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Commercial \ Community Relations \ Community Development \ 2013 \ 2013 District Support \ 2013 TF \ TF documents \ 3. Terms and Conditions of TF \ Sepon Development Trust Fund Charter.docx

Page 1
1. **Jurisdiction and Purpose**

1.1 The District Development Trust Fund is established for the purpose of providing financial assistance to local communities and organizations for the development of social and economic projects within the authority of the District Development Trust Fund.

1.2 The District Development Trust Fund shall be used for the purpose of providing financial assistance to local communities and organizations for the development of social and economic projects within the authority of the District Development Trust Fund. The Fund shall be utilized in accordance with the terms and conditions of this Trust Fund Agreement.

2. **Membership and组成**

2.1 The District Development Trust Fund shall be managed by a committee comprising representatives of the local communities, organizations, and government authorities. The committee shall be responsible for the management and administration of the Fund.

2.2 The District Development Trust Fund shall be administered by a committee comprising representatives of the local communities, organizations, and government authorities. The committee shall be responsible for the management and administration of the Fund.

2.3 The District Development Trust Fund shall be administered by a committee comprising representatives of the local communities, organizations, and government authorities. The committee shall be responsible for the management and administration of the Fund.
2.4 In the case of the settlement of disputes, the decision of the highest authority in the TF Chamber of Commerce District Support TF will be the final decision. The dispute will be settled in accordance with the regulations of the TF Chamber of Commerce District Support TF.

2.5 The TF Chamber of Commerce shall notify the parties of the dispute and provide the parties with all necessary information and shall exercise its rights and duties in accordance with the law.

2.6 In the event of a dispute, the TF Chamber of Commerce shall settle the dispute according to the rules and regulations of the TF Chamber of Commerce. The decision of the TF Chamber of Commerce shall be final.

3. Chambers of Commerce.

3.1 If the amount of the dispute is less than 50,000 Riel, or if the other party agrees, the chamber may decide. The decision of the chamber shall be final. If the parties disagree, the chamber may decide. The decision of the chamber may be appealed to the TF Chamber of Commerce.

3.2 The chamber shall decide within 5 working days. If the parties disagree, the chamber may decide. The decision of the chamber shall be final.

4. Chamber of Commerce.

4.1 If the chamber decides, the decision shall be final. If the parties disagree, the chamber may decide. The decision of the chamber shall be final. If the parties disagree, the chamber may decide. The decision of the chamber shall be final.

4.2 If the chamber decides, the decision shall be final. If the parties disagree, the chamber may decide. The decision of the chamber shall be final.
5. กรมการการจัดซื้อจัดจ้าง

5.1 นี่คือที่จะส่งข้อความถึงกรมการจัดซื้อจัดจ้าง องค์การบริหารส่วนท้องถิ่น ตัว. กรมการการจัดซื้อจัดจ้าง จะมีตัวอย่างเป็นตัวอย่าง ในแต่ละปี ผู้จัดการบริหารส่วนท้องถิ่นจะต้องมีการประกอบ

ต้นที่มีสิ่งต่างๆตามที่มีอยู่ในกรมการการจัดซื้อจัดจ้าง. สำนักงานจะต้องมีที่อยู่เมื่อต้อง, ใบสั่ง และ

ผู้สั่งซื้อเพื่อเป็นตัวอย่างกรมการการจัดซื้อจัดจ้างในแต่ละปี.

5.2 รายละเอียดโครงการที่สำคัญ แซ่ด้วยโครงการ จะต้องประกอบยุทธศาสตร์ เข้ามอบโครงการ

ที่มีของ ให้แก่ผู้สั่งซื้อจำนวนจัดซื้อและ เข้าให้เห็นเจ้าหน้าที่ และ ผู้ถูกต้อง.

6. กรมการข้อมูล

6.1 กรมการข้อมูล จะลงมือทำข้อมูลลงต่ำ แล้วพิจารณาที่สิ่งต่างๆ กรมการได้ที่ยุทธศาสตร์ที่สำคัญ ตาม

เอกสารที่แอบตอบในกรมการข้อมูล.

7. กรมการปฏิบัติและกฎหมาย

7.1 ใบข้อมูลปฏิบัติและกฎหมาย จะต้องทำเป็นจัดซื้อจัดจ้าง โดยต้องเป็นกรุปปฏิบัติการ

ที่มีการจัดซื้อจัดจ้างตามกฎหมาย.

7.2 กรมการปฏิบัติและกฎหมายจัดทำให้ตั้งแต่ละกฎหมาย จะต้องทำเป็นกฎหมายและงบประมาณ

ขั้นตอนที่สำคัญอยู่ในกฎหมาย. ผู้ทำกฎหมาย, แต่ละกฎหมายจะมีกฎหมาย, ขั้นตอนปฏิบัติการและกฎหมาย

ขั้นตอนที่สำคัญอยู่ในกฎหมายและ กฎหมายจะมีกฎหมายด้วยกฎหมายที่สำคัญ

7.3 กรมการปฏิบัติและกฎหมาย จะมีการจัดซื้อจัดจ้าง (เมื่อเกิดกฎหมายปฏิบัติ), ผู้จัดการที่ได้รับ

ยุทธศาสตร์ให้เป็นกฎหมาย.

