



**Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity**

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**National Assembly**

**No 226 /NA**

**Resolution  
Of  
National Assembly  
Of  
Lao People's Democratic Republic on Approval of Law on Plant Protection**

- Pursuant to Article 53, Item 2 of the Constitution and Article 3, Item 2 of National Assembly Law of Lao People's Democratic Republic regarding the Rights and duties of National Assembly.

After the 6<sup>th</sup> ordinary session of the VI National Assembly Congress, wide studies and considerations were undertaken and agreement was reached on the content of the Law on Plant Protection in a resolution at the morning session of 9<sup>th</sup> December 2008.

**The Session agreed:**

**Article 1:** the Law on Plant Protection was approved by majority vote.

**Article.2:** the resolution is effective from the date of its signature

Vientiane Capital, 9<sup>th</sup> December 2008.

President of National Assembly

Sign and Sealed  
Thongsing Thammavong



**Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity**

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**National Assembly**

**No 110/OP  
Vientiane Capital, 18 December 2008**

**Decree  
Of the President  
Lao People's Democratic Republic  
On the Promulgation of the Law on Plant Protection**

- Pursuant to the Constitution of the Lao's People Democratic Republic, Section Vi, Article 67 Item 1 on the promulgation of the constitution and the Law(s) previously approved by the National Assembly;
- Pursuant to the Resolution of National Assembly of People Democratic Republic No 226/NA, Dated 9th December 2008 on the approval of Plant Protection Law;
- Pursuant to the written proposal of the standing committee of the National Assembly No. 24/SCNA, dated 16<sup>th</sup> December 2008.

**The President of Lao People's Democratic Republic issues Decree:**

Article 1: On the promulgation the Law on Plant Protection

Article 2: this Degree is effective from the date of its signature

Signed and sealed

Choummaly XAYASONE



**Lao People's Democratic Republic**  
**Peace Independence Democracy Unity Prosperity**

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National Assembly

No 06 /NA  
Vientiane Capital, 9 December 2008

## **LAW ON PLANT PROTECTION**

### **Chapter I** **General Provisions**

#### **Article 1. Objectives**

Plant Protection Law defines rules, regulations related and measures related to organization, management and inspection of plant protection in order to prevent pest from spreading within, into and out of the country. Its objectives are: to protect human, animal and plant health and safe environment; to ensure growing of plant and plant's product in quantity and quality response to domestic demand which contributes to develop livelihoods of Lao people and promote the development of foreign economic relations and trade and to participate and contributes to sustainable social and economic development.

#### **Article 2. Plant Protection**

Plant Protection, according to this law and in comply with International Plant Protection Convention, is the control and inspection of plant, plant's product and regulated article which are moving from its originate area to another area with the aim to restrict and prevent pest from spreading within, into and out of Lao People's Democracy Republic's territory.

#### **Article 3. Definitions**

The terms used in this law have the following meaning:

1. Plant refers to living plants and parts thereof, including fruits, grains, seeds, and germplasm
2. Pest refers to any species, strain or biotype of plant, insect and microorganism or pathogenic agent such as bacteria, fungi, virus etc. . . .injurious to plants or plant products and environment
3. Injuries plant refers to weed or plant that
4. Plant product refers to unmanufactured material of plant origin and those manufactured products that, by their nature or that of their processing, may create a risk for the introduction and spread of pests such as rice, milled rice, maize, coffee, corn flour, cassava;
5. Regulated articles refers to objectives used for plant research, waste of plant, soil, plant medium as well as packaging material such as container, pallets, dunnage, crating, packing blocks, sag, basket;
6. Virus refers to a microorganism injurious to plant, animal and human and only visible by with electron microscope.

