



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

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**Tobacco Control Law
(Amended)**

**PART I
GENERAL PROVISIONS**

Article 1 (amended) Objective

This Law sets out principles, regulations and measures for the management, monitoring, and enforcement of tobacco control in order to make the implementation of such activities more effective and efficient to reduce tobacco use and related unnecessary expenditures. This Law will protect public health and the environment, enable regional and international coordination, and contributing to the development of the country.

Article 2 (amended) Tobacco Control

A tobacco product refers to products made entirely or partly from tobacco leaves and other products that contain nicotine, which is toxic and addictive.

Tobacco control refers to a range of measures to manage, monitor, and regulate, the production, importation, exportation, distribution, trade, advertising, promotion, sponsorship, consumption, and disposal of tobacco products, including printing of health warning labels, establishment of non-smoking areas, and other measures, all of which aim at reducing tobacco use and the detrimental effects of tobacco products and exposure to second-hand smoke.

Article 3 (amended) Definition of Terms

Terms used in this Law have the following meaning:

- 1. Tobacco use** means smoking, chewing, blowing, smelling, sucking, inhaling, eating, spreading, fumigating, spraying into the mouth or nose, or using other means that produce smoke, vapor, aerosol, or other substances ;
- 2. Second-hand smoke** means the tobacco smoke exhaled by a smoker or arising from a burning or heated tobacco product;
- 3. Exposure to second-hand smoke** means exposure to tobacco smoke exhaled by a smoker or smoke arising from a burning or heated tobacco product;
- 4. Imitation tobacco product** means a product that is similar to a tobacco product;
- 5. Automatic cigarette vending machine** means a machine where people can buy cigarettes or other tobacco products using cash, a credit/debit card, or other means of payment;
- 6. Business operator** means a manufacturer, importer, exporter, wholesaler, distributor or retailer of tobacco products;

7. Incomplete compliance tobacco product means a tobacco product which is authorized but is produced, imported, exported, distributed, and traded not fully in accordance with laws and regulations;

8. Illegal tobacco product means factory-made and or hand-made tobacco products which are manufactured, imported, exported, distributed, and traded without authorization;

9. Sponsorship from the tobacco industry means all types of direct and indirect support through any activity or means e.g. sponsorship for education, sport, art, culture, medical equipment, research, analysis, agriculture, livestock, or corporate social responsibility to encourage/promote the sale and use of tobacco products;

10. Advertising of tobacco products means an act undertaken by any direct or indirect means aiming to encourage, provide incentives for, or promote the purchase/use of a tobacco product through persons, printing, television, radio, cinema, electronic media, video, telephone, billboards, posters, picture exhibitions, tobacco product displays at the point of sale, social activities, or other means;

11. Indoor means any place with a roof, with or without a wall, whether permanent or temporary, including balconies, lifts, stairs, reception rooms, building extensions, cafeterias, toilets, recreation rooms, annexed houses, huts, and others.

12. Notification of import documents means a declaration of the number of imported tobacco products with samples, ingredients, composition of each brand, and quantity of combustible substances.

Article 4 (amended) Policies of the State on Tobacco Control

The State shall promote tobacco control by designating, training, and assigning personnel, as well as contributing budget, vehicles, and materials for tobacco control activities.

The State shall give importance and attention to tobacco control by formulating policies and measures e.g. increasing tax and price, printing health warnings, prohibiting tobacco product advertising, determining non-smoking areas, controlling distribution and trade of tobacco, including not supporting/allowing the establishment of new tobacco factories and tobacco companies.

The State shall be active in public campaigns to educate the whole society by various means in order to raise awareness about the detrimental effects of smoking and exposure to second-hand smoke by providing accurate information in accordance with scientific principles and encouraging individuals, families, and public and private organizations to participate or be involved in tobacco control, as well as encouraging farmers to grow economically viable alternative crops to replace tobacco.

The State shall protect public health policies from all forms of interference from the tobacco industry.

Article 5 (amended) Tobacco Control Principles

Tobacco control shall comply with following principles:

1. To be in line with government policies, the Constitution, laws and the WHO Framework Convention on Tobacco Control to which Lao PDR is a Party;

2. To be unified and well coordinated throughout the country;

3. To ensure strict compliance with designated non-smoking places and smoking areas;

4. To ensure that all citizens live in a smoke-free environment and can access smoking cessation services and medical treatment for diseases related to tobacco product use and exposure to second-hand smoke;

5. To ensure transparency and accountability;

6. To coordinate with related sectors, local administrative authorities, and stakeholders in tobacco control.

Article 6 (amended) Obligation on Tobacco Control

Individuals, families, communities, legal entities and organizations residing in Lao PDR have an obligation to contribute to tobacco control by being role models in enforcing laws and regulations on tobacco control, taking ownership to educate or advise community members or people who are under their authority to be conscious of the detrimental effects of tobacco use and exposure to second-hand smoke.

