



Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

National Assembly

No. 27/NA  
Vientiane Capital, dated 18 December 2012

## **THE ANTI-CORRUPTION LAW**

### **Chapter 1 General Provisions**

#### **Article 1. (Amendment) Objective**

This issue of Law defines principles, rules, and measures for the prevention and countering of corruption in order to ensure that the property of the State [and] society and the rights and legitimate interests of citizens are not damaged, embezzled, or swindled, to subject offenders to legal proceedings and to protect those who are innocent, with the aims of strengthening State organizations, [increasing] transparency, [strengthening] the ability to inspect at all times, to ensure [achieving] political stability, a stable and progressive economy, public security, public order, and justice.

#### **Article 2. (Amendment) Corruption**

Corruption is the act of an official who opportunistically uses his position, powers, and duties to embezzle, swindle [or] receive bribes, give bribes or any other

act provided for in Article 11 of this law, [which act is committed] to benefit himself or his family, relatives, friends, clan, or group and causes damage to the interests of the State and society or to the rights and legitimate interests of citizens.

The official stipulated in this law means administrative staff, technical staff, the staff of State enterprises, International Organization and foreign staff.

#### **Article 3. (New) Definition of items**

The items used in this law means as follows:

1. Staff official means leaders at all levels, administrative staff, technical staff, civil servants, soldiers, police, the staff of state enterprises, State-mixed enterprises including chiefs of villages and person who are officially authorized and assigned to exercise any right or duty;
2. Foreign staff means foreign public staff of a state of other country, which assigned by that country to work in Lao PDR;
3. Staff of International Organization means a person who has assigned or permitted by any International Organization to act as on behalf of that Organization in Lao PDR;
4. Staff of state enterprises means staff of private sector enterprises including domestic and foreign, which business in Lao PDR

#### **Article 4. (Amendment) Prevention and Countering of Corruption**

Prevention of corruption [refers to] protecting against corruption and preventing [corruption from occurring] in State organizations, political organizations, and social

organizations by education campaigns, declaration of assets, monitor, inspection, implementation of policies, and others.

Countering of corruption [refers to] eliminating, repressing, and suppressing all wrongful acts constituting corruption by inspection, investigation, education, implementation of discipline, and punishment as provided by the laws.

#### **Article5. (Amendment) Principles on the Prevention of Corruption**

Prevention of corruption shall be based on the following principles:

- The main focus shall be on preventing corruption, while countering corruption shall be regarded as an important [focus];
- Inspection and investigation of corruption phenomena shall be conducted immediately, strictly, independently, objectively, accurately and disclosure;
- If there is an offence, the matter should be dealt with strictly, immediately, and with justice;
- To ensure that there is no interference, obstruction, or threat from any individual or organization;
- Individuals and organizations to be inspected shall cooperate, create conditions, and facilitate the inspection;
- The state shall create conditions for citizens, social organizations, and mass media to participate in the prevention and countering of corruption according to regulations.

#### **Article6. Responsibility of Counter-Corruption Organization**

The counter-corruption organization shall perform its duties objectively, justice with transparency, and correctly according to its scope of rights and duties and [according to] the procedures as stipulated in the laws, including being highly accountable for the conduct of its responsibilities under the laws and [being] subject to inspection by the National Assembly.

#### **Article7. (Amendment). Obligations Relating to the Prevention and Countering of Corruption**

Party organizations, state organizations, the Lao Front for National Construction, mass organizations, social organizations, enterprises, embassies, consulates, International organizations, mass media, and citizens all have the obligation to participate in the prevention and countering of corruption by the timely provision of cooperation, facilitation, information, and evidence to concerned organizations which have the rights and duties [to deal with the corruption].

#### **Article8. Protection**

The State protect officials who conduct counter-corruption operations, as well as those who participate in such operations such as: reporters<sup>12</sup>, information providers, injured persons, witnesses, [and] experts, and his/her families shall be protected from revenge, or threat to their life, health, freedom, honors, reputation, and property.

#### **Article9. (Amendment) Scope of Applicability**

This law is applicable for leaders at all levels, administrative staff, technical staff, the staff of State enterprises, civil servants, soldiers, [and] police officers who have position, power or duties in party organizations, State organizations, the Lao Front for National Construction, mass organizations, State-owned enterprises, State-mixed enterprises, State-partnerships, private sector enterprises, technical units, administrative units, [and] all forms of organizations established by the State to engage in business [or] production, including

chiefs of villages and persons who are officially authorized and assigned to exercise any right or duty, staff of International organizations, foreign staff to work in Lao PDR

**Article 10. (Amendment) International Relations and Cooperation**

The State promotes the relations and cooperates with foreign countries, region and international organizations on the prevention and countering of corruption [,] by exchange lesson, information, seminars, and upgrade capability on technical and gaining assistance for development the prevention and countering of corruption, based on the laws and regulations of the Lao PDR in compliance with international conventions and treaties that the Lao PDR has signed and is a party to.

