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LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity

National Assembly

No 07 /NA

Vientiane Capital, date 26 November 2009

LAW ON TOBACCO CONTROL

PART I

GENERAL PROVISIONS

Article 1. Objective

This Law determines principles, rules and measures for tobacco products to influence their control, management, monitoring, inspection of production, importation, distribution, and advertisement so as to protect the health of the population against detrimental effects of tobacco, through reducing its use and unnecessary expenditures, protecting the environment and contributing to the protection and development of the country.

Article 2. Tobacco Control

Tobacco control consists in the utilization of different measures to manage, monitor and inspect the production, importation, distribution and sale-purchase of tobacco products, and smoking areas, all of which aim at reducing the demand and the dangers from the use of tobacco products and exposure to tobacco smoke.

Article 3. Definition of Terms

Terms used in this Law have the following meanings:

1. **Tobacco means** a product prepared from a seasonal plant containing nicotine which is toxic and addictive;
2. **Use of tobacco means** the act of smoking, chewing a tobacco product, keeping it in one's mouth, sniffing, and inhaling it;
3. **Tobacco product means** sliced tobacco, cigarettes, cigars and other forms of tobacco entirely or partly made of tobacco leaves as raw materials;

4. **Exposure to tobacco smoke means** the fact that non-smokers breathe in either tobacco smoke exhaled by smokers or tobacco smoke rising from burning cigarettes;
5. **Tobacco-similar product means** imitation tobacco products used for advertisement purposes in order to induce people to use tobacco;
6. **Illegal tobacco means** industrial tobacco products, which are produced, imported and distributed without authorization;
7. **Automatic cigarette vending machine means** a tobacco product selling machine where user can buy cigarettes by using cash or by inserting a coin or a specific card;
8. **Tobacco industry means** tobacco manufacturers, importers and wholesale distributors of industrial tobacco products;
9. **Tobacco sponsorship means** any form of contribution to any event, activity or means with the aims, or effects of promoting a tobacco product or tobacco use either directly or indirectly.
10. **Packaging means** putting tobacco products into packets, cartons, cases and into other packing materials;
11. **Sliced tobacco means** a product made of sliced tobacco leaves and used for smoking by rolling into cigarettes, cigars or similar items, or by putting into a pipe whether made of bamboo or other materials; kept in one's mouth; chewed; or sniffed.

Article 4. Policies of the State on Tobacco Control

The State controls tobacco by formulating policies and measures such as increasing taxes, determining non-smoking areas and distribution places, the sale-purchase of tobacco and promoting farmers to grow alternative crops.

The State restricts the advertising of tobacco products in and on all forms of media, and educates society by various means to raise the awareness of the detrimental effects of using tobacco and to encourage people to not use tobacco.

The State encourages individuals, families and all organizations to be part of tobacco control, including rehabilitation of people that have quit smoking, and treatment of those affected by the detrimental effects of tobacco smoke and those suffering illness caused by tobacco smoke.

The State manages the production, importation, distribution, sale purchase and use of tobacco products, aiming at reducing tobacco smoking among the multi-ethnic Lao people, reducing diseases and various unnecessary expenditures incurred from tobacco use and promoting the health of all citizens.

The State provides the budget, necessary means and materials for the accomplishment of tasks related to tobacco control.

Article 5. Tobacco Control Principles

Tobacco control shall comply with the following principles:

1. To centrally ensure management, monitoring and inspection throughout the country of tobacco products and encourage the wide participation of individuals and organizations in doing so
2. To ensure that all citizens live in a smoke free environment and can access rehabilitation after quitting and treatment when they are affected by the detrimental effects of tobacco;
3. Efforts to combat the detrimental effects of tobacco shall be started from individuals and families with the participation of organizations and society;
4. To strictly implement the designated smoking areas for the use of tobacco products, e.g. smoking.

Article 6. Obligations of Citizens on Tobacco Control

Individuals, families and organizations residing in the Lao PDR have an obligation to contribute to the control, management, monitoring, and inspection of tobacco control, by being role models in the implementation of the Tobacco Control Law and by education and advocacy so that their neighbors or those who are under their authority are conscious of the detrimental effects of tobacco use.

