

Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity  
National Assembly

No 01/ NA  
October 11, 2001

**Decree of the National Assembly of Lao PDR  
on the adoption of the Amended Electoral Law for National Assembly**

According to No. 2, article 40 of the Constitution, and No. 3, article 2 of the Electoral Law of National Assembly of the Lao PDR. \*

After close examination of National Assembly of the amended contents of articles 8, 9, 14, 12, 25 and 35 of the Electoral Law for the National Assembly in the Eight Ordinary National Assembly's Session (Forth Legislature), in the morning, October 11, 2001, the National Assembly agrees:

Article 1: The amendment to the contents of articles 8, 9, 14, 22, 25 and 35 of Electoral Law for National Assembly is adopted by majority votes.

Article 2: The Decree is effective from the signed date.

President of the National Assembly

Stamp and signed by

Mr. Samane Viyakhet

Lao People's Democratic Republic

Peace Independence Democracy Unity Prosperity

No 105/ PO

**Act of the President of the Lao PDR on the promulgation  
of the Amended Electoral Law for National Assembly**

- According to no 1, article 53, Chapter 5 of the Constitution of the Lao PDR;

- According to the Eight Ordinary National Assembly's Session, of the Fourth legislature, on the adoption of the Amended Electoral law for National Assembly, No. 01/ NATIONAL ASSEMBLY, October 11, 2001;
- According to the recommendations of the National Assembly's Standing Committee, no 53 / SC, October 12,2001;.

**The President of Lao PDR agrees:**

**Article 1:** Promulgate the Amended Electoral Law for National Assembly articles 8, 9, 14, 22, 25 and 35.

**Article 2:** This act is effective from the date of its signing.

Vientiane, Oct12, 2001

President,

Stamped and signed by

Mr. Khamtay Siphandone

**Law on the Election of Members of the National Assembly**

**Chapter I**

**GENERAL PROVISIONS**

**Article 1: Functions**

This law defines principles and regulations for the election of members of the National Assembly to ensure the full exercise of democratic rights of the people of all multi ethnic people and to make sure that people with standard criteria will be elected as Members of National Assembly, in order to strengthen the legislative organ. All power is of the people, and by the people.

**Article 2: Principles**

The election of members of the National Assembly in Lao PDR is carried out according to 4 principles:

1. universal;
2. equal;

3. direct suffrage; and
4. secret ballot.

**Article 3: Persons who have right to vote and to be elected**

All Lao citizens, irrespective of their sex, ethnic groups, religions, social status, place of residence, and profession, who are from 18 years of age, have the right to vote; any one from 21 years of age has the right to be elected as a National Assembly member.

**Article 4: People who have no right to vote, nor to be elected**

People who have no right to vote, nor to be elected are the following:

1. The insane, and the mad;
2. Persons whose rights to vote and to be elected have been revoked by the People's Courts or person who is serving imprisonment sentence.

**Article 5: Rights to propose the dismissal of members of National Assembly**

Voters have the right to propose the dismissal of any of member of the National Assembly in their own ballot areas if they are found to be unworthy and not well behaved, but the dismissal shall be agreed by the Standing Committee of the National Assembly and approved by the majority National Assembly members attending the Session. The person who proposes the removal of member of the National Assembly shall be responsible for his or her word according to the laws and regulations.

**Article 6: Expenditures for the election**

The expenditures for the election of the members of the National Assembly shall come from the Government budget.

**Chapter II**

**DETERMINATION OF NUMBER OF NATIONAL ASSEMBLY AND REGULATIONS ON THE CANDIDATES**

**Article 7: the principle on the determination of numbers of members of National Assembly**

The determination of number of National Assembly members is based on the following principles:

1. Every 50,000 of population, shall be represented by one member of the National Assembly;

2. According to the team work principle, any province or special zone with population of less than 150,000 people, shall have three National Assembly members;
3. According to the importance of the politic and national defense and security; economic, social, and cultural characteristics of each province, or municipality or special zone.

Number of the National Assembly members shall include appropriates proportion of the representatives of people of different strata, sex, and ethnic minorities.

National Assembly Standing Committee recommends the number of National Assembly members in each polling region and is then promulgated by the President of Lao PDR.

#### **Article 8 (new): Criteria for Candidates**

Candidates for the National Assembly members shall meet all the conditions determined by Article 3 of this law and shall have the following qualifications:

1. be patriotic; be devoted to people's democracy; loyalty to New Economic Mechanism, be true to the Nation, and serve for the interests of the people, **has strong and clear attitude toward friendship and enemy**;
2. have sufficient level of knowledge of Party's policy and strategic program and the State laws, and have the capacities to undertake propaganda and motivate people in the actual implementation;
3. have **exemplary attitude**, to be a symbol of solidarity of ethnic minorities, and to have working approach closed to the local community, and to be closed to and trusted by the people;
4. be Lao citizens with Lao nationality who is living and working inside the country;
5. have sufficient knowledge and capacity to undertake research and to contribute ideas on the implementation of right and duties of the members of the National Assembly;
6. have good health in order to carrying out their performance regularly.

