

## TECHNICAL COMPLIANCE REPORT

Please fill in the table below to confirm the rules of the host country in accordance with the Conventions. Please provide details on legal instruments and reference regulations.

MERIDA CONVENTION		REGULATIONS OF VIETNAM LAW
Article 14 Measures to prevent money - laundering	<p>1. Each State Party shall: (a) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to money laundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions; (b) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and</p>	<p><b>1. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014 (Article 17, 18, 27, 30, 33, 34, 43 and 53-55):</b></p> <p><b>Article 17: Reporting entities</b> Reporting entities are legal persons and organisations which have the obligation to report information or suspicious activities of being money laundering and financing of terrorism to the Anti-Money Laundering Intelligence Office (herein after called “AMLIO”). Reporting entities which consists of financial institutions and DNFBPs as defined in subparagraph 7 and 8 of article 8.</p> <p><b>Article 18: Rights and Obligations of reporting entities</b> The reporting entities have the following rights and obligations:</p> <ol style="list-style-type: none"> <li>1. Developing AML/CFT Programme</li> <li>2. Implementing risk assessment and risk based management principles;</li> <li>3. Implementing Know Your Customer measures;</li> <li>4. Enhancing Customer Due Diligence measures;</li> <li>5. Gathering detailed information on customers;</li> <li>6. Gathering information about customers’ transactions;</li> <li>7. Dealing with PEPs;</li> <li>8. Dealing with corresponding banks;</li> <li>9. Collecting data on wire transfer;</li> <li>10. Maintaining records;</li> <li>11. Postponing transactions;</li> <li>12. Reporting;</li> <li>13. Reporting suspicious transactions;</li> <li>14. Maintaining reporting confidentiality.</li> </ol> <p>Overseas branches and subsidiaries in the group of the reporting entities are obliged to observe articles 19 to 32 of this law.</p> <p>In case the laws of the country where the branches subsidiaries in the group of the reporting entities are located do not allow the application of these obligations, the reporting entities shall notify their supervisory authorities.</p> <p><b>Article 43: Contents of international co-operation</b></p>

	<p>international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.</p> <p>2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.</p> <p>3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters: (a) To include on forms for the electronic transfer of funds and related messages accurate and</p>	<p>International co-operation on AML/CFT shall be in the following contents:</p> <ol style="list-style-type: none"> <li>1. gather, study, and exchange of information, technologies and lessons on money laundering and financing of terrorism;</li> <li>2. sign agreements with foreign countries or become a party to the international treaties and agreements on AML/CFT;</li> <li>3. mutual assistance in technical capacity building including training and knowledge upgrading for concerned personnel and officers;</li> <li>4. Comply with the international agreements and treaties which the Lao PDR is a party to.</li> </ol> <p><b>Article 33: Declaration of cash, precious metal and bearer negotiable instruments at border crossings</b></p> <p>Natural persons who carry cash, precious metal and bearer negotiable instruments in and out of the Lao PDR, with value exceeding the threshold periodically set by the Bank of the Lao PDR, need to declare them to customs officers at border checkpoints. Customs officers will further report to AMLIO.</p> <p><b>Article 34: Examination by customs officers at border crossings</b></p> <p>Customs officers at border checkpoints are responsible for checking the correct declaration of cash, precious metal and bearer negotiable instruments of natural persons entering/exiting of the Lao PDR in accordance with relevant regulations and laws. In case customs officers at checkpoints detect or suspect that there is a non-declaration or underreporting of cash, precious metal and bearer negotiable instruments or a false declaration relating to money laundering and financing of terrorism, such items will be seized or sequestered immediately; AMLIO to be informed, and an investigation is to be initiated to determine origins of cash, precious metal or bearer negotiable instruments. In case of inaccurate declaration, inaccurate amount, non-declaration or false declaration on cash, precious metal and bearer negotiable instruments when crossing Lao PDR's borders, a declarer will be fined in accordance with the relevant regulations.</p> <p><b>Article 27: Data collection on wire transfer</b></p> <p>In each service of wire transfer, a financial institution must gather and check the information on name and surname, address, account number, and purpose of the transferor's transfer.</p> <p>In case of acting as an intermediary of the transfer, a financial institution must ensure that the information on the transferor and details about the transfer are correctly and completely recorded before further delivery to a beneficiary. In case a financial</p>
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	<p>meaningful information on the originator;1. Each State Party shall: (a) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to moneylaundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions; (b) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its</p>	<p>institution receives a transfer with no information or missing information on a transferor, it has to check and find the missing information from a transferring institute or a beneficiary.</p> <p>If the information is not provided, a financial institution receiving the transfer shall refuse the payment to a beneficiary and transfer the money back to a transferring financial institution and immediately report the case to AMLIO.</p> <p>The management of domestic and foreign transfer is defined in a separate regulation.</p> <p><b>Article 30: Reporting</b></p> <p>The reporting entities must report to AMLIO in case a customer request to do the following transactions:</p> <ol style="list-style-type: none"> <li>1. Cash Transaction more than a threshold;</li> <li>2. Wire Transfer more than a threshold;</li> <li>3. Other transactions as defined by AMLIO.</li> </ol> <p>The Bank of the Lao PDR is responsible for setting thresholds for cash transaction, wire transfer which are required for reporting, and issuing legislations on reporting.</p> <p><b>Article 53: Management body of AML/CFT</b></p> <p>The Government is to manage the AML/CFT activities centrally and unanimously in the nation, by assigning the National Coordination Committee (herein after called “NCC”) which is directly responsible for managing, monitoring, inspecting on the basis of co-ordination with other concerned authorities and related local administrations.</p> <p>The Management body of AML/CFT is the NCC that has the role of chief of staff for the Government in implementation of this law and international standards relating to this work and attaining achievement.</p> <p>The NCC on AML/CFT which is non-permanent body consists of: Chairman, Deputy Chairman and a number of members who will be appointed or removed by the Prime Minister.</p> <p>Deputy Prime Minister is the Chairman of NCC on AML/CFT, Governor of Bank of Lao PDR is the first deputy chairman and act as standing member of the committee, Deputy Minister of Ministry of Public Security is the second deputy chairman and other members with equivalent ranking of Deputy Minister from relevant ministries and Deputy Head of related organizations.</p> <p>The organizational structure, activities and budget of the NCC for AML/CFT is set out in specific regulations.</p>
