



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

President's Office

No. 20/PO

DECREE
of the
PRESIDENT
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the Promulgation of the Law on Notary Offices

Pursuant to Chapter 5, Article 53, point 1 of the Constitution of the Lao People's Democratic Republic; and

Pursuant to Resolution No. 04/PSA, dated 8 January 1992, of the 7th Session of the second Legislature of the People Supreme Assembly regarding the adoption of the Law on Notary Offices.

**The President of the Lao People's Democratic Republic
Decrees That:**

- Article 1.** The Law on Notary Offices is hereby promulgated.
- Article 2.** This decree shall enter into force on the date it is signed.

Vientiane, 6 April 1992
President of the Lao People's
Democratic Republic

[Seal and Signature]

Kaysone PHOMVIHANH



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

People's Supreme Assembly

No. 04/PSA

LAW ON NOTARY OFFICES

Chapter 1 General Principles

Article 1. The Status and Role of Notary Offices

The notary offices are State organisations at local levels, and are under the Ministry of Justice.

The notary offices have the duty to certify the correctness and factual existence of contracts and various documents as provided in the laws, in order to protect the legitimate rights and interests of individuals and legal entities, to contribute to the education and training of all citizens to be aware of, to respect and to implement the laws, and to increase justice and social order.

Article 2. Management and Supervision of Notary Offices

The Ministry of Justice uniformly manages and supervises the activities of notary offices throughout the country.

Article 3. Activities of Notary Offices

In undertaking their activities, notary offices must perform in accordance with the laws of the Lao People's Democratic Republic.

Article 4. Maintaining Confidentiality in Notary Activities

Notary officers and other officers who are responsible for notary activities must maintain¹ confidentiality for individuals and legal entities who request certification, as well as regarding other matters of which such persons have knowledge when performing their activities.

¹ The literal translation of this term is "keep".

Documents certified by notary officers shall be given only to the individuals and legal entities concerned. In the event that there is a request by the People's Courts², the Office of the Public Prosecutor³ or the Investigation Organisation⁴, [the notary office] may deliver only such documents which relate to a case that relates to legal proceedings being carried out by such agencies.

Notary officers or other officers in charge of notary activities who disclose confidential information received in [the performance of] notary activities shall be liable in accordance with the laws.

Article 5. Language Used in Notary Activities

All activities of the notary offices shall be in the Lao language. In the event that there are documents [written] in foreign languages or a person involved in the notary activities does not know the Lao language, there must be a translation into the Lao language by a translator.

Article 6. Assistance [Provided by] Notary Officers

Notary officers and other officers in charge of notary activities must assist individuals and legal entities that request certification of documents and explain [to them] the rights and obligations that may arise from such certification.

Chapter 2 The Establishment and Composition of Notary Offices

Article 7. Establishment of Notary Offices

A notary office is established within the justice division at each province or prefecture.

In foreign countries, Lao embassies or consulates are responsible for notary activities, except for contracts relating to fixed assets located in the Lao PDR.

² For more information, readers may wish to refer to the Law on the People's Courts.

³ The term "Public Prosecutor" has been chosen because it is the English term commonly used in Laos for this title/institution. Readers from common law jurisdictions should note that the Lao Public Prosecutor has considerably more powers than public prosecutors in their home jurisdictions and is more akin to a procurator in socialist systems. Another translation in common use is "People's Prosecutor". Readers should also note that the term is principally used to refer to the "office" or "organisation" of public prosecutors rather than to refer to individual prosecutors. For more information, readers may wish to refer to the Law on the Office of the Public Prosecutor of the Lao People's Democratic Republic.

⁴ The Lao word for "investigation" is a compound word: "investigation-interrogation", where investigation has the sense of inquiries through means other than the questioning of witnesses. Since the English word "investigation" does not connote a similar exclusion or carve-out, the translators have translated the compound word (and its variants) simply as "investigation". For more information, readers may wish to refer to the Law on Criminal Procedure.

Article 8. Composition of Notary Office Personnel

Each notary office comprises a director, deputy director(s), notary officers and some assistants based upon the actual volume of work.

Article 9. Qualifications of Notary Officers

Notary officers are civil servants.

Lao citizens who are to be appointed as notary officers must meet the following conditions:

1. [Be] 25 years of age or older;
2. Have high level legal education, or its equivalent, and have had at least two years' experience relating to justice or legal work; or have intermediate level legal education, or its equivalent, and have had practical experience relating to the work above-mentioned for at least three years;
3. Have ethics of justice and revolutionary ethics, and be honest in the preservation of justice.

Article 10. Appointment and Dismissal of Notary Officers

Notary officers are appointed and dismissed by the Minister of Justice.

**Chapter 3
Activities of Notary Offices**

Article 11. Activities of Notary Offices

Notary offices perform the following activities:

1. Certifying the correctness of various contracts, such as: sale-purchase contracts, loans, assignments, wills, and others⁵;
2. Using methods to protect property relating to inheritance;
3. Certifying the right to inherit;
4. Certifying property rights as matrimonial property or initial assets⁶ of husband and wife;
5. Certifying copies of documents;
6. Certifying signatures;
7. Certifying the correctness of translation of language;
8. Certifying the identity of a person compared with a photograph;
9. Certifying the date and time of document submission;
10. Certifying letters or various documents as provided by the laws;

⁵ The term "and others" is a literal translation and is not subject to further specificity.

⁶ Readers may wish to refer to Article 26 of the Family Law for more information on matrimonial property and initial assets of husband and wife.

11. Receiving and preserving documents relating to the activities of notary officers;
12. Signing documents in the presence of contractual parties.

If a document or matter relates to a notary officer's spouse or close kin, the notary officer cannot certify [such document or matter].

Article 12. Obligations of Notary Officers and Other Officers in Charge of Notary Activities

Regarding the certification of documents, notary officers must first review the correctness of the documents and events in detail and depth, before certifying [them].

Article 13. Activities of Notary Offices and Collection of Fees Relating to Notary Activities

The activities of notary offices and the collection of fees relating to notary activities are prescribed in specific regulations relating to notary offices in compliance with State financial regulations.

**Chapter 4
Final Provisions**

Article 14. Budget of Notary Offices

The budget of notary offices is subject to the State budget.

Article 15. Seals of Notary Offices

Each notary office has its own seal consisting of a circle, at the outer top edge of which "Lao People's Democratic Republic" is written. At the bottom of [the circle], [the name of] the province or prefecture is written. And within [the circle], "Notary Office of the [relevant] province or prefecture" is written.

This law was adopted by the unanimous decision of the full session of the People's Supreme Assembly in Session No. 7 of the second legislature of the People's Supreme Assembly on 30 December 1991 at 15.45 hours.

Vientiane, 30 December 1991
President of the People's Supreme
Assembly

[Seal and Signature]

Nouhak PHOUMSAVANH