#### **Article 9 (new): Proposal and classification of Candidates**

All organizations of the Party and the State, the National Front of Reconstruction and mass organizations are responsible for nominate and certifying the list of their candidates to be elected as members of the National Assembly, through local election committees in concerned polling areas, and then the list shall be proposed to be approved by the National Election Committee.

For ministries and organizations at central level, the list of candidates can be submitted directly to the National Election Committee.

The determination of the name of candidates to be elected as member of the National Assembly are assured on a principle of taking one position or combined position in the government at different levels when is appropriate.

The candidates in each polling area can be listed, according to Lao alphabetical order or by other ways, according to the agreement of National Election Committee.

**Article 10: Documents for candidates**

Candidates for members of National Assembly shall submit the following documents:

1. The written application to be elected as member of the National Assembly;
2. C V
3. Photos of 6x9 cm
4. Residence certificate
5. Health certificate

**Article 11: Announcement of the names of candidates**

National Election Committee considers and summaries the list of candidates throughout the country, then makes an official announcement at least 60 days before the election.

**Article 12: Objection for the candidates**

Any voter has the right to object the candidates, by writing or verbal report within 7 days from the announcement of candidates if they are found not suitable according to established criteria or that person has infringe the law, which affects the rights and interests of the people.

The objection shall be submitted to the District Election Committee, which will report to Provincial, Municipal, or Special Zone Election Committees to consider within 3 days. If can't be solved, the report shall be referred to National Election Committee to consider and solve within 5 days from the date received the case.

The objector must be responsible to his or her objection according to the laws and regulations.

**Article 13: Propagation campaign**

Organizations of the Party and State, Mass Organizations of all levels have the rights and duties to organize campaign for their candidates in each polling area as prescribed by laws and regulations.

Every Candidate has the right to organize campaign for himself, but it is prohibited to bribe voters or to organize campaign against other candidates.

The campaign shall begin after the announcement of candidates, and must stop one day before the election.

**Chapter III**  
**REGIONS FOR ELECTION AND POLLING UNITS**

**Article 14 (new): Determination of location for election**

The election of the member of the National Assembly in the Lao People Democratic Republic is considered the Provinces, Municipality and Special Zone as constituency for the election.

In case of dissolution and establishment of any provinces or special zones, the National Assembly's Standing Committee is responsible for determination of the distribution of member of the National Assembly in such constituency in accordance with the real situation, to ensure the regular exercise of the right and function of representatives of the people.

**Article 15: Election Units**

Village is considered as an election unit. Village that has 500 to 1000 voters is to be organized as one unit. For village that has more than 1000 voters, many election units shall be organized.

For village of less than 500 voters shall group together with a nearby village, forming a single unit.

If village is in remote area or difficult travel, it may be organized as an election unit or a mobile team with election box to collect votes.

**Article 16: Election Units in the National Defense and Security**

Election units in the National defense and security forces are set up by their battalions, and provincial, municipal and special zone commanders, and then they shall report to the district election committee where their offices are situated.

If it is necessary to set up election units in Ministry of National Defense and Ministry of Interior, cabinets of those ministries shall determine the election units and then report to the district election committee where the ministries are situated.

**Chapter IV**  
**REGISTRATION OF VOTERS**

**Article 17: Registration of Voters**

Village Chiefs are responsible for registration of voters in their villages.

Registration of voters shall be complete and be announced officially at least 45 days before the election.

Voters can only register themselves in one election unit.

**Article 18: Registration of voters in the National Defense and Security**

The committee of battalion (of Lao army ward is Khongpon or Large Kongphan) and commanders at provincial, municipal and special zone battalion are responsible to undertake registration of voters in the national defense and security.

**Article 19: Change of election location of voters**

After list of registration of voters is announced, and if there is any change of address for any reason, voters shall notify the village chiefs of their new address, in order to obtain voting certificates to vote in new election unit.

## **Chapter V**

### **ELECTION COMMITTEES AT DIFFERENT LEVELS**

**Article 20: Structure of Election Committees**

Election Committees on the member of the National Assembly in the Lao PDR is established in the following structure:

1. National Election Committee;
2. Provincial, Municipal Election and [or] Special Zone Committee;
3. District Election Committee;
4. Election Units (villages).

Election Committee at each level shall include representatives of Party Committee, Local Administrative Authority, and mass organizations of each level. National, Provincial, Municipal, and Special Zone Election Committees shall have representatives of the National Assembly.