7.4 ใบข้อมูลสำคัญของกฎหมาย จะต้องใช้ 2 ลงมือ ตามกฎหมายสิ่งที่เห็นสมควรอยู่ใน

ขั้นตอนที่สำคัญของกฎหมาย. กฎหมายจะมีกฎหมายที่เห็นสมควรอยู่ในกฎหมาย อยู่

เมื่อเกิดกฎหมาย.

8. กฎหมายปัจจุบันกฎหมาย

จุนำถึงกฎหมายปัจจุบันที่ (15,000 ใบงบประมาณ) แม่บ้านจัดซื้อจัดจ้างได้อย่าง แม่บ้านไม่ได้สิ่งใน

กรมการปัจจุบันกฎหมาย:

8.1 ยิ่งขึ้น และ ยิ่งขึ้นกฎหมายได้รับการลงมือ.

8.2 ยิ่งขึ้น และ ยิ่งขึ้นกฎหมายได้รับการลงมือ ยิ่งขึ้นกฎหมาย ผู้จัดการ.

8.3 กฎหมายปัจจุบันกฎหมายที่เกี่ยวข้องกับ 2,000 ใบงบ ที่เกี่ยวข้องไม่ตามกฎหมาย. ตัวเจ้าหน้าที่ต้อง

ยิ่งขึ้นกฎหมายที่เกี่ยวข้อง อบรมให้รู้กฎหมาย ตัวอย่าง: กฎหมายในกฎหมาย และ กฎหมาย.

8.4 กฎหมายปัจจุบันกฎหมายที่เกี่ยวข้องกับ ในกฎหมาย แม่บ้านจัดซื้อจัดจ้าง กฎหมาย.

8.5 กฎหมายปัจจุบันกฎหมาย แม่บ้านจัดซื้อจัดจ้างได้ใช้ในกฎหมายจัดซื้อจัดจ้าง.
(სურათის აღწერის ოფიციალური)
(გრაფიკოს ნიჭი)

(სახელწოდების მიხედვით)
(ჩატარებული ნაშტი)

რამდენიმე სახელწოდებით მიუხედავად ამ თურქული ნახტარის აღწერის მიხედვით, აშენებული მიზნით ამ ტექსტით გამოიყენება შემდეგი სახელწოდება:

(ტექსტის აღწერა)

(ტექსტის მიხედვით)

(ტექსტის წარმოდგენის მიხედვით)

(ტექსტის წარმოდგენის თარიღი)

Development Trust Fund Charter

- According to the Strategic Development Plan of VBL to eradicate poverty by the end of 2015.
- According to the discussion of the Trust Fund Board Management of VBL (Vilabouly District) and MMG-LXML Company to implement projects with effectiveness and standardization.

A. Introduction

The Community Development Trust Fund was established in 2003 consistent with the Environmental Certificate for the Gold & Copper Operations, and Article 24 of the MEPA, and the Agreement Amending MEPA between the Government of the Lao’s People Democratic Republic and Oxiana Resource Laos Limited in article 3, page 3, and will run for the duration of mining operations in Sepon.

The fundamental principles of the Trust Fund are to provide support to the community most affected by the impact of the mine in cooperation with the District, Provincial and Central Government. The purpose of the trust fund is to provide targeted assistance to communities impacted by the mine’s operations to eradicate poverty through sustainable education, health, livelihood and basic infrastructure projects.

Generally projects carried out by the Trust Fund supplement and follow the District and/or Provincial Government development plans.

B. Purpose

The purpose of this document is (a) To agree the rules and conditions of budget use of Trust Fund, and (b) establish guidelines for the Trust Fund Board Management Committee for the process of annual planning approval.
C. Development Trust Fund Charter
(Vilabouly Trust Fund Program)

1. Purpose of the Trust Fund

i. In line with the introduction above, the primary purpose of the Trust Fund is to assist the District Government to solve/eradicate poverty in Vilabouly District through the delivery of basic community services such as education, health (including water and sanitation), livelihoods and infrastructure projects. As a result, priority will be given to projects that:
   a. Are developmental in nature, benefit the community (directly and indirectly), and meet poverty alleviation or eradication targets, especially for projects that directly benefit women and children; and/or
   b. Strengthen the capacity of District authorities to deliver basic community services, including through government agencies or local village, community, and mass political organisations (such as the Lao Youth and Women’s Union or the Lao National Front for Reconstruction).

ii. The Trust Fund is intended to be used throughout Vilabouly District to provide support to those people directly affected by the impact of the mine, but projects outside will be also be considered in some circumstances if they provide a direct developmental or poverty eradication benefit to the region.