Article 7 (amended) Scope of the Law

This Law applies to individuals, legal entities, and organizations both public and private, domestic and foreign, related to tobacco control.

Article 8 (amended) International Cooperation

The State shall encourage relations and cooperation with other countries in the region and internationally on tobacco control through the exchange of lessons learned, information, scientific research, and technical/technological knowledge and skills. This will build knowledge and technical capacity to strengthen and modernize tobacco control in the country and fully implement the WHO Framework Convention on Tobacco Control, to which Lao PDR is a Party.

PART II

CATEGORY, TYPE OF TOBACCO PRODUCTS, AND THEIR DETRIMENTAL EFFECTS

Section 1

Category and Type of Tobacco Products

Article 9 Category of Tobacco Products

There are two categories of tobacco products:

1. Machine-made tobacco products;
2. Hand-made tobacco products.

Article 10 Machine-made Tobacco Products

Machine-made tobacco products are manufactured by machines in factories, and can be produced in large quantities.

Article 11 (amended) Hand-made Tobacco Products

Hand-made tobacco products are made by hand or by using basic tools for commercial purposes.

Article 12 (amended) Types of Tobacco Products

There are several types of tobacco products such as sliced tobacco, cigarette, cigar, electronic cigarette, including heated tobacco products, shisha or baraku and other tobacco types.

Section 2

Detrimental Effects of Tobacco

Article 13 (amended) Detrimental Effects to Health

Tobacco use is detrimental to the health of users and people exposed to second-hand smoke, especially women and children who face the risk of getting severe diseases such as lung cancer,

cardiovascular diseases, stroke, chronic respiratory diseases, digestive and neurologic diseases, diabetes, hypertension, and other diseases, which cause disability and premature death.

Article 14 Impacts on Family

Tobacco use affects the whole family. Families also have to spend for the purchase of tobacco products and treatment of diseases, which is a financial burden on the family.

Article 15 (amended) Socio-economic and Environmental Impact

Tobacco use is detrimental to the health of users, workers, and producers and increases unnecessary costs that negatively impact the nation's socio-economic development as well as the environment.

**PART III
CONTROL OF TOBACCO PRODUCTS**

Section 1

Control of Production, Importation, Exportation, Distribution and Trading of Tobacco Products

Article 16 (amended) Control of Production

Machine-made and hand-made tobacco production in Lao PDR shall be strictly under the management, monitoring, and enforcement to remain in compliance with the regulations of the Tobacco Management and Inspection Authority e.g. production standards, manufacturing date, attaching tax stamps, and printing of health warnings and labels.

Article 17 (amended) Import, Export, and Transit Control

The importation of tobacco products for distribution and trading in Lao PDR shall be subject to the strict control, management, monitoring, and enforcement of ministries of Health, Industry and Commerce, and other related sectors, such as for authorization, printing of health warnings and labels, manufacturing date, and attaching tax and/or duty stamps by following the relevant laws and regulations.

Tobacco products distributed, traded, or sold at duty-free shops shall be printed with the required health warning and labels.

The export of tobacco products shall comply with the related laws and regulations of Lao PDR and according to the legal requirements of importing countries.

Article 18 (amended) Control on Distribution and Trading

Tobacco products distributed and traded in Lao PDR shall have the required health warnings and labels, manufacturing date, and tax and/or duty stamp in compliance with related laws and regulations.

The distribution and trading of tobacco products in Lao PDR, including wholesaling and retailing shall be authorized by the Ministry of Industry and Commerce, in coordination with the Ministry of Health.

Section 2

**Obligation of Manufacturers, Importers,
Distributors and Traders, and Users of Tobacco Products**

Article 19 (amended) Obligation of Manufacturers

The manufacturer of tobacco products in Lao PDR shall have the following obligations:

1. To strictly comply with the Law and regulations on tobacco control;
2. To print the health warnings and labels and manufacturing date, and affix tax and/or tax stamps on packets, cartons, and cases of tobacco products;
3. To submit a written report on ingredients, constituents, combustible substances, production volume of each brand, tobacco marketing plan, tobacco marketing expenditure, with samples of tobacco products, to the Ministry of Health twice a year for inspection and disclosure to the public;
4. To submit written information on the structure of tobacco production cost and annual income to the Ministry of Finance and the Ministry of Industry and Commerce ;
5. To pay all applicable fees to the Tobacco Control Fund as required in the Law;
6. To conduct the tobacco business with transparency and accountability;
7. To perform other obligations as required by the Law.