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	<p>domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.</p> <p>2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.</p> <p>3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters: (a) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;</p> <p>1. Each State Party</p>	<p><b>Article 54: Rights and Duties of NCC</b>  The NCC for AML/CFT has the following rights and duties:</p> <ol style="list-style-type: none"> <li>1. Study, form, amend national strategies, policies and regulations regarding AML/CFT for the Government's consideration</li> <li>2. Transpose the national strategies, policies, and regulations regarding AML/CFT into work plans, programmes, and projects as well as implement in each period to conform with regional and international standards;</li> <li>3. Endorse action plans for AML/CFT and solve pending problems of AML/CFT systems;</li> <li>4. Direct, stimulate, manage and monitor the implementation and dissemination of national policy, programmes, and laws and regulations regarding AML/CFT of terrorism of AMLIO, supervisory agencies and other relevant agencies;</li> <li>5. Train, upgrade professional skills of staff about AML/CFT;</li> <li>6. Take administrative measures against natural persons, legal entities or organisations that breach this law;</li> <li>7. Co-ordinate with various sectorial authorities, local government administrations, and relevant parties related to AML/CFT in nationwide;</li> <li>8. Relate with, co-operate with foreign countries, regionally and internationally on AML/CFT;</li> <li>9. Summarize and report on its activities to the Government on a regular basis;</li> <li>10. Perform rights and duties as defined in the laws and assigned by the Government.</li> </ol> <p><b>Article 55: Anti-Money Laundering Office</b>  AMLIO is one organisation in the organisational structure of the Bank of Lao PDR and has the operational independence concerning his activities.  AMLIO has main roles and tasks in data collection, analysis, dissemination, co-ordination with related parties both domestically and internationally for the combat and prevent of money laundering and terrorism financing.  AMLIO uses the budget of the Bank of the Lao PDR.  Organisational structure and activities of AMLIO are defined in separate regulation.</p> <p><b>2. Agreement On Organization and Operations of The Anti-Money Laundering Intelligence Office (Revised edition) No: 15 /NCC V, Date 08 NOV 2016:</b></p> <p><b>Article 3 Duties</b>  AMLIO has Duties the following rights:</p>
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	<p>shall: (a) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to moneylaundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions; (b) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment</p>	<ol style="list-style-type: none"> <li>1. To make the Strategy Plan, Policy and legislations of Anti-Money Laundering and Counter-Financing of Terrorism in order to propose NCC's considering;</li> <li>2. To collect extra information that's seem to be necessary from Reporting Entities and related organization to monitoring, inspect, analysis the information about money laundering and countering of financing terrorism, which notified of reported from individual, entity or organization and Reporting Entities in order to propose NCC;</li> <li>3. To submit documents and make financial reporting, if it's seem to be suspected information about money laundering and financing of terrorism in order to submit to the related Investigation organization, and provide money laundering and financing of terrorism information in order to submit to the related Investigation Organization as required as NCC's assignment;</li> <li>4. To co-ordinate ministries, Reporting Entities supervision organization and related other organization in order follow and inspect the implementation of Anti-Money Laundering and Counter-Financing of Terrorism;</li> <li>5. To summarize information in eventually, information collect and statistic about Anti-Money Laundering and Counter-Financing of Terrorism and report the evaluation on implementation of inspection the Reporting Entities to NCC;</li> <li>6. To co-ordinate related organization for inform list of terror, group of terrorism, terrorism organization, money launder and terrorism supporter and suspicious person to Reporting Entities and report, follow and punish suitable case;</li> <li>7. To make staff training plan on Anti-Money Laundering and Counter-Financing of Terrorism in previously to enhance the implementation capacities;</li> <li>8. To make a plan for seminar, meeting on Anti-Money Laundering and CounterFinancing of Terrorism and attend the meeting with other related to technical works as NCC's assignment;</li> <li>9. To advertise, promoted and study on Anti-Money Laundering and CounterFinancing of Terrorism to party, state enterprise and public as NCC's assignment;</li> <li>10. To release more the Reporting Entities on coordination with Reporting Entities supervision organization in order to propose NCC;</li> <li>11. To cooperate and relative with international organization on Anti-Money Laundering and Counter-Financing of Terrorism as assigned by the Chairman of NCC;</li> <li>12. To provide report of financial intelligence to other organization;</li> <li>13. Fulfill other duties as assigned by the Chairman of NCC.</li> </ol>
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	<p>of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.</p> <p>2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.</p> <p>3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters: (a) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;(b) To maintain such information throughout the payment chain; and (c) To</p>	
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	<p>apply enhanced scrutiny to transfers of funds that do not contain complete information on the originator.</p> <p>4. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.</p> <p>5. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.</p>	
