

## NATIONAL ASSEMBLY

**Law No. [005/NA], dated February 25, 1993 on the National Assembly.**

### **Section I General provisions.**

Article 1 : The National Assembly is the body of the representatives of the rights of the multi-ethnic people to be the masters. The Body of the State power which has the rights to make decisions on the fundamental issues of the country. At the same time the National Assembly is the legislative body overseeing the activities of the executive and judicial bodies.

Article 2 : The National Assembly has the following rights and duties, to:

1. Establish, endorse, or amend the Constitution;
2. Consider, endorse, amend, or abrogate the laws;
3. Determine, change, or abolish taxes and duties;
4. Consider and approve the strategic plan of socioeconomic development and the Budget of the State;
5. Elect or remove the President of State and the Vice-President of State on the recommendation of the National Assembly Standing Committee;
6. Consider and approve the appointment or removal of a member of Government on the recommendation of the President of State;
7. Elect or remove the President of the People's Supreme Court and the People's General Prosecutor on the recommendation of the National Assembly Standing Committee;
8. Approve the establishing or the dissolution of Ministries, Ministry equivalent bodies, Provinces and Prefecture, to determine the boundaries of Provinces and of the Prefecture, on the recommendation of the Prime minister;
9. Decide on granting amnesties;
10. Decide on the ratification or repeal of treaties and agreements signed with foreign countries in the accordance with the laws and international laws and regulations;
11. Decide on the matters of war or peace;
12. Supervise the observance of the Constitution and laws.
13. Decide on other important questions related to the destiny of the country or to the vital interest of the people.

**Article3.** The National Assembly is organized and functions in accordance with the principle of democratic centralism. It carries out its work by meeting system and takes decisions by the majority of votes.

**Article4:** The term of office of the National Assembly is five years from the inaugural session of the incumbent National Assembly to that of the new National Assembly.

The election of the new National Assembly must be held not later than sixty days prior to expiration of the term of office of the incumbent National Assembly.

In the case of war or other circumstances that

obstruct the election, the National Assembly may extend its term of office. But it must carry out the election, of the new National Assembly, not later than six months after the situation returns to normal.

Article 5 : The National Assembly has its own budget Ensuring its activities.

## **Section II Organizational structure of the National Assembly.**

Article 6 : The National Assembly consists of:

- The members of the National Assembly;
- The President of the National Assembly;
- One or two Vice-Presidents of the National Assembly;
- The Standing Committee of the National Assembly;
- The Committees of the National Assembly;
- The Cabinet of the National Assembly.

Article 7 : The term of office of the President, Vice-President, Standing Committee and Committees of the National Assembly is equivalent to the term of office of each legislature of the National Assembly.

## **Section III Session of the National Assembly.**

Article 8 : There are 4 (four) types of National Assembly sessions, the:

- Opening Session;
- Ordinary (Regular) Session;
- Extraordinary Session;
- Special [Extra] Session.

**Article 9** : The Opening Session of the National Assembly is convened not later than sixty days after the election of the new National Assembly .

The President of the incumbent National Assembly presides and guides the opening Session until the President of the new National Assembly is elected.

**Article 10** : At the Opening Session, the National Election Board reports and ascertains the lawfulness of the election.

Article 11 : The Opening Session of the National Assembly has the duties, to:

- Elect the President, Vice-Presidents) and the Standing Committee of the National Assembly;
- Establish the Committees of the National Assembly;
- Consider and approve the appointment of the members of the National task group of the interparliamentary Union;
- Elect the President and eventually elect the Vice- President of the Republic;
- Consider and approve the appointment of the members of the Government;
- Elect the President of the People's Supreme Court and People's General Prosecutor.

Article 12 : The National Assembly convenes its ordinary [Regular] Session twice a year, the first in February and the second in September.

The first ordinary [Regular] Session of the National Assembly considers the general questions of the National Assembly; the second ordinary [Regular] Session has the duties, to . 1. Hear out and consider the reports on the Government's activities [operations; consider and approve the strategic plan of socio-economic development as well as the State Budget; 2. Hear out and consider the annual activity [operation] report of the President of the People's Supreme Court and the People's General Prosecutor.