Election Committees at different levels have the right to create their own assisting mechanism as appropriate.

**Article 21: Appointment of National Election Committee**

The National Assembly's Standing Committee appoints the National Election Committee and promulgates it in accordance with the Act of the President of Lao PDR at least 120 days before the election.

The National Election Committee consists of 15 to 17 members, including one chairman, two-three Vice-chairman, and a certain number of members.

The term of the office of National Election Committee ends after the completion of the first plenary session of such National Assembly.

**Article 22 (new): Rights and duties of National Election Committee**

The National Election Committee has the following rights and duties:

1. Directs authorities at provincial, municipality and special zone to appoint their own election committee;
2. Organize educate and training on politic and ideology in order to ensure full exercise democratic rights of the multi ethnic people , and assure uniformity and effectiveness in the implementation of the election national wide;
3. Set up the election activities, support, motivate and advise everyone to respect the electoral law;
4. Prepare and distribute all necessary documents for the election;
5. Study and consider requests and proposals of Nominees for approval and make official announcement of the list of Nominees;
6. Study and consider requests and petitions of voters and Nominees about the activities of election committee;
7. Direct, supervise and monitor the implementation of the work of election committees at different levels throughout the country;
8. Summarize and announce the election results;
9. Give temporary certificates for members of the National Assembly who have been elected;
10. Assess the election by lessons learned, and give rewards to organizations and individuals who have excellent performance;
11. Report the election results to the first plenary session of the new National Assembly.

**Article 23: Appointment of Local Election Committee**

The Provincial Governors, Municipal Major, Chief of Special Zone and Chief of Districts are responsible for appointing of election committees at their level, and make an official announcement at the latest 90 days before the election.



Provincial, Municipal, and Special Zone Election Committees consist of 11 to 13 members, including one chairman, one to two Vice-Chairman and a certain number of members.

District Election Committees consist of 7 to 9 members, including one chairman, one to two Vice-Chairmen and a certain number of members.

The term of office of local election committees shall terminate after the completion of the first plenary session of the new National Assembly.

#### **Article 24: Rights and duties of Local Election Committee**

Provincial, Municipal, Special Zone and District Election Committees have the following rights and duties:

1. Organize educate and training on politic and ideology within scope of their responsibility in order to ensure full exercise democratic rights of the multi ethnic people , and assure uniformity and effectiveness in the implementation of the election at local level;
2. Organize activities during the election, support, motivate and advise everyone to respect the electoral law within the scope of their responsibility;
3. Distribute all concerned documents to the lower election committees;
4. Direct , supervise and monitor the activities of the lower election committee;
5. Supervise the security within their election area;
6. Conduct propagation and introduce CV of candidates to people;
7. Consider and solve all petitions of voters and Nominees, concerning the election activities within the scope of their responsibility;
8. Summaries the results of the election; then report to the higher election committee on time;
9. Assess the election by lessons learned, and give rewards to organizations and individuals who have excellent performance, within the area of their responsibility.

#### **Article 25 (new): Appointment of committee for election units**

District chiefs appoint committees for election units in their districts. Commanders of Battalion, Provincial, Municipal and Special Zone levels, Directors of Cabinets of Ministry of Defense and Ministry of Interior appoint committees for election units in the National Defense and Security forces, and then report to the district election committee where their offices are situated.

Election units consist of 5 to 7 members, including on Chairman, one Vice-Chairman, one or two secretaries and a certain number of members.

The term of the office of the local election committee will terminate after the completion of the new first plenary session of the new National Assembly.

**Article 26: Rights and duties of election units**

Election units have the following rights and duties:

1. Educate and guide voters in the election within scope of their responsibility to ensure that all of the voters exercise their rights;
2. Organize the election campaign, support, and advise everyone to respect the electoral law and regulations;
3. Prepare the location and equipment for the election;
4. Distribute certificates to people who have the rights to vote;
5. Take responsibilities for election operation and ensure the security and public order within their election units;
6. Solve all requests or petitions of voters within the scope of responsibility;
7. Count the votes, scrutinize, record the election results, then submit all records and documents to the district election committee;
8. Keep all votes until official announcement of the name of the people who are elected as members of the National Assembly; and then to destroy the documents;
9. Assess the election by lessons learned, and propose awards for people who have excellent performance to district election committee.

**Chapter VI**

**TIME, DATE AND REGULATIONS FOR THE ELECTION**

**Article 27: Date for the election**

National Assembly Standing Committee establishes the date, and then officially propagates 130 days before the election in conformity with the Act of the President of Lao PDR. The election is carried out simultaneously, on the same day throughout the country. The Election Day is on Sunday.

**Article 28: Time for the election**

The election begins at 7:00 AM and closes at 5:00 PM. The Committee for election units may agree on the opening and closing time that means before or after the time set up, according to the real situation in the location. But it shall not be opened before 5:00 Am and closed after 7:00 PM.