Article 20 (amended) Obligation of Importers

The importer of tobacco products shall have the following obligations:

1. To strictly comply with the Law and regulations on tobacco control;
2. To import tobacco products with health warnings and labels, manufacturing date, and affix tax and/or duty stamps on packets, cartons, and cases of tobacco products as required by laws and regulations;
3. To pay all applicable fees to the Tobacco Control Fund as required in this Law;
4. To conduct the business with transparency and accountability;
5. To submit a written report on ingredients, composition, combustible substances, quantity of each brand, tobacco marketing, marketing expenditure of tobacco, with samples, to the Ministry of Health twice a year for inspection and disclosure to the public;
6. To perform other obligations mentioned in the Law.

Article 21 (amended) Obligation of Distributors and Traders

The distributor and trader of tobacco products shall have the following obligations:

1. To strictly comply with the Law and regulations on tobacco control;
2. To obtain the necessary licenses or legal permissions for the distribution and trade of tobacco products in accordance with relevant laws and regulations;
3. To ensure that places for the distribution and trading of tobacco products are in compliance with this Law;
4. To sell tobacco products with health warnings and labels, manufacturing date, and tax and/or duty stamps as required by government regulations;
5. To perform other obligations mentioned in the Law.

Article 22 (amended) Obligation of Tobacco Product Users

Tobacco product users shall have the following obligations:

1. To strictly comply with the Law and regulations on tobacco control;
2. To smoke only in designated smoking areas;
3. To respect the rights of non-smokers and neighbors by not harming others with tobacco smoke or other related substances;
4. To protect the environment by not littering cigarette butts or other tobacco products;
5. To perform other obligations mentioned in the Law.

Section 3

Content, Packaging, Health Warnings, and Labels on Tobacco Products

Article 23 (amended) Content

Cigarette products shall contain twenty sticks per packet, ten packets per carton and fifty cartons per case, with separate specifications for cigars and other tobacco products.

Standards of packets, cartons, cases and sticks are set out in government regulations.

Article 24 (amended) Packaging

The packaging of packets and cartons of tobacco products made domestically or imported from abroad shall comply with regulations of related sectors and have health warnings and labels determined by the Ministry of Health.

Article 25 (amended) Health Warnings

The health warning consists of the pictorial and text health warnings.

The pictorial health warning is the picture showing the detrimental effects or tobacco-related diseases, second-hand smoke exposure, and socio-economic impact which shall be printed on the main part of the pack, top panel front and back, together with the text health warning. Health warnings on each tobacco product packet and carton shall be printed clearly and displayed prominently to be highly visible for tobacco user recognition.

The text health warning is the words that explain the meaning of each picture on the detrimental effects or tobacco-related diseases, second-hand smoke exposure and socio-economic impact. It shall be printed on the top edge of the front and back of the two main display surfaces and above the pictorial health warning of each cigarette packet and carton. The text health warning shall be printed in Lao language.

The printing of the pictorial and text health warnings shall have its size, letter position, colour intensity value, and symbol and display of trade mark in accordance with the regulations periodically determined by the Ministry of Health.

Article 26 (amended) Labels

Labels are the text that is printed on the outside of each packet and carton to educate consumers of tobacco products.

Tobacco products made domestically and imported from abroad shall have labels printed in Lao language on chemicals in the smoke or about the detrimental health effects to educate consumers of tobacco products.

The printing and format of the label texts shall comply with regulations determined periodically by the Ministry of Health.

Section 4

Tobacco Price and Taxation

Article 27 (amended) Tobacco Price

Tobacco product prices need to be adjusted through periodic tax policies to reduce tobacco use in the society.

Relevant government sectors have the duty to monitor and periodically collect information on the price of tobacco products to improve tobacco tax policy to be reasonable.

Article 28 (amended) Tobacco Taxation

Tobacco taxes shall increase periodically in line with socio-economic growth, purchasing power, inflation, and the WHO Framework Convention on Tobacco Control guidelines to reduce tobacco use.