Beside, may consider other important questions.

**Article 13** : The National Assembly may convene Extraordinary or Special [Extra] Sessions by the decision of the National Assembly Standing Committee, or on recommendation of the President of State, or of the Prime Minister, or of at least 1/9 (one fourth) of the total number of the members of the National Assembly.

The Extraordinary Session of the National Assembly is convened during the 2 (two) ordinary [Regular] sessions of the National Assembly in order to consider and decide on necessity questions.

The Special [Extra] Session of the National Assembly may be convened in order to consider and decide on fortuitous and urgent questions of importance to the country.

Article 14 : The National Assembly sessions are open [Public]. If necessary, the National Assembly Standing committee may decide to conduct the session in Camera at the proposal of the President of the State or of the Prime Minister.

The National Assembly session shall be convened only with a quorum of more than 1/2 (one-half) of the total number of members the National Assembly.

**Article 15** : The convening to the session of the National Assembly, as well as the important documents, to be considered at the session, shall be delivered not later than 7 (seven) days before the day of the session.

**Article 16** : Besides the National Assembly members, the Government members, the President of the People's Supreme Court, the People's General Prosecutor, representatives of sociopolitical

organizations and those of different social strata may be invited to the National Assembly sessions.

Invited persons may be authorized to participate in discussions but they have no right to vote.

Besides, the Ambassadors and Charges d'Affaires and representatives of international organizations may be invited.

Article 17 : The decisions of the National Assembly are conducted either in open or secret vote, as decided by the session.

**Article 18** : The decisions of the National Assembly shall be valid only if they are passed for by more than 1/2 (one-half) of the total number of the members present at the session, except for the cases prescribed in Article 54 and Article 80 of the Constitution.

Article 19 : Minutes [record] of each National Assembly session should be kept and signed by the chairman of the Secretary Committee and the President of the session.

#### **Section IV The President and Vice President of the National Assembly.**

Article 20 : The President of the National Assembly is its representative in domestic and international affairs.

**Article 21** : The President of the National Assembly has the following rights and duties, to "1. Preside the National Assembly sessions; 2. Direct, guide and control the activities [work] of the National Assembly; 3. Keep good order in the National Assembly; 4. Exercise other rights and execute other duties as prescribed in the Standing Orders [General Orders] of the National Assembly.

**Article 22** : The Vice-President(s) of the National Assembly have the rights and duties to assist the President of the National Assembly in carrying out his work and may be entrusted with a specific task by the President of the National Assembly.

If the President of the National Assembly is absent or engaged, one of the Vice-Presidents is assigned to act on his behalf.

Article 23 : The President and the Vice-Presidents of the National Assembly are also the President and the Vice-Presidents of the National Assembly Standing Committee.

Article 24 : The President of the National Assembly has his own circular seal, of four centimeters in diameter. In its center is the National emblem. The inscription on the top edge is "National Assembly", and on the bottom edge is "President". To separate the two inscriptions, a five-cornered star is inserted.

**Section V**  
**The Standing Committee of**  
**the National Assembly.**

Article 25 : The Standing Committee of the National Assembly is the permanent body of the National Assembly. It acts on behalf of the National Assembly in the interval of the sessions of the National Assembly.

Article 26 : The Standing Committee of the National Assembly consists of the President, 1 (one) or 2 (two) Vice-Presidents) and a number of members.

**Article 27** : The Standing Committee of the National Assembly has the following rights and duties, to

1. Prepare and convene the National Assembly sessions;
2. Construe and explain [the provisions] of the Constitution and laws;
3. Educate the people in order to enhance their conscious observance of the Constitution and laws;
4. Propose to the President of the State to issue decree-laws and decrees;
5. Supervise and watch over the activities of the executive and judiciary bodies;
6. Decide on nationality matters;
7. Appoint or remove the Vice-President of the People's Supreme Court, the Deputy People's General Prosecutor and the judges of the People's Court at all levels;
8. Direct and guide the activities of the National Assembly Committees;
9. Ensure the National Assembly is carrying out its work as specified; 10. Create good working conditions for the National Assembly members to carry out their activities in accordance with their duties; 11. Exercise other rights and execute other duties as stipulated in the Standing Orders [General Orders] of the National Assembly.