**Chapter 2**  
**Acts that Constitute Corruption**

**Article 11. (Amendment) Acts that Constitute Corruption**

Acts that constitute corruption can take the following forms:

- Embezzlement of State property or collective property;
- Swindling of State property or collective property;
- Giving bribes;
- Taking bribes;
- Abuse of position, power, and duty to take State property, collective property or individual property;
- Abuse of State property or collective property;
- Excessive use of position, power, and duty to take State property, collective property or individual property;
- Cheating or falsification relating to technical construction standards, designs, calculations and others;
- Deception in bidding or concessions;
- Forging documents or using forged documents;
- Disclosure of State secrets for personal benefit;
- Holding back or delaying documents.

**Article 12. Embezzlement of State Property or Collective Property**

The embezzlement of State property or collective property is the abuse of confidence in order to take in whole, take in part, or substitute other assets for any State property or collective property which has been assigned to such person to keep, use, transport, use in construction, repair, or for any other purpose.

**Article 13. Swindle of State Property or Collective Property**

Swindle of State property or collective property is engaging in trickery, deceit or fraud by any means to cause a person in charge of any State property or collective property to hand over [such property] to himself

**Article 14. (New) Giving bribes**

Giving bribes is offering, giving or the promise the money, property or any benefit oneself or through third person to a public official, directly or indirectly by act or refrain from acting in the exercise of his or her official duties for benefit of a person who giving bribes

**Article15. Taking Bribes**

Taking bribes is receiving, claiming, requesting, or agreeing to accept material items or benefit from someone else by using one's position, power and duties of person who taking bribes to provide direct or indirect benefit to the person giving the bribe.

**Article16. Abuse of Position, Power and Duty to take State property, collective property or Individual property**

Abuse of position, power and duty to take State property, collective property or individual property is the use of one's position, power, and duty in order to benefit oneself, or one's family, relatives, or clan that causes damage to the interests of the State and collectives or the rights and legitimate interests of citizens.

**Article17. Abuse of State Property or Collective Property**

Abuse of State property or collective property is the use of State property or collective property for personal benefit that causes severe damage to the interests of the State or collective.

**Article18. Excessive Use of Position, Power and Duty**

Excessive use of position, power, and duty is the intentional use of position, power, and duty beyond the scope of the authority provided by the laws and regulations in order to benefit oneself, or one's family, relatives, or clan that causes damage to the interests of the State and collectives or the rights and legitimate interests of citizens.

**Article19. Cheating or Falsification Relating to Technical Construction Standards**

Cheating or falsification relating to technical construction standards is cheating or falsification relating to technical standards [that occurs in the process of] survey, design, calculation, and others between project owners and contractors and other persons concerned[,] regarding any activity such as: construction, repair, decoration, installation and other activities, for personal benefit and that causes damage to the interests of the State and society or the rights and legitimate interests of citizens.

**Article20. Deception in Bidding or Concessions**

Deception in bidding or concessions is an agreement between State officials and the contracting company and other concerned persons to create conditions to win the bid or concession for a certain State activity, for personal benefit and that causes damage to the interests of the State and society or the rights and legitimate interests of citizens.

**Article21. Forging Documents or Using Forged Documents**

Forging documents is the falsification of any signature or seal, or the deletion or addition of any word to the contents of documents.

The use of forged documents is the use of any document that one knows is forged, but that one uses for personal benefit, and that causes damage to the interests of the State and society or the rights and legitimate interests of citizens.

**Article22. Disclosure of State Secrets for Personal Benefit**

Disclosure of State secrets for personal benefit is the disclosure for personal benefit of any document or secret information, or any government or official decision that is not allowed to be disclosed.

**Article 23. Holding Back or Delaying Documents**

Holding back or delaying documents is the keeping, holding back, [or] delaying in dealing with any official document by one who has the position, power or duty, which causes damage to the interests of the State and society or the rights and legitimate interests of citizens.

