

**Lao People’s Democratic Republic**

**Peace Independence Democracy Unity Prosperity**

**Government** No.258/GOV

 Vientiane Capital, Date 23.08.2023

**Decree**

**on Blood Fund**

* Pursuant to the Law on the Government, No. 03/NA, dated 16 November 2021;
* Pursuant to the Law on Lao Red Cross Work, No. 28/NA, dated 31 October 2017;
* Pursuant to the Proposal Letter from the Lao Red Cross, No. 0195/LRC, dated 07 August 2023.

**The Government issues the Decree**

**Part I**

**General Provisions**

**Article 1 Purpose**

This Decree establishes the principles [and] regulations related to the management, utilization and monitoring of the Blood Fund, to ensure that such fund operates efficiently and effectively, with the aim of providing adequate, safe and timely blood supply to patients, [thereby] making a contribution to national socio-economic development.

**Article 2 Blood Fund**

The Blood Fund, abbreviated as: **“ກທລ”** and denoted in English as **Blood Fund “BF”**, is a fund established to mobilize and accumulate funding from various sources, with the aim of ensuring sufficient and sustainable funding to use towards the mobilization of blood donation and provision of safe blood supply.

**Article 3 Terminology**

The terms used in this Decree contain the following meanings:

1. **Blood service charge** refers to the cost of equipment and blood testing reagents, which is collected from patients, families or relatives of the patient as agreed by the Government;
2. **Adequate blood supply** refers to the amount of donated blood supply [from] at least 1% (one percent) of the population within the country, as per the minimum standard set by the World Health Organization;
3. **Safe blood supply** refers to the blood supply obtained from voluntary donors, containing low risks, [and] having undergone a thorough and systemic process of testing and storage;
4. **Blood donation** refers to the voluntary giving of blood in order to supply to patients;
5. **Mobilization for blood donation** refers to the process of recruitment for voluntary blood donors by campaigning, advocating, raising awareness, understanding and knowledge about blood and blood donation, in order to provide blood supply to patients with blood depletion;
6. **Blood testing** refers to the testing of samples from every blood unit, such as ABO typing (ABO), Rhesus typing, antibody screening, bloodborne pathogens testing and blood compatibility between the donor and recipient;
7. **Blood storage** refers to the storing of blood in the appropriate temperatures, starting from the process of blood collection until the delivery to patients with blood depletion;
8. **Blood fractionation** refers to the separation of whole blood into its component parts, such as: red cell concentrate, platelet concentrate, frozen plasma [and] cryoprecipitate;
9. **Blood quality management** refers to the [process] of ensuring the quality of blood services in accordance to established standards.

**Article 4 Principles on the Management and Utilization of Blood Fund**

The management and utilization of BF shall adhere to the following principles:

1. Centralized and uniform, in accordance to the State Budget system;
2. Ensure BF utilization is consistent with the objectives, economical, efficient and sustainable;
3. [Ensure] agility, quickness, fairness, transparency, openness and auditability;
4. All revenues and expenditures shall operate through the accounting system, as well as receive regular monitoring, inspection and audit in accordance with the laws.

**Article 5 Scope of Application**

This Decree applies to domestic and foreign individuals, entities [and] organizations, both from the public and private sector, operating and engaging with BF in Lao PDR.

**Part 2**

**Revenue Sources and Utilization of Blood Fund**

**Article 6 Revenue Sources of Blood Fund**

The revenue sources of BF come from:

1. State budget as per the annual budget allocation;
2. Voluntary contribution from individuals, entities [and] organizations, both domestic and foreign;
3. Blood service charge;
4. Technical operations and resource mobilization activities;
5. Revenue from the management of BF and interest gain from its deposit;
6. Other legal revenues in accordance to the laws and regulations.

**Article 7 Objectives of the Utilization of Blood Fund**

BF shall be utilized for the following objectives:

1. Mobilization and collection of blood donation;
2. Blood testing;
3. Blood storage, fractionation and quality management;
4. Provision of adequate, safe and timely blood supply;
5. Conduct resource mobilization activity;
6. Management and administration of BF;
7. Other objectives related to the mobilization of blood donation and provision of safe blood supply as agreed by the Board of Directors of BF.

**Article 8 Opening Deposit Account for Blood Fund**

BF at each level shall have an accounting system in compliance with the Law on Accounting. It shall open a deposit account within the National Treasury system and/or at a secure and credible commercial bank in Lao PDR, as agreed by the financial sector. All revenue sources of BF must be transferred into such deposit account.

