



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

No. 106/NA

RESOLUTION
of the
NATIONAL ASSEMBLY
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the adoption of the Law on Standard

Pursuant to Article 53, Clause 2 of the Constitution and Article 3, Clause 2 of the National Assembly Law of the Lao People's Democratic Republic on the rights and duties of the National Assembly;

After extended and in-depth research and consideration regarding the contents of the Law on Standard, the 4th Ordinary Meeting of the VI Legislature of the National Assembly on the afternoon agenda session on the 26th of December 2007;

The Meeting resolved:

Article 1: To adopt the Law on Standard by majority vote.

Article 2: This Resolution is effective from the day it is signed.

Vientiane Capital City, 26 December 2007
President of the National Assembly
(Seal of the President of the National Assembly)
(Signature)

Thongsing Thamavong



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

No. 11/PDR
Vientiane Capital City dated 14. 1. 2008.

DECREE
of the
PRESIDENT
of the

LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the promulgation of the Law on Standard

Pursuant to Chapter VI, Article 67, paragraph 1 of the Constitution of the Lao People's Democratic Republic on the promulgation of the Constitution and Laws, adopted by the National Assembly;

Based on the Resolution of the National Assembly of the Lao People's Democratic Republic No. 106/NA, dated 26 December 2007 on the adoption of the Law on Standard;
Pursuant to the proposal of the Standing Committee of the National Assembly No.08/SCNA, dated 10 January 2008.

The President of the
Lao People's Democratic Republic issues the decree:

- Article 1: Promulgate the Law on Standard
Article 2: This Decree is effective from the day it is signed.

(Seal of the President of the State)
(Signature)
Choumaly Xagnasone



Lao Peoples Democratic Republic
Peace Independence Democracy Unity Prosperity
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National Assembly

No. 13 / NA
Vientiane, Date: 26 December 2007

Standardization Law

Chapter I
General Provisions

Article 1. Purpose

The Standardization Law determines principles, rules, measures regarding the establishment, activities, management, and inspection of standards and technical regulations for products, goods, services, processes, and the environment. To encourage, improve and ensure the production, services, social economic and environment protection in order to have the quality, efficiency, justice and rights, and the legitimate interests and safety of consumers in manufacturing, and will be a factor in managing the nation's economy and development.

Article 2. Standard

Standard is determined a specific characteristics of products, goods, services, processes, the environment, and other matters relating to standards, which are established for the valuation, classification, and quality ratings of these things.

Article 3. Technical Regulation

Technical Regulation is determined ratings, scope, and specific technical characteristics of products, goods, services, processes, the environment, and other matters relating to technical regulation, which are established for use in regulation and inspection to ensure safety, sanitation, health, consumer interests, environmental protection, and the interest and security of the nation.

Article 4. Explanation of Terms

Terms used in this law shall have the following meanings:

1. Lao National Standard means the highest standards of the Lao People's Democratic Republic which have been adopted by the National Standards Council and promulgated by the National Authority for science and technology.

2. Local Standard means a standard in a particular locality which the local technical committee has studied and submitted to the Provincial or Municipal Department of Science and Technology for consideration, adoption and promulgation.
3. Standards Mark means a products certification mark, management systems, or accreditation systems. The Marks which are established by the National Authority for Science and Technology (NAST) or such other organization as may be assigned.
4. Standardization means an activity consisting of the process of formulating, promulgating and implementing standards and other activities relating to standards and quality.
5. Code of practice means documents that provide instructions for the actual implementation of the procedures of design, production, installation, maintenance, or use of equipment, structures, products, or goods.
6. Process means the different procedures in production, construction, service, environment, and other activities.
7. Accreditation Body means an organization that officially recognizes the competent of individuals, or the legal entities carry out for testing or certification of quality.
8. Certification means procedure of official recognition by an organization having the right to certify within lines agencies in compliance with quality and standards and technical regulation.
9. Product Certification means the procedure of official recognition by a body having the right to certify within lines agencies having the right to certify the compliance of the quality of products and goods with standards.
10. Management System Certification means the official recognition by a body organization having the right to certify within the lines agencies the compliance of quality management systems, environmental management system or others management systems with national or international standards .
11. Certificate means a recognition document relating to the certification of products, goods, services, environment, management systems certification, certification of conformity, and other certification, such as a Product Certificate, System Certificate and Certificate of conformity.
12. Conformity assessment means any activity relating directly or indirectly to the assessment of the implementation of standards, technical regulation and other related laws.
13. Commodity means any products or materials for commerce that is a subject of trade or commerce. .
14. Third Party means a body or legal entity that is recognized as being independent of the supplier and consumers.
15. Supplier means a manufacturer, distributor, seller, service provider.
16. Consumer means a purchaser or consumer.
17. Other relevant bodies means the organization of private and of the foreign countries that have the authority to inspect and certified the quality of the products (Laboratories) and management systems as assigned by the relevant agencies.

Article 5. Policy on Standardization

The state will stimulate and enhance the widespread use of standards for products, goods, services, processes and environment, the implementation of technical regulation, including research and the application of science and technology to encourage the use and adoption of standardization.

