

**LAO PEOPLE'S DEMOCRACY REPUBLIC**  
**Peace Independence Democracy Unity Prosperity**

No. 01/95  
Vientiane, 8/3/1995

**Law on**  
**Government of the Lao PDR**

**Section I**  
**General Provision**

Article 1. Purpose of the Law on government

The Law on government set forth to determine the organization, the operation and the work method of the government in order to administer and manage the State, the economy with effectiveness aiming at strengthening and enriching the country, improving the living condition of the Lao multinational, guaranteeing the security and justice in the society.

Article 2. Role of the government

The government of the Lao PDR is an executive institution of the State responsible to the National Assembly and the President, has the administrative role for the State uniformly in term of politics, economy, socio-culture, national defense and security, and foreign affairs.

Article 3. Operation principle of the government

The government operates on a democratic centralization system based on the constitution and laws with the Lao People's Party as the nucleus. and having the mass organizations and associations as the power, uses the method of education, economy and management to administer the State and to manage the socio-economy.

Article 4. Duration of the government

The government enjoys 5 year term equally with the duration of the NA. In case that the term of the government expires but the new government does not have a confidence vote of the National Assembly the former government shall continually assume its duty.

**Section II**  
**Structure, rights and duties of the government**

Article 5. The structure of the government

The government is composed of the Prime Minister, Vice-Premiers, Ministers and Presidents of equivalent Committees.

Article 7. Rights and duties of the government.

The government invests with rights and duties as follows:

1. to implement the constitution, laws, NA resolutions, Presidential Decisions and Presidential Decrees, disseminate the laws, teach people to respect and obey the laws and regulations, define measures to protect lawful rights and interests of the citizens.

2. to define strategic plan for socio-economic development and State budget then submit to the NA for appropriation and adoption,
3. to administer with unanimity the building, development of economy based on socio-culture, science and technics, to implement the policy of finance and currency; to administer and assure the effective use of national assets, to protect the State collective and private property based on laws and regulations;
4. to elaborate and submit draft of laws, draft of Presidential Decisions and Presidential Decrees to the NA by channeling through the Permanent Committee of the NA;
5. to issue resolutions on State administration, socio- economy management, national defense and security and the foreign affairs.
6. to organize, administer, facilitate, control and check the activities of departments and local authorities to assure effectiveness and unanimity of action of the executive agency of the State.
7. to improve, develop further and inspect the people's task of national defense and security, and the social order, to build the people's armed force, to execute order on force mobilization, to determine necessary measures to defend the country;
8. to stop or cancel the implementation of decisions, orders of Ministries, Committees, and organizations attached to the Prime Minister's Office and local authorities that are incompatible with the laws,
9. to decide on the creation or abolition of districts and district border line,
10. to organize the inspection of the State, fight against the non-observance of laws, corruption and to settle the claims of the population on the basis of laws,
11. to negotiate, sign treaties and conventions with foreign countries, to administer and check the foreign affairs activities, the implementation of signed treaties and conventions,
12. to exercise its rights and duties as conferred by laws.

**Article 8. Appointment of the Prime Minister**

The Prime Minister is appointed or dismissed by the President of State then to be submitted to the NA for consideration and approval.

**Article 9. Appointment of Vice- Premiers, Ministers and Presidents of equivalent Committees.**

The Vice-Premiers, Ministers and Presidents of equivalent Committees are appointed, transferred or dismissed by the President of State with recommendation of the Prime Minister then to be submitted to the NA for consideration and approval.

### **Section III**

#### **Meeting of the government**

**Article 10. Meeting of the government**

The meeting of government is convened once every month by the convocation of the Prime Minister and under its presidency. The invitation including date, session and agenda of the meeting shall be sent to the members of the government no later than seven days before the session. The meeting will be taken place when at least two third of the total members of the government are present.

It is the duty of members of the government to participate in every meeting of the government. Besides, Vice-Ministers or any concerned people may be invited to the meeting. The non-members of the government have the rights to give comments at the meeting but they do not have the rights to vote.

The meeting of the government approves or decides an issue based on majority vote. If the vote is equal the chairman vote is accounted for.

In case of urgency, the extraordinary session may be convened upon the decision of the Prime Minister or upon request of at least 1/3 of the total members of the government. The proces-verbal of each meeting must be duly set up, counter-signed by the chairman and distributed to members of the government.

**Article 11. Issues to be discussed at the meeting.**

The issues to be treated and agreed upon are as follow:

1. Strategic plan for socio-economic development;
2. Annual State budget and budget adjustment;
3. Draft of laws, Presidential decrees and decrees,
4. Creation, dissolution, association or dissociation of Ministries, equivalent Committees or organizations attached to the office of the Prime Minister;
5. Creation, dissolution, association, dissociation or definition of border line of the provinces, municipalities, special zones or districts;
6. Summary of activities of the Government;
7. Sumit reports to the NA and the President of State;
8. National defense and security and foreign affairs;
9. Nationality issue;
10. Contents of negotiation, treaties, and agreements with foreign country;

In addition to the above mentions affairs, the meeting of government may discuss on other affairs as well.