<p>Article 15 Bribery of national public officials</p>	<p>Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally: (a) The promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the</p>	<p><b>Penal code No.26/NA, dated 15 May 2017(Article 354 and 358) :</b></p> <p><b>Article 354 Corruption</b></p> <p>Corruption is an act of leader, administrative staff, technical staff, staff of enterprise, civil servant, soldier, police officer, including any chief of village or person who is officially authorized to have power and foreign staff, international organisation staff.</p> <p>Acts that constitute corruption can take the following forms:</p> <ol style="list-style-type: none"> <li>1. Embezzlement of State property or collective property;</li> <li>2. Swindling State property or collective property;</li> <li>3. Give bribes;</li> <li>4. Taking bribes;</li> <li>5. Abuse position, power and duty to take state property, collective property or individual property;</li> <li>6. Abuse State property or collective property;</li> </ol>

	<p>exercise of his or her official duties; (b) The solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.</p>	<ol style="list-style-type: none"> <li>7. Excessive use of position, power, and duty to take State property, collective property or individual property;</li> <li>8. Cheating or falsification relating to technical construction standards, designs, calculations, and others;</li> <li>9. Deception in bidding or concession;</li> <li>10. Forging documents or using forged document;</li> <li>11. Disclosure of State secrets for personal benefit;</li> <li>12. Holding back or delaying documents.</li> </ol> <p><b>Article 358 (new) Taking Bribes</b></p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in taking bribes offence by receiving, claiming, requesting, or agreeing to accept material items or benefit from someone else by using one's position, power and duties to provide direct or indirect benefit to person giving bribe shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> <li>1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip;</li> <li>2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip;</li> <li>3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip;</li> <li>4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip;</li> <li>5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip;</li> <li>6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip;</li> <li>7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip;</li> <li>8. Imprisonment from more than fourteen years to sixteen years and shall be fined</li> </ol>
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		<p>one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip;</p> <p>9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip;</p> <p>10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;</p> <p>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</p>
<p>Article 16 Bribery of foreign public officials and officials of public international organizations.</p>	<p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the promise, offering or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties, in order to obtain or retain business or other undue advantage in relation to the conduct of international business.</p> <p>2. Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when</p>	<p><b>Penal code No.26/NA, dated 15 May 2017(Article 354 and 357):</b></p> <p><b>Article 354 Corruption</b></p> <p>Corruption is an act of leader, administrative staff, technical staff, staff of enterprise, civil servant, soldier, police officer, including any chief of village or person who is officially authorized to have power and foreign staff, international organisation staff.</p> <p>Acts that constitute corruption can take the following forms:</p> <ol style="list-style-type: none"> <li>1. Embezzlement of State property or collective property;</li> <li>2. Swindling State property or collective property;</li> <li>3. Give bribes;</li> <li>4. Taking bribes;</li> <li>5. Abuse position, power and duty to take state property, collective property or individual property;</li> <li>6. Abuse State property or collective property;</li> <li>7. Excessive use of position, power, and duty to take State property, collective property or individual property;</li> <li>8. Cheating or falsification relating to technical construction standards, designs, calculations, and others;</li> <li>9. Deception in bidding or concession;</li> <li>10. Forging documents or using forged document;</li> <li>11. Disclosure of State secrets for personal benefit;</li> </ol> <p>Holding back or delaying documents</p> <p><b>Article 357 (New) Giving Bribes.</b></p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in Giving bribes offence by offering, granting or promise to give money, material items or benefit by themselves or by direct or indirect medium of officials in order to use one's</p>

	committed intentionally, the solicitation or acceptance by a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.	<p>position, power and duties to provide benefit to person giving bribe shall be punished in accordance with value of damage as follows:</p> <ol style="list-style-type: none"> <li>1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip;</li> <li>2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip;</li> <li>3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip;</li> <li>4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip;</li> <li>5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip;</li> <li>6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip;</li> <li>7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip;</li> <li>8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip;</li> <li>9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip;</li> <li>10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;</li> <li>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</li> </ol>
Article 17 Embezzlement, misappropriation	Each State Party shall adopt such legislative and other measures as may be necessary	<p><b>Penal code No.26/NA, dated 15 May 2017(Article 354-356):</b></p> <p><b>Article 354 Corruption</b></p> <p>Corruption is an act of leader, administrative staff, technical staff, staff of enterprise,</p>

<p>or other diversion of property by a public official.</p>	<p>to establish as criminal offences, when committed intentionally, the embezzlement, misappropriation or other diversion by a public official for his or her benefit or for the benefit of another person or entity, of any property, public or private funds or securities or any other thing of value entrusted to the public official by virtue of his or her position.</p>	<p>civil servant, soldier, police officer, including any chief of village or person who is officially authorized to have power and foreign staff, international organisation staff.</p> <p>Acts that constitute corruption can take the following forms:</p> <ol style="list-style-type: none"> <li>1. Embezzlement of State property or collective property;</li> <li>2. Swindling State property or collective property;</li> <li>3. Give bribes;</li> <li>4. Taking bribes;</li> <li>5. Abuse position, power and duty to take state property, collective property or individual property;</li> <li>6. Abuse State property or collective property;</li> <li>7. Excessive use of position, power, and duty to take State property, collective property or individual property;</li> <li>8. Cheating or falsification relating to technical construction standards, designs, calculations, and others;</li> <li>9. Deception in bidding or concession;</li> <li>10. Forging documents or using forged document;</li> <li>11. Disclosure of State secrets for personal benefit;</li> <li>12. Holding back or delaying documents</li> </ol> <p><b>Article 355 (New) Embezzlement of State Property or collective Property.