The state and society will give attention to establishing a technical infrastructure, particularly testing centers or laboratories and training centers, for ensuring to the capability to carry out standardization.

The state will stimulate and enhance business units such as small and medium scale producers and business units in improving the quality of products, goods, services, and the environment up to international, regional, foreign, national and local standards to ensure that they can compete in domestic and international markets.

The state will stimulate and enhance the capability to control and utilize of natural resources and labor economically, appropriately, and suitable to the actual situation at any given time to ensure social welfare and a better life for the people.

The state will be the initiator in stimulating public and private agencies, both domestic and investors in the Lao PDR, to participate in standardization Such as the formulation and implementation of standards, the management and inspection of such activities in correct manners. .

Article 6. Basic Principles for Standards and Technical Regulations

Standards and technical regulations shall be implemented according to the following basic principles:

1. Shall raise quality and efficiency in social – economic. Enhance the competition through quality of products, goods, services, and environmental protection in both domestic and foreign markets.
2. Shall ensure and be responsive to the needs of sanitation, consumer health, national security, the rights and interests of consumers, and related areas.
3. Shall ensure transparency, justice, openness, and equality, and shall avoid the barriers to the production, business trade , and services by the participation of the related parties to unity
4. Shall conform to the actual situation, and to the available capability for implementation.

Article 7. Principles for formulating Standards and Technical Regulations

Standards and technical regulations shall be formulated according to the following basic principles:

1. Shall apply science, technology, and the advance experience to respond to the needs of each term of development in the social – economic.
2. Shall study, research, and compare with international, regional, and foreign standards in order to be the fundamental of the development and comply with the special features and conditions of the nation.
3. Shall ensure the conformity between the standards and technical regulations promulgated.
4. Shall conform to Lao PDR laws, treaties and international conventions to which the Lao PDR is a party.

Article 8. Scope of the Law

This law applies to the activities relating to standardizations, such as formulating, promulgating, and implementing standards and technical regulation in the areas of the production, business trade, services, processes, environment, and other matters related to standardizations.

Article 9. International Cooperation

The state is open to cooperate on standards with foreign countries, regional and international organizations by the mobilization scientific research, technical cooperation, share experiences, capacity building of human resources and others. , based on the independence, sovereignty, and equality, with each side to maintain its own interests and actions. Any disputes will be resolved under the terms of treaties and international conventions to which Laos is a party.

Chapter II
Types of Standards

Article 10. Types of Standards

Standards are divided into three types as follows:

1. Standards for products and goods.
2. Standards for services.
3. Environmental standards.

Article 11. Standards for Products and Goods

Standards for products and goods are determined specifications for the particular characteristics of products and goods that meet the requirements of suppliers and consumers.

Products and goods for import or export shall meet standards.

Products and goods produced and used domestically shall conform to national and local standards.

Article 12. Content of Standards for Products and Goods

Standards for products and goods consist of technical terms, symbols, biochemical characteristics, component materials, and other characteristics, production methods, testing methods, packaging, marking, or labeling of products and goods.

Article 13. Standards for Services

Standards for services are determined the activities systems that are involved with many areas of work, such as installations, warranty periods for products and goods, tourism services, hotels, restaurants, transportation, telecommunications, education, public health, and others to ensure the efficiency and timeliness of services to ensure consumer satisfaction.

Standards for services are specified in separate regulations which are the responsible parties, according to their roles.

Article 14. Content of Standards for Services

Standards for services consist of the following:

- Systems for process control.
- Document control.
- Organization, personnel, and facilitation.
- Procedure that is concise and quick.
- Internal audit systems.
- Prevention and solving problems.

Article 15. Environmental Standards

Environmental standards are determined the specified limits or ranges permitted for release of pollutants or environmental conditions that adversely affect the health or life's of people, animals, plants, and the environment.

Individual or legal entity that engages in production, business trade, or services shall conscientiously adhere to standards, regulations, and laws governing the environment.

Article 16. Content of Environmental standards

Environmental standards consist of the following:

- Level and range of release of pollutants such as: waste water, smoke, waste oil, chemical residue, and other residues.
- Level and range of environmental emissions such as: vibration, noise, light, color, radiation, odor, etc.

Article 17. Standards for Technical Terms

Standards for technical terms are words specified to explain, convey correct understanding, and achieve a unified terminology use for standardizations.

Chapter III
Standards and Technical Regulations
Section 1
Standards

Article 18. Levels of Standards

In the Lao PDR, there are two levels of standards as follows:

1. Lao national standards.
2. Local standards.

Article 19. Formulating Standards

Formulation of Lao national standards shall consider:

1. International, regional, and foreign standards.
2. The results of research on science, technology, and advanced techniques.
3. Experiences, key points, and the actual situation in the country.
4. The results of evaluation of inspection, testing, quality certification and the efficiency of related lines agencies.

Local standards, in addition to consideration of the content of Lao national standards above, shall also consider the conditions, key points, and actual situation prevailing in the locality concerned.