Article 28 : The members of the Standing Committee of the National Assembly may be appointed as President of Committees by the decision of the National Assembly or by its Standing Committee.

The National Assembly Standing Committee may entrust a Vice-President or one of its members to be on permanent duty to deal with current affairs [matters] of the Standing Committee of the National Assembly.

**Article 29** : A session of the National Assembly Standing Committee is held at least once a month, which is convened by the President of the National Assembly Standing Committee.

If the President of the National Assembly is absent or engaged, the session is convened by the Vice-President in charge.

The National Assembly Standing Committee session can be held only with the quorum of at least 2/3 (two-thirds) of the total number of the members.

Article 30 : Questions or documents which will be considered, at the National Assembly Standing Committee session, must be sent or notified to the National Assembly Standing Committee members [prior to the session].

Article 31 : The National Assembly Standing Committee resolution shall be valid only when they are passed by more than 1/2 (one-half) of the total number of members present at the session.

Article 32 : The National Assembly Standing Committee has its own circular seal of four centimeters in diameter. In its center is the National emblem. The inscription on the top edge is "National Assembly" and on the bottom edge "Standing Committee". To separate the 2 (two) inscriptions a fivecornered star is inserted.

## **Section VI**

### **The Committees of the National Assembly.**

**Article 33** : Within the National Assembly a number of committees established to assist it and the National Assembly Standing Committee in considering draft laws, draft decreelaw, draft decrees, and draft decisions of the National Assembly, in overseeing the activities of the executive and judiciary bodies.

Article 34 : The National Assembly Committees consist of the chairman, 2 (two) deputy-chairmen and a number of members, who are members of the National Assembly.

Besides, the Committees may include a secretary and a number of specialists, as necessary.

Article 35 : The chairman of the National Assembly Committee guides the work and directs the Committees' meetings, represents the Committee in reporting and presenting the work [proposal] to the Standing Committee of the National Assembly.

In the event, the chairman of the Committee is absent or engaged, one of the deputy chairmen is assigned to act on his behalf.

Article 36 : The determination of the number of Committees at the National Assembly depends of the needs of each period. The National Assembly Committees may consist of a .

- Secretary Committee;
- Legal Committee;
- Economy, Planning and Finance Committee;
- Culture and Social [Public Welfare] Committee;
- Ethnic Committee;
- Foreign Affairs Committee.

When necessary, the National Assembly Standing Committee can establish ad hoc Committees to consider specific questions. The ad hoc Committee terminates automatically after completion of the assigned duties.

**Article 37 :** The Secretary Committee has the following rights and duties, to:

1. Oversee the reports, draft plans and other tasks as assigned by the National Assembly and its Standing Committee;
2. Assist the National Assembly and its Standing Committee in establishing and performing the program of activities of the National Assembly;
3. Prepare the documents for the sessions of the National Assembly and to be responsible for other documents of the National Assembly;
4. Assist the National Assembly and its Standing committee in studying decisions on establishing or abolishing Ministries, Ministry-equivalent Committees, Provinces and the Prefecture; the determination of the boundaries of Provinces or the Prefecture;
5. Coordinate with the Cabinet of the Central Committee of the Party, the Cabinet of the President of the State and the Cabinet of the Prime Minister;
6. Draw conclusions, report and submit proposals to the

National Assembly and to its Standing Committee. 7. Be responsible for the work of the Cabinet of the National Assembly.