</b></p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption in embezzlement State property or collective property offence by the abuse if 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, transport, use in construction, repair, or for any other purpose shall be punished according to the damage value as follows:</p> <ol style="list-style-type: none"> <li>1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip;</li> <li>2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 20.000.000 Kip to 50.000.000 Kip;</li> <li>3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip;</li> <li>4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than</li> </ol>
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		<p>100.000.000 Kip to 300.000.000 Kip;</p> <ol style="list-style-type: none"> <li>5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip;</li> <li>6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip;</li> <li>7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip;</li> <li>8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip;</li> <li>9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip;</li> <li>10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;</li> <li>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</li> </ol> <p>Where such an offence is committed as regular basis and organized group shall be punished by deprivation of liberty and shall be fined double punishment according to the value of damage of each points in paragraph one of this article and assest will be confiscated.</p> <p>Any attempt to commit such an offence shall also be punished.</p> <p><b>Article 356 (New) Swindle of State Property or Collective Property.</b></p> <p>Any staff as defined in article 354 of this penal code if he/she conduct corruption inswindling of State property or collective property is engaging in trickery, deceit or fraud by any means to cause person in charge of any State property or collective property to hand over [such property] to himself shall be punished according to the value of damage as follows:</p> <ol style="list-style-type: none"> <li>1. Imprisonment from one year to two years and shall be fined one percent (1%) of the value of the damage, [where such damage] is not more than 20.000.000 Kip;</li> <li>2. Imprisonment from more than two years to four years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than</li> </ol>
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		<p>20.000.000 Kip to 50.000.000 Kip;</p> <ol style="list-style-type: none"> <li>3. Imprisonment from more than four years to six years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 50.000.000 Kip to 100.000.000 Kip;</li> <li>4. Imprisonment from more than six years to eight years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 100.000.000 Kip to 300.000.000 Kip;</li> <li>5. Imprisonment from more than eight years to ten years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 300.000.000 Kip to 500.000.000 Kip;</li> <li>6. Imprisonment from more than ten years to twelve years and shall be fined one percent (1%) of the damage, [where such damage] is from more than 500.000.000 Kip to 600.000.000 Kip;</li> <li>7. Imprisonment from more than twelve years to fourteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 600.000.000 Kip to 700.000.000 Kip;</li> <li>8. Imprisonment from more than fourteen years to sixteen years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 700.000.000 Kip to 800.000.000 Kip;</li> <li>9. Imprisonment from more than sixteen years to eighteen years and shall be fined from one percent (1%) of the value of damage, [where such damage] is from more than 800.000.000 Kip to 1.000.000.000 Kip;</li> <li>10. Imprisonment from more than eighteen years to twenty years and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 1.000.000.000 Kip to 2.000.000.000 Kip;</li> <li>11. Life imprisonment and shall be fined one percent (1%) of the value of damage, [where such damage] is from more than 2.000.000.000 Kip.</li> </ol> <p>Where such an offence is committed as regular basis and organized group shall be punished by deprivation of liberty and shall be fined double punishment according to the value of damage of each point in paragraph one of this article and asset will be confiscated. Any attempt to commit such an offence shall also be punished.</p>
Article 23 Laundering of proceeds of crime	1. Each State Party shall adopt, in accordance with fundamental principles of its domestic law, such legislative and other measures as may be necessary	<p><b>1. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014(Article 2, 6 and 8):</b></p> <p><b>Article 2: Money Laundering</b></p> <p>Money laundering is a conversion, use, movement, exchange, acquisition, possession, and genuine ownership transfer of funds or other properties by a natural person,</p>

	<p>to establish as criminal offences, when committed intentionally:(a) (i) The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offence to evade the legal consequences of his or her action; (ii) The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime; (b) Subject to the basic concepts of its legal system: (i) The acquisition, possession or use of property, knowing, at the time of receipt, that such property is the proceeds of crime; (ii) Participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established in accordance with this article.</p> <p>2. For purposes of implementing or applying</p>	<p>legal person or an organisation that knows, knew or suspects that such funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location in order to make such funds or properties legitimate.</p> <p><b>Article 6: Acts of money laundering</b> Acts of money laundering are as follow:</p> <ol style="list-style-type: none"> <li>1. Conversion and transfer of funds or properties with an intention to conceal or disguise the proceeds of crime, aid and abet offenders of predicate crimes to avoid the legal consequences;</li> <li>2. Concealing or disguising origin and location of funds or properties, possession, movement, or ownership transfer of such funds or properties in question;</li> <li>3. Acquisition, possession, use of funds or properties derived from predicate offences such as illicit lending of such funds or properties, use of such funds or properties in a direct investment;</li> <li>4. Being an accomplice in planning, attempting to or aiding, encouraging, facilitating or giving advices on offences as defined in subparagraph 1, 2 and 3 above.</li> </ol> <p>In addition to the above, money laundering is demonstrated as follow:</p> <ol style="list-style-type: none"> <li>1. Acknowledgement with intent with regards to offences leading to a money laundering;</li> <li>2. An event or evidence that proves the funds or properties are derived from the predicate offences without the necessity for a court ruling.