Article 20. Application of Standards

Application of standards shall be on a voluntary basis on the part of the concerned parties, such as suppliers and consumers. Exceptions may be made by law or technical regulations which is determined for compulsory standards such as products, strategic goods, services, and the environment in the destination of management and compulsory related to safety, sanitation, health, national defense, and public order are involved.

Article 21. Procedures in formulating Lao National Standards

Lao National Standards shall be formulated by the following procedures:

1. The Central Technical Committee, in coordination with the National Authority for Science and Technology will prepare draft standards.
2. The Central Technical Committee will consult with business sectors and other concerned parties about the draft standards.
3. The National Standards Council will research, consider, and adopt the draft standards submitted by the Central Technical Committee.
4. The National Authority for Science and Technology will promulgate standards upon submission by the National Standards Council.

Article 22. Promulgation of Lao National Standards

The National Authority for Science and Technology will promulgate Lao National Standards within sixty days from the day approval is received from The National Standards Council, and shall publish the standards in the government journal. Standards promulgated in this manner will be considered Lao National Standards, and abbreviated as L.S.

Procedures for amendment or rescission of Lao National Standards already in effect are provided in separate regulations.

Article 23. Procedures in formulating Local Standards

Local Standards shall be formulated by the following procedures:

1. The local technical committee, in coordination with suppliers and consumers, will research and draft local standards.
2. The local technical committee will make inquiries about the draft standard with business sectors and other concerned parties in their community.
3. The Provincial or Municipal Science and Technology department will consider, adopt, and promulgate local standards upon the submission of the local technical committee.

Article 24. Promulgation of Local Standards

Local standards will be promulgated within sixty days of approval by the local technical committee. Standards shall be published in the local periodicals. Standards promulgated in this manner will be considered local standards, and abbreviated as Lc.S/ or P.S

Procedures for amendment or rescission of local standards already in effect are provided in separate regulations.

Section 2 Technical Regulations and Code of Practice

Article 25. Content of Technical Regulations

Technical Regulations shall specify priorities, scope, specific technical characteristics, technical terms, symbols, packaging, and marking and labeling for products, goods, services, processes, and the environment.

Technical Regulations are used to control and inspect the technical aspects of production, business trade, and services in compliance with standards and provisions of law.

Article 26. Content of Code of Practice

Code of Practice shall consist of instructions about methods and procedures for applying standards and technical regulation into actual practice in production, business trade, and services to achieve quality and Safety.

Article 27. Principles for formulating Technical Regulations and code of practice

Technical Regulations and code of practice shall be formulated in compliance with the rules, principles, and laws of the Lao PDR, and with treaties and international conventions to which the Lao PDR is a party.

Article 28. Formulation of Technical Regulations and code of practice

Formulation of Technical Regulations and code of practice shall conform to the content of Article 19 of this law.

Article 29. Procedures in formulating Technical Regulations and code of practices

Technical Regulations and code of practices shall be formulated by the following procedures:

1. A technician group of the agencies, localities in coordination with other concerned parties, will draft Technical regulations and code of practices.
2. The different parties, including the government and concerned private sector, such as suppliers and consumers, will submit comments on the draft rules to the panel of specialists in the subject area community.
3. A Technician Group of the agencies, localities shall amend the draft technical regulations and code of practices and submit them to the related sectors and localities for considering of adoption and promulgation.

Article 30. Promulgation of Technical Regulations and code of practice

Relevant sector/ agencies, localities will promulgate Technical Regulations and code of practice within the scope of their areas of responsibility. Rules shall become effective not less than one hundred eighty days from the date of signature. For the technical regulations and code of practice affecting health, safety, and the environment shall become effective within one hundred eighty days from the date of signature.

Procedures for amendment or rescission of Technical Regulations and code of practice that has been promulgated already in effect are provided in separate regulations.

Article 31. Application of Technical Regulations and code of practice

Application of Technical Regulation and code of practice shall be on a mandatory basis on Individual and legal entity, such as suppliers and consumers.

Part IV Organizations Responsible for formulating Standards

Article 32. Organizations Responsible for formulating Standards

The Organizations Responsible for formulating standards is as the following:

1. The National Standards Council
2. The Central Technical Committee
3. Local Technical Committees

Article 33. Establishment and Role of the National Standards Council

The National Standards Council is established by the president of the National Authority for Science and Technology. The National Standards Council consists of representatives from the government and private sectors in various fields that are concerned with standards and that are the mechanism for assisting the work of that authority.

The National Standards Council has the role of considering and adopting Lao National Standards, and then submitting them to the president of the National Authority for Science and Technology for promulgation.