**Chapter 3**  
**Measures for Prevention of Corruption**

**Article 24. (amendment) Role Model of Leaders**

Government staff at all levels, especially the leaders, shall act as role models in the strict implementation of the laws and regulations shall lead in having transparent lifestyles and shall have no corruption.

**Article 25. Duties of the State**

In the prevention of corruption, the State has the following duties:

1. To educate [the public] to respect and strictly comply with the laws and regulations;
2. To improve governance mechanisms to ensure [that they are] good, effective and transparent;
3. To define and implement policies toward government staff at each level clearly and to ensure proper living conditions;
4. To strictly and immediately impose discipline and punishment on offenders charged with corruption;
5. To promote the public, mass media, and social organizations to participate in the prevention and countering of corruption according to regulations.

**Article 26 (Amendment). Obligations of Other Organizations**

Party organizations, State organizations, the Lao Front for National Construction, mass organizations, and social organizations, at all levels from central to local level, including State-owned enterprises, shall implement their assigned roles, rights, and duties completely, strictly, [and] immediately, monitor shall provide evaluation and feedback to each other on the performance of functions by their government staff, shall conduct regular education campaigns, and shall coordinate with concerned sectors to prevent, counter and deal with corruption within the scope of their responsibilities.

**Article 27 (Amendment). Prohibitions for the Person who has Position, Power and Duty**

It is prohibited for a person with position, power and duty to commit any of the following acts:

1. To give money, material items or other benefit to individual, organization that relates to his functions by directly or indirectly for benefit of giving which causes damage to the interests of state and society or the right and legitimate interests of citizens;
2. To receive money, material items, or other benefits from any individual or organization that relates to his functions by directly or indirectly, which causes damage to the interests of the State and society, or the rights and legitimate interests of citizens;
3. To cause difficulty, hold back, delay, or interfere in dealing with any activity;

4. To open bank accounts outside the Lao PDR without informing the concerned authority;
5. To act as a consultant to private enterprises in relation to his decision-making power for personal benefit;
6. To act as a broker to individuals or organizations for personal benefit; for instance, by lobbying in legal proceedings, or for projects or quotas;
7. To use his position to borrow the money of any collective that is under his responsibility for other persons, or to provide any guarantee to other persons to borrow money from the banks;
8. To recruit, post, or appoint one's own wife, husband, children or close relatives in leading positions in those functions under his responsibility that would create conditions for corruption, [such as positions] in organizational and control activities, finance and accounting, treasury functions, warehouse keeping, procurement, contracting and other;
9. To incorrectly possess or use state of property or collectives in order to benefit himself or his family, relatives, group, or clan;
10. To use money or property of the State or the collectives to organize parties, to use as gifts or to allocate to staff or other persons in contravention of laws and regulations;
11. To disclose any State or administrative secret;
12. Forging documents, cheating or falsification technical standards, deception in bidding or Concessions;
13. To suppress, threaten, or obstruct any person who brings a claim, or provides feedback, including [a person] who provides negative information to concerned persons;
14. To refer to the reputation, position, power, and duty of a higher authority or other person for personal benefit.

Any government official who infringes any of the above-mentioned prohibitions will be subject to re-education and disciplinary [measures]; and if the infringement constitutes an offence, [the offender] shall be punished as provided in the laws and shall pay compensation for the damage he has caused.

#### **Article 28. Property Declaration**

Before or after receiving position, power, or duty, the person who has position, power, and duty as provided in Article 8 of this law must declare his or her own property and debts, and that of [the person's] own husband or wife and children who are under his or her charge accurately, faithfully, and honestly and must be accountable under the law for the contents of the declaration.

The government issues detailed regulations on the declaration of property and debt.

### **Chapter 4 Conduct of Inspections Relating to Corruption**

#### **Article 29. Causes for Conducting an Inspection**

The causes that result in the conduct of an inspection by the counter-corruption organization are as follows:

- When firm information and evidence that an act constituting corruption has been committed are found;
- When there is a notification, submission, proposal, report, [or] claim regarding corruption;
- When any government staff, [or] husband, wife or child under the charge of such government staff appears to be unusually rich.

#### **Article 30. Inspection Procedure**

The counter-corruption organization shall conduct inspections according to the following procedure:

1. Examine the notification, submission, proposal, report, or claim and, if deemed necessary, collect data in the field;
2. Prepare and establish a plan for the actual inspection in coordination with concerned sectors and local administrations;
3. Inspect all documents and assets of concerned individuals or organizations, especially to inspect the financial situation and accounts, revenue [, and] expenses, and the use of grants and loans;
4. Call and invite the representative of the organization or the individual concerned to come to give explanations and clarification;
5. Summarize, evaluate, and report on the result of the inspection.