PART IV

HEALTH PROTECTION FROM DETRIMENTAL EFFECTS OF TOBACCO

Section 1

Study, Research, Analysis, Health Education and Access to Information

Article 29 (new) Study, Research, and Analysis

Study, research, and analysis are processes of systematically collecting, gathering and analyzing information on the main factors and reasons for tobacco's detrimental effects to health, family, socio-economic and the environment.

The Ministry of Health is to coordinate with related sectors to conduct studies, research, and analysis about the detrimental effects of tobacco use, exposure to second-hand smoke, advertising and promotion of tobacco products, sponsorship from the tobacco industry, smoking prevalence, health warnings, production cost structure, tobacco tax and duty, tobacco affordability, expenditure on tobacco-related diseases treatment, illicit tobacco, impacts from tobacco plants, impact to tobacco farmers, alternative economic crops for livelihood of tobacco farmers, and others.

Article 30 (amended) Public Awareness and Health Education

Health education is campaign methodologies, knowledge provision, as well as provision of scientific information on detrimental effects of tobacco use and exposure to second-hand smoke through mass media and other means.

Individuals, legal entities and organizations shall pay attention to educate about the detrimental effects of smoking and exposure to second-hand smoke for their own sectors and society, especially women, children, and youths (including pupils and students) to stay away from tobacco use.

Article 31 (amended) Access to information

All citizens have rights to access information on tobacco control e.g the detrimental effects of tobacco use and exposure to second-hand smoke, benefits of non-smoking, quitting and a smoke-free environment.

Section 2

Non-smoking Areas

Article 32 (amended) Indoor and Outdoor Non-smoking Areas

Indoor and outdoor non-smoking areas are as follows:

1. Health service facilities;
2. Educational facilities;
3. Sports facilities;
4. Inside of public land, water, and air transport facilities;
5. Places where inflammable materials and substances are present;

6. Public parks, museums, cultural halls, theaters, gymnasiums, cinema halls, religious facilities, memorials and convention halls;
7. Other places with No-smoking signs and designated smoke-free places.

Article 33 (amended) Indoor Non-smoking Areas

Specific indoor non-smoking areas are as follows:

1. Public and private offices;
2. Buildings at bus and train stations, airports, harbor stations, and other public places;
3. Trade centers, department stores, markets, and general stores;
4. Buildings at tourist attractions, zoos, and crowded places;
5. Guesthouses, hotels, restaurants, food and beverage outlets, karaoke and entertainment venues;
6. Massage, spas, medicinal steam facilities, barbers, and beauty shops;
7. Other places as designated by the government and and/or the owner of the place;

The above-mentioned places can provide a special smoking area outside the building, which is at least ten meters away from the building, with an area not exceeding five square meters, with an ash-tray and no roof.

For places listed in this article, the owner of the place can designate as non-smoking place both indoor and outdoor.

PART V MEASURES TO BE TAKEN TO COUNTER THE DETRIMENTAL EFFECTS OF TOBACCO

Article 34 (amended) Mobilization on Quitting

Individuals, legal entities and other organizations shall pay attention to mobilize smokers to be aware and understand the detriment effects on themselves, family, society and the economy by encouraging them to reduce and quit smoking.

Article 35 Rehabilitation and Treatment

Tobacco addicts, victims of the detrimental effects of tobacco, shall voluntarily accept rehabilitation and treatment through the attention and assistance from family, community, society and hospitals.

Article 36 (amended) Assistance to Quit Smoking

The assistance to people who voluntarily want to quit are as follows

1. To publicize and explain the detrimental effects of smoking and exposure to second-hand smoke;
2. To introduce the benefits of not using tobacco, including counselling and advise on how to quit smoking;
3. To follow up on the quitting progress;
4. To organize various activities to encourage quitting;
5. To use other methods as deemed appropriate.

The central, regional, provincial, district and community hospitals shall integrate the counseling and assistance for quitting smoking into the existing health care service structure.

Individuals, legal entities and other organizations can counsel and assist people who need quitting free of charge according to relevant laws and regulations.

Article 37 Assistance to Persons who Have Been Exposed to Tobacco Smoke

Persons who have been exposed to tobacco smoke shall be assisted by being provided information on the detrimental effects of tobacco smoke, shall protect themselves by staying far away from smokers, and have the right to ask smokers to smoke only in designated smoking areas. When suffering from bad effects and getting sick from tobacco smoke, such persons shall receive assistance, care and treatment, based on actual conditions.

PART VI RESPONSIBILITIES FOR TOBACCO CONTROL

Article 38 (amended) Responsibilities of the State

The State is responsible for the control, management, monitoring, and enforcement of tobacco control work by formulating policies, laws, creating conditions, facilitating, assisting people who need quitting, and treating the victims of detrimental effects from tobacco use and exposure to second-hand smoke.