Article 34. Rights and duties of the National Standards Council

The National Standards Council has the following rights and duties:

1. To research policy, legislations, plans, projects, and activities relating to standardization for submission to the president of the National Authority for Science and Technology for consideration.
2. To conduct research methods, principles, and procedure relating to the formulation, adoption and implementation of Lao National Standards.
3. To prioritize products, goods, services, and environmental for formulating Lao national standards.
4. To evaluate the implementation of standardization as reported by its own members.
5. To conduct research on the adoption , amendment, and revoke of Lao National Standards, Lao National Standards mark, and certificates of conformity for submission to the president of the National Authority for Science and Technology for consideration .
6. To comment on drafts of certification marks and other matters relating to standardizations.
7. To participate in meetings and activities on standardizations domestically and abroad as assigned or appointed by the ministry ,line agencies in which he/she belong to , as suggested by the National Authority for Science and Technology .

Article 35. Structure and personnel of the National Standards Council

The National Standards Council is composed of representatives from the lines ministries and equivalent organizations, educational institutions, professional associations, the National chamber of Industrial and commerce, suppliers and consumers.

The National Standards Council has a chairperson, a number of vice-chairperson, members, and an assistance secretariat.

For the establishment and activities of the National Standards Council and its assistance secretariat are determined in separate regulations.

Article 36. Chairperson, vice-chairperson and Members of National Standards Council

The Chairperson, vice-chairperson and Members of National Standards Council shall have the qualification and experiences on administration and they are appointed by the president of the National Authority for Science and Technology according to the proposal from the National Standards Council and its agreement.

Rights and duties of the Chairperson, vice-chairperson and Members of National Standards Council are determined in separate regulations.

Article 37. The Central Technical Committee

The Central Technical Committee is appointed by the National Standards Council to assist in fulfilling its roles, rights, and duties relating to standardizations.

The Central Technical Committee consists of specialists from various ministries and equivalent agencies, educational institutions, professional associations, the National chamber of Industrial and commerce, suppliers and consumers according to the proposal of the parties concerned.

The Central Technical Committee has a chairman, vice-chairman, and members who are appointed by the National Authority for Science and Technology according to the proposal of the chairperson of the National Standards Council.

Article 38. Rights and Duties of the Central Technical Committee

The Central Technical Committee has the following rights and duties:

1. To research, comment, and draft standards and technical manual.
2. To participate in research and evaluate of issuing different types of certificate.
3. To participate in meetings and activities on standardizations domestically and abroad as assigned or appointed by the ministry ,line agencies in which he/she belong to , as suggested by the National Authority for Science and Technology

Article 39. Obligations to Appoint Representatives

Concerned agencies and parties are obligated to appoint their representatives or specialists to participate in the National Standards Council or the Central Technical Committee not more than thirty days following notification by the National Authority for Science and Technology.

Article 40. Local Technical Committees

Local Technical Committees are appointed by the director department of Science and Technology of the province or municipality. They are to assist in fulfilling the department roles, rights, and duties regarding standardizations.

Local Technical Committees consists of specialists in subject matter areas, other concerned parties, suppliers, and consumers within the province or municipality.

The local Technical Committee has a chairman, vice chairman and members which are appointed by the director department of Science and Technology of the province and municipality based on the agreement of the committee's meeting.

Article 41. Rights and Duties of Local Technical Committees

Local Technical Committees have the following rights and duties.

1. To research, comment, and draft standards and technical manual.
2. To participate in research and evaluate of issuing different types of certificate.
3. To participate in meetings and activities on standardizations domestically and abroad as assigned or appointed by the departments in which he/she belong to , as suggested by the department of Science and Technology in the province, municipality

Article 42. Obligation to Appoint Representatives to Local Technical Committees

Concerned agencies and parties are obligated to appoint their representatives or specialists to participate in Local Technical Committee not more than thirty days following notification by the department of Science and Technology in the province, municipality.

**Part V
Conformity to Standards
And Technical Regulations**

Article 43. Conformity to Standards and Technical Regulations

Conformity is the harmonization, correctness of quality and safety of products, goods, services, environment and other matters to standards and technical regulations by the suppliers.

Article 44. Principles for conformity assessment

Conformity assessment shall be carried out according procedures, principles and regulations of the Lao PDR, the international treaties and conventions to which the Lao PDR is a party.

The procedure for conformity assessment are provided in separate regulations.

Article 45. Conformity Assessment Body

Conformity assessment body is a body established by the concerned government and private sectors having the role to evaluate and assess the harmonization, the conformity to standards and technical regulations of implementation.

The organizations structure, personnel, rights, and duties of conformity assessment body are provided in separate regulations.

Article 46. Forms of Conformity assessment
Conformity assessment may take the following forms:
- Self-assessment of conformity.
- Voluntary assessment of conformity.
- Compulsory assessment of conformity.

Article 47. Self-assessment of conformity
Self-assessment of conformity to standards is carried out by individuals or legal entities. It shall be done according to the determined procedures, principles, and legislations. Results shall be submitted to the related conformity assessment Body of the government for certification.

Article 48. Voluntary assessment of conformity.
Voluntary assessment of conformity to standards is carried out by a Conformity Assessment Body of the government by testing, inspection, and certification and shall be reported to the individual or legal entity that requested.

Article 49. Compulsory assessment of conformity
Compulsory assessment of conformity to technical regulations is carried out by a Conformity Assessment Body of the government by testing, inspection, and certification of products, goods, services, processes, environment and other matters with technical regulations.

