

Some areas for discussion of foreign law and experience relating to hydro-electricity production and sales

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SOME AREAS FOR DISCUSSION OF FOREIGN LAW AND EXPERIENCE
RELATING TO HYDRO-ELECTRICITY PRODUCTION AND SALES

What can Lao PDR learn from other countries' experiences relating to these and other problem areas which the Lao Electricity Bill should address?

1. Scope of of electricity laws in other countries, given their particular historically-shaped circumstances; ie what issues do their laws address?

2. Licensing: what agency issue licences? using what criteria? what procedures does agency use in deciding on licenses? What system exists for monitoring and evaluating the agency's decision-making?

3. Standard contracts: what agencies negotiate contracts? do agencies elsewhere use standard forms? what issues do standard forms usually cover? What system exists for monitoring and evaluating the agency's decision-making?

4. Questions relating to specific problem areas, in each case including the issue of agency responsible for implementation, and the process of monitoring compliance with stated rules:

a. Shares of electricity companies' gross income and net income that go to governments in the form of taxes? How collected? How monitor collection to ensure government gets the stated share?

b. How do other governments determine the prices which neighboring countries pay for electricity?

c. What provisions do most governments make to protect the environment? How enforced? Which party pays compensation for environmental damage? What agenc(ies), using what criteria and procedures, take responsibility for assessing and paying compensation to those affected?

d. What provisions usually exist to compensate persons displaced by dams, etc? How enforced (by what agency? using what criteria and procedures?

e. What provisions do other governments make for training nationals to assume responsibilities for all aspects of electricity production, marketing, and finance? How enforced?

f. To what extent, and in what detail, do electricity laws generally provide for distribution of electricity output within the producing countries? what responsibility must contractors usually assume? government agencies (which ones)?