2. Project Approval.

i. The proposed projects and budget must be reviewed and approved at the Annual Meeting, taking into account recommendations from the Technical/Informal Meeting in August each year. Final decisions on approved projects will be made in the Annual Meeting in September each year.

ii. Projects must meet the purpose of the Trust Fund as mentioned above.

iii. Projects cannot be started and no funds committed until formal project documents are approved by the Community Relations Department and Vilabouly District.

iv. Changing project proposal details or project title after the Annual Meeting can be reasonably negotiated and adjusted upon agreement by LXML and District.

v. Approval of construction projects have to adhere to the project criteria and be reviewed by the District and LXML.

vi. Exceptions to the above agreements can be negotiated in good faith between the District and LXML. However, such exceptions should be presented before the Annual Meeting for consideration.

3. Project Tendering

i. Projects with a value of $50,000 or more must be put out to tender. They must be advertised through a public announcement e.g. radio, newspaper etc. A minimum of three, preferably five, closed bids should be received in a competitive bidding process. Any project costing under US$ 50,000 will be negotiated informally with at least three local contractors.
ii. The bid reviewing committee should consist of representatives of LXML and Vilabouly District.

4. Project implementation

i. The technical officer assigned to monitor project implementation will be appointed by the head of the funded office. The officer will establish a monitoring check list in consultation with LXML to ensure each project meets its objectives within the scope of the purpose of the Trust Fund. The Officer will report to the Trust Fund secretary unit after each monitoring visit.

ii. The Trust Fund inspection and monitoring teams will periodically monitor and report on progress.

iii. Construction projects require frequent and regular monitoring to ensure objectives are met.

iv. All construction projects are required to include a sign-board (approximately 120 cm x 80 cm) indicating LXML funding.

5. Project Inspection and Repayment

i. Milestone payments will be made for large projects, and these payments will be paid year by year after satisfied technical inspection by three parties. The inspection team members will include district, LXML Company and Contractors. Repayment to the project is dependent on the budget allocation of the Trust Fund Board Committee.

ii. After each project is completed, the project owner will formally hand it over to the Village Authorities in order to use and maintain it.

6. Reporting

i. Reporting will include detailed confirmation that the project has been completed in line with the original guidelines.

7. Financial Clarification

i. The annual budget plan has to be approved formally by the Trust Fund Board Management before drafting project proposals.

ii. The sectoral annual budget division will be identified by the Vilabouly Leadership. After that, each office will manage the allocated budget according to their priorities. Then it will be presented to the informal/technical TF meeting.

iii. All payments will be made in the form of cheques (not cash) after satisfactory completion of the final project report.

iv. Cheques for projects will require signatures from both Vilabouly District Chairman/representative and the LXML Co-Chairman. All budgets/cheques will be transferred to the official Vilabouly District bank account.

8. Administration Budget

The purpose of this budget (US$15,000) of the total TF budget is to provide the District with funds to support:
i. District staff training and staff development.
ii. Promote and support the district to work at the grass-roots level.
iii. Purchases of minor assets up to $2,000 for office work. Recurring costs for operations of District Office should be charged to Administration. For example: electric power and water supply.
iv. The bank’s monthly service fee has to be taken from the administration budget.
v. The administration budget will not be used for vehicle purchase.

9. Maintenance Budget

i. US$30,000 allocation for annual maintenance project. This allocation is intended to use for maintenance project of other infrastructure under responsibility of the District.

10. Debt and repayments

i. Construction of large projects occasionally exceeds the scope of Trust Fund budget in one calendar year. Borrowing from future years (creating debt) can be a good way to pay for these projects. LXML and the District agree that occasional debt is permissible, but it must be closely monitored and controlled in order to ensure that debt does not become unmanageable.

ii. A presentation on debt must be included in the Annual Meeting which shows: new debt, current debt, amount to be paid this calendar year, and outstanding debt at the end of the year.

iii. Any new projects creating debt must be specifically shown as new debt at the Annual Meeting, given a time table for repayment, and shown in the context of the total outstanding Trust Fund debt.

iv. Maximum debt shall not exceed 100% of the value of the annual Trust Fund amount. Generally, debt will be kept below $250,000.

v. All new debts must be repaid in fixed amounts and complete within Five Year Plan (year 2011 – 2015).

vi. The District is completely financially responsible for all and any debts of the Trust Fund. In case the mining operation is going to close, the company should inform the district 1.5 – 2 years in advance so appropriate action can be taken to limit commitments.

The agreement above will be effective after both sides are agreed and signed; and be revised and improved after 2 – 3 years in order to respond to changing situations.

Chairman of the Trust Fund, VBL
District Governor

Co-Chairman of LXML
Manager of CR Department