

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Agriculture and Forestry

No. 0598/MAG.DI

REGULATIONS
on the Management and Use of irrigation systems
in the Lao People's Democratic Republic

Pursuant to the Decree No. 084/PM, on the organization and activities of the Ministry of Agriculture and Forestry,

The Minister of Agriculture and Forestry hereby decides to issue regulations on the management and use of irrigation systems to be applied at the national level as follows:

Part one
The organization of water users' groups

Article 1 : Before the project's construction

Before a project's construction, the population needs to be mobilized and informed in order to allow it to clearly understand the significance of the project or of the activity, and to adopt and voluntarily participate. For example :

- by sacrificing land for the construction of stations or canals,
- by contributing funds or locally available materials. In the case of a small scale project, the population shall contribute for the totality of the funds or at least 70% of the project's costs. The remaining 30% will be borrowed from the banks or ensured from contributions by other economic sectors.

Article 2 : Duration of implementation

Two months before the project is completed, a seminar or meeting of project using farmers shall be organized for the free election void of instructions or constraints a directing group for the use of water, responsible for the

management and use of water. Proper regulations shall be defined by determining the association's name, the objectives and duration of the work plan, the limits of managed lands, the names of members, the rights and obligations of the members and the contributions brought by each member. The use of water suggests the necessity for management, maintenance and other general activities. These regulations will have to be officially approved, registered and published for legal application.

Article 3 : After the project's completion

Each project of all categories or dimensions, once completed and controlled, in coordination with the provincial Department of Agriculture and Forestry or with other concerned agencies, the administrative authorities shall hand over the project to the directing group for management and use. In case an association or a directing group already exists, the procedures will remain the same (except for big scale projects or international bids) in which cases, the directing group shall not be entitled to conduct the management by itself. The Government or responsible parties for the project shall direct the management for a certain period of time in order to assist the farmers, but, at a later stage, shall hand over the responsibility to the directing group depending on its means and capacities. Nevertheless, farmers units shall also be organized for water use.

For all on-going projects, if a group or association already exists, the section responsible for the macro-economy, shall monitor, control and assess the work of these units in order to draw lessons, find solutions and disseminate them elsewhere. This assessment shall take place at least once a year or after harvest, or after using water.

Part Two The rights and Obligations of the Water Users Association

Article 4 : The rights of Water users association

- 4.1 The heads of the group of president of the association :
- supervise and divide responsibilities to the units
 - decide over differences between the group's members
 - fine or punish falters in accordance with the principles of majority of the group members.
 - organize meetings at least 4 times a year (before and after each production season). In case of emergency, a meeting may be organized at all times.

- the deputy head or the vice president has the same rights in case of the head's or president's absence who will properly assign such rights.

4.2 Rights of the group members :

- use water according to the equitable division by the group
- mastership over the project for everybody's interest
- forward matters to the superiors or the concerned agencies in case such member deems being disadvantaged or in case of risk of prejudice to the common interests.
- right to speak up for the common interests.
- right to elect or to change the group's head in accordance with the majority system.

Article 5 : Obligations of the group or association.

5.1 The obligations of the group head or association president :

- in case the head's absent, his deputy shall replace him but must be duly assigned by the head.
- assume the responsibility for anything under his responsibility.
- solve the problems occurring in the group or submit them to the superior authorities.
- define and divide the responsibilities to each
- educate, warn or punish equitably the falters.

5.2 Obligations of the group members :

- obligation for the continued maintenance of the project, its repairs, drainage, cleanliness of canals in order to extend its life period.
- each member has the duty to financially or materially contribute to the project's maintenance works.
- obligation to pay for water (in kind or in money) in accordance with the rates fixed by the group.
- obligation to protect the project against bad elements.

Part Three Measures for completed projects

Article 6 : All completed irrigation projects supplied with water must have a production plan. The different concerned sectors, particularly the sectors of agriculture and livestock, or the investing companies shall actually direct or undertake experimentation, for example : intensive cultivation, use of new varieties for higher productivity, livestock, fishery or trial of new cultivations in order to meet the internal market's requirements and obtain excess for export.

Article 7 : The concerned sectors of the State shall organize the assignment of technicians for the dissemination of production techniques among the farmers, to mobilize them as well as the companies and the individuals to contribute to the costs of construction, maintenance and development of the project, or even to privatize the project. Each village must endeavor to form their own staff responsible for irrigation.

Article 8 : For electric pump projects, in addition to the application of Articles 6 and 7, a contract will be required between the group of farmers (users group) and the electricity company on the scope of control and the modality for the payment of electricity.

Article 9 : All sectors, agencies or companies operating within the limits of the project shall apply the dispositions of these regulations without exception.

Part Four **Definition of Dimension and nature** **of irrigation systems built in Lao PDR**

Article 10 : The dimension of an irrigation system in Lao PDR is defined by its irrigable area and by its construction cost.