Article 50. Objection of conformity assessment
individual or legal entity who disagree with conformity assessment conducted by the conformity assessment body have the right to object by appeal to the National Authority for Science and Technology for consideration, If the objection is not resolved satisfactorily, the matter may be submitted to the courts for consideration under regulations and law.

Part VI
Management system and Testing Systems
Section 1
Management Systems

Article 51. Types of Management Systems
Management systems are divided into the following types:
1. Food safety management systems.
2. Quality management systems.
3. Environmental management systems.
4. Other management systems.

Article 52. Food safety management systems
Food safety management systems are activities by concerned agencies and parties to supervise, monitor ,entities that direct, follow up, control and inspect processes including the cleanliness of food production and limits on contaminants, residues, disease

causing organisms, and additives in food. These activities are the systematic application of standards and laws on food to ensure hygiene, health, and safety for the consumer.

Article 53. Quality management systems

Quality management systems are the systems of coordination activities within concerned agencies and parties that to supervise, monitor, control, and inspect processes to ensure the compliance, quality, and safety of those processes.

Article 54. Environmental management systems.

Environmental management systems are the systematic activities by concerned agencies and parties that to supervise, monitor, control, and inspect processes including the control and limit on pollution, emission in the processes to ensure the performance with standards and laws relating to the environment.

Article 55. Other management systems

Other management systems which are applied to manufacturing, business trade, construction, transportation, communications, education, public health and other services are to be implemented in accordance with applicable law and with international, regional, and foreign management standards systems.

**Section 2
Testing Systems**

Article 56. Testing Systems

Testing systems consist of:

1. Collection of samples.
2. Testing.
3. Evaluation of test results.

Article 57. Collection of Samples

Collection of samples of products or goods for testing shall be conducted in compliance with determined standard for samples collection, storage, and transportation in procedures for those products or goods.

Article 58. Testing

Testing is the study and analysis of samples of products and goods, and subsequent trials using methods and equipment recognized by the parties concerned to be observed results and characteristics of those products and goods.

Article 59. Evaluation of Test Results

Evaluation of test results shall be performed in accordance with the principles and procedures specified in the relevant standards.

Test results shall be certified and approved by the agencies and parties concerned, and shall be printed on the test results forms specified.

Part VII

Accreditation and Certification
Section 1
Accreditation

Article 60. Accreditation

Accreditation is a procedure by which an authority body gives formal recognition that an individual or legal entities such as issuance certification body, inspection, calibration, or testing.

A laboratory or testing center facility shall be used for such certification, inspection, and calibration and testing.

Article 61. Testing centers, Laboratories

To ensure the certification of products, goods, it is necessary to establish, improve testing centers, laboratories and equipped of vehicles, equipments, and qualified personnel shall.

Testing centers, laboratories shall be accredited or recognized by both domestic and foreign concerned accredited body.

The rights and duties of testing laboratories are provided in separate regulations.

Section 2
Certification

Article 62. Types of Certification

There are two types of certification, as follows:

1. Product certification.
2. Management system certification.
3. Each type of certification has its own mark, which is specified in separate regulations.

Article 63. Product Certification

Product certification will be accomplished according to the procedures and standards determined by the concerned agencies and parties and in compliance with international principles under the actual conditions and capabilities.

Product certification shall be accomplished by concerned agencies and parties that have been officially assigned.

Products accepted as meeting standards will bear the certification mark.

Article 64. Product Certification Mark

The National Authority for Science and Technology will consider and declare the product certification mark based on the proposal of the National Standards Council.

A declaration of product certification mark will be published in the official gazette.

The National Authority for Science and Technology has the right to amend or revoke the declared product certifications mark based on the proposal of the National Standards Council.

Article 65. Applications for the Product Certification Mark

Suppliers have the right to submit an application to the National Authority for Science and Technology for granting of the products certification mark based on the determined procedures.

Article 66. Use of the Product Certification Mark

Suppliers have the right to use the product certification mark once their products or goods have met determined standards and permission is granted by the National Authority for Science and Technology. Affixing the product certification mark to products, product labels, containers, packaging products, and attachments shall be deemed to have used that certification mark to products.

Advertising in any form that cites the product certification mark as representing that the product or goods comply with standards shall also be deemed to have used that product certification mark.

Article 67. Mandatory Product Certification mark

The National Authority for Science and Technology shall issue a regulation on mandatory certification mark for products that have strategic characteristics that are related to peaceful, safety, hygiene, health environment, and goods that have control targets. These rules will be issued in coordination with the concerned agencies and parties and the National Standards Council.

Use of mandatory product certification mark will become effective ninety days after the day such regulation is noticed. The notification announcement shall be published in the official gazette and official journals.

Use of mandatory product certification mark may be amended or revoked.

Article 68. Objection on the Use of Mandatory Product Certification Mark

Suppliers who disagree with the mandatory product certification mark have the right to object by complaining to the National Authority for Science and Technology for consideration and resolution.

