



Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

National Assembly

No /NA  
Vientiane Capital, date

**Tobacco Control Law  
(Amended version 2021)**

**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 the tobacco use and related unnecessary expenditure. This Law will protect public health and the environment, enable regionally 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 refer to a range of measures to manage, monitor and regulate the production, importation, exportation, distribution, trading, 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 from tobacco products and exposure to second-hand smoke.

**Article 3 (amended) Definition of terms**

Terms used in this Law have the following meanings:

- 1. Tobacco use** means smoking, chewing, blowing, smelling, sucking, inhaling, eating, spreading on, fumigating, spraying into the mouth or nose or other means that produce smoke or vapor, aerosol, or Other substances;
- 2. Second-hand smoke** means the tobacco smoke exhaled by a smoker or arising from a burning tobacco product;
- 3. Exposure to second-hand smoke** means exposure to tobacco smoke exhaled by a smoker or smoke arising from a burning 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 any 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, traded not fully in accordance with Laws and regulations;

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

**9. Sponsorship from 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, corporate social responsibility to encourage or promote the sale and use of tobacco products;

**10. Advertising of tobacco product** means an act undertaken by any direct or indirect means aiming to encourage, provide incentive for, or promote the purchase or 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 activity and other means;

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

**12. Notification of import documents** means 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, 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, technical and technological knowledge and skills; building knowledge and technical capacity to strengthen and modernize such tobacco control work 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 machine in factory, 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 primitive tools for commercial purpose.

**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 the 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, cardio-vascular 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 purchase of tobacco products and treatment of diseases, which increase the burden on the family.

**Article 15 (amended) Impacts on socio-economic and environment**

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, 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 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 the whole-selling and retailing shall be authorized by Ministry of Industry and Commerce, in coordination with 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 structure of tobacco production cost and annual income to Ministry of Finance and 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;
5. To perform other obligations 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 disclose to the public;
6. To perform other obligations mentioned in the Laws.

#### **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 distribution and trading on 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 Laws.

#### **Article 22 (amended) Obligation of Tobacco Product Users**

Tobacco product user 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 and other related substances;
4. To protect the environment by not littering cigarette butts or tobacco products;
5. To perform other obligations mentioned in the Laws.

### **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 packet, carton, case and stick 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 Warning**

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

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 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 collect information on price of tobacco products periodically 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 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, Propaganda, Health Education and Access to Information**

#### **Article 29 (new) Study, Research, Analysis**

Study, research, 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 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, promotion on tobacco products, sponsorship from 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 the information on tobacco control e.g the detrimental effects of tobacco use and exposure to second-hand smoke, benefits of non-smoking, quitting and 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 transports;
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, 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 with 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 ash-tray and no roof.

For places specified in paragraph 1 of 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 on the detriment effects for 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, 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 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 the recommendations 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, 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 with 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. propaganda, 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 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, 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 from commercial purpose; in exemption from obligations to pay tax or fee 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, imitated or counterfeited tobacco products;
2. To produce, import, export, transport, or trade new forms of tobacco products e.g. e-cigarette, heated tobacco products, shisha or baraku;
3. To produce cigarette products with fewer or more than twenty sticks per packet, ten packets per carton, fifty carton per case;
4. To sell tobacco products through electronic networks or online;
5. To sell tobacco products with free samples, reduced cost, to give away tobacco products for free, to exchange tobacco products with other goods, or other benefits;
6. To sell tobacco products by all kinds of automatic vending machine;
7. To produce and display any form 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 the corporate social responsibility activities for tobacco business purposes;
9. To freely distribute tickets for sport competitions, art/cultural performances or other activities, provide services on social activities, lucky-draws, award competitions, to provide other benefits that compensate tobacco product purchasers or to encourage people to exchange 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 to display tobacco products or openly show tobacco product brands and prices;
2. To produce, import, export, transport, or new forms of tobacco products e.g. e-cigarette, heated tobacco products, shisha or baraku;
3. To sell tobacco products from temporary or mobile stores or stalls;
4. To sell tobacco product 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 festival and social events; inside of public transport 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 staff-civil servants and officials of State to engage in the following acts:

1. To abuse their power or position, or to use violence, coercion, or threats for their personal benefits and benefit of others;
2. To claim, solicit, or accept bribes, or to mediate in giving or accepting bribes;
3. To disclose State or official secrets, or to suppress, delay proceeding, falsify documents, lack of responsibility of the assigned tobacco control work;
4. To promote, protect, or be accomplices of 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 the 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, endorsement 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 all forms of advertising and promotion of tobacco products;

10. To allow employee or representative of tobacco company to record video and/or audio of meetings, discussions and other interactions with civil servants or government officials, for commercial purposes;

11. To commit other acts 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. Ministry of Health;
2. Provincial, Vientiane Capital Health Departments;
3. District, Municipal, 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 plan, laws and regulations on tobacco control to submit to the Government for consideration;
2. To translate policies, strategic plans, laws and regulations into detailed plan, 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 policies, strategic plans, laws, regulations, plan, action plan, 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 the Counseling and Assistance on smoking cessation for treatment and rehabilitation of smokers who need to quit;
9. To guide in integrating the Counseling and assistance for people who need quit, within central and regional hospitals;
10. To form, upgrade, train, recruit, and manage the human resources on tobacco control;
11. To research and comment on the application for permission to establish an import, export, 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 against 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 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 Capital Health Departments**

In the management of tobacco control work, the Provincial and VTE 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 VTE 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, VTE 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, distribution company for tobacco products;
9. To coordinate with Provincial and VTE Capital Industry and Commerce Department in issuing the wholesale authorization certificate on tobacco products;
10. To address the request on tobacco-related issues or propose to Ministry of Health for guidance and remediation;
11. To propose to superior on suspension or cancellation of contracts, agreements, orders, recommendations, and notices that are in conflict with this Law;
12. To collect data on the tobacco products from wholesale shops and relevant documents on importing tobacco products within the province and VTE 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 implementation on tobacco control activities;
15. To liaise and cooperate with foreign countries on tobacco control as assigned;
16. To summarize and report the tobacco control implementation to the Ministry of Health and Provincial and VTE 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, City Health Offices**

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

1. To translate policies, strategic plan, laws and regulations into detailed plan, 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 districts, municipalities, cities;
4. To issue or propose agreements, orders, recommendations and notices on tobacco control;
5. To support smoking cessation initiatives including counseling 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, 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, Vientiane Capital Health Departments for guidance and remediation;
10. To propose to superiors on suspension or cancellation of any contracts, agreements, orders, recommendations, 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, VTE 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 Law and regulations on tobacco control, especially the 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 on 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, Law and regulations, plans, projects;
2. The work performance of civil servants, relevant officials;
3. The activities of business operators on tobacco products;
4. The development and implementation of action 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, 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 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 warning and labels, not paying fee to 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, 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 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 contradict this Law are hereby cancelled.

**The President of National Assembly**