Article 39 (amended) Responsibilities of State Organizations

Ministries, organizations and local administrative authorities shall determine a tobacco control focal point, which shall implement and enforce tobacco control law by coordinating with the Tobacco Control Committee in each level.

Article 40 (new) Responsibilities of the Private Sector

The private sector is responsible for contributing to the implementation of tobacco control work e.g. education, assistance to people who need quitting, establishment of designated non-smoking and smoking areas, and cooperation with relevant government agencies at each level.

Article 41 (amended) Responsibilities of Community and Society

Community and society are responsible for collaborating with relevant sectors on tobacco control work e.g. education, dissemination, mobilization of all population classes to explain the detrimental effects of tobacco use and exposure to second-hand smoke, creating values on non-smoking, making smoke-free communities, and encouraging smokers to quit.

Article 42 (amended) Responsibilities of Family

The family plays an important role and is responsible for education, encouraging family members to not use tobacco and quit smoking, helping family members to understand and recognize the detrimental effects of tobacco use and exposure to second-hand smoke, and to be a smoke-free family model.

Article 43 (amended) Responsibilities of Individuals

Individuals have a responsibility to stay away from tobacco and to protect themselves from second-hand smoke, to set an example for others to not smoke and quit smoking, to avoid persuasion to use tobacco, to smoke only in places where smoking is permitted, to contribute and participate in tobacco control activities, and to disseminate information on detrimental effects of tobacco use and exposure to second-hand smoke.

PART VII TOBACCO CONTROL FUND

Article 44 (amended) Tobacco Control Fund

The Tobacco Control Fund is a fund to promote public health, established by the Government of Lao PDR to develop and support the implementation of Tobacco Control Law, which is under the direct supervision of the National Committee on Tobacco Control, which is responsible for managing the Fund's activities in a transparent and efficient manner.

The State authorizes the establishment of a Tobacco Control Fund to serve the tobacco control work.

Article 45 (amended) Sources of Tobacco Control Fund

The Tobacco Control Fund is mainly obtained from the following sources:

1. State budget;
2. Two percent surcharge from the excise tax on tobacco products collected by the State with an increase of one percent every two years;
3. Two hundred Kip per packet of all domestically produced and imported tobacco products increased by two hundred Kip per packet every two years;
4. Donations from individuals, legal entities, public and private organizations, both domestic and foreign, and international organizations, excluding donations and/or sponsorship from tobacco industry and business operators;
5. The appropriate income-generating activities for tobacco control.

Article 46 (amended) Management and Use of Tobacco Control Fund

The Ministry of Health manages and administers the Tobacco Control Fund under the supervision of the National Tobacco Committee;

The Tobacco Control Fund shall be used for the following purposes:

1. Activities of the Tobacco Control Committee at each level and Tobacco Control Fund management;
2. Implementation of tobacco control activities;
3. Contribute to improving the quality of health services;
4. Contribute to the National Health Insurance Fund;

The use of the Tobacco Control Fund by relevant stakeholders shall be in strict accordance with the MOH plan.

All receipts and disbursements shall go through the National Treasury System, according to standard principles and rules of State Accounting;

Details on the management and use of the Fund are set out in separate regulations.

PART VIII PROHIBITIONS

Article 47 (amended) General Provisions

It is prohibited for individuals, families, communities, society, legal entities, and organizations to engage in the following acts:

1. To support the advertising and promotion of tobacco product use;
2. To smoke in designated non-smoking areas;
3. To use new forms of tobacco products e.g. e-cigarettes, heated tobacco products, shisha or baraku;

4. To allow children under eighteen years of age to use tobacco products;
5. To encourage children under eighteen years of age to use tobacco products or sell/buy tobacco products ;
6. To participate in the production, import, export, purchase or sale of illegal tobacco products;
7. To receive sponsorships and support from tobacco companies and business operators, directly or indirectly, in the form of cash, loans, awards, scholarships, research, vehicles, materials, hospitality, gifts, as well as endorsements or participation in activities that demonstrate the corporate social responsibility of tobacco companies for commercial purposes; except their obligations to pay tax or fees as stipulated in the Law and regulations;
8. To engage in all forms of advertising on tobacco products;
9. To commit other acts violating laws and regulations.