If the complainant disagrees with the resolution offered by that authority, the matter may be referred to the courts for consideration under the rules of law.

Article 69. Certification of management Systems

Certification of management systems is recognition by concerned agencies and parties of systematic activities on supervising follow up, control and inspection of the processes by suppliers in order to achieve quality and efficiency.

Article 70. Management System Certification Mark

The management system certification mark is a symbol used as evidence of certification of management systems, as specified in Article 51 of this law.

The National Authority for Science and Technology or other concerned agencies and parties that grants certificates shall determine each type of the management system certification mark. Marks shall be submitted to the National Standards Council for comments before they are used officially.

Article 71. Types of System Certification Marks

Management System certification marks are divided into the following types:

1. The quality system certification mark.
2. The environmental system certification mark.
3. The food safety system certification mark.
4. Other system certification mark.

Article 72. Procedures for System Certification

System certification of each type shall be accomplished by the agencies and parties concerned, in accordance with international, regional, and foreign standards.

Article 73. Agencies Issuing System Certificates

Agencies that grant award system certificates in the Lao PDR shall be accredited by an accreditation body recognized internationally or regionally at the time the certificate is granted.

Appointments, roles, rights, and duties of accreditation body are specified in separate regulations.

Article 74. Requests for Permits to Certify Systems

Individual or legal entities desiring to obtain the several of systems certification license shall apply to the National Authority for Science and Technology or other agencies and parties for consideration and permission to grant certificates according to the determined procedures.

Article 75. Promulgation of System Certification Mark

Agencies and parties that grant the various types of system certification mark are responsible for promulgation of those marks once approval is granted by the National Authority for Science and Technology.

Promulgation of each type of system certification mark shall be published in the official gazette and other official publications.

System certification marks already promulgated may be amended or revoked by the promulgating agencies and parties upon approval of that action by the National Authority for Science and Technology.

No Marks used for system certification is identical, or similar with any trademarks registered for goods or services.

Article 76. Use of System Certification Marks Licenses

Holders of system certification mark licenses permits have the right to use the system certification mark only as allowed by the permit.

Article 77. Affixing System Certification Marks

System certification marks may be affixed to containers, packaging, product labels, goods, advertising in any form only as permitted in advance by the National Authority for Science and Technology

Every direct or indirect reference to a

system certification mark to indicate that products or goods sold conform to the standards shall be deemed to have used that an instance of affixing the system certification mark.

Section 3 Suspension or Withdrawal of Certificates

Article 78. Suspension or Withdrawal of Certificates

The National Standards Council has the right to consider and propose the National Authority for Science and Technology or other concerned agencies and parties suspend or withdraw a certificate if the Council finds evidence of violation of the intent or conditions of use of the certificate.

Article 79. Conditions for Suspension of Certificates

Conditions for suspension of a certificate are:

1. Products, goods, services, processes, and environmental practices not in compliance with determined standards and technical regulations.
2. Transfer or allowing another to use the certificate without permission.
3. Other violations of the laws on certificates.

Article 80. Conditions for Withdrawal of Certificates

Conditions for withdrawal of a certificate are:

1. Products, goods, services, processes, and environmental practices that have serious detrimental effects.
2. Forgery of a certificate.
3. Failure to make changes following a suspension.
4. The decision of a court to dissolve the activity.
5. Other practices that are serious violations of the laws on certificates.

Article 81. Objection of Suspension or Withdrawal of Certificates

The owner of a certificate has the right to object its suspension or withdrawal by submitting the objection in writing to the National Authority for Science and Technology, agencies and others that granted the certificate.

The organization receiving such an objection shall consider the matter within thirty days from the day of receipt. If the objection party is not satisfied with the remedy offered, the matter may be referred to the courts for consideration under the law.

Part VIII Rights and Obligations of Suppliers and Consumers

Section 1 Rights and Obligations of Suppliers

Article 82. Rights of Suppliers

Suppliers have the following rights:

1. To conduct production, business trade, and service activities related to standardization.

2. To use granted certificates as authorized by regulation.
3. To advertise that the quality of products, goods, and services have been certified to conform to applicable standards.
4. To transfer certificates to another party as permitted by the National Authority for Science and Technology or agencies and others concerned parties.
5. To appeal to the parties concerned to protect the supplier's rights and privileges.
6. To exercise other rights as specified by law.

Article 83. Obligations of Suppliers

Suppliers have the following obligations:

1. To guarantee that production, products, goods, distribution, trade and services, to include the site of such production and service, maintain the quality and safety mandated by determined standards, and to protect the environment.
2. To set reasonable prices for products, goods, and services under the provisions of law.
3. To cooperate and furnish information for, and facilitate the conduct of inspections when they occur.
4. To pay fees and service charges according to regulations.
5. To make notification or report of any violations of standards or technical regulations that is observed.
6. To perform other obligations specified under the law.