7. Bacteria refers to a microorganism with many genus injurious to plant, animal and human which is only visible by stereo microscope;
8. Parasite refers to an organism which lives on or in a larger organism such as plant, animal and human, feeding upon it
9. A spore refers a very small dispersal reproductive unit with an outer covering and that may be infectious;
10. Convention refers to International Plant Protection Convention which Lao is contracting party in 28 February, 1995 and deposited in 24 December, 2006.
11. Plant protection authority refers to technical staff who is officially assigned by plant protection administrative office to facilitate and conduct plant inspection at border check point or in the pest outbreak area in accordance with the laws and regulations;
12. Plant Protection border check point refers to working area or location for plant protection authority;
13. Phytosanitary certificate refers to a document certifying that plants, plant products and other materials for export or import are free from regulated pest;
14. Place of origin certificate refers to document certifying production place, country, region, area or site where is the origin of plant, plant's product and regulated article;
15. Phytosanitary treatment refers to official procedure for the killing, inactivation or removal of pests, or for rendering pests infertile or for devitalization
16. Entrepreneur refers to person who export, import, produce plant, plant's product and regulated article and includes individuals engaged in phyto-sanitary businesses;
17. Right to complain means the right to make a complaint to the administration, to institute court proceedings in the People's Court and to request the National Assembly for a fair hearing.

#### **Article 4. Government policies on Plant Protection**

The state promotes plant protection through development of supportive policy, law, regulation and provisions on tax, duty, credit, technique and technology that is favorable to facilitate individuals, families and organization, both domestic and foreign in implementation of plant protection in order to response to national social and economic development in term of international integration.

#### **Article 5. General principle on Plant Protection**

Plant Protection shall be implemented based on following principles:

1. Ensure centralized and harmonized management throughout the country.
2. Safe interests of state, community, family and entrepreneur both domestic and foreign
3. bearing in mind the importance of eco-systems, health and safety of plants, people and animals for achieving the short and long term benefit of society;
4. Plant protection shall be implemented in harmony with promoting agricultural production and sustain agriculture and forestry development.
5. Plant protection shall be implemented together with directives, policies, laws, rules and regulations of Lao PDR. and the relevant international agreements or conventions of which Lao is the contracting party.

#### **Article 6. Scope**

This Law applies to control pest from spreading within the county; to manage and inspect import, export and transit of all type of plant to ensure safety and sanitary of plant, human and animal.

The issue of chemical used for plant protection, residue in plant is not covered in the scope of this law

#### **Article 7. International Cooperation**

The state promotes links and cooperation with foreign country, region, international including international organization to implement and improve plant protection through exchanging lessons, experiences, information, news; conduct scientific and technology researches; development of human resource; following the implementation of the international agreement and convention of which Lao is the contracting party.

## **Chapter II Plant Protection Activities**

#### **Article 8. Target of Activities**

Target of activities defined in the Article 9 of this law such as import, export and transit shall be strictly regulated and inspected in accordance with technical provision. Regarding to activities within the country, regulating infested area and restricting movement shall be applied.

#### Article 9. Activities and business related to Plant Protection

- Plant protection activities are as follows:
  - Domestic plant protection
  - Import plant inspection
  - Export plant inspection
  - Transient plant inspection
  - Inspection of articles carried by passenger and sent by post.
  - Vehicle inspection
- Plant Protection business

## **Session 1 Domestic plant protection**

#### **Article 10. Regulating plant within the country**

Regulating plant within the country shall be conducted in accordance with technical provision and law, rule and regulation through inspection, containment and restriction movement of the regulated pest from its original area to another area.

#### **Article 11. Pest reporting**

Individual, family or organization who intercepts pest infestation or outbreak in an area shall urgently report to state agriculture and forestry office or relevant local administrative authority.

#### **Article 12. Declaration of epidemic area**

Government and local administrative authority shall declare epidemic area as proposed by Plant protection administration organization by the following:

1. If the outbreak occurs within one district or municipality, the chief of the district or mayor of municipality declare epidemic zone;
2. If the outbreak occurs in more than one district or municipality, but within on province or municipality, the government and mayor of the municipality shall make the declaration;
3. If the outbreak occurs more than one province, the prime minister will make the declaration.