#### **Article 31(New) the limitation of inspection proceedings**

The limitation of inspection proceedings of each organization are as follows:

Central not than 90 days, from the date of inspection proceedings. If the inspection not be successful, it could be continue more 30 day, In case there are very complicated, which related to sectors, locals will be more, but not than 180 days;

Ministries-Organizations, Provincials, Capital not than 30 days, from the date of inspection proceedings. In case there are very complicated, will be more 30 days;

Districts, municipality not more than 30 days, from the date of inspection proceedings. In case there are very complicated or rural areas, will be more 15 days.

#### **Article32. The Decision on the Result of the Inspection**

If, through the inspection, firm evidence [of corruption] is found, the counter-corruption organization has the right to decide [as follows]:

- In the case of a minor offence not causing substantial damage [,] as provided for in Articles 43 and 44 of this law, it shall submit [the matter] to the concerned organization which has the rights and duties to educate, warn or impose disciplinary measures on the offenders;
- In the case of a serious offence[,], as provided for in Article 45 of this law, it must undertake investigation, and when there is firm or solid evidence, it should summarize the case and send it to the public prosecutor to consider to prosecute the offenders in court.

#### **Article33. Implementation of the Recommendation of the Counter-Corruption Organization**

The authority that has received a recommendation from the counter-corruption organization as provided in Article 32 of this law has an obligation to implement that recommendation within thirty days from the date it receives such recommendation. If that authority does not implement the recommendation, the counter-corruption organization has the right to propose to the concerned higher authority to deal with the issue; if there is no reason for the failure [of the authority that received the recommendation], it will regarded as an infringement of the law.

### **Chapter 5 (New)** **Investigation of Corruption**

#### **Article 34(New).Causes for open conducting an Investigation**

Causes for open conducting an investigation on corruption are as follows:

- There are claim or submission of the individual or organization regard with offence of corruption;
- There are confession of person who offence;
- The Inspection find the solid information and evidence that an act of corruption and the value of the damage more than 5.000.000 kip;
- The components of an offence as provided in the Law on Penal
- 

### **Article 35 (New) Investigation Procedure**

Investigation procedures the cases of corruption are as follows:

- To issue an order to open investigations;
- To conduct an investigation;
- To make a complete the file of case and send to the public prosecutor to consider to prosecute in Court.

### **Article 36 (New). To issue an order to open investigations**

In case there is information that related to the offence of corruption according to in Article 11 of this law. Leader of Anti-Corruption Organization must be issue an order to open investigation within scope of its power. The contents of the order shall be identify the date, time and place, name and surname, position and duty of the leader and also investigation staff, the information to open investigation, case of the offences regard to constitute corruption.

In case there is not find information to open investigation or not enough the reason for opening investigation according to Article 34 of this law. Leader of Anti-Corruption Organization shall be issue the order not to open investigation including to inform the order to individual or organization, which submission or claim to be aware.

That order for not opening investigation of leader of Anti-Corruption Organization, partner of case can be appeal to the higher level of Anti-Corruption Organization within 7 days. from the date of inform the order.

### **Article 37 (New). Investigation Proceedings**

The investigation proceeding case of corruption must use method and prevention measure according to defined in Law on Criminal Procedure.

### **Article 38 (New) The limitation of Investigation Proceedings**

The Anti-Corruption Organization must be investigation proceedings, summarize of investigation and make file of case including evidence submit to People's Prosecutor within 2 months for major offences and 3 months for crimes, from the date that order to open investigation.

If it is necessary to continue investigation, the Leader of Anti-Corruption Organization shall be proposal to people's prosecutor. The people's prosecutor may be taking more time for investigation 2 months for each, but not more than 6 months for major offences and 3 months each, but not more than 1 year for crime. To proposal to define each time must be proceedings 15 days before finish the investigation.

In case there return the file of case to Anti-Corruption Organization for more conduct investigation, the limitation for investigation not than 2 months, from the date that Anti-Corruption Organization received the file of case.

In case there is for more review investigates to the case of suspension or storage, the investigation must be implementation according to limitation, which defined in



paragraph 1 and 2 of this article. from the date it is order for more reviewing to investigate.

**Article 39(New) To make the file of case submit to people's prosecutor to prosecute in Court.**

After the investigation, there are appears to be solid information and evidence that offence is corruption, Anti-Corruption Organization shall make a summary of the inspection result, including evidence or accused to the people's prosecutor to consider to prosecute in Court.