Article 7. Scope of the Law

This Law shall be used to control the production, importation, distribution and sale-purchase of industrial tobacco products, and to establish non-smoking areas throughout the Lao PDR.

Article 8. International Cooperation

The State encourages relations and co-operation with foreign countries, regions and the international community through the exchange of experience; data and information; techniques; and technology; and through training and capacity building including fund raising; and different means and materials to make tobacco control effective in accordance with international agreements and treaties to which the Lao PDR is a party.

PART II

TYPES OF TOBACCO PRODUCTS AND THEIR DETRIMENTAL EFFECTS

Section 1 Type of Tobacco Products

Article 9. Type of Products

There are two types of tobacco products:

- Industrially made products;
- Manually made products;

Article 10. Industrially Made Products

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

Article 11. Manually Made Products

The manually made product is made by hand or by using primitive tools.

Article 12. Kinds of Tobacco Products

There are several kinds of tobacco products such as: sliced tobacco, cigarettes in packets, cigars and other kinds of products that are entirely or partly made of tobacco leaves.

Section 2 Detrimental Effects of Tobacco

Article 13. Detrimental Effects to the Health

The use of tobacco, e.g. smoking, is detrimental to the health of smokers and to the health of those who are exposed to tobacco smoke, especially women and children who face the risk of getting severe diseases such as lung cancer, vascular and coronary diseases, chronic diseases of the respiratory, digestive and nervous systems and other diseases which cause death.

Article 14. Socio-economic Impacts

In addition to its detrimental effects mentioned in Article 13 of this Law, the use of tobacco also spoils the health of workers and manufacturers, and increases their unnecessary expenditures, which combined have a negative impact on national socio-economic development and causes damage to the environment.

Article 15. Impacts on Families

In addition to the detrimental effects mentioned in Article 13 of this Law, tobacco use is harmful to the health of family members, especially women and children; smokers have to spend money not only on tobacco but on the treatment of diseases resulting from the use of tobacco, which increase the financial burden of the family

PART III

CONTROL OF TOBACCO PRODUCTS

Section 1

Control of Production, Importation and Distribution Of Tobacco Products

Article 16. Control of Production

Industrial production of cigarettes in the Lao PDR shall be under strict control, management, monitoring and inspection, and in compliance with the regulations of the Tobacco Management and Inspection Authority, e.g. technical standards, printing of labels and warnings as mentioned in Articles 33 and 34 of this Law.

Article 17. Control of Importation

The importation of tobacco products into the Lao PDR shall be under strict control, management, monitoring and inspection, of such matters as authorization, printing of labels and warnings and shall follow the State rules.

Article 18. Control of Distribution

The distribution of tobacco in the Lao PDR shall be authorized according to specific regulations and monitored by related State sectors.

Distribution or sale-purchase of tobacco products shall not be authorized in the following places:

1. Health service facilities;
2. Educational facilities;
3. State offices and agencies;
4. Entertainment venues such as cinemas, theatres, gymnasiums, cultural halls, museums, stadiums, physical exercise places;
5. Public transport ;

Places intended for retailing cigarettes shall be suitable for the purpose and authorized by the Public Transport Department.

Tobacco products shall not be distributed or purchased-sold by or to people under eighteen years of age.

Section 2

Contents and Packaging of Tobacco Products

Article 19. Contents of Tobacco Products

Packets of cigarettes shall contain not less than twenty sticks, and tins not less than fifty sticks, so as to reduce the opportunity for children to buy and use tobacco products.

Article 20. Tobacco Product Packaging

Packets, cartons, parcels, tins, cases of cigarettes shall bear printed labels and warnings determined by the Government.

Section 3

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

Article 21. General Obligation

Manufacturers, importers, and distributors of tobacco products shall have the following general obligations:

1. To strictly comply with the Tobacco Control Law;
2. To contribute a sum of money into the Tobacco Control Fund mentioned in clause 2 of Article 46 of this Law;
3. To run their business transparently and in an accountable manner.