#### **Article 13. Control measure on pest out break**

Ministry of Agriculture and Forestry in coordinate with local administrative authority shall announce the measure to control the outbreak of pest in appropriate time as follows:

1. Imply appropriate and effective measure to control the outbreak of pest
2. Imply necessary measure in specific area or whole country to prevent, control and eradicate pest out break and to restrict pest widely distribution.
3. Destruct and dispose pest, plant, plant products and articles that is infest, contaminate or harbored pathogen in time and provisions.
4. Monitor and survey infested area or suspected area where ecological factors favor the establishment of a pest

## **Session 2 Import Plant Inspection**

#### **Article 14. Import of plant**

Individuals, families who intend to import plant , plant product, regulated article in form of trade, foreign assistance shall follow policy, law, rule, regulation of Lao PDR, international agreement and convention of which Lao is the contracting party.

#### **Article 15. Permission for importing plant**

Individuals, families whose intend to import plant seed, variety and its part specified in the list of regulated pest f Lao PDR. or from exporting country where is reported to be infested area shall apply for import permit from state agriculture and forestry office and follow the existing law, rules and regulation.

#### **Article 16. Declaration of Document**

Individuals, families and entrepreneur who import plant, plant product and regulated articles shall presented relevant document to plant protection border check point such as phytosanitary certificate and another relevant document issued by exporting country or country of origin.

#### **Article 17. Inspection of Plant commodity**

Plant, plant product and regulated articles imported for trade shall be inspected in consistence with technical provision. If no pest intercepted, the consignment should be allowed to enter the country.

In the event that serious pest occur abroad and is reliable to spread into the country, Plant protection authority with its right shall detain imported regulated article in post entry quarantine for monitoring, inspection and testing.

In the circumstance that regulated pest is intercepted from imported article, plant protection authority shall notify to the owner and absolute treatment measures shall be decided by the plant protection authority. Where treatments are not feasible in Lao PDR, the consignment shall be returned to the place of origin or destroyed.

The required expense or the losses incurred in the treatment, returning or destruction for the imported articles shall be borne by the owner.

#### **Articles 18. Import of prohibited articles**

Individuals, families and entrepreneur who intend to import plant, plant product and regulated articles in the propose of research, education and activities that benefits to develop society, economy and environment shall have special authorization from Ministry of Agriculture and forestry under strictly specific control.

### **Session 3 Export plant Inspection**

#### **Article 19. Application of plant inspection**

Individuals, families and entrepreneur who intend to export plant, plant product and regulated articles shall apply to competence agriculture and forestry authority for phytosanitary inspection according to the requirement of importing country.

#### **Article 20. Application of plant re-inspection**

Individuals, families and entrepreneurs have right to apply to competence agriculture and forestry authority for conducting re-inspection of plant, plant product and regulated articles as following circumstances:

1. Notification from importing country
2. Change or leakage of packaging material
3. The validity period of phytosanitary certificate is expired

#### **Article 21. Export plant certification**

Plants, plant products and regulated articles exported to foreign country shall be inspected and certified on phytosanitary from competence agricultural and forestry authority according to the defined regulation.

### **Session 5 Transit plant inspection**

#### **Article 22. transit and inspection of plant**

Individuals, families and entrepreneurs who intend to transport plant, plant product and regulated article through the Lao territory is required to follow policy, law, rule, regulation of Lao PDR, international agreement and convention of which Lao is the contracting party.

Plant protection authority shall inspect phytosanitary certificate, transporting vehicle of plant, plant product and regulated articles to examine validity and not fraudulent certificates; verify the identity, integrity and safely of consignment

In case the infestation is suspected or there is epidemic information evidence from the original place of transit plant, phytosanitary visual inspecting for detection of pest shall be implied according to technical provision, regulation and Law of Lao PDR and if the pest or

harmful organism specified in the list of regulated pest is intercepted, the measure stipulated in paragraph three and fourth of Article 17. of this Law shall be enforced.