</li> </ol> <p>A prosecution is to be carried out against offenders on the ground of money laundering, and offenders of predicate offences.</p> <p><b>Article 8 Definitions</b> The terminologies used in this law have the following meaning:</p> <ol style="list-style-type: none"> <li>1. Predicate offences shall mean all criminal offences which are the causes of money laundering including offences committed outside the territory of the Lao PDR that incurs proceeds of predicate offences. These include frauds, robbery or theft, murder and battery, kidnap, detention and hostage taking, trading of illegal properties, currency counterfeiting including cheque counterfeiting, or use of counterfeited currency or cheque or bond, document forgery or use of forged documents infringement of intellectual property rights, corruption including a taking and giving bribery, adult and child prostitution, human trafficking, people smuggling, production and trafficking of narcotics, trading of war arms or explosives, participation in an organized criminal group and racketeering, terrorism including financing of terrorism, environmental crime, tax</li> </ol>
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	<p>paragraph 1 of this article: (a) Each State Party shall seek to apply paragraph 1 of this article to the widest range of predicate offences; (b) Each State Party shall include as predicate offences at a minimum a comprehensive range of criminal offences established in accordance with this Convention; (c) For the purposes of subparagraph (b) above, predicate offences shall include offences committed both within and outside the jurisdiction of the State Party in question. However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there; (d) Each State Party shall furnish copies of its laws that give effect to this article and of any subsequent changes to such laws or a description thereof to the Secretary-General of the United Nations; (e) If required by</p>	<p>crimes, insider trading and market manipulation, violation of customs and tax regulations, extortion, piracy, and others;</p> <p>2. Proceeds of predicate offences shall mean funds or properties derived directly or indirectly from the predicate offences, properties transformed or changed, wholly or partially, to other forms of properties including returns of investment.</p> <p><b>2. Penal code No.26/NA, dated 15 May 2017(Article 26-30 and 130):</b></p> <p><b>Article 26 Participation in an Offence</b>  Participation in an offence refers to intentional participation in an offence by two or more persons.  Participants in an offence are:  – Authors;  – Implementers;  – Inciters;  – Accomplices.</p> <p><b>Article 27 Authors</b>  The author is the one who has planned, organised and gave instructions to commit the offence.</p> <p><b>Article 28 Implementer</b>  The implementer is the one who has directly committed the offence.</p> <p><b>Article 29 Inciters</b>  Inciters are persons who persuade, mobilize, encourage others to commit offences.</p> <p><b>Article 30 Accomplices</b>  Accomplices are persons who have intentionally assisted in the offence, or who have previously agreed to hide the offender, to hide instruments and tools of the offence, to efface traces of the offence or to conceal any proceeds from the offence.</p> <p><b>Article 130 Money Laundering</b>  Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.  Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.  Where such offence is for the value from 1.000.000.000 Kip or more, the offender</p>
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	<p>fundamental principles of the domestic law of a State Party, it may be provided that the offences set forth in paragraph 1 of this article do not apply to the persons who committed the predicate offence.</p>	<p>shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated.</p> <p>Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p>
Article 24 Concealment	<p>Without prejudice to the provisions of article 23 of this Convention, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally after the commission of any of the offences established in accordance with this Convention without having participated in such offences, the concealment or continued retention of property when the person involved knows that such property is the result of any of the offences established in accordance with this Convention.</p>	<p><b>1. Law on Anti Corruption No. 27/NA, Dated 18 December 2012 (Article 24-28):</b></p> <p><b>Article 24. (amendment) Role Model of Leaders</b> 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.</p> <p><b>Article 25. Duties of the State</b> In the prevention of corruption, the State has the following duties:</p> <ol style="list-style-type: none"> <li>1. To educate [the public] to respect and strictly comply with the laws and regulations;</li> <li>2. To improve governance mechanisms to ensure [that they are] good, effective and transparent;</li> <li>3. To define and implement policies toward government staff at each level clearly and to ensure proper living conditions;</li> <li>4. To strictly and immediately impose discipline and punishment on offenders charged with corruption;</li> <li>5. To promote the public, mass media, and social organizations to participate in the prevention and countering of corruption according to regulations.</li> </ol> <p><b>Article 26 (Amendment). Obligations of Other Organizations</b> 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.</p> <p><b>Article 27 (Amendment). Prohibitions for the Person who has Position, Power and Duty</b></p>



		<p>It is prohibited for a person with position, power and duty to commit any of the following acts:</p> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>3. To cause difficulty, hold back, delay, or interfere in dealing with any activity;</li> <li>4. To open bank accounts outside the Lao PDR without informing the concerned authority;</li> <li>5. To act as a consultant to private enterprises in relation to his decision-making power for personal benefit;</li> <li>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;</li> <li>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;</li> <li>8. To recruit, post, or appoint<sup>30</sup> 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;</li> <li>9. To incorrectly possess or use state of property or collectives in order to benefit himself or his family, relatives, group, or clan;</li> <li>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;</li> <li>11. To disclose any State or administrative secret;</li> <li>12. Forging documents, cheating or falsification technical standards, deception in bidding or Concessions;</li> <li>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;</li> <li>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.</li> </ol>
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		involved in transactions; 5. Other activities that contravene laws and legal regulations.