**Article 40(New). Official Investigation**

The Official of investigation related to case of corruption is the staffs of Anti-Corruption Organization, which duty of inspection and investigation according to this law and law on criminal procedure.

For the organization, activities and standards of official who responsibilities for investigation work on case of corruption have defined in specifically regulation.

**Article 41(New).Rights and duties of investigation official**

The Official of investigation regard with corruption has the following rights and duties:

1. Receive and submission record, proposal, report or claim regard with corruption;
2. Investigation proceedings to organization and individual accused, witness and other involve of the case;
3. Inspection, proving including collection information and other evidence involve offence of corruption;
4. Seize and keep the evidence, which related to corrupt;
5. Find out, take a accused and look over the individual
6. Coordinate with sector involve finding out the building, arrest according to the order of people's prosecutor or people's court.
7. Summarize and report the result of investigation to the Leader of Anti-Corruption Organization;

Implementation the rights and other duties according to the leader's order as have provided in other laws, which related to.

## **Chapter 6 Measures for Countering and Dealing with Corruption**

**Article 42. Measures for Countering and Dealing [with Corruption]**

The use of measures to countering and dealing the corruption of any government staff who commits an offence [relating to corruption] is based on the severity of the offence.

If it is a minor offence, there will be education measures and imposition of disciplinary [measures]; if it is a serious offence, it will be subject to legal proceedings as provided under the laws.

**Article 43. Education Measures**

If, through the inspection, a minor offence is found the offence of corruption, which the value of the loss not than 5.000.000 kip, and the offender honestly reports [the offence],

and admits to the concerned organization that he committed the offence and returns all assets that he took away, he will be subject to education measures and a warning.

**Article 44. (Amendment) Imposition of Disciplinary [Measures]**

If, after the inspection, a minor offence is found the offence of corruption, which the value of the damage not more than 5.000.000 kip, but who does not willingly report or who escapes from the offence, shall be subject to the following disciplinary [measures]:

1. For government official
  - be criticized, and be admonished by recording a note in his biographical file;
  - be suspended from receiving any promotion, [raise in] salary level, or reward by recording a note in his biographical file;
  - be removed from his position or transferred to another position which has a lower title than his former position by recording a note in his biographical file;
  - be removed from his all position by recording a note in his biographical file;
  - be dismissed from office without receiving any policy.
  - The person who is subject to the imposition of disciplinary [measures] must return completely all of the property that was unlawfully taken.
2. For staff of enterprises, staff of international organization and staff of foreign
  - be admonished
  - having to pay compensation and fine 1% of value of the loss

**Article 45. Case Proceedings**

If, after the inspection and investigation, there appears to be solid information and evidence which the value of the damage more than 5.000.000 kip, the counter-corruption organization shall make a summary of the inspection result, complete the file of the case and then send it to the public prosecutor to consider bringing a prosecution in court.

In the event that the public prosecutor fails[,] without reason[,] to prosecute the case in court within 30 days from the date of receiving the case file, the counter-corruption organization has the right to submit to the higher level of public prosecutor to consider and deal with the issue.

**Chapter 7  
Enforcement of Judgment**

**Article 46. Judgment Enforcement**

The judgment of the people's court in a corruption case that has become final must be strictly enforced in accordance with the Law on Enforcement of Judgments.

It is absolutely prohibited for any individual or organization to interfere in or obstruct the enforcement of any judgment in a corruption case.

**Article 47. Monitoring of Judgment Enforcement**

The counter-corruption organization and other concerned organizations shall monitor, promote, and facilitate the enforcement of judgments in corruption cases in accordance with their roles, rights, and duties, and ensure that judgments regarding corruption are strictly enforced throughout the country.

**Chapter 8  
Counter-Corruption Organization**

**Article 48 (Amendment). Status and Role**

The counter-corruption organization is a State organization that has the role to prevent and counter corruption within the country by assigning to the State Inspection Authority each level and sections to implement [this task].

- The Anti-Corruption Organization at the central level has a status equal to ministry-organization;
- The Anti-Corruption Organization at the ministry-organization level have status equal to department, which under ministry-organization;
- The Anti-Corruption Organization at the provincial, capital level have status equal to division of provincial;
- The Anti-Corruption Organization at the district, municipality level have status equal to office of district and municipality
- The counter-corruption organization is an investigation organization and performs its duties independently.