### **Section IV**

#### **Role of the Prime Minister**

**Article 12. Role of the Prime Minister**

The Prime Minister is the Chef Executive in the government, directs, facilitates and controls the activities of the government.

Article 13. Rights and duties of the Prime Minister

The Prime Minister is invested with the following rights and duties.

1. to convoke and be chairman of the meeting of the government
2. to direct and check the implementation of resolutions of the meeting of the government,
3. to lead all government activities, to direct and check the performance of Ministries, equivalent Committees, provinces, municipalities; special zones and others organizations attached to the office of the Prime Minister;
4. to recommend the President of State the appointment, the transfer or the removal of Vice-Premiers, Ministers, Presidents of equivalent Committees, Representatives Plenipotentiaries of the Lao PDR to foreign countries, Provincial Governors, Mayors and to propose the promotion or demotion of Generals in the Armed force, Security force;
5. to appoint, transfer or remove Vice-Ministers, Vice-Presidents of equivalent Committees, Chiefs and Deputy chiefs of Sub-Ministries, Chiefs and Deputy-chiefs of Agencies, Directors of Department, Vice-Governors, Deputy Mayors, Chiefs of Special Zones and District Chiefs,
6. to promote or demote Colonels of Armed Force and Security Force,
7. to issue decrees, orders and advices with respect to the implementation of the policy, laws and regulations, and government plan,
8. to submit yearly report on the carrying out of government activities to the NA and to the President of State,
9. to assign Vice-Premiers with rights and duties when the latter is engaged or not available;
10. to dismiss himself when he is incapable of carrying out of duties as a result of state of health or other reasons.
11. to carrying out rights and duties as conferred by laws and regulations.

Article 14. Vice-Premiers

The Vice-Premiers assist the Prime Minister and may be assigned with certain activities. When the Prime Minister is not available or physically incapable the assigned Vice-Premier will assume the charge on his behalf. The assignment shall be clearly stated in writing with details and time.

The Vice-Premiers are authorized to dismiss themselves when they feel that they are physically incapable due to the state of health or other reasons.

## **Section V Office of the Prime Minister**

Article 15. Location and role of the office of the Prime Minister.

The office of the Prime Minister is the central administration of the State in the government structure, plays the role of Chief of all agency for the Prime Minister, coordinates, summarizes and reports all affairs with respect to the government activities, studies, facilitates and controls the activities of the government relating to the unified execution and management of all the State affairs throughout the country.

Article 16. Structure of the Office of the Prime Minister

The office of the Prime Minister consists of a number of Ministers and Vice-Ministers without portfolio, Chiefs of agencies, organizations, and departments attached to the office of the Prime Minister.

The Prime Minister directs the office of the Prime Minister.

Article 18. Rights and duties of the Office of the Prime Minister

The Office of the Prime Minister has the following rights and duties:

1. to prepare the meeting of the government;
2. to take note, edit the contents of the meeting and transform them into orders, advices and notices;
3. to communicate the result of the meeting of government;
4. to gather, study, summarize data, then to report to the government and the Prime Minister;
5. to coordinate with the cabinet of Party CC, the cabinet of the NA, the cabinet of the Presidency, Ministries, Committees, provinces, municipalities and special zones;
6. to follow up, check up the implementation of resolutions of the government meeting;
7. to prepare reports for the government in order to submit to the President of State and the NA.
8. to follow up, summarize and submit to the government the advantages and inconveniences in the process of the implementation of the laws, policy, plan, regulations systems as well as activities of the offices at central and local level,
9. to follow up and support agencies, organizations and departments attached to the Office of the Prime Minister to carry out their activities,
10. to elaborate the annual budget for the performance of the government and the Office of the Prime Minister.
11. to create ambiance and facilitate the carrying out of activities of the government,
12. to be responsible for ideological politics, organization and personnel, to improve the effectiveness of work and work method in the Office of the Prime Minister;
13. to carry out rights and duties as assigned by the Prime Minister and as conferred by the laws.

## **Section VI** **Ministries and Committees**

Article 19. Location and role of the Ministries and equivalent Committees.

The Ministries and equivalent Committees are the administrative engine of the government, have a role of Chief of Staff for the government, macro management of the department and offices throughout the country.

Article 20. Administrative structure of the Ministries and equivalent Committees

The Ministries and Committees consists of the cabinet of Ministries and cabinet of the equivalent Committees, Departments, Services and Institutions as defined by the Decrees of the Prime Minister.

Article 21. Organizational structure of the Ministries and Committees.

The Ministries and Committees consists of Ministers or Presidents of the Committee, Vice-Ministers or Vice-Presidents of Committees, Chief of Cabinet, Deputy Chief of

Cabinet, directors, Deputy directors, Heads of offices, Deputy heads of offices, Chiefs of institution and Deputy Chief of institution.