The buyers-sellers of tobacco products shall comply with clause 1 of this Article.

Article 22. Obligations of Manufacturers

In addition to the general obligations mentioning in Article 21 of this Law, the manufacturers of tobacco products shall also have the following obligation:

1. To print labels showing health warnings as texts on tobacco product packaging;
2. To protect the environment, especially in areas where they manufacture tobacco products;

3. To protect and promote the health of workers in the production of tobacco, according to the existing regulations.

Article 23. Obligations of Importers

In addition to the general obligations mentioned in Article 21 of this Law, importers of tobacco are also obliged to ensure that imported tobacco products bear printed labels showing health warnings in texts on tobacco product packaging, in accordance with existing regulations.

Article 24. Obligations of Distributors

In addition to the general obligations mentioned in Article 21 of this Law, distributors, buyers-sellers shall also have the following obligations:

1. To ensure that suitable places for the distribution and sale-purchase of tobacco products are available;
2. To distribute, sell-purchase only tobacco products with printed labels showing health warning in texts as mentioned in existing regulations.

Article 25. Obligations of Tobacco Product Users

Tobacco product users shall have the following obligations:

1. To smoke only in authorized areas;
2. To protect the environment, e.g. by not littering places with cigarette butts;
3. To respect the rights of non-smokers and neighbors.

Section 4

Responsibilities for Tobacco Control

Article 26. Responsibilities of the State

The State is responsible for the control, management, monitoring and inspection of tobacco by formulating policies, laws and regulations related to such work including rehabilitation of smokers that have quit smoking, treatment of people addicted to tobacco and those affected by the detrimental effects of tobacco; provision of budgets, means, equipment and staff for the accomplishment of tobacco control tasks, e.g. propaganda and education on the detrimental effects of tobacco.

Article 27. Responsibilities of Related Sectors

Related sectors are responsible for establishing a special unit in charge of tobacco control and guiding, monitoring and inspecting their organization or management in the

accomplishment of their task according to their roles, rights and duties **Article 28. Responsibilities of Society and Community**

Society and community are responsible for the dissemination and mobilization of all classes of people to persuade them of the detrimental effects of tobacco, to make non-smoking the model or norm for the next generation in society, and together be involved in tobacco control, e.g. reduce tobacco use, smoke in authorized places and rehabilitation of smokers who have quit, treat tobacco dependence and those being affected by the detrimental effects of tobacco.

Article 29. Responsibilities of the Family

The family plays an important role in restricting the use of tobacco products and is responsible for the education and advocacy among its members about the detrimental effects of tobacco; it is an important role model for others in keeping away from tobacco; participates in the movement for the control, management, monitoring and inspection of tobacco; and provides rehabilitation and treatment to any family member when quitting smoking and to those affected by the detrimental effects of tobacco, including following up smokers who have quit to ensure they do not relapse.

Article 30. Responsibilities of Individuals

All Lao citizens but especially teenagers, youth, pupils and students shall be restricted from tobacco and protected from attempts that encourage them to smoke.

Parents, guardians and teachers-instructors shall be role-models by not using tobacco and shall advise their children, grand children, pupils and students to not smoke tobacco and these latter shall follow such advice. Once addicted to tobacco, they should decide to accept rehabilitation to quit smoking.

PART IV

HEALTH PROTECTION FROM THE DETRIMENTAL EFFECTS OF TOBACCO

Section 1

Propaganda and Provision of Data-Information On the Detrimental Effects of Tobacco

Article 31. Propaganda and Health Education on the Detrimental Effects of Tobacco

Propaganda for health education are acts giving knowledge on the detrimental effects of tobacco that result in the mobilization of people to abstain from the use of tobacco, supported with scientific data-information on tobacco smoking, exposure to tobacco smoke and detrimental effects caused by smoking using various forms and methods, e.g. the mass media.