Section 2
Rights and Obligations of Consumers

Article 84. Rights of Consumers

Consumers have the following rights:

1. To choose among quality products, goods, and services according to their needs.
2. To receive information about the quality, price, and instruction on the use of goods and services.
3. To be guaranteed safe, health, and environmentally sound products, goods, and services.
4. To advise or warn suppliers when the consumer encounters products, goods, or services that do not comply with standards, technical regulations, and that have detrimental effects.
5. To complain to the responsible entity about products, goods and services that does not meet quality and standards.
6. To make notification or report of any violations of standards, technical regulations and environmental that are observed.
7. To participate in the activities of standardization such as formulating standards, laws and improving the quality of products, goods, and services.
8. To exercise other rights as specified in law.

Article 85. Obligations of Consumers

Consumers have the following obligations:

1. To participate in consumer organizations to protect their legal rights and privileges.
2. Not to create emissions, pollution of the environment through the use of products or goods, and to participate in environmental protection processes.
3. To perform other obligations as specified under the law.

Part IX Restrictions

Article 86. Restrictions on Suppliers

Suppliers are forbidden to:

1. Use a certification mark without permission.
2. Any reference made to the National Authority for Science and Technology, standards, or certification marks without permission, whether directly or indirectly and to make excessive claims in advertising.
3. Use a mark that is identical with a trademark registered.
4. Use a certification mark to register as a trademark.
5. Use the words "Lao National Standard" or similar words and symbols to cause confusion with the symbols of Lao National Standards without permission.
6. Register a trademark using the word "Standard" without permission.
7. Cause contamination or pollution of the environment.
8. Use violence, threats, obstruction, or bribes to influence the officials of a controlling and inspecting organization engaged in standardization.
9. Engage in other behavior forbidden under law.

Article 87. Restrictions on Consumers

Consumers are forbidden to:

1. Help promote products, goods, and services that are deficient in quality and are deceptive.
2. Defame or act in a way that causes damages to a supplier.
3. Cause contamination or pollution of the environment.
4. Engage in other behavior forbidden by law.

Article 88. Restrictions on Officials Engaged in Standardizations

Officials engaged in standardizations are forbidden to:

1. Be forsaking in their duties and responsibilities.
2. Perform their duties without justice or with partiality toward any individual or organization.
3. Receive bribes, or use their position or duties to derive gain for themselves, their families, or their relatives.
4. Engage in other behavior forbidden by law.

Article 89. Restrictions on Individuals and other Organizations

Individuals and other organizations are forbidden to:

1. Use the activities of standardizations to create obstacles or interfere with the work of suppliers.
2. Assist, protect suppliers who are in violation of the law.
3. Hide, conceal actions by suppliers that are in violation of the law.
4. Use violence or threats to obstruct the performance of duty by an official of an organization that controls or inspects standardizations.
5. Act as a conductor to give or receive bribes from a supplier.
6. Engage in any other behavior forbidden by law.

Part X
Management and Inspection of Standardizations

Section 1
Management of Standardizations

Article 90. Organizations for Management of Standardizations

The government shall maintain centralized, unified management of standardizations by assigning the National Authority for Science and Technology to coordinate the actions of all concerned fields, such as education, public health, industry and commerce, public works and transportation, agriculture and forestry, information and culture, finance, and other parties.

Other concerned parties have the right and duty to manage standardizations within their own areas of responsibility.

Organizations controlling standardizations include:

1. The National Authority for Science and Technology.
2. Provincial and Municipal science and technology departments.

If necessary, offices of science and technology may be established at district level as well.

Article 91. Rights and Duties of the National Authority for Science and Technology

In the management of standardizations, the National Authority for Science and Technology has the following rights and duties:

1. To research strategies, policies plan, laws, and plans relating to standardizations for consideration by the government.
2. To issue rules, agreements, orders, advises, and bulletins about standardizations.
3. To create a foundation of technical material for testing and quality certification.
4. To establish an information center system, disseminate information for the social public awareness on standardizations.
5. To supervise the implementation of standardizations throughout the country.
6. To conduct a registry and provide services relating to standardizations.
7. To grant, suspend, and withdraw the certificates relating to standardizations.
8. To consider and act on suggestions relating to standardizations.

9. To develop and upgrade public and private sector employees in standardizations.
10. To coordinate the activities of concerned agencies and local administrative organizations for the control of standardizations.
11. To relate and cooperate with international on standardizations.
12. To report regularly to the government on the implementation on standardization.
13. To exercise and perform other rights and duties relating to standardizations as provided by law.

Article 92. Rights and Duties of Provincial and Municipal Science and Technology Department

In the management of standardizations, provincial and municipal science and technology departments have the following rights and duties:

1. To adapt the policies plan, regulations , and plans for standardizations of the National Authority for Science and Technology for their own rules and plans, and implement them.
2. To issue rules, agreements, orders, advises, and bulletins about standardizations.
3. To establish a local technical committee to assist in their work.
4. To create a foundation of technical material for testing and quality certification as assigned.
5. To establish an information system, publish and disseminate in order to create public awareness on standardizations within their community.
6. To consider and act on suggestions relating to standardizations.
7. To coordinate the agencies and concerned parties in their community for the management of standardizations.
8. Regularly report the implementation standardizations in their community to the provincial or municipal government, and to the National Authority for Science and Technology.
9. To exercise and perform other rights and duties relating to standardizations as provided by law.