#### **Article49. Organizational Structure and Staff of Structure**

1. The organizational structure of the counter-corruption organization consists of:

- Counter-corruption organization at central level;
- Counter-corruption organization at ministry-organization level;
- Counter-corruption organization at provincial, capital level;
- Counter-corruption organization at district, municipality level.

2. Staff of Structure

The staff of structure of the Counter-corruption organization consists of 1 leader and some deputy, which cover position of president, deputy president or leader, deputy leader of state inspection authority at all level and sections to implement role, right and duty, which have defined in this issue of law.

The leader of Counter-corruption organization at central level is appointed and removed by the same procedure as a member of the government.

The leader of Counter-corruption organization at ministry and organization level is appointed and removed by the prime minister according to proposal of ministerial, leader of organization. After coordinated with the leader of Counter-corruption organization at central level.

The leader of counter-corruption organization at provincial, capital level is appointed and removed by governor or major. After coordinated with the leader of Counter-corruption organization at central level.

The leader of counter-corruption organization at district, municipality level is appointed and removed by governor of district or head of municipality. After coordinated with the leader of Counter-corruption organization at governor or major.

The supporting mechanism and official of the Anti-Corruption Organization shall comply within organization structure of state inspection Authorities each level and sections as appropriately.

#### **Article50 (Amendment). Rights and Duties of the Counter-Corruption Organization at Central Level**

The counter-corruption organization at the central level has the following main rights and duties:

1. To study policies, directives, plans, laws, regulations, and measures relating to the prevention and countering of corruption, and thereafter to submit to the government for consideration;

2. To direct and inspect the implementation of activities relating to the prevention and countering of corruption within the entire country;
3. To study and receive the claim, proposal of citizens regard with corruption within the scope of their responsibilities;
4. To conduct monitor, inspection on prevent and counter corruption among government staff under supervision and management of central level and other official who has assigned;
5. To receive and inspect the property of the public official under supervision and management of central level
6. To order for opening or not opening investigation, take, arrest, conduct investigation and summarize the result of investigation including make file of case and send it to the public prosecutor to prosecute in court regard with corruption as provided in the law on criminal procedure;
7. [During the period] when conduct the inspection or investigation has yet to be completed, to propose the temporary suspension [of a person under inspection] from his position or duty or [to propose that a person under inspection] not be removed, appointed, or have his job swapped or investigation;
8. To liaise, coordinate, and cooperate with concerned sectors at the central and local level to perform its rights and duties;
9. To consider, decide, and use measures against the inspected person as provided in the laws;
10. To summarize the results of activities for the prevention and countering of corruption, and then to periodically report to the Prime Minister and the National Assembly Standing Committee;
11. To exercise such other rights and performs such other duties as provided by laws and regulations.

**Article 51(New)      Rights and duties of the Counter-corruption organization at ministry-Organization level**

The Counter-corruption organizations at ministry-organization level have the following rights and duties:

1. To implement policies, plans, laws, regulations and measures relating to the prevention and countering of corruption;
2. To study and receive the claim, proposal of citizens regard with corruption within the scope of their responsibilities;
3. To conduct monitoring, inspection on prevent and counter corruption among staff under supervision and management of ministry-organization level and other official who has assigned;
4. To receive and inspect property of the government staff under supervision and management of ministry-organization level
5. To conduct investigation to government staff under supervision and management of self-responsibility according to the assigned of Anti-Corruption Organization at central level has assigned and summarize the result of investigation and report to the Anti-Corruption Organization at central level for consideration.
6. [During the period] when conduct the inspection or investigation has yet to be completed, to propose the temporary suspension [of a person under inspection] from his position or duty or [to propose that a person under inspection] not be removed, appointed, or have his job swapped or investigation;
7. To liaise, coordinate, and cooperate with concerned sectors to perform its rights and duties;

8. To proposal measures, method of dealing the result of inspection, investigation to concerned organization and the higher level for consideration;
9. To summarize the results of activities for the prevention and countering of corruption, and then periodically report to the countering corruption organization, ministerial and its leaders;
10. To exercise such other rights and performs such other duties as provided by laws and regulations.