Individuals and organizations from for example sectors such as Public Health, Information and Culture, Education, sports-gymnastics, Tourism, Lao Front for National Construction and mass organizations shall pay attention to propagandize and educate people about the detrimental effects of tobacco on the population, especially teenagers, young people, pupils and students so as to raise their awareness to not smoke, including campaigns inducing and persuading smokers to quit smoking.

Article 32. Provision of Data-Information on the Detrimental Effects of Tobacco

Sectors of Public Health, Education, Information and Culture, Tourism, Lao Front for National Construction, Lao Women's Union, Lao Revolutionary Youth, Trade Unions and other State and private organizations in society, are responsible for regularly providing to the population data-information on the detrimental effects of tobacco.. All citizens have the right to receive through mass media and various activities data-information on tobacco control, e.g. the detrimental effects of tobacco use, the benefits of non-smoking, quitting smoking and a smoke-free environment.

Section 2

Printing of Labels and Health Warnings on Tobacco Products

Article 33. Labels

Labels are texts determined by the Government and printed on the external narrower sides of each packet, parcel, carton and case to provide health information to tobacco users.

Tobacco products distributed in the Lao PDR shall have printed labels as mentioned in the above paragraph.

Article 34. Health Warnings

Health Warnings are texts determined by the Government and printed on the front and back of each packet, parcel, carton and case of tobacco product to show to tobacco users that this product is dangerous and harmful to human health.

Tobacco products distributed in the Lao PDR shall be printed with health warnings as mentioned in the above paragraph.

Section 3

Tobacco Prices

Article 35. Tobacco Prices

The prices of tobacco products shall be periodically adjusted in accordance with customs and tax policy to reduce use of tobacco in society.

Related State sectors have duties to follow up and periodically collect data on tobacco product prices, in order to appropriately improve customs and tax policy related to tobacco products.

Distributors of tobacco products shall display the prices of tobacco products for the convenience of users and other related parties.

Article 36. Taxation of tobacco products

Customs and tax officers shall follow up, inspect and completely and strictly impose the taxes on production, importation and distribution of tobacco products in the Lao PDR in accordance with the laws and regulations.

Section 4

Non- Smoking Areas

Article 37. Non- Smoking Areas

Non smoking areas include the following:

1. Health service facilities;
2. Educational facilities, meeting rooms, entertainment rooms;
3. Public land, and water and air transportation;
4. Places where there are inflammable materials, such as fuel, chemicals and similar material;
5. Places with No Smoking signs and designated smoke free places.

Article 38. Places where specific Smoking Areas shall be established

Places where specific smoking areas shall be established are as follows:

1. State and private offices;
2. Trade centers, department stores, guesthouses, hotels, restaurants, entertainment venues and markets;
3. Public places and crowded places such as passenger waiting halls, sport practice places and stadiums, clubs, temples, churches and public parks.

Part V

MEASURES TO BE TAKEN TO COUNTER THE DETRIMENTAL EFFECTS OF TOBACCO

Section 1

Assistance to Tobacco Addicts

Article 39. Mobilization, inducing users to quit Tobacco

Individuals and organizations shall pay attention to mobilize, induce and instruct tobacco addicts to be aware and to understand the detrimental effects of tobacco for smokers themselves, families, society and the economy by encouraging them to voluntarily reduce and restrict tobacco use and progressively quit smoking.

Article 40. Rehabilitation, Treatment

Tobacco addicts and 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 41. Assistance to Quit Smoking

Assistance to people who voluntarily want to quit smoking shall be carried out by Counseling and Assistance Units as follows:

1. To counsel and advise on quitting smoking;
2. To advise smokers on their health conditions before and after quitting smoking;
3. To organize various activities to encourage quitting smoking;
4. To provide rehabilitation and treatment to people who voluntarily quit smoking by various ways and based on the real conditions.

Article 42. Role of Counseling and Assistance Units in Quitting Smoking

Counseling and Assistance Units on Quitting Smoking are established by the health sector, having as their role propaganda, health education, recommendations, advice and necessary assistance to those who quit smoking; collect statistical data and information, monitor and supervise assistance to people quitting smoking and regularly report on such activities to their superiors.