**Article 23. loading from the mean of transport**

Plant, plant product and regulated article, in the course of their transit may not be unpacked or loading from the means of transport without the approval of competence agricultural and forestry authority.

**Session 4**

**Inspection of Plant Carried by Passenger or by Post**

**Article 24. Importation of Plant Carried by Passenger or by Post**

Individuals, families and entrepreneurs who intend to carry or post plant seeds, seedlings or other propagating materials into Lao PDR. must declare in advance and go through the formalities for inspection at the designed entry-export border check point or post office according to defined regulation.

In case that regulated pest is intercepted from imported article, plant protection authority shall notify to the owner and absolute treatment measures shall be decided by the plant protection authority. Where treatments are not feasible in Lao PDR., the plant shall be returned to the place of origin or destroyed. The required expense or the losses incurred in the treatment, returning or destruction for the imported articles shall be borne by the owner.

Importation of plant with the propose of marketing or propagation is required import license from the competence agriculture and forestry authority and follow the relevant rule, regulation and law.

**Article 25. Inspection of plant carried by passenger or by post**

The plant carried by passenger or by post into Lao PDR should be allowed to enter the country after approval of the phytosanitary examination.

**Session 6**

**Inspection of Means of Transport**

**Article 26. Means of Transport**

All mean of transport must be cleaned and disinfestations according to technical provision, regulation and Law.

**Article 27. Means of transport from pest epidemic area**

Ship, airplanes or truck from the pest epidemic area requires inspection from plant protection authority. In case if the pest or harmful organism specified in the list of regulated pest is intercepted, the cargoes shall be subjected to such treatment as disinfestations according to the technical provision.

**Article 28. Means of plant transport**



Means of transport carrying import-export plant, plant product and regulated articles shall conform to the technical provision, bilateral or international agreement and convention of which Lao is the contracting party.

**Article 29. Deposal of waste on means of plant transport**

The wastes of plant nature, plant product and regulated articles on the means of transport entering Lao territory shall be disposed and disinfested such as cleaning in designed place in accordance with the regulation.

**Article 30. Importation of used equipment and packing material**

Importation of used equipment and packing material into Lao territory, it is suspected to be investigation shall be inspected by plant protection authority. In case if the pest or harmful organism pest is intercepted, the cargoes shall be subjected to such treatment as disinfestations according to the technical provision.

**Session 7**  
**Phytopsanitary Business**

**Article 31. Phytopsanitary Business**

domestic and foreign Individuals, families and entities who intend to conduct a phytopsanitary business shall follow relevant technical standard, regulation and Law

**Article 32. Type of phytopsanitary Business**

Phytopsanitary business comprises the following:

1. Pest inventory business
2. Phytopsanitary treatment service business

**Article 33. Pest prevention and control businesses business**

Pest inventory business involves pest surveillance; evaluation of impact on ecosystem, sanitary of plant; human and animal to provide necessary guideline to relevant entity or organization for developing prevent and control measure on pest outbreak.

**Article 34. Phytopsanitary treatment service business**

Phytopsanitary treatment service business involves pest control and phytopsanitary treatment on plant, plant product and regulated articles according to the technical standard and provision as following methodologies:

1. Pest management serviced in the cultivation areas, storage and others.
2. Phytopsanitary treatment service for plant, plant product and regulated articles using vapor heat treatment, hot air or cold treatment, fumigation, irradiation and others.