**Article 38 :** The Legal committee has the following rights and duties, to 1. Assist the National Assembly and its Standing Committee in overseeing draft laws, draft decrees and draft decrees, submitted to the National Assembly by the President of State, the Government, or other bodies; 2. Assist the National Assembly and its Standing Committee in construing the provisions of the constitution and laws; 3. Assist the National Assembly and its Standing committee in studying, repealing or amending laws; 4. Assist the National Assembly and its Standing Committee in overseeing the implementation of the Constitution, the laws and other provisions, by the executive and judiciary bodies; 5. Submit legal issues to the National Assembly and its Standing Committee.

**Article 39 :** The Economy, Planning and Finance Committee has the following rights and duties, to 1. Assist the National Assembly and its Standing Committee in overseeing the implementation of the socio-economic development plan and the draft of the socio-economic development plan, submitted by the Government, to the National Assembly; 2. Assist the National Assembly and its Standing Committee in overseeing the implementation of the State

Budget and of the State Budget plan submitted, by the Government, to the National Assembly; 3. Assist the National Assembly and its standing Committee in overseeing draft laws, draft regulations, orders and plans in the economic and financial sector; 4. Assist the National Assembly and its standing Committee in supervising and overseeing the implementation of laws and regulations in the economic and financial sector. 5. Submit to the National Assembly and its standing Committee different issues related to the economy, planning and finance sector.

**Article 40 :** The Culture and Social Committee has the following rights and duties, to 1. Assist the National Assembly and its Standing Committee in supervising the implementation of the plans and Budget; oversee draft plans and State Budget in the sociocultural sector, submitted by the Government, to the National Assembly; 2. Assist the National Assembly and its Standing Committee in overseeing draft laws and other draft regulations in the culture and social affairs sector, submitted by the Government, to the National Assembly; 3. Assist the National Assembly and its Standing Committee in supervising the implementation of laws and regulations in the culture and social affairs sector; 4. Submit to the National Assembly and its Standing

Committee different issues related to the culture and social affairs sector.

**Article 41 :** The Ethnic Committee has the following rights and duties, to 1. Assist the National Assembly and its standing Committee in supervising the implementation of the State plan and policy related to ethnic issues; 2. Assist the National Assembly and its standing Committee in supervising the draft plan of the Government related to ethnic issues or to the socio-economic development of villages and mountainous areas; 3. Assist the National Assembly and its Standing Committee in supervising the implementation of laws and regulations in remote and isolated ethnic areas; 4. Submit to the National Assembly and its Standing Committee different issues related to ethnic groups.

Article 42 : The Foreign Affairs Committee has the following rights and duties, to:

1. Assist the National Assembly and its Standing Committee in supervise the foreign affairs activities of the Government;
2. Assist the National Assembly and its Standing Committee in supervising important draft agreements the Government shall sign with foreign countries and to assist in supervising the implementation of the agreements the Government signed with foreign countries;
3. Assist the National Assembly and its Standing Committee in supervising and concluding on activities of the National Assembly on foreign affairs; 4. Submit to the National Assembly and its Standing Committee different issues related to the implementation of the foreign affairs policy.

Article 43 : In carrying out their tasks, the National Assembly Committees have the right to contact with all Party .) odies, the State, the mass organizations and other in order to collect data, to call upon or invite to give clarifications on issues of interest to the committees of the National Assembly.

In the event the implementation of laws raise questions, and when deemed necessary the relevant Committees can go [inspect] on the site.

Article 44 : Each National Assembly Committee functions in accordance with the chief system on the basis of the democratic development, discussing the issues during sessions. Each committee, exercises the rule of division of tasks among its members, for which they are individually answerable, adopts the activity reporting system, demands for orders from senior executive and, cooperates with other Committees of the National Assembly



Article 45 : The plenary meetings of the National Assembly Committees are held at least twice a year, before the ordinary sessions of the National Assembly, by the convening of the committee's chairman.

When deemed necessary a Committee may have a joint meeting with other Committees or may invite other relevant persons to its meeting.

## **Section VII Members of the National Assembly.**

Article 46 : Members of the National Assembly are the representatives of the will and aspirations of the multiethnic people. They are elected by the Lao citizens pursuant to the provisions of the law on the election of the members of the National Assembly.

Article 47 : The term of office of the National Assembly members begins from the Opening Session of the actual legislature to the Opening Session of the next legislature.