Article 43. Responsibilities of other Sectors on Smoking Quitters

In addition to the Counseling and Assistance Units, organizations, society, communities, families and friends have the responsibility to assist and support people who have quit smoking by providing recommendations and organizing various activities in order to avoid their relapse.

Article 44. Assistance to Persons who have been Exposed to Tobacco Smoke

Persons who have been exposed to tobacco smoke shall be assisted by being provided with recommendations on the detrimental effects of tobacco smoke; furthermore they shall protect themselves by staying far away from smokers and in addition have the right to ask smokers to smoke elsewhere. When being affected by tobacco smoke or getting sick from it, such persons shall receive assistance, care and treatment, based on the real conditions.

Section 2

Tobacco Control Fund

Article 45. Tobacco Control Fund

The State established the Tobacco Control Fund to perform tobacco control work, mainly through propaganda: health education; and the rehabilitation of people who have quit smoking and those who have been affected by tobacco smoke. The Tobacco Control Fund shall be used in various activities related to health promotion.

Article 46. Sources of Funds for the Tobacco Control Fund

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

1. State budget;
2. Profit taxes from tobacco business operators, as mentioned in the Tax Law;
3. Donations from domestic and international individuals and organizations;
4. Income from activities for tobacco control, such as: sports and athletic competitions; artistic and cultural performances and similar activities.

Article 47. Management and Use of the Tobacco Control Fund

The Tobacco Control Fund shall be managed and used by the National Committee for Tobacco Control in accordance with periodic work plans.

The said Fund shall be used for the activities mentioning in Article 45 of this Law and in compliance with laws and regulations on the state budget.

The establishment and activities of the Tobacco Control Fund are stipulated in the specific regulations.

Part VI

PROHIBITION ON TOBACCO

Article 48. Prohibition for Tobacco Business Operators

Tobacco business operators are prohibited to act as follows:

1. To advertise in any form the promotion of tobacco smoking, and , the distribution, purchase and sale of tobacco products;
2. To produce, import, purchase and sell tobacco products that are smuggled, counterfeit, expired, imitated, unlabelled, without health warnings, and without stamps as prescribed by laws and regulations;
3. To sell or distribute tobacco products in a disorderly manner, e.g. at unauthorized places;
4. To produce packs of cigarettes containing less than twenty sticks per pack, or sell cigarettes as single or sets of single sticks;
5. To sell cigarettes from all kinds of automatic vending machines;
6. To allow children under eighteen years of age to buy or sell tobacco;
7. To mislead tobacco users on the characteristics of tobacco products, such as trademarks, forms, colors or other logos;
8. To provide sponsorships for the interests of the tobacco business;
9. To give bribes to civil servants and officials;
10. To threaten, or impede the duty or performance of officials;
11. To commit other acts violating laws and regulations.

Article 49. Prohibitions for Civil Servants and Officials

Civil servants and officials are prohibited to act as follows:

1. To abuse their power; to use violence, coercion, or threats; or to give or receive bribes causing losses to the interests of the State, collectives and individuals resulting from tobacco control work;
2. To disclose State secrets, retain, delay or falsify documents, lack responsibility to accomplish assigned tobacco control work;
3. To protect and to be accomplices of unlawful tobacco business operators;
4. To commit other acts violating laws and regulations.

Article 50. Prohibitions for Individuals and Organizations

Individuals and organizations are prohibited to act as follows:

1. To support advertisement for tobacco product promotion;
2. To smoke in prohibited places;
3. To induce and use others, e.g. children under eighteen years old to smoke and purchase-sell tobacco products;
4. To participate in illicit tobacco product production, importation and distribution;
5. To commit other acts violating laws and regulations.

Part VII

MANAGEMENT AND INSPECTION OF TOBACCO CONTROL WORK

Section 1

Management of Tobacco Control Work

Article 51. Tobacco Control Management Authority

The Government centrally and unanimously manages tobacco control work throughout the country by assigning the Ministry of Health to be the focal point for coordinating with other concerned sectors, in particular with Industry and Commerce, Finance, Information and Culture, Education sectors, and local related authorities.