## **Chapter III**

### **Rights, Duties and Obligations of Plant Protection Authority and Entrepreneurs**

#### **Article 35. Rights, Duties and Obligations of Plant protection officers and Authorities**

- Plant protection officers and Authorities have the follow primary right and duties:
  1. To disseminate, propagate and provide recommendation to society in implementation of the laws, rules and regulations on plant protection
  2. To inspect and verify the phytosanitary certification and relevant document
  3. To permit the entry of plant, plant product and regulated article after the result of inspection shown non infestation
  4. To detain and quarantine plant, plant product and regulated article known coming from epidemic area
  5. To notify the owner on the designed treatment or return or destruction of infested plant, plant product and regulated article according to the regulation.
  6. To take measure against violation under plant protection law and regulations within the areas of their responsibilities including seizes goods, propose to confine violator and present he case file to the relevant sector for prosecution.
  7. Coordinate with others relevant sectors and local administrative authority during the perform of their duty
  8. Evaluate and regularly report the performance of plant protection activity to higher levels of authority
  
- Plant Protection Officers and Authorities have the following obligations:
  1. To implement the rule, regulation and Law including agreement and international convention to which the Lao PDR. is the contracting party;
  2. To assist and monitor pest eradication program in epidermic area or in the case of emergency.
  3. To facilitate business operations involving plants, plant products and regulated articles in strict accordance with the laws and regulations;
  4. To collect and forward the fee and other charge on plant protection service in under the laws and regulations.

#### **Article 36. Rights and Obligations of Entrepreneurs**

Entrepreneurs have the rights and obligations as follows:

1. To operate their businesses as authorised strictly following the technical standards and the laws and regulations;
2. To take ownership in preventing, controlling, treating and eradicating pests as well as using all available measures for prevention and solving problem caused spreading of pest by export and import plant, plant product and regulate article from the infested area.
3. To complain to the relevant organisation about offences under the laws and regulations committed by plant protection officials and authority;
4. To assist contribute the development of plant quarantine work by [donating] funds or labour;

5. To cooperate with public officers, facilitates the work of officials and provide necessary information;
6. To inform or report situation, event or case of pest detected or suspected to be spread out to relevant authority and local administrative authority.
7. To pay charge and fees service and others obligations as prescribed under regulations and laws.

#### **Article 37. Rights and Obligations of Citizens**

1. To take ownership in monitoring and controlling pest incident in their properties.
2. To report pest incident in their properties to the competence authority and local administrative authority.
3. To cooperate with plant protection officers and authorities in performing plant protection works.
4. To appeal to relevant organization on activities of entrepreneurs, plant protection officers and authorities against violation of plant protection law;

### **Chapter IV Prohibitions**

#### **Articles 38. General prohibition**

Individuals, families and other entities including domestic and foreign entrepreneurs are prohibited from committing the following:

1. To Import plant, plant product and regulated articles that causes potential impact to national economic development and harms to health of plants, animals and humans in the Lao People Democratic Republic.
2. To move plant, plant product and regulated articles from infested area to others area within the country
3. To export, re-export and transit of plant, plant product and regulated article that infested with harmful pest.
4. Import, export, movement and unload of plant, plant product and regulated articles without permission.
5. Bribing of plant protection officers and authorities, forging of document and falsification of seal on plant protection.
6. Threatening, delaying or impeding the performance of plant protection officers and authorities.
7. Performing other activities against violation of plant protection law.

### **Article 39. Prohibition of Plant protection officers and authorities**

In addition to the prohibitions identified in article 38 of this Law, the following are prohibited for plant protection officers and authorities:

1. To abuse his/her powers and duty by forcing or threatening, coercing, pressurising and accepting bribes that may lead to damage to interests of state, collective and individual;
2. To disclose public or official confidential items; delays or forge document; acting irresponsibly in the given tasks on plant protection activities;
3. To Ignore to regulation and rule on inspection of plant, plant product and regulated articles, solving problem inconsistency with technical procedure.
4. To increase or reduce charge and service fee and use collated fee for their personal benefit without permission.