Article 48 (amended) Prohibitions for Tobacco Companies and Business Operators

It is prohibited for a tobacco company or business operator to engage in the following acts:

1. To produce, import, export, distribute, and trade tobacco products without health warnings and labels, manufacturing date, or tax and/or duty stamp; illegal tobacco products; smuggled tobacco products; decomposed; imitation or counterfeit tobacco products;
2. To produce, import, export, transport, or trade new forms of tobacco products e.g. e-cigarettes, heated tobacco products, shisha or baraku;
3. To produce cigarette products with fewer or more than twenty sticks per packet, ten packets per carton, and fifty cartons per case;
4. To sell tobacco products through electronic networks or online;
5. To sell tobacco products with free samples or at reduced cost, to give away tobacco products for free, to exchange tobacco products with other goods, or to offer other benefits;
6. To sell tobacco products by all kinds of automatic vending machines;
7. To produce and display any forms of advertising for tobacco products that would encourage or promote tobacco smoking or the distribution and trading of tobacco products, including showing texts or logos to encourage tobacco product use;
8. To sponsor, support and organize corporate social responsibility activities for tobacco business purposes;
9. To freely distribute tickets for sport competitions, art/cultural performances, or other activities, to provide services at social activities, lucky-draws, and award competitions, to provide other benefits that compensate tobacco product purchasers, or to encourage people to exchange tobacco packaging or labels or other items associated with tobacco products for gifts;
10. To give free tobacco product samples to induce tobacco product consumption;
11. To allow children under eighteen years of age to trade tobacco products;
12. To mislead users on tobacco product characteristics e.g. trademarks, form, colors, or logos;
13. To give bribes to civil servants and other officials;
14. To interfere in the development and implementation of tobacco control policies, legislation, and formal technical documents in every level;
15. To threaten or impede the duty or performance of relevant officials;
16. To commit other acts violating laws and regulations.

Article 49 (new) Prohibitions for Tobacco Product Distributors and Retailers

It is prohibited for distributors and retailers to engage in the following acts:

1. To openly display or allow the display of tobacco products, or to openly show tobacco product brands and prices;
2. To produce, import, export, transport, or new forms of tobacco products e.g. e-cigarettes, heated tobacco products, shisha or baraku;

3. To sell tobacco products from temporary or mobile stores or stalls;
4. To sell tobacco products in single or loose sticks;
5. To dispense or sell tobacco products at health facilities, educational facilities, sport facilities, public and private offices, theaters, cultural halls, museums, circuses, cinema halls, religious facilities, public parks, zoos, children’s playgrounds, traditional festivals, social events, and inside public transportation vehicles.
6. To distribute or sell tobacco products with any promotion by reducing prices, giving free samples of tobacco products, or exchanging tobacco products with other goods;
7. To dispense or sell tobacco products to children under eighteen years of age or allowing children under eighteen years of age to trade tobacco products;
8. To sell cigarettes from all kinds of automatic vending machine;
9. To commit other acts violating laws and regulations.

Article 50 (amended) Prohibitions for relevant Staff- Civil servants and Officials of State

It is prohibited for relevant civil servants and officials of the State to engage in the following acts:

1. To abuse their power or position, or to use violence, coercion, or threats for their personal benefit or the benefit of others;
2. To claim, solicit, or accept bribes, or to mediate in the giving or accepting of bribes;
3. To disclose State or official secrets, to suppress or delay proceedings, falsify documents, lack of responsibility of the assigned tobacco control work;
4. To promote, protect, or be accomplices to unlawful tobacco business operators;
5. To be involved in the tobacco industry, except in cases where it is necessary on the basis of transparency, openness and accountability according to the laws;
6. To recruit the representatives of tobacco companies or tobacco business operators to be members or consultants of the Tobacco Control Committee, including in all forms of tobacco control duties/activities;
7. To accept, directly or indirectly, draft laws, regulations, policies, plans, action plans, and documents related to tobacco control work offered by tobacco companies, business operators, or their representatives, including former employees-civil servants who have resigned or retired;
8. To directly or indirectly accept sponsorship and support from tobacco companies or business operators in the form of cash, loans, awards, research grants, scholarships, study tours, vehicles, materials, hospitality, gifts, endorsements, and participation in activities that demonstrate the corporate social responsibility of tobacco companies for commercial purposes, except on enforcing the obligation to pay tax or fee to government as stipulated in Laws and regulations;
9. To allow any form of advertising and promotion of tobacco products;
10. To allow employees or representatives of tobacco companies to record video and/or audio of meetings, discussions and other interactions with civil servants or government officials, for commercial purposes;
11. To commit any activities violating laws and regulations.