The term of office of the National Assembly members, elected to fill in a vacancy begins from the National Assembly session following their election to the Opening Session of the next legislature.

**Article 48** : Members of the National Assembly have the following rights and duties, to 1. Be the example in the knowledge and implementation of the political line and policy plans of the Party, the laws and regulations of State and the decisions of the National Assembly; 2. Carry on propaganda of the political line and, policies of the Party, the laws and regulations of the State, and the decisions of the National Assembly; mobilize the people for

taking part in the management of the State and in the economy and welfare [issues]. 3. Attend the National Assembly sessions, give freely their opinions and vote on all questions submitted to National Assembly for discussion or decision.

In the event a member of the National Assembly cannot attend a session, he must inform the Standing Committee the day before such a session; 4. Participate in the work of the promoting and developing of the grassroots, be close to the people and be under their control, hear out the people's opinions and aspirations to present them to the National Assembly; 5. Receive the requests or complaints of the people to be discussed with the concerned bodies in order to consider and reasonably settle them; 6. Report to the people or. their activities at least twice a year; 7. Report regularly to the National Assembly Standing Committee, on their activities; e. Participate in important meetings and ceremonies of the Party bodies, State, and mass organizations located in their electoral constituency; 9. Exercise other rights and execute other duties as prescribed in the Standing Orders [General Orders] of the National Assembly.

**Article 49** : Each National Assembly member is a member of one of the National Assembly Committees.

Members of the National Assembly cannot be appointed either in the executive or the judiciary, unless in the event of necessity, and with the authorization of the Standing Committee of the National Assembly at the proposal of the concerned body.

Article 50 : The National Assembly members are afforded with special allowances to ensure the accomplishment of their duties.

Article 51 : Members of the National Assembly shall not be prosecuted or detained without the approval of the National Assembly or, its Standing Committee between sessions of the National Assembly.

When evolving actual process of perpetration of an offence, or urgency, the public body detaining a member of the National Assembly must immediately report to the National Assembly or, to its *Standing Committee* between sessions of the National Assembly, who will consider and decide. Pursuant to Article 51 of the *Constitution of the Lao People's Democratic Republic* investigations and *examinations* are not a reason of absence, for the prosecuted member, from the national Assembly session.

Article 52 : An office of the members of the National Assembly is established in each constituency, to enable them to carry of their duties.

## **Section VIII**

### **Submission and consideration of the draft laws.**

**Article 53** : The organizations and persons that have the right to propose draft laws (bills), as stipulated in Article 46 of the Constitution of Lao People's Democratic Republic, before elaborating any draft laws must make a proposal to the National Assembly Standing Committee presenting the aim and the reasons to elaborate such a draft law.

The Standing Committee must give an answer to the proposal not later than fifteen days from the day of receiving the proposal.

Article 54 : The organization in charge, must submit it to the National Assembly Standing Committee for consideration.

Article 55 : The National Assembly Committees entrusted with the draft law, by the National Assembly Standing Committee, holds meeting to thoroughly examine the draft with the cooperation of the organizations who prepared the draft.

After discussing and improving the draft law, the committee draws conclusions to report to the National Assembly Standing Committee. If the National Assembly *Standing Committee* finds the draft appropriate, it will submit it to the National Assembly session for *consideration* and adoption.

In the event the draft law is not

sufficient, the Committees previously entrusted with this draft is to improve on it.

**Article 56** : The chairman of the Legal Committee presents the draft laws to the National Assembly for consideration and adoption.

### **Section IX**

#### **The final provisions.**

Article 57 : This law replaces the law No. 04/PSA dated April 19, 1988, on the People's Supreme Assembly .

Article 58 : This law comes into force from the day of the President of Lao PDR issues the decree of promulgation.

This law is unanimously adopted, by the opening session of the National Assembly third (IIIrd) legislature, in its afternoon session on Thursday, February 25, 1993.

Vientiane, February 25,  
1993  
The President of the  
National Assembly  
Saman Vignaket