**Article 9 Disbursement of Blood Fund**

Disbursement of funding from the deposit account at the National Treasury or commercial banks shall align with the programs, projects and activities considered and approved by the Board of Directors of BF and [supported by] a plan developed correctly in accordance to the Government Accounting and relevant regulations.

**Article 10 Request for Utilization of Blood Fund**

The National Blood Transfusion Institute, Provincial Blood Transfusion Center, District, Municipality [and] City Red Cross Office shall take the initiative to collect data and consolidate the needs, as well as develop the plan for utilization of BF during each period in accordance to regulations, then propose to the Board of Directors of BF at its level for consideration.

Details on the process and procedure for the utilization of BF are established in a separate regulation.

**Article 11 Approval for Utilization of Blood Fund**

The Board of Directors of BF at each level is [the body that] approves the utilization of [BF], if the request for utilization of BF is considered consistent with the objectives of utilization as established in this Decree, comply with the Government Accounting and relevant regulations.

**Article 12 Withdrawal from the Blood Fund**

Withdrawal from the deposit account of BF requires two signatures of the signatories authorized by the Board of Directors of BF and it must lie within the approved activity plan only.

Withdrawal from the deposit account shall not exceed the total revenue of BF in each fiscal year. The funding of BF cannot be withdrawn entirely and must retain at least ten percent (10%) of the amount in the deposit account of BF.

**Part 3**

**Management of Blood Fund**

**Article 13 Location of the Blood Fund**

BF at each level has the following location:

1. At the central level, it is located at the Lao Red Cross;
2. At the provincial level, it is located at the Provincial Red Cross Branch;
3. At the district level, it is located at the District, Municipality, City Red Cross Office.

**Article 14 Organization Structure of the Blood Fund**

The organization structure of BF at each level consists of the followings:

1. Board of Directors of BF;
2. Secretariat of BF.

**Article 15** **Board of Directors of Blood Fund**

The Board of Directors of BF is non-standing body responsible for the operation of BF. The Board of Directors of BF shall consist of the Chair, Vice-Chair and a number of members from the relevant parties.

The Board of Directors of BF at the central level is appointed by the Prime Minister as per the recommendation of the President of Lao Red Cross. The Board of Directors of Provincial BF is appointed by the Provincial Governor as per the recommendation of the Head of Provincial Red Cross Branch. The Board of Directors of District, Municipality, City BF is appointed by the District, Municipality, City Governor as per the recommendation of the Head of District, Municipality, City Red Cross Office.

The term of office for the Board of Directors of BF at each level is five years and the term can be further extended.

**Article 16 Personnel structure of the Board of Directors of Blood Fund**

The Board of Directors of BF at the central level has a personnel structure as following:

1. President of Lao Red Cross Chair;
2. Vice President of Lao Red Cross Vice-Chair, as well as a Standing Member;
3. Director General of State Budget Department, Ministry of Finance Vice-Chair;
4. Director of Cabinet Office of Lao Red Cross Member;
5. Representative of the Ministry of Health Member;
6. Representative of the Prime Minister Office Member;
7. Representative of the Lao Red Cross Honorary Members Member;
8. Director of National Blood Transfusion Institute Member,
 as well as Head of the Secretariat.

As for the personnel structure of the Board of Directors of Provincial, District, Municipality, City BF, it is established in a separate regulation.

Personnel of the Board of Directors of BF shall not receive a salary or wage from BF for the performance of their duties, other than meeting allowances or other benefits as established in the regulations of the Ministry of Finance.

**Article 17 Rights and Duties of the Board of Directors of Blood Fund**

The Board of Directors of BF at each level has the following rights and duties:

1. Govern and manage BF, including implement the mobilization of blood donation and provision of safe blood supply within the scope of its responsibilities;
2. Consider and endorse the internal rules, operation plans, reports [and] annual budget plans of BF;
3. Consider and endorse the programs, projects and activities of BF;
4. Lead [and] provide guidance on resource mobilization and fundraising from individuals, entities [and] organizations, both domestic and foreign;
5. Appoint the Secretariat of BF;
6. Consider [and] endorse regulations on the management and operation of BF;
7. Examine, consider [and] approve the utilization of BF;
8. ​Monitor, inspect and evaluate the utilization of BF according to [its] objectives, plans and budget plans, in order to achieve transparency, efficiency and effectiveness;
9. Endorse the financial audit results of BF;
10. Conclude and report on the operation of BF to its higher-level authorities at least once per year;
11. Exercise other rights and perform other duties as stipulated in the laws and regulations.

**Article 18 Blood Fund Board of Directors Meeting**

The Board of Directors of BF [shall] convene its ordinary meeting at least once per year. In the case of necessity and urgency, an extra-ordinary meeting can be convened at any time, [when] called by the Chair of the Board of Directors of BF or at the proposal of at least one-third of the members of the Board of Directors of BF. The meeting can commence once at least two-third of the total members of the Board of Directors of BF are present.