**PART IX
MANAGEMENT AND INSPECTION OF TOBACCO CONTROL WORK**

**Section 1
Management of Tobacco Control Work**

Article 51 (amended) Tobacco Control Management Authority

The Government manages the tobacco control work centrally and uniformly throughout the country by delegating the Ministry of Health to be in charge and directly responsible for implementation in coordination with relevant ministries, organizations and local administrative authorities.

The Tobacco Control Management Authority is composed of:

1. The Ministry of Health;
2. Provincial and Vientiane Capital Health Departments;
3. District, Municipal, and City Health Offices.

Article 52 (amended) Rights and Duties of the Ministry of Health

In the management of tobacco control work, the Ministry of Health has the following rights and duties:

1. To research, formulate, and improve policies, strategic plans, laws and regulations on tobacco control to submit to the Government for consideration;
2. To translate policies, strategic plans, laws, and regulations into detailed plans, programs and projects;
3. To disseminate policies, strategic plans, laws and regulations on tobacco control widely and comprehensively;
4. To guide and take lead in the implementation of policies, strategic plans, laws, regulations, action plans, programs, studies, research and analysis on tobacco control;
5. To encourage, monitor, inspect and evaluate the implementation of tobacco control in the whole country;
6. To establish a mechanism for managing the Tobacco Control Fund;
7. To issue regulations, orders, instructions and notices on tobacco control;
8. To support counseling and assistance on smoking cessation for treatment and rehabilitation of smokers who need to quit;
9. To guide in integrating counseling and assistance for people who need to quit, within central and regional hospitals;
10. To form, upgrade, train, recruit, and manage the human resources for tobacco control;
11. To research and comment on the application for permission to establish an import, export, or distribution company for tobacco products;
12. To gather data on wholesale and retail shops and notification of documents on import tobacco products;
13. To suspend or cancel or to request to suspend or cancel contracts, agreements, orders, instructions, and notices contradicting laws and regulation on tobacco control;
14. To take measures against violators of laws and regulations on tobacco control;
15. To coordinate with ministries, organizations, local administrative authorities, and other parties on tobacco control implementation;
16. To coordinate with the Ministry of Finance to determine the tax structure and tax rates, revenue collection, and effective and efficient use of the Tobacco Control Fund.
17. To liaise and cooperate with foreign countries and regional and international organizations on tobacco control;
18. To summarize and report on tobacco control implementation progress to the Government, regularly;
19. To exercise rights and perform other duties as stipulated in the law.

Article 53 (amended) Rights and Duties of Provincial and Vientiane (VT) Capital Health Departments

In the management of tobacco control work, the Provincial and VT Capital Health Departments have within the scope of their responsibilities as follows :

1. To translate policies, strategic plans, laws and regulations into detailed plans, programs and projects.
2. To disseminate policies, strategic plans, laws, and regulations on tobacco control;
3. To encourage, monitor, inspect, and evaluate the implementation of tobacco control within provinces and VT Capital;
4. To issue regulations, orders, instructions and notices on tobacco control;
5. To support counseling and assistance on smoking cessation for the treatment and rehabilitation of smokers who need to quit;
6. To guide in integrating counseling and assistance for people who need to quit, within provincial and VT Capital hospitals;
7. To request to form, upgrade, train, recruit, and manage the human resources on tobacco control;
8. To research and comment on the application for permission to establish an import, export, or distribution company for tobacco products;
9. To coordinate with Provincial and VT Capital Industry and Commerce Departments in issuing wholesale authorization certificates on tobacco products;
10. To address the request on tobacco-related issues or propose to the Ministry of Health for guidance and remediation;
11. To propose to superiors about suspension or cancellation of contracts, agreements, orders, recommendations, and notices that are in conflict with this Law;
12. To collect data on tobacco products from wholesale shops and relevant documents on importing tobacco products within the province and VT Capital;
13. To take measures against violators of laws and regulations on tobacco control;
14. To coordinate with departments, government agencies equivalent to departments, and other relevant parties in the implementaton of tobacco control activities;
15. To liaise and cooperate with foreign countries on tobacco control as assigned;
16. To summarize and report on tobacco control implementation to the Ministry of Health and Provincial and VT Capital Administrative Authorities, regularly;
17. To exercise rights and perform other duties as stipulated in the Law.