Article 26 Liability of legal persons	<p>1. Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in the offences established in accordance with this Convention.</p> <p>2. Subject to the legal principles of the State Party, the liability of legal persons may be criminal, civil or administrative.</p> <p>3. Such liability shall be without prejudice to the criminal liability of the natural persons who have committed the offences.</p> <p>4. Each State Party shall, in particular, ensure that legal persons held liable in accordance with this article are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.</p>	<p><b>Penal code No.26/NA, dated 15 May 2017(Article 42, 88, 89 and 90):</b></p> <p><b>Article 42 Penalties</b> A penalty is the compulsory State's measure used to restrict or revoke rights and interests of offenders.</p> <p><b>Article 88 Offence of Legal Person</b> Offence of legal person is an offence committed by an organ or a representative of legal person.</p> <p><b>Article 89 Criminal Liability of Legal Person</b> A legal person shall be liable for its offence if:</p> <ol style="list-style-type: none"> <li>1. That offence is act performed on its name;</li> <li>2. That offence is act performed for its interest;</li> <li>3. That offence is act performed under direction, management and decision of legal person.</li> </ol> <p>Criminal liability of the legal person does not exclude criminal liability of the individual.</p> <p><b>Article 90 Prescription of Penalty on Legal Person</b> Penalty imposed on legal person is a fine as principal penalty. Penalty imposed on legal person is double as prescribed in natural person. Beside penalty of fine for legal person, the court may decide to revoke legal person or to ban from running some kind business or to ban from mobilizing fund or ban from using cheque or credit card, to confiscate objects or undertake restoration.</p>
Article 27 Participation and attempt	<p>Article 27. Participation and attempt</p> <p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, participation in</p>	<p><b>Penal code No.26/NA, dated 15 May 2017(Article 26-30 and 130):</b></p> <p><b>Article 26 Participation in an Offence</b> Participation in an offence refers to intentional participation in an offence by two or more persons. Participants in an offence are:</p> <ul style="list-style-type: none"> <li>– Authors;</li> <li>– Implementers;</li> <li>– Inciters;</li> </ul>

	<p>any capacity such as an accomplice, assistant or instigator in an offence established in accordance with this Convention.</p> <p>2. Each State Party may adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, any attempt to commit an offence established in accordance with this Convention.</p> <p>3. Each State Party may adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, the preparation for an offence established in accordance with this Convention.</p>	<p>– Accomplices.</p> <p><b>Article 27 Authors</b> The author is the one who has planned, organised and gave instructions to commit the offence.</p> <p><b>Article 28 Implementer</b> The implementer is the one who has directly committed the offence.</p> <p><b>Article 29 Inciters</b> Inciters are persons who persuade, mobilize, encourage others to commit offences.</p> <p><b>Article 30 Accomplices</b> Accomplices are persons who have intentionally assisted in the offence, or who have previously agreed to hide the offender, to hide instruments and tools of the offence, to efface traces of the offence or to conceal any proceeds from the offence.</p> <p><b>Article 130 Money Laundering</b> Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of a natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.</p> <p>Any person committing an offence of money laundering for the value less than 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.</p> <p>Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated.</p> <p>Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p>
Article 28 Knowledge, intent and purpose as elements of an offence	Knowledge, intent or purpose required as an element of an offence established in accordance with this Convention may be inferred from objective factual circumstances.	<p><b>Penal code No.26/NA, dated 15 May 2017 (Article 12 and 130):</b></p> <p><b>Article 12 Components of Offences</b> The components of an offence refer to those objective and subjective characteristics of behaviour that the Penal Law defines as together constituting an offence.</p> <p>An offence consists of four components as follows:</p> <ul style="list-style-type: none"> <li>– Material component;</li> <li>– Objective component;</li> </ul>

		<ul style="list-style-type: none"> <li>– Subjective component;</li> <li>– Actor’s component.</li> </ul> <p>The material component of an offence refers to the social relationship that is regulated by the Penal Law, and that is affected by the offence.</p> <p>The objective component of an offence refers to the external characteristics of the behaviour that has caused, or is evidence of an intention to cause damage to a social relationship that is regulated by the Penal Law, including the time, location, means, instrument, circumstances and methods used for committing the offence.</p> <p>The subjective component of an offence refers to the characteristics of the attitude and state of mind of the offender regarding his act of offence, as expressed externally through the behaviour that constitutes the offence.</p> <p>The actor’s component of an offence refers to the fact that in order to be liable, the offender must be legal person or person who is mentally competent, not insane, and reached the age of majority, that is, at least 15 years of age.</p> <p><b>Article 130 Money Laundering</b></p> <p>Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.</p> <p>Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.</p> <p>Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated.</p> <p>Where such an offence is performed as part of an organized group or as a regular basis, the offenders shall be punished from ten years to fifteen years of imprisonment and shall be fined from 700.000.000 kip to 900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p>
Article 29 Statute of limitations	Each State Party shall, where appropriate, establish under its domestic law a long statute of limitations period in which to commence proceedings for any	<p><b>Penal code No.26/NA, dated 15 May 2017(Article 13, 31 and 34):</b></p> <p><b>Article 13 Categories of Offences</b></p> <p>Offences are divided into three categories:</p> <ul style="list-style-type: none"> <li>– Minor offences are offences punished under the law by public criticism or fine;</li> <li>– Major offences are offences punished under the law by re-education without</li> </ul>

	<p>offence established in accordance with this Convention and establish a longer statute of limitations period or provide for the suspension of the statute of limitations where the alleged offender has evaded the administration of justice.</p>	<p>deprivation of liberty or imprisonment from three months to ten years and fines;</p> <ul style="list-style-type: none"> <li>– Crimes are offences punished under the law by imprisonment from five years up to the life imprisonment with fines and death penalty.</li> </ul> <p><b>Article 31 Prescription</b></p> <p>Prescription is the term for prosecution as provided for in the Penal code. If the term is over, the prosecution shall not take place.</p> <p>Terms of prescription are as follows:</p> <ul style="list-style-type: none"> <li>- One year for minor offence;</li> <li>- Seven years for a major offence;</li> <li>- Fifteen years for a crime.</li> </ul> <p>Terms of prescription shall count from the date when the offence is committed. In case there is a new offence within the scope of terms of earlier offence, terms of such prosecution shall be counted from the date of new offence. In case offender escaped from criminal proceeding, terms of prescription shall count from the date offender has presented or arrested.</p> <p><b>Article 34 Termination of Terms of Prescription</b></p> <p>Termination of terms of prescription is termination of time period for bringing criminal proceedings as defined in Article 31 of this Penal Code.</p> <p>Termination of terms of prescription shall be a cause of exemption from criminal liability.</p>