## **Chapter V Conflict resolution**

### **Article 40. Form of Conflict resolution**

Conflict relating to plant protection shall be resolved according to the following:

1. Resolution by compromise among 2 parties.
2. Resolution by Administration of Agriculture and Forestry office in coordination with others relevant sectors.
3. Resolution by the Economic Conflict Resolution Committee;
4. Resolution by the People's Court.

### **Article 41. International Conflict Resolution**

Conflict on plant protection between Lao and foreign entrepreneur; foreign and between foreign entrepreneur in Lao PDR. or foreign entrepreneur and Lao state organization shall be solved by domestic, foreign and international Economic Conflict Resolution Committee.

Conflict relating to plant protection practices that are international in nature shall be based on the contract and treaties to which Lao PDR. is a party and related international regulation.

## **Chapter VI Administration and Inspection Session 1 Administration**

### **Article 42. Administrative Organization**

The Government administers activities in plant protection matters in harmony by a centralized system and gives authority to the Ministry of Agriculture and Forestry to act as coordinate central along with other sectors concerns such as Industry and Commerce, Public health and local administrative authority.

The Plant protection administration organization comprises:

1. The ministry of Agriculture;
2. Provincial/Municipality/prefecture/city Agriculture and Forestry officers;
3. District/Town Agriculture and Forestry offices;
4. Plant Protection border check point.

#### **Article 43. Rights and Duties of the Ministry of Agriculture and Forestry**

In the administration of plant protection activities, the Ministry of Agriculture and forestry has the following right and duties:

1. To serve as secretariat for government in study and transform policy guideline, strategy, policy plans and other policies into detail programs, projects, laws, rules, and regulation in order to administrates and manage activities of plant protection throughout the country;
2. To disseminate policies, laws, rule and regulations related to plant protection countrywide;
3. To guide, monitor and evaluate the implementation of plant protection measures by vertical line agencies countrywide;
4. To build capacity, provide training, appoint, transfer or dismiss plant protection officials and authority in coordination with other relevant sectors and local authorities;
5. To authorise the establishment of plant protection border checkpoints and laboratories in coordination with other relevant sectors and local authorities;
6. To authorise the opening or closing down of phytosanitary business operations;
7. To raise and mobilize funds from both domestic and international sources for plant protection development;
8. to resolve conflicts, issue decisions, ordinances, notifications and instructions to plant protection and officer, entrepreneurs for the implementation of plant protection law, rules and regulations;
9. to coordinate with other concerns sectors and local authorities in implementing plant protection activities such as pest surveillance in order to determine areas for control of all pests or of specific pests including those on the list of regulated pests;
10. To manage issuing of permissions for plant import and export, and of phytosanitary certificate and other relevant documents with its area responsibility;
11. To communicate and cooperate with foreign countries in plant quarantine
12. To regularly summarise and report on performance of plant quarantine such as pest incidence to the government.

#### **Article 44. Rights and Duties of the Provincial and Vientiane Capital Agriculture and Forestry Offices**

In the administration of plant protection activities, the Provincial and Vientiane Capital Agriculture and Forestry Offices have the following right and duties:

1. To transform policies, strategies, agreements, directives and regulations for plant protection work into detail programs and projects in order to implement within its own areas of responsibility;

2. To propose, publicise and disseminate laws and regulations, and information related to development of the plant protection work for public understanding and awareness, and strictly implementation them;
3. To guide, monitor and evaluate results of the implementation of plant protection of the District and Municipality Agriculture and Forestry Offices;
4. To propose the issue or cancel permission to operate a phyto-sanitary business in coordination with the relevant sectors and local authorities;
5. To manage the issuing of phytosanitary certificates and other documents in accordance with those responsibilities as assigned by higher authorities;
6. To manage and establish the list of regulated pests and determine quarantine area;
7. To raise and mobilize funds from both domestic and international sources for plant protection development within their own areas of responsibility or in accordance with those responsibilities as assigned by higher authorities;
8. To coordinate with other local authorities and sectors in the performance of plant protection work within their own areas of responsibility;
9. To summarise and regularly report on the implementation of plant quarantine work such as pest incidence in the provinces and Vientiane Capital to the Ministry of Agriculture and Forestry and the provincial and Vientiane Capital authorities.