Article 22. Rights and duties of Ministries and equivalent Committees

Ministries and equivalent Committees have rights and duties as follows:

1. to study and draft the policy and strategy of their own organizations to submit to the government.
2. to transform policies, plans, resolutions of the government into detailed plans and programs and be responsible for their implementation.
3. to draft the laws, decrees and draw regulations to govern its organization;
4. to control vertically the execution of work and manage its personnel in conjunction with local authority;
5. to build staff within its services;
6. to interact with foreign countries in accordance with the authorization of the government;
7. to check and give summary of the execution of work within its own services then report to the government and the Prime Ministers;
8. to exercise other rights and duties as assigned by the government and as stipulated in the laws and regulations.

Article 23. Role of the Minister and Chairman of the equivalent Committee

Minister and Chairman of equivalent Committee are members of the government, participate in the exercise of government duty in respect to politics, economics, socio-culture, national defense, security and foreign affairs.

As Chief of the Executive agency, Minister and Chairman of an equivalent committee also act as Chief of Staff for the government and as a macro administrator of their own agency.

Article 24. Rights and duties of Minister Chairman of equivalent committee.

Minister and Chairman of equivalent Committees has the right and duties as follows:

1. to develop and implement resolutions of the government meeting within its own agency;
2. to direct the implementation of the work plan within its agency as well as to administer and control its implementation;
3. to issue decisions, orders, recommendations aiming at improving the effectiveness of the organization and the conducting of the departmental management;
4. to stop the enforcement of decisions orders contradictory to regulations, principle and interests of its department of subordinate levels relevant to its department and to possess the rights to amend or cancel decisions, orders of other divisions or provinces, prefecture, special zones.
5. to establish necessary measures for the implementation of annual work plan.
6. to draft the laws, decrees concerning its own department;
7. to appoint or dismiss deputy directors, head of services and deputy head of services, district chief office, relevant to its department;
8. to assign a certain job to vice-Minister or Vice-Chairman of equivalent Committee when he is absent or engaged.

Assigned persons can give arguments but cannot vote in the government meeting. The assignment must be in writing with clear and defined contents and date.

9. to sign agreement with foreign countries in respect to activities belonging to its department upon authorization of the government.
10. to dismiss himself when it is found that he cannot fulfill his duty as a result of physical incapacity or other reasons.
11. to exercise other rights and duties as assigned by the Prime Minister or as conferred by laws and regulations;

## **Section VII**

### **Work method of the government**

#### Article 25. Work system of the government

The government treats its affairs based on centralized democracy principle of one chief, follow the system of notice, report, submission for order and directives. The government considers the meeting is the place where activities are mainly conducted.

#### Article 26. Activities of the member of government.

In carrying out its activities, member of government must respect the role of other member and also interacts with each other.

In case of non unanimity among members, the issue shall be submitted to the Prime Minister for consideration. To conduct the affairs in foreign countries the member of government must have approval from Prime Minister.

#### Article 27. Relation with the NA

The government has the obligations to submit for the consideration and adoption of the NA session the annual report, strategic plan for socio-economic development and State budget, to amend the State budget, to clarify interest points, to respond to the NA or its member's questions in relation to the performance of the government duties or of any member of the government.

During the recess, member of the government is obliged to report his activities to the permanent committee of the NA and provide data as required by the NA.

In conducting the foreign or domestic affairs of important aspect, the government shall receive prior approval from the NA. If the affairs related to important treaties or agreement the government shall submit such affairs to the NA for ratification.

#### Article 28. Relation with the President of State.

The government submit report to the President of State. In case of necessity the President of State may be invited to preside the government meeting or the joint meeting of the government and the NA.

#### Article 29. Relation with judiciary agency

The government coordinates with the People's Supreme Court and People's Prosecutor to monitor the application of laws, the prevention of criminal activities. To fulfill the aforesaid objectives, the government may invite the President of the People's Supreme Court and the People's Prosecutor to attend the government session as well.

Article 30. Relation with the mass organization and associations

To assure the effectiveness of its activities the government must coordinate with the National Reconstruction Front, Youth organization, Trade Union, Women Union and associations for consultation and exchange of views, to encourage the mass organization and associations to participate in the public administration, socio-economic management, advise them with the work guideline, resolutions of the government, and major situation; to response to their concern and facilitate the performance of their duties accordingly.

In case of necessity, the government may also invite the mass organization and association to be present at the government meeting.

Article 31. Settlement of population claims

In the conducting of its activities, the government must listen to the population comments and be responsive to and to settle their claims appropriately and impartially based on laws and regulation.

### **Section VIII Final provisions**

Article 32. Implementation

The government of the Lao PDR is responsible for the implementations of this laws.

Article 33. Replacement

This law supersedes the law on the Council of Ministers of the Lao PDR No. 1/82/PSA dated 20 July 1982.

Article 34 Enforcement

The present law enters into force the date the President of State of the Lao PDR issues the Presidential Decree for its implementation.

All previous decisions and regulations contradictory to this law are abrogated.

President of the NA

Samane VIYAKET