The tobacco control management authority is composed of::

1. Ministry of Health;
2. Provincial and City Health Departments;
3. District and Municipal Health Bureaus.

To effectively perform the tobacco control work, The National Committee for Tobacco Control is officially established.

The organization and activities of the National Committee for Tobacco Control are stipulated in a specific regulation.

Article 52. 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 be the secretariat for research and formulation of strategic plans, policies, laws and regulations, plans of action and projects on tobacco control work to be submitted to the Government for consideration;
2. To widely disseminate strategic plans, policies, laws and regulations, plans, work plans and projects on tobacco control work ;
3. To direct and monitor the implementation of strategic plans, policies, laws and regulations, plans of action and projects on tobacco control work, including tobacco-related research and analysis;
4. To form, train, upgrade, manage, use staff and personnel for tobacco control work in accordance with their roles;
5. To study, give comments and proposal to tobacco enterprise establishments, such as: tobacco manufactures, tobacco product importers and distribution companies;
6. To suspend or cancel decisions, orders, instructions and notices of lower authorities which contradict laws and regulations on tobacco control;

7. To resolve administrative disputes, and issue orders to units concerned to implement the prescribed measures and to be diligent in monitoring such actions;
8. To direct the rehabilitation and treatment of people who have quit smoking and those who were affected and became sick from tobacco use;
9. To coordinate with other concerned sectors on tobacco control work and effectively manage and use the Tobacco Control Fund;
10. To liaise and cooperate with foreign countries and international organizations on tobacco control works;
11. To regularly evaluate, summarize and report on tobacco control work to the Government;
12. To perform other rights and duties prescribed in the laws and regulations.

Article 53. Rights and Duties of Provincial and City Health Departments

In the management of tobacco control work Provincial and City Health Departments have the following rights and duties:

1. To translate strategic plans, policies, laws and regulations, plans, work plans and projects related to tobacco control work into their own detailed activities for implementation;
2. To disseminate laws and regulations, data and information on tobacco control work in accordance with their own responsibilities;
3. To direct and monitor the implementation of tobacco control work by District and Municipal Health Bureaus;
4. To direct Counseling and Assistance Units about quitting smoking in the performance of their tasks;
5. To consider and resolve proposals on tobacco and tobacco products under their responsibility or submit such matters to the relevant superiors;
6. To study and comment on proposals about tobacco enterprise establishments within their responsibility, such as: tobacco product manufacturing, tobacco product importation and distribution companies;
7. To coordinate with other concerned sectors on tobacco control work and propose ways and means to use the Tobacco Control Fund in accordance with regulations;
8. To liaise and cooperate with foreign countries and international organizations on assigned tobacco control work;
9. Regularly evaluate, summarize and report on tobacco control work to the Ministry of Health and to Provincial and City Authorities;
10. To perform other rights and duties prescribing in the laws and regulations.

Article 54. Rights and Duties of District and Municipal Health Bureaus

In the management of tobacco control work, the District and Municipal Health Bureaus shall have the following rights and duties:

1. To implement policies, plans of action, projects, laws and regulations, decisions, orders, instructions and notices issued by the Ministry of Health and Provincial and City Health Departments;
2. To disseminate laws and regulations, data and information on tobacco control work and the detrimental effects of tobacco as is within their responsibility;
3. To direct the Counseling and Assistance Units on Quitting Smoking to assist in every way District and Municipal officers who are victims of tobacco either as users or because of second hand smoke.
4. To consider and resolve proposals related to tobacco according to their responsibility or submit to higher relevant authorities to do so;
5. To coordinate with other sectors concerned with tobacco control work and propose uses for the Tobacco Control Fund, including the determination of tobacco selling places in accordance with regulations;
6. To regularly evaluate, summarize and report on tobacco control work to the Provincial and City Health Department and District and Municipal Administrative Authorities;
7. To perform other rights and duties prescribed in laws and regulations.