**Article 45. Rights and Duties of the District and Municipality Agriculture and Forestry Offices**

In the administration of plant protection activities, the District and Municipality Agriculture and Forestry Offices have the following right and duties:

1. To implement the work plans, projects, decisions, ordinance, notification and guidance from higher authorities;
2. To disseminate plant protection laws and regulations for enhancing the public's understanding and strictly implement them;
3. To participate in the management, establish the list of prohibited plant pests and determining areas of plant infestation epidemics;
4. To participate in managing and establishing of the list of regulated pests and determining of quarantine area;
5. To resolve conflicts, propose the issue or cancel the permission of phytosanitary business operation to Provincial and Vientiane Capital Agriculture and Forestry Offices for consideration;
6. To coordinate with local authorities and the relevant sectors in district and municipality on the plant quarantine work;
7. To summarise and regularly report on the implementation of the plant quarantine work such as pest incidence within the districts and municipality to the Provincial and Vientiane Capital Agriculture and Forestry offices and the district and municipality administrative authorities.

**Article 46. Rights and Duties of Plant protection border check point**

Plant protection border check points have the following Rights and Duties:

1. To implement work plans, policies, Law, rules and regulations on plant protection within their own areas of responsibility;
2. To strictly, correctly and promptly perform their work duties in accordance with their roles and technical principles;
3. To repress activities in any forms to curve the law, rules and regulation on plant protection occurred at the check point and inform relevant sectors to prosecute violators;

4. To facilitate import-export of plants, plant products and regulated articles be fast, transparency and correct in line with the laws and regulations;
5. to coordinate with other relevant sectors at the border check point and local authorities to ensure the uniformity of implementation of work;
6. to detain, isolate and send samples for identification, inform entrepreneurs to carry out treatment, return or destruct infected plants, plant products and regulated articles;
7. To technical services collect charge and fees in line with the laws and regulations;
8. To summarise and regularly report on import-export data on plants, plant products and regulated articles at their own border check point to the agricultural and forestry sectors.

#### **Article 47. Rights and Duties of Other Sectors**

If any sections including the local authorities find or receive a report of pest epidemic and an offence under plant protection laws and regulations they must urgently inform Plant protection authority and cooperate and coordinate with the work of those authorities as determined by their own roles.

## **Section 2** **Inspection**

#### **Article 48. Inspection organisation**

Inspection organisation comprises:

- The Internal inspections organisation is equivalence to the management organisations of Plant protection as determined in Article 42 of this Law by Department of Agriculture, agriculture offices and agriculture units acting as representatives of the Agriculture and Forestry sector within their own areas of responsibility;
- The external inspections authorities are the National Assembly, the State Inspection authority, the National Inspection authority and the Public Prosecutor's authority,

#### **Article 49. Rights and Duties of the Inspection Organisation**

The organisations for the inspection of plants, plant products and other materials have the following rights and duties-:

1. to inspect the implementation of plant protection laws and regulations;
2. to inspect activities and operations of phytosanitary businesses;
3. to inspect phytosanitary certificates and other documents related to import-export plants, plant products and regulated through border check point including the collection of samples for testing and certification in accordance with the laws and regulations;
4. to cooperate in the provision of information for a criminal investigation related to a plant protection offence;
5. to appoint their own staff to monitor, inspect, collect information including as well as lead prevention of pest epidemic;
6. to use necessary measures for offences under plant protection laws and regulations or such as issuing orders to quit those activities related to plant protection when the

import-export plants, plant products and other regulated articles found to be infected with pest.

