of system and develop system until UAT and launching system.

Mitigation: As it has been done in other project in Laos, the WBG, NIU team can assist the procurement through assisting ToR development and accelerate procurement process.

Inability to secure sufficient funding from donors for equipment and materials/

Mitigation: Overall funding risk is low. This project will likely be solely funded by the Challenge Facility. However, other funding sources will be pursued to bring the project to fruition.

Capacity for implementing agencies to implement reform recommendations (lack of human resource for data entry "property information converting from manual to be digital and requested a lot of time)

Mitigation:

The Department of Land and the line agencies are familiar with setting up teams of government staff and volunteers, such as fresh graduated volunteers coming from universities and vocational educational institutors, for projects which are out of the scope of the regular work. The DoL needs to assign experienced personal who will manage the team and do the technical supervisions including trainings and quality control.

Section 4: Monitoring and evaluation

4.1 Identify indicators, outputs and outcomes which can be monitored before, during and after project implementation. eg:

Outputs:

The outputs of the project will consist of the following deliverables:

1. Adoption of an instruction on property registration including a standard purchase-sell agreement template

<p><i># of research/studies conducted</i> <i># of national sector strategies developed</i> <i># of regulations/guidelines developed</i></p> <p><i>Outcomes:</i> <i># of findings/recommendations implemented</i> <i># of strategies approved</i> <i># of regulations/guidelines approved</i></p>	<ol style="list-style-type: none"> 2. Adoption of an instruction on property registration data transformation from an analogue to a digital system 3. A report on final concept of Land Service Center 4. An updated LaoLandReg system to include land property registration 5. An updated website of DoL/MoNRE to include updated legal information, property registration application forms and other related documents 6. Estimated 80 staff under Department of Land are trained on digital property registration system <p>The Outcomes of the project will include</p> <p>Improved property registration services of the Land Department through</p> <ul style="list-style-type: none"> - utilisation of digital property registration system by January 2021 - functioning land service centers in pilot areas covered by this project - better access to information on property registration on the website of DoL/MoNRE <p>Indicators</p> <ul style="list-style-type: none"> - Reduction in the registration procedures from 8 steps in 2018 to 4 steps in 2020¹; - Reduction in the time for registration from 53 days in 2018 to 40 days in 2020²; - the number of monthly visitors on the website has gone up 30% from the baseline value 12/2019.
<p>Section 5: Project implementation arrangements</p>	
<p><i>5.1 Describe project implementation entity</i></p>	<p>Implementation of the project will be led by Director General of Department of Land, MoNRE.</p> <p>The task force will be responsible for the day to day operations of the project through closed coordination with IPD/MPI as agency in charge of overall supervision of the DB Challenge Facility and NIU/DPC on procurement and financial aspects of the project as main executing agency for the LCT Project.</p>

¹ No. 02/PM on Improvement of Regulations and Coordination Mechanism on Doing Business in Lao PDR, Vientiane Capital, 01 February 2018

² IBIS

5.2 Describe internal supervision arrangements	The implementation of the proposed activities will be monitored as part of LCT Project overall governance framework, namely NIU/IA meeting, PRC, and PEC mechanisms.
5.3 Describe reporting line	In addition to reporting to the management of MoNRE the task force is expected to report the project implementation progress on quarterly basis to IPD/MPI as implementing agency in charge of overall DB Challenge Facility and NIU/DPC as core executing agency for the LCT Project.

Section 6: Timetable

Activity		Expected start date	Expected completion date
Improving instruction, regulation and guideline for land property registration	\$20,000	March 2020	August 2020
Development of the final concept for land service center including business process re-engineering and planning of the webservices	\$30,000	March 2020	August 2020
Customize and streamline the LaoLandReg cadaster database management system according to the elaborated re-engineered processes for land property registration	\$ 50,000	August 2020	December 2020
Updating the current DoL/MoNRE webpage to make it more user-friendly and to improving information transparency	\$ 20,000	March 2020	December 2020
Capacity development for the staff of Land Department including training, workshops, internal assessment etc.	\$27,600	April 2020	January 2021
Miscellaneous (Max. 200 USD per month)	\$ 2,400		Contingencies expenses only

Section 7: Budget estimate

Description	Budget (US\$)	Remarks
Vender bidding for hiring a consultant to conduct a legal review and provides recommendations needed in the legislation for the upcoming changes to the land administration services	\$20,000	Vendor 1
Vender bidding for hiring a consultant to create a concept for business process re-engineering and planning of the webservices with the concept for land service centres	\$30,000	Vendor 2
Vender bidding for hiring a consultant to update the current DoL website	\$20,000	Vendor 2
Vender bidding for hiring a consultant to customize and streamline the LaoLandReg cadastre database management system	\$50,000	Vendor 3
Capacity development: Training, workshops, internal assessment etc.	\$ 27,600	
Miscellaneous (Max. 200 USD per month)	\$ 2,400	Contingencies expenses only
Total	150,000	

Format:

- Font: Times New Roman
- Font Size: 12 pt
- Spacing line: Single
- Length: 8 – 10 pages
- Language: English