Article 55. Rights and Duties of other Sectors

In the management of tobacco control work other concerned sectors and local administration authorities shall have the rights and duties to coordinate with the public health sector on tobacco control work, in accordance with their roles to effectively implement such work, including creating various events and activities on tobacco control, and mobilizing and contributing to the Tobacco Control Fund.

Section 2

Inspection of Tobacco Control Work

Article 56. Tobacco Control Inspection Authority

The tobacco control inspection authority is composed of:

1. An internal control authority, which is a part of the tobacco control management authority mentioned in Article 51 of this Law;
2. External control authorities, which are the National Assembly, State Inspection Authority; State Audit Authority and people's monitoring and inspection.

Article 57. Contents of Tobacco Control Inspection

The contents of tobacco control inspection are as follows:

1. Inspection of the implementation of plans of action and projects, laws and regulations on tobacco control, including the execution of tobacco business contracts;
2. Inspection of tobacco product-related business operations, e.g. containing, packaging, labeling, health warnings, importation, distribution; supervision of tobacco smoking in prohibited places;
3. Inspection of the movement of organizations, civil servants, officials and people on tobacco control work.

Article 58. Rights and Duties of the Tobacco Control Inspection Authority

The Tobacco Control Inspection Authority shall have the following rights and duties:

1. To coordinate with other national and international parties concerned with tobacco control work;
2. To approve the methods and measures to be taken on the outcomes of inspections or to submit such matters to the relevant higher authority;
3. To evaluate and summarize lessons learnt and report on tobacco control inspection to the relevant higher authority.

Article 59. Forms of Inspection

Inspection may be carried out according to the regular systematic plan, out of the plan with advance notice, or surprise inspections.

Part VIII

Rewards and Sanctions

Article 60. Rewards

Individuals or organizations having good achievements in implementing this Law, in particular those who have been a role model and have been actively involved in the implementation of tobacco control work, shall be appropriately rewarded or granted other appropriate benefits depending on each case.

Article 61. Measures against violators

Individuals or organizations violating this Law, especially regulations on production, importation, distribution, sale-purchase, prohibited smoking areas, other prohibitions, shall be educated, warned, face disciplinary measures, fined, pay

compensation for civil damages or face criminal punishment depending on the gravity of the violation.

Article 62. Educational Measures

Individuals or organizations committing non-serious violations of laws and regulations on tobacco control, especially sale of tobacco to children under eighteen years of age, sale at unauthorized places, smoking in prohibited areas for first time, shall be educated and warned.

Article 63. Disciplinary Measures

Civil servants and officials violating laws and regulations on tobacco control shall be subject to disciplinary measures in the following cases:

1. Retaining or delaying tobacco-related documents that does not cause substantial losses;
2. Lacking responsibility on assigned tobacco control work that causes minor losses and does not constitute a criminal offence;
3. Violations of other prohibitions mentioned in this Law that cause minor losses and are not elements of criminal offences.

The implementation of disciplinary measures towards civil servants and officials is stipulated in specific regulations.

Article 64. Fines

Individuals or organizations violating laws and regulations on tobacco control, e.g. production, importation, distribution, sale-purchase of tobacco products without labels, health warning on packaging materials; sale of tobacco in prohibited places, repeated sale of tobacco to children under eighteen years of age, sale of cigarettes in packs containing less than twenty sticks per pack, shall be fined.

The rates of fines are separately stipulated in a specific regulation.

Article 65. Civil Measures

Individuals or organizations violating laws and regulations on tobacco control that cause damage to others shall compensate them for such damages.

Article 66. Criminal Measures

Individuals violating laws and regulations on tobacco control, such as violations of prohibiting provisions, that constitute a criminal offence shall be punished according to the Criminal Law.

Part IX

FINAL PROVISIONS

Article 67. National No Tobacco Day

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

Article 68. Implementation

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

Article 69. Effectiveness

This Law shall be effective sixty days after the date The President of the Lao People's Democratic Republic issues its promulgating Decree.

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

The President of National Assembly

H.E Thongsing THAMMAVONG