7. to cooperate and coordinate with relevant sectors at the central and local levels for the exercise of their own rights and duties;
8. to summarise and regularly report on periodic work inspections to the next level of authority-

#### **Article 50. Forms of Inspections**

Inspections consist of three forms as follow:

1. regular Inspections;
2. Inspections with advance notification;
3. Urgent inspections.

Regular inspections are inspections which are routine carried out in a prescribed times in accordance with the roles, rights and duties of the various management levels;

Inspections with advance notification are inspections that are deemed necessary and for which advance notification is given to the subject;

Urgent inspections are special inspections that are deemed necessary to be conducted urgently and for which no advance notification is given.

### **Chapter VII Uniforms, insignia and Seal**

#### **Article 51. Uniforms and insignia**

A Plant protection Official has uniforms, **insignia** and identity cards for a specific border check point which are authorised by the Ministry of Agriculture and Forestry. The plant protection authority shall wear a uniform with a **insignia** and carry an identity card for a specific border check point

#### **Article 52. Seal**

Plant Quarantine Officials may use the official Border Plant Quarantine seal as authorised by the Ministry of Agriculture and Forestry for the conduct of the official work of plant protection.

### **Chapter VIII Rewards and Penalties**

#### **Article 53. Rewards**

Individuals or organisations that perform outstandingly in implementing this Law for example in regulation, inspection, control and eradication work, shall receive a award and other form of recognition in accordance with the regulations.

#### **Article 54. Penalties**

Individuals or organisations committing offences under this Law shall be subject to the following sanction: Re-educated, disciplinary sanctions, fined, penalty, civil sanctions and crime charges under the law depending on the severity of the offence.

#### **Article 55. Re-educated Measures**

Individuals or organisations that commit minor civil offences under the plant protection laws and regulations and prohibitions that result in damages of less than 500,000 kip, and provided that the offender makes an honest report recognising their wrong-doing and makes restitution of any property so gained-shall be warned and re-educated.



#### **Article 56. Disciplinary Measures**

Government staff and Plant protection authorities and officials that commit minor civil offences under the plant quarantine laws and regulations and prohibitions that result in damages of less than 500,000 kip but that make a dishonest report and try to avoid the repercussions of their wrong-doing, shall be disciplined, depending on the severity of the offence:

1. be criticised, receive a warning -that is recorded in the individual's personal biography;
2. have their promotion, any salary increase [and/or] presentation of any award delayed;
3. be demoted or transferred to a lower position;
4. be summarily dismissed from government service.

#### **Article 57. Penalty Measures**

Any individuals or organisations committing offences under the plant protection laws and regulations and prohibitions as determined in this Law shall be fined that equal to the value of the plants infected by plant pests.

If the offender commits a second offence or re-offends many times the fine shall be double the value of the plants infected by plant pests, and the plants, plant products and regulated articles shall be confiscated and dealt with under the laws and regulations.

#### **Article 58. Measures for Civil [Offences]**

Individuals or organisations failing to observe plant quarantine and so causing damage to other persons shall be held responsible for the damage caused under the laws and regulations.

#### **Article 59. Measures for Criminal [Offences]**

Individuals or organisations committing criminal offences under plant protection laws and regulations shall be punished in accordance with the Penal Law depending on the severity of the offence and fined under the Civil [Law].

#### **Article 60. Measures for Further Punishment**

In addition to punishments as determined in Article 59, offenders may face further punishment in accordance with the measures for further punishment such as suspension or cancellation of permission for the operation of plant protection and phytosanitary business activities.

### **Chapter IX Final Provisions**

#### **Article 61. Implementation**

This Law shall be implemented by the Government of the Lao People's Democratic Republic.

#### **Article 62. Effectiveness**

This Law enters into force ninety days after the date of the promulgation of the Decree of the President of the Lao People's Democratic Republic.

Any provisions and regulation which are in contradiction to this Law shall be all abolished.

President of the National Assembly

**Thongsing THAMMAVONG**