**Section 2
Inspection of Standardizations**

Article 93. Organizations for Inspecting Standardizations

Organizations for inspecting standardizations consist of:

1. Internal inspection organizations, which are part of the organization subject to control, as described in Article 90 of this law.
2. External inspection organizations, which consist of state inspection organizations and state auditing organizations.

Article 94. Rights and Duties of Internal Inspection Organizations

Internal inspection organizations have the following rights and duties:

1. To inspect the implementation of policy and regulations relating to standardizations.
2. To inspect the quality of products, domestic and imported goods circulated on the market, distribution sites, retail stores, warehouses, and production sites.
3. To collect samples of products, goods, or materials used in production, business trade, or services, and other materials for inspection.
4. To inspect sites and buildings involved in production, preparation, or modification of products and goods.
5. To inspect documentation related to the certificates of quality control of products and goods in transit for import or export.
6. To question individuals or organizations at production, service, and trades sites and other places about the quality of products, goods, services, and environment.
7. To inspect administrative follow up and evaluate organizational implementation of laws, agreements, orders, instructions, and advisories to ensure the compliance with standards and technical regulations.
8. To conduct inspections as assigned and as required by law.

Article 95. Rights and Duties of External Inspection Organizations

External inspection organizations have the right and duty to inspect the implementation of standardizations in their areas of responsibility.

Article 96. Rights and Duties of Other Concerned parties.

Other concerned parties such as education, public health, industry and commerce, public works and transportation, agriculture and forestry, public information and culture, finance, and local administrative units have the right and duty to coordinate and cooperate with scientific and technological organizations in inspecting standardizations for efficiency as their own roles and responsibilities dictate.

Article 97. Form of Inspection of Standardizations

Inspection of standardizations takes the following three forms:

1. Regular scheduled inspections.
2. Irregular inspections with prior notice.
3. Urgent inspections.

Regular scheduled inspections are recurring inspections held on a fixed schedule.

Irregular inspections with prior notice are unplanned inspections held when it is found necessary, but with advance notice to the subject of the inspection.

Urgent inspections are an urgent inspections held without prior notice to the Subject of the inspection.

**Part XI
Awards and Sanctions**

Article 98. Awards

Individuals or Legal entities which have remarkable accomplishments in implementing this law shall be awarded or receive other forms as may be determined.

Article 99. Sanctions

Individuals or Legal entities which have violated the law on standardizations shall be warned, retrained, fined, assessed civil damages, or face criminal penalties according to the severity of their case, as provided by law.

Article 100. Warning

Individuals or Legal entities that violate the law on standardizations unintentionally for the first time, causing damages valued at less than five hundred thousand kip, shall be warned and retrained.

Article 101. Disciplinary Measures

Workers and officials who violate the law on standardizations and its prohibitions, whose violations are minor and not subject to criminal penalties, and whose violations cause damages valued at less than five hundred thousand kip, but who made false reports to avoid responsibility for their actions will be disciplined as follows:

- Censure for the violation under civil service rules, and the incident will be recorded in the individual's biographic dossier.
- Dismissal or transfer to other duties at a lower grade.
- Dismissal from civil service without benefits.

Individuals disciplined shall return all assets obtained incorrectly to the organization.

Article 102. Fines

Individuals and Legal entities who violate the law on standardizations intentionally, and those who violate the law unintentionally for the second time, whose violations are not subject to criminal penalties, shall be fined twice the amount of damages.

Article 103. Measures under the Civil Code

Individuals and Legal entities that cause others to suffer damages as a result of the manufacture, import, export, service, storage, or distribution of products or goods that is of low Quality, do not meet standards and who violate the civil code, shall indemnify all damages caused.

Article 104. Measures under the Criminal Code

Any person who forges, falsifies, or commits fraud with regard to the quality of products, goods, services, or the environment, thereby endangering another, is subject to imprisonment for a period for three months to two years and a fine of 500,000 to 5,000,000 kip.

In case the offense results in the serious injury, disability, or death of another, the penalty is imprisonment for three years to ten years and a fine of 5,000,000 to 15,000,000 kip.

In case the offense results in multiple deaths, the penalty is imprisonment from 5 years to twenty years and a fine of 15,000,000 to 30,000,000 kip.

In the event that there are other criminal offenses, the offender will be subject to the provisions of the criminal code.

Article 105. Additional Penalties

In addition to the penalties described in Articles 100 through 104 of this law, offenders may be liable to additional penalties such as suspension or withdrawal of certification and seizure of assets for the state.

**Part XII
Conclusion**

Article 106. Implementation

This law is imposed and implemented by the government of the Lao Peoples Democratic Republic.

Article 107. Effective Date

This law shall take effect ninety days from the day it is promulgated by a Decree of the President of the Lao Peoples Democratic Republic.

Any provision of existing law that conflicts with the provisions of this law is hereby rescinded.

President of the National Assembly

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