<p>Article 30 Prosecution, adjudication and sanctions</p>	<p>1. Each State Party shall make the commission of an offence established in accordance with this Convention liable to sanctions that take into account the gravity of that offence.</p> <p>2. Each State Party shall take such measures as may be necessary to establish or maintain, in accordance with its legal system and constitutional principles, an appropriate balance between any</p>	<p><b>Law on Anti Corruption No. 27/NA, Dated dated 18 December 2012(Article 34-45):</b></p> <p><b>Article 34(New). Causes for open conducting an Investigation</b></p> <p>Causes for open conducting an investigation on corruption are as follows:</p> <ul style="list-style-type: none"> <li>- There are claim or submission of the individual or organization regard with offence of corruption;</li> <li>- There are confession of person who offence;</li> <li>- 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;</li> <li>- The components of an offence as provided in the Law on Pena</li> </ul> <p><b>Article 35 (New) Investigation Procedure</b></p> <p>Investigation procedures the cases of corruption are as follows:</p> <ul style="list-style-type: none"> <li>- To issue an order to open investigations;</li> </ul>

	<p>immunities or jurisdictional privileges accorded to its public officials for the performance of their functions and the possibility, when necessary, of effectively investigating, prosecuting and adjudicating offences established in accordance with this Convention.</p> <p>3. Each State Party shall endeavour to ensure that any discretionary legal powers under its domestic law relating to the prosecution of persons for offences established in accordance with this Convention are exercised to maximize the effectiveness of law enforcement measures in respect of those offences and with due regard to the need to deter the commission of such offences.</p> <p>4. In the case of offences established in accordance with this Convention, each State Party shall take appropriate measures, in accordance with its domestic law and with due regard to the rights of the defence, to seek to ensure that conditions imposed in connection with decisions on release pending trial or appeal take into consideration the need</p>	<ul style="list-style-type: none"> <li>- To conduct an investigation;</li> <li>- To make a complete the file of case and send to the public prosecutor to consider to prosecute in Court.</li> </ul> <p><b>Article36(New). To issue an order to open investigations</b>  In case there is information that related to the offence of corruption according to din 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.</p> <p>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.</p> <p>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.</p> <p><b>Article 37 (New). Investigation Proceedings</b>  The investigation proceeding case of corruption must use method and prevention measure according to defined in Law on Criminal Procedure.</p> <p><b>Article38(New) The limitation of Investigation Proceedings</b>  The Anti-Corruption Organization must be investigation proceedings, summarize of investigation and make file of case including evidence summit to People’s Prosecutor within 2 months for major offences and 3 months for crimes, from the date that order to open investigation.</p> <p>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.</p> <p>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.</p> <p>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</p>
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	<p>to ensure the presence of the defendant at subsequent criminal proceedings.</p> <p>5. Each State Party shall take into account the gravity of the offences concerned when considering the eventuality of early release or parole of persons convicted of such offences.</p> <p>6. Each State Party, to the extent consistent with the fundamental principles of its legal system, shall consider establishing procedures through which a public official accused of an offence established in accordance with this Convention may, where appropriate, be removed, suspended or reassigned by the appropriate authority, bearing in mind respect for the principle of the presumption of innocence.</p> <p>7. Where warranted by the gravity of the offence, each State Party, to the extent consistent with the fundamental principles of its legal system, shall consider establishing procedures for the disqualification, by court order or any other appropriate means, for a period of time determined by its domestic law, of persons convicted of offences</p>	<p>and 2 of this article. from the date it is order for more reviewing to investigate.</p> <p><b>Article 39(New) To make the file of case submit to people’s prosecutor to prosecute in Court.</b></p> <p>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.</p> <p><b>Article 40(New). Official Investigation</b></p> <p>The Official of investigation related to case of corruption is the staffs of AntiCorruption Organization, which duty of inspection and investigation according to this law and law on criminal procedure.</p> <p>For the organization, activities and standards of official who responsibilities for investigation work on case of corruption have defined in specifically regulation.</p> <p><b>Article 41(New).Rights and duties of investigation official</b></p> <p>The Official of investigation regard with corruption has the following rights and duties:</p> <ol style="list-style-type: none"> <li>1. Receive and submission record, proposal, report or claim regard with corruption;</li> <li>2. Investigation proceedings to organization and individual accused, witness and other involve of the case;</li> <li>3. Inspection, proving including collection information and other evidence involve offence of corruption;</li> <li>4. Seize and keep the evidence, which related to corrupt;</li> <li>5. Find out, take a accused and look over the individual</li> <li>6. Coordinate with sector involve finding out the building, arrest according to the order of people’s prosecutor or people’s court.</li> <li>7. Summarize and report the result of investigation to the Leader of Anti-Corruption Organization;</li> </ol> <p>Implementation the rights and other duties according to the leader’s order as have provided in other laws, which related to.</p> <p><b>Article42. Measures for Countering and Dealing [with Corruption]</b></p> <p>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.</p> <p><b>Article 43. Education Measures</b></p> <p>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</p>