**Article 29: Regulations for the election**

Regulations for the election are the following:

1. The location for the election shall be in an appropriate place, for example: schools, halls, and other places;
2. The election committees shall advise, disseminate all regulations and mode of election for all voters;
3. Before voting commences, the committees responsible for the election must open the ballot box in front of the people;
4. Voters shall present certificates to the responsible committee in order to get ballot papers;
5. When voters are making their choice of Nominees, other people are forbidden to interfere;
6. For illiterate voters who can not read, the responsible committee for election units shall nominate someone to assist them and select the National Assembly of the Nominee selected, then let them deposit the ballot by themselves. In case when such person cannot deposit the ballot by himself, someone from the election unit shall help them to do so in front of them;
7. If voters are sick, disabled, or old and can not come to the election site, a mobile team shall go and collect their ballot from those people at their home;
8. If voters make any mistake in crossing or ticking Nominees, they shall ask for a new ballot; and the responsible committee shall discard the mistaken ones;
9. Voters shall go one by one to drop their ballot into the ballot box;
10. On the Election Day, no one is allowed to campaign for any Candidates or cause public disorder that violates the electoral law.

**Article 30: Measures to solve emergency situations at the election sites**

If there is any emergency situation during the time of election, the responsible committee shall suspend the election immediately, but consider to continue if afterward. If the problem can't be solved, the election shall be stopped and then report to the district election committee in order to set a new election date.

## **Chapter VII**

### **COUNTING VOTES AND ANNOUNCING OF THE RESULT**

**Article 31: Counting votes**

The counting of votes shall be done openly in front of at less 3 witnesses, who are voters in that unit, but not the Nominees. Newsmen and representatives of Nominees may observe and follow up on the counting of votes.

The election unit committees shall divide their responsibilities as follows:

One person is to read ballot papers, one person is to, and check, and others are to record them and follow up.

**Article 32: Invalid or mistaken ballots**

Invalid or mistaken ballots are as follows:

1. Ballots with no stamps from that election unit;
2. Ballots with candidates elected, above or below the number required;
3. Blank ballots where no Candidates have been marked.

**Article 33: Record of the election**

The record of the election consists of following contents:

1. The opening and closing time for election;
2. List of Candidates;
3. Total number of eligible voters;
4. Actual number of voters on the election day;
5. Actual number of ballots received;
6. Number of mistaken ballots and changed for new ballots;
7. Number of valid ballots;
8. Number of invalid ballots;
9. Number of votes for each Candidate;
10. Petitions that the committee members solve, and that they can't solve (if any).

The record must be sign by the chairman of the election committee, secretary and 3 witnesses who observe the counting of votes. One copy of records must be sent to the district election committee and the other copy is kept by village chiefs.

**Article 34: Candidates elected as members of National Assembly**

Candidates elected as members of the National Assembly, with voted ranking from the first to the last number required for that unit. If there is equal number of votes (for 2 Candidates) for the last required Candidate, the election committees shall select the more experienced candidate, but in case the two candidates are of equal experience, the elder candidate shall be selected as the member of the National Assembly.

**Chapter VIII**  
**THE ELECTION FOR THE SUBSTITUTION**  
**OF A MEMBER OF THE NATIONAL ASSEMBLY**

**Article 35 (new): The election for substitution**

The election for replacing a member of the National Assembly is organized in an election unit when there is a vacancy.

That election can only take place after a majority vote or members of the National Assembly attending the session support the substitution based on the proposal of the National Assembly's Standing Committee.

**Article 36: Organization of the election for substitution**

The National Assembly's Standing Committee appoints committees for the new election, and also sets the date of the election for substitution.

The election for substitution shall be done according to this electoral law.

## **Chapter IX**

### **REWARDS FOR GOOD PERFORMANCE AND MEASURES FOR THOSE WHO VIOLATE THE ELECTORAL LAW**

**Article 37: Rewards for good performance**

Organizations and individuals who have excellent performance in implementing the electoral law for members of shall be rewarded appropriately according to the policy of Party and the Government.

**Article 38: Measures for those who violates the electoral law**

Organizations and individuals who violate the electoral law for members of National Assembly shall be subject to the following measures:

1. Re-education, for minor violation ;
2. Subject to legal proceeding, for serious cases.

## **Chapter X**

### **Final Provisions**

**Article 39: The implementation**

The National Assembly's Standing Committee of the Lao PDR is assigned to issue guideline for the implementation of this law.

**Article 40: Effectiveness**

This electoral law is replacing the electoral law for members of the National Assembly, no 05/97 / NA, April 12, 1997.

This law is effective after date of the President of Lao PDR issues a decree for its promulgation.