The resolutions of the BF Board of Directors Meeting are decided by majority votes; in the case of equal votes, the recommendation of the Chair shall be taken as the final verdict, but statements of the minority votes shall be recorded for information.

In the case where the Chair of the Board of Directors of BF is not presence or unavailable, the authorized Vice-Chair shall perform such duty in [his/her] place.

**Article 19 Secretariat of Blood Fund**

The Secretariat of BF is an established body that functions on a regular basis to support the Board of Directors of BF in the management of BF.

[For] the Secretariat of BF at the central level, the National Blood Transfusion Institute is designated as the place of operation for the management of BF. At the provincial level, it is the Provincial Blood Center; and at the district level, it is the District, Municipality, City Red Cross Office, which shall consists of the Director, one to two Deputy Director(s) and a number of assistant staffs appointed or discharged by the Board of Directors of BF and their term of office is equal to that of the Board of Directors of BF.

**Article 20 Rights and Duties of the Secretariat ​**

The Secretariat of BF at each level has the following rights and duties:

1. Support the Board of Directors of BF in governing and managing the operation and accounting-finance of BF;
2. Examine [and] develop the internal rules, annual operation plans and budget plans to propose to the Board of Directors of BF for consideration;
3. Examine [and] develop the programs, projects and activities to propose to the Board of Directors of BF for consideration;
4. Examine [and] develop regulations on the governance and management of BF, then propose to the Board of Directors of BF for consideration;
5. Disseminate the regulations on BF;
6. Govern and manage the operation of BF to [ensure] alignment with the objectives in a transparent and effective manner;
7. Study [and] examine the methodologies and forms of resource mobilization from both domestic and international [sources], including implement resource mobilization and fundraising activities for BF;
8. Record [and] document the revenue-expenditure of BF, manage the assets [and] funding received from contributions and various sources of revenue, as well as manage the deposit account of BF with transparency and auditability;
9. Disburse funding and materials to support the implementation of various activities in accordance with the endorsed plans;
10. Monitor, inspect and evaluate the utilization of funding and materials by various approved parties;
11. Collaborate with relevant parties on the operation of BF;
12. Conclude and report on the operation of BF to the Board of Directors of BF on a regular basis;
13. Exercise other rights and duties as stipulated in the laws and as assigned by the Board of Directors of BF.

**Part 4**

**Auditing, Inspection and Reporting**

**Article 21 Auditing**

The accounts of BF at each level shall be audited every year by the State Audit Organization. The audit findings shall be verified by the Board of Directors of BF and reported to the Lao Red Cross at its level, as well as shared with the general public for the purpose of transparency on the utilization of funding from BF.

In the case where a violation of laws and regulations is identified, offenders will face the measures stipulated in the laws according to each case.

**Article 22 Inspection**

Inspection of BF at each level is an evaluation on the utilization of BF to ensure transparency, efficiency, effectiveness [and] compliance with the laws and regulations.

The inspection of BF shall encompass the main contents as following:

1. Inspection on the implementation of plans, programs, and project related to BF;
2. Sources of revenue [and] implementation of the expenditure plans of BF;
3. Inspection on the operation of the Secretariat of BF and implementation of various policies.

**Article 23 Types of Inspection**

The inspection of BF consists of the following types:

1. Regular inspection is a planned inspection conducted on a regular basis, following a precisely defined timeframe;
2. Inspection with advance notification is an unplanned inspection undertaken when deemed necessary, with prior notice extended to the subject of inspection.
3. Surprise inspection is an urgent inspection without prior notice extended to the subject of inspection.

When conducting the inspection, the inspection officials shall strictly comply with the laws and regulations.

**Article 24 Reporting**

The Secretariat of BF at each level shall report on the management and utilization of BF, including the quarterly, biannual and annual revenues-expenditures to the Board of Directors of BF at its level for endorsement and reporting to its higher-level authorities and other relevant parties.

**Part 5**

**Final Provision**

**Article 25 Stamp**

BF has its own stamp to serve the operation of official business.

**Article 26 Implementation**

Lao Red Cross shall take the initiative to effectively execute and implement this Decree.

Ministries, state ministry-equivalent agencies, local administrative authorities and relevant parties shall acknowledge and strictly implement this Decree.

**Article 27 Effective Date**

This Decree is effective starting on 23 August 2023.

**On behalf of the Government of Lao PDR
 Prime Minister**

 [Signed and Stamped]

 Sonexay SIPHADONE