Article 54 (amended) Rights and Duties of District, Municipal, and City Health Offices

In the management of tobacco control work, the District, Municipal, and City Health Offices have within the scope of its responsibilities as follows:

1. To translate policies, strategic plans, laws, and regulations into detailed plans, programs and projects;
2. To publicize and disseminate policies, strategic plans, laws and regulations on tobacco control;
3. To encourage, monitor, enforce, and evaluate the implementation on tobacco control within district, municipalities, and cities;
4. To issue or propose agreements, orders, recommendations, and notices on tobacco control;
5. To support smoking cessation initiatives including Ccounseling and assistance, research, treatment, and rehabilitation for smokers who want to quit;
6. To initiate in integrating cessation services in district hospitals, community hospitals, and communities that regularly use tobacco;
7. To propose the development, empowerment, training, recruitment, and management of human resources on tobacco control;

8. To coordinate with Industry and Commerce Offices at district, municipal, and city levels in issuing license to retailers selling tobacco products;
9. To address the request on tobacco-related issues or propose to provincial or Vientiane Capital Health Departments for guidance and remediation;
10. To propose to superiors about suspension or cancellation of any contracts, agreements, orders, recommendations, or notices that are in conflict with this Law;
11. To collect data on tobacco products retail shops within the district, municipalities, and cities;
12. To take measures against violators of laws and regulations on tobacco control;
13. To coordinate with offices, government agencies equivalent to offices, and other relevant parties in the implementation on tobacco control activities;
14. To regularly prepare and submit reports on tobacco control implementation to the provincial and VT Capital Health Departments and District, Municipal, City Administrative Authorities, regularly;
15. To exercise rights and perform other duties as stipulated in the Law.

Article 55 (amended) Rights and Duties of Relevant Ministries, Organizations, Local Administrative Authorities and other Parties

In the management of tobacco control, ministries, organizations, local administrative authorities, and other relevant parties have the rights and duties in the implementation of this Law and regulations on tobacco control, especially coordination, cooperation, management, monitoring, enforcement, provision of information, and organization of activities, studies, and research, in accordance with their roles and responsibilities.

Section 2
Inspection of Tobacco Control Work

Article 56 (amended) Tobacco Control Inspection Authority

The tobacco control inspection authority is composed of:

1. The internal audit agency, which is the same body as the Tobacco Control Management Authority as defined in the article 51 of this Law;
2. The external audit agencies, which are the National Assembly, Provincial People's Assembly, State Audit Office, State Inspection Agency, National Front Development, Lao Veterans Union, Mass Organizations, Mass Media, and citizens.

Article 57 (amended) Areas of Tobacco Control Inspection

The main areas of Tobacco Control Inspection are as follows:

1. The implementation of policies, laws and regulations, plans, and projects;
2. The work performance of civil servants and other relevant officials;
3. The activities of business operators on tobacco products;
4. The development and implementation of ction plans, programs, and activities on tobacco control.

Article 58 Forms of Inspection

There are three following forms of inspection on tobacco control law:

1. Regular systematic inspection and routine inspection based on the regular plan with a defined schedule;
2. Inspection with prior notice, when it is deemed necessary and the person being inspected shall be notified in advance;
3. Sudden inspection, to be done without prior notice.

The inspection shall be strictly carried out according to the Laws.

PART X REWARDS AND SANCTIONS

Article 59 Rewards

Individuals, entities, or organizations, having good practices in implementing this Law e.g. those who have been a role model and have been active in the implementation of tobacco control law shall be appropriately appreciated or rewarded according to relevant regulations.

Article 60 Measures Against Violators

Individuals, entities, or organizations that violate this Law e.g. production, importation, exportation, distribution, or trade of tobacco products without permission, smoking in non-smoking areas, advertising all forms of tobacco products, not printing health warnings and labels, or not paying fees to the tobacco control fund, as defined in the Law and regulations, shall be educated, warned, subjected to disciplinary measures, fined, required to pay compensation for civil damages, or required to face criminal punishment depending on the gravity of the violation.

Violations and penalties are set out in separate regulations.

PART XI FINAL PROVISIONS

Article 61 National No Tobacco Day

The Lao PDR considers the 31st May of every year as National No Tobacco Day, with various activities on tobacco control and health promotion.

Article 62 Implementation

The Government of the Lao People's Democratic Republic is in charge of the implementation of this Law.

Article 63 Effectiveness

This Law shall be effective fifteen days after The President of the Lao People's Democratic Republic issues its promulgating Decree and the official Gazette has been recorded.

This Law replaces the Tobacco Control Law No 07/NA, dated 26 November 2009.

Any rule, regulation, and provision that contradicts this Law are hereby cancelled.

**Signed by The President of National Assembly
Lao PDR**