- 10.1 A big scale irrigation project includes the dam, pump station, reservoir and sluices allowing to irrigate an area of over 1,000 ha and requiring a cost of over 500 million kips.
- 10.2 A medium scale irrigation project includes the dam, pump station, reservoir and sluices allowing to irrigate an area ranging between 100 to 1,000 ha for a cost of 100 to 500 million kips.
- 10.3 A small scale irrigation project includes a dam, pump station, reservoir and sluices allowing to irrigate an area ranging between 30 to 100 ha for a cost of 30 to 100 million kips.
- 10.4 A popular or family irrigation project includes a dam, pumps, small reservoir, sluices, ponds and wells allowing to irrigate an area of less than 30 ha for a cost of less than 30 million kips.

Article 11 : Requirements in water by production type

- 11.1 Rice

- rainy season (season cultivation), the requirements in water ranges from 8,000
- 10,000 m³/ha
- Dry season (irrigated cultivation), 18,000 - 20,000 m³/ha

11.2 Bean family

- green bean = 5,000 m³/ha/season
- peanut = -
- Soybean = -

11.3 Industrial crops, starch, tubers = 4,000 m³/ha/season.

11.4 Legumes = 3,000 m³/ha/120 days

11.5 Livestock

The requirements in water for animals and the fisheries are :

- big animals (cattle, horses) = 45 - 60 liters/day/head;
- pigs + 20 - 30 liters/day/head;
- poultry = 50 liters/day/50 heads;
- goats = 4.5 liters/day/head
- fishery - 2 - 5 fishes/m³.

11.6 The population requires an average of requirements in water of liters/day/inhabitant per day.

Part Five

Principles and regulations for the use of water, congratulations and penalties

Article 12 : It is forbidden to bring animals or heavy vehicles, such as : elephants, buffaloes, pigs, goats or trucks in the canals, which could be damaged. The transgressors will be fined from 500 to 5,000 kips each time and will be liable for making good the caused damage.

Article 13 : Bad elements voluntarily causing damage to the irrigation systems, such as :

- 13.1 damage to the pump system, buildings or canals, well be responsible before the groups' regulations.
- 13.2 Stealing water, such as by digging canals for water without any authorization from he group or the concerned agency. After warnings, these transgressions will be fined from 500 to 5,000 kips each time. In case of recidivism, the party

in fault may be temporarily forbidden to use water until the said party acknowledges his faults and make good the caused damage.

13.3 Undermining elements for the enemy will be punished in accordance with the law. Fishers will be forbidden to use any method susceptible to cause prejudices to the normal uses of water, otherwise, a penalty of 500 to 5,000 kips will be imposed each time and the damage will have to be made good.

Article 14 : It is forbidden to dispose used water or chemical products in the canals. If the pollution exceeds the levels authorized by the environment, the party in fault will be penalized from 500 to 5,000 kips each time and will be responsible for making good the caused damage.

Article 15 : It is forbidden to log trees or to practice the slash and burn cultivation within the limits of the project. The party in fault will be liable before the law forbidding tree logging and forestry regulations.

Article 16 : The water user, whether member or not of the group, must pay for the used water. The cost will be ... kg of paddy rice per hectare of land or its equivalent in money based on the market price of rice. The payment will be made 30 days at the latest after harvesting, otherwise the group will apply measures.

Article 17 : The collected money will be divided in two, 50% for the maintenance funds and 50% for the administrative costs, salaries for cadres, etc. In case electric pumps are used, the price of electricity will be deducted before dividing the funds.

Article 18 : Persons having well performed their obligations and actively contributing to the project will be shown as examples and rewarded with congratulatory notes by the administrative authorities or the concerned agencies and will also receive a bonus in kind or in money as appropriate.

Article 19 : Part Five of these regulations must be considered as the general principle, but the actual implementation in each region or province will take into consideration the general opinion of the farmers or of the association of farmers as approved by the Irrigation Department.

Article 20 : The computation of water cost will depend on the nature of the system, the region and the opinion of the farmers (the project's life will be taken into account for a higher productivity). In principal, the computation will be made as follows :

20.1 In case of reservoir = 0.43 - 0.45 Kip/m³ or 3,500 to 10,000 kip/ha/season.

- 20.2 In case of dams = 0.35 - 0.40 kip/m³ or 3,500 to 5,000 kip/ha/season.
- 20.3 In case of electric water pumps = 1.01 kip/m³ or 12,000 to 20,000 kip/ha/season (including the electricity cost of 7 kip/Kw).
- 20.4 In case of diesel water pumps = 1.5 - 2.5 kip/m³ or 25,000 to 50,000 kip/ha/season (including the cost of fuel).

Article 21 : The local authorities at all levels and the concerned agencies must organize the strict implementation of these regulations in accordance with their roles and responsibilities.

Article 22 : These regulations are effective from the day they are signed and will remain effective until further instructions.

Vientiane, June 25, 1993
Minister of Agriculture and Forestry

Signed

Sisavat Keobounphan