**Article52 (Amendment). Rights and Duties of Counter-Corruption Organizations at Provincial, City Level**

Counter-corruption organizations at the provincial, capital level [each] have the following rights and duties:

1. To implement policies, directives, plans, laws, regulations, and measures relating to the prevention and countering of corruption;
2. To direct, inspect the implement of activities regarding the prevention and countering of corruption within the scope of their responsibilities.
3. To study and receive the claim, proposal of citizens regarding to the corruption within the scope of their responsibilities;
4. To conduct monitoring, inspection on prevent and counter corruption among government staff under its supervision and management and other official who has assigned;
5. To receive and inspect the property of the government staff under its supervision and management;
6. To order for opening or not opening investigation, conduct investigation and summarize the result of investigation including file of case and send it to the public prosecutor to prosecute in court regard with corruption as provided in the law on criminal procedure;
7. [During the period] when conduct the inspection or investigation has yet to be completed, to propose the temporary suspension [of a person under inspection] from his position or duty or [to propose that a person under inspection] not be removed, appointed, or have his job swapped or investigation;
8. To liaise, coordinate, and cooperate with concerned sectors to perform its rights and duties;
9. To proposal measures, method of dealing the result of inspection, to concerned organization and its higher for consideration;
10. To summarize the results of activities for the prevention and countering of corruption, and then to periodically report to the head of the counter-corruption organization at the central level, the provincial governor, the city mayor, and the chairman of the members of the National Assembly in such its constituency;
11. To exercise such other rights and performs such other duties as provided by laws and regulations.

**Article53 (New) Rights and Duties of Counter-Corruption Organizations at district, Municipality Level**

Counter-corruption organizations at the district, municipality level [each] have the following rights and duties:

1. To implement policies, directives, plans, laws, regulations, and measures relating to the prevention and countering of corruption;

2. To study and receive the claim, proposal of citizens regarding to the corrupt within the scope of their responsibilities;
3. To conduct monitoring the inspection on prevent and counter corruption among government staff under its supervision and management and other official who has assigned;
4. To receive and inspect the property of the government staff under its supervision and management;
5. To conduct investigation to government staff under its supervision and management according to the Anti-Corruption Organization at provincial, city level has assigned summarizes the result of investigation and report to the Anti-Corruption Organization at provincial and city for consideration.
6. [During the period] when conduct the inspection or investigation has yet to be completed, to propose the temporary suspension [of a person under inspection] from his position or duty or [to propose that a person under inspection] not be removed, appointed, or have his job swapped or investigation;
7. To liaise, coordinate, and cooperate with concerned sectors to perform its rights and duties;
8. To proposal measures, method of dealing the result of inspection, investigation to concerned organization and its higher for consideration;
9. To summarize the results of activities for the prevention and countering of corruption, and then to periodically report to the head of the counter-corruption organization at the provincial, city, head of district, head of municipality;  
To exercise such other rights and performs such other duties as provided by laws and regulations.

**Article 54. (Amendment) Standards and Qualifications of the Government Staff to be in Charge of Corruption Prevention**

Government staff in charge of corruption prevention shall meet the following standards and qualifications:

1. Have strong political commitment, be honest, be transparent, and have not committed any act of corruption;
2. Have a strong capacity of the policies and rule of law;
3. Have knowledge, be capable and have a level of professional appropriate to the tasks for which they are responsible;
4. Have a sense of justice, look at matters deeply, completely and objectively, not be partial or prejudiced, be able to accurately and clearly distinguish data and have courage in decision-making;
5. Be persons who are strict and act as role models in the implementation of laws and regulations, strictly observe organizational hierarchy, do not compromise, and are strongly committed to preventing and countering anything that appears to be corruption.
6. To confidential of specific work
7. Have a good health

The head of such organization shall have important political status, roles, and influence, and shall be trusted by the public.

**Chapter 9**

## **Obligations, Responsibilities, and Rights of Inspected Persons**

### **Article55 (Amendment). Obligations and Responsibilities of Inspected Persons**

Inspected organizations and individuals have the following obligations and responsibilities:

1. To strictly and timely perform orders, instructions, notifications, submissions, and decisions of the counter-corruption organization;
2. To provide cooperation, and to facilitate the inspection, investigation by timely providing information, evidence and other documents [and] by providing clarification and explanations according to the request of the inspection officials and official of investigation;
3. It is prohibited to assign, transfer, sell or change their own property when the inspection or investigation has yet to be completed, except with the approval of the counter-corruption organization.

Any individual or organization that does not perform its obligations and responsibilities mentioned above or that hinders or fails to cooperate with any inspection and investigation shall be deemed to have violated the laws and regulations and shall be warned, and be subject to disciplinary and other measures as provided by the laws.

### **Article56 (Amendment) Rights of Inspected Persons**

Inspected organizations and individuals have the following rights:

1. To defend themselves, and respond to the charge by providing information and evidence to clarify and explain to the counter-corruption organization;
2. To challenge the official in charge of the inspection or official of investigation who has an interest in the dispute or has a history of prejudice;
3. To propose, provide comments on, and explain one's reasons to the higher organization to [request that it] reconsider the inspection or investigation results of the counter-corruption organization; the higher organization concerned shall consider and give a response to the person concerned within 30 days from the date of receiving the proposal and the explanation;
4. To exercise such other rights as provided by the rule of laws.

An inspected person can defend himself, or have a lawyer or other protector to provide him legal assistance as provided in the Law on Criminal Procedure.

## **Chapter 10** **Policies Towards Persons with Outstanding Performance** **and Measures Against Violators**

### **Article57(Amendment). Policies towards Persons with Outstanding Performance**

Individuals or organizations with outstanding performance in the implementation of this law, particularly those that provide cooperation, information, evidence, proposal and report on corruption, will receive the protection as provided in Article 8 of this law, and receive the rewards, and other policies as provided in the regulation.

### **Article58. Measures against Violators**

Any individual or organization that violates this law, and thereby causes damage to the interests of the State and society or the rights and legitimate interests of citizens, shall be subject to educational or disciplinary measures as provided in Articles 43 and 44 of this law or to penal measures depending on the gravity of the offence, including [having to pay] compensation for the damage caused by such person.

## **Article 59. Penal Measures**

Any government staffs who commit an act stipulated in Article 11 of this law that constitutes a serious offence, which cause damage more than 5.000.000 kip shall be subject to penal measures.

Embezzlement, swindling of State property or collective property, taking bribes, giving bribes abuse of position, power, and duty, abuse of State property or collective property, excessive use of position, power, and duty, forging documents and using forged documents shall be punished as provided in the Penal Law.

## **Article 60 (Amendment). Cheating or Falsification Relating to Technical Construction Standards, Deception in bidding or concessions**

Any government staff that cheats in relation to or falsifies any technical standards on construction, survey, design, or calculation, deception in bidding or concessions, which cause damage more than 5.000.000 to 50.000.000 kip shall be punished by one to four years' imprisonment, and shall be fined one percent of the value of the damage.

When the offender engages in cheating or falsification relating to technical standards on construction, survey, design, and calculation deception in bidding or concessions, on a regular basis and causes severe damage more than 50.000.000 to 700.000.000 kip such person shall be punished by more than four to fourteen years' imprisonment, and shall be fined one percent of the value of the damage.

When the offender engages in cheating or falsification of technical standards on construction, survey, design, and calculation deception in bidding or concessions on a regular basis, as part of an organised group and causes severe damage more than 700.000.000 to 2.000.000.000 kip such person shall be punished by more than fourteen to twenty years' imprisonment, and shall be fined one percent of the value of the damage.

When the offender engages in cheating or falsification of technical standards on construction, survey, design, and calculation deception in bidding or concessions on a regular basis, as part of an organised group and causes severe damage more than 2.000.000.000 kip shall be punished by privation of liberty as life imprisonment and shall be fined one percent of the value of the damage.

## **Article 61. Disclosure of State Secrets for Personal Benefit**

Any government staffs who disclose State or administrative secrets for personal benefit shall be punished by one to three years' imprisonment, and shall be fined from 2,000,000 Kip to 10,000,000 Kip.

## **Article 62. Holding Back or Delaying Documents**

Any government staff who intentionally holds back or delays documents for any benefit shall be punished by three months' to one year's imprisonment, and shall be fined from 1,000,000 Kip to 5,000,000 Kip.

## **Article 63 (Amendment). Civil Measures**

In addition to penal measures, the government staff who commits an offence relating to corruption [,] as provided in Article 11 of this law, that causes damage to the interests of the State and society, or the rights and legitimate interests of citizens, shall pay compensation for damages in full and all of the assets acquired from the offence shall be confiscated or returned to as the owner according to the law.



## **Chapter 11**

### **Final Provisions**

#### **Article 64 (Amendment). Implementation**

The government of the Lao People's Democratic Republic, Anti-Corruption Organization, People's Prosecutor, People's Court and other concerned Organization are assigned to issue a decree and to implement this law.

#### **Article 65. Effectiveness**

This law shall enter into force after sixty days from the date of the President of the Lao People's Democratic Republic issues a decree for its promulgation

This law is instead the law on Anti-Corruption issue No : 03/NA, dated 19 May 2005.

Any other stipulation and legislations previously issued, which are consistent with the content of this law shall become null and void.

President of the National Assembly