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	<p>established in accordance with this Convention from: (a) Holding public office; and (b) Holding office in an enterprise owned in whole or in part by the State.</p> <p>8. Paragraph 1 of this article shall be without prejudice to the exercise of disciplinary powers by the competent authorities against civil servants.</p> <p>9. Nothing contained in this Convention shall affect the principle that the description of the offences established in accordance with this Convention and of the applicable legal defences or other legal principles controlling the lawfulness of conduct is reserved to the domestic law of a State Party and that such offences shall be prosecuted and punished in accordance with that law.</p> <p>10. States Parties shall endeavour to promote the reintegration into society of persons convicted of offences established in accordance with this Convention.</p>	<p>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.</p> <p><b>Article 44.(Amendment) Imposition of Disciplinary [Measures]</b></p> <p>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]:</p> <ol style="list-style-type: none"> <li>1. For government official <ul style="list-style-type: none"> <li>• be criticized, and be admonished by recording a note in his biographical file;</li> <li>• be suspended from receiving any promotion, [raise in] salary level, or reward by recording a note in his biographical file;</li> <li>• 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;</li> <li>• be removed from his all position by recording a note in his biographical file;</li> <li>• be dismissed from office without receiving any policy.</li> </ul> </li> <li>• The person who is subject to the imposition of disciplinary [measures] must return completely all of the property that was unlawfully taken.</li> <li>2. For staff of enterprises, staff of international organization and staff of foreign <ul style="list-style-type: none"> <li>• be admonished</li> <li>• having to pay compensation and fine 1% of value of the loss</li> </ul> </li> </ol> <p><b>Article 45. Case Proceedings</b></p> <p>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.</p> <p>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.</p>
Article 31 Freezing, seizure and confiscation	<p>1. Each State Party shall take, to the greatest extent possible within its domestic legal system, such measures as may be necessary to enable</p>	<p><b>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017:</b></p> <p><b>Article 30 (Amended). Gathering and Keeping Physical Evidence</b></p> <p>Gathering of physical evidence should be immediately made at the time of discovering; collecting evidence must be thorough, recorded of the circumstances, and protecting the evidence as of the prescription in laws. In case that the evidence cannot be</p>

	<p>confiscation of: (a) Proceeds of crime derived from offences established in accordance with this Convention or property the value of which corresponds to that of such proceeds; (b) Property, equipment or other instrumentalities used in or destined for use in offences established in accordance with this Convention.</p> <p>2. Each State Party shall take such measures as may be necessary to enable the identification, tracing, freezing or seizure of any item referred to in paragraph 1 of this article for the purpose of eventual confiscation.</p> <p>3. Each State Party shall adopt, in accordance with its domestic law, such legislative and other measures as may be necessary to regulate the administration by the competent authorities of frozen, seized or confiscated property covered in paragraphs 1 and 2 of this article.</p> <p>4. If such proceeds of crime have been transformed or converted, in part or in full, into other property, such property shall be liable to the measures referred to in this article instead of the proceeds.</p> <p>5. If such proceeds of crime</p>	<p>gathered materially, taking photo shall be recommended for collecting as electronic evidence. For the object that seems like silver, gold, diamond or any other valuable object must to be researched and verified on the quality of the material, as well as weigh it immediately.</p> <p>Physical evidence should be protected by wrapping up, or kept in the bag.</p> <p>Physical evidence should be protected from damaging, lost, changing, breaking, and mixing up with others.</p> <p>Protection of physical evidence should follow:</p> <ol style="list-style-type: none"> <li>1. Physical evidence should be wrapped up and kept in the bag immediately after completing gathering process. All items should be recorded documentarily in detail and kept in the case file;</li> <li>2. Physical evidence which is money, bank note, gold, silver, diamond, and other valuable items should be deposited with the bank under the rules of laws;</li> <li>3. Chemical or addictive items must be identified before being kept;</li> <li>4. Guns, exploded substance, inflaming substance, and other dangerous substances, must be delivered to concerned organizations for properly maintaining;</li> <li>5. Physical evidence which is about bloodstain, hair, fingerprint, footprint, bullet, and others, must be kept properly as prescribed by laws;</li> </ol> <p>In case that all physical evidence mentioned above has been lost, changed, and damaged, without any reasonable explanation, authorities concerned must be legally responsible under the Penal Code.</p> <p><b>2. Penal code No.26/NA, dated 15 May 2017(Article 52, 53 and 130):</b></p> <p><b>Article 52 Confiscation of Property</b></p> <p>Confiscation of property is the confiscation by the State of all or part of an offender's property without any compensation. A sentence of confiscation of property may only be imposed in serious cases as stated in penal law.</p> <p>In the event that the confiscation of all of the offender's property is imposed, exception must be made for property that is necessary for the livelihood of the offender and his/her family such as house for living, animals for the one who is a farmer, daily used objects of offenders and persons under the offender's control. In the event that partial confiscation of property is imposed, the court must set up a clear list of the property to be confiscated.</p> <p>The property belonging to the State cannot be confiscated and must be returned to relevant agencies.</p>
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	<p>have been intermingled with property acquired from legitimate sources, such property shall, without prejudice to any powers relating to freezing or seizure, be liable to confiscation up to the assessed value of the intermingled proceeds.</p> <p>6. Income or other benefits derived from such proceeds of crime, from property into which such proceeds of crime have been transformed or converted or from property with which such proceeds of crime have been intermingled shall also be liable to the measures referred to in this article, in the same manner and to the same extent as proceeds of crime.</p> <p>7. For the purpose of this article and article 55 of this Convention, each State Party shall empower its courts or other competent authorities to order that bank, financial or commercial records be made available or seized. A State Party shall not decline to act under the provisions of this paragraph on the ground of bank secrecy.</p> <p>8. States Parties may consider the possibility of requiring that an offender demonstrate the</p>	<p><b>Article 53 Confiscation of Objects (Items)</b></p> <p>Confiscation of items connected to the offence is the confiscation by the State of items used in the offence or in the preparation for the offence, or that were obtained from an intentional offence.</p> <p>Confiscation of items connected to the offence may be imposed for major offences and crimes.</p> <p>Items belonging to other individuals used in the offence shall be confiscated by the State if the owner lending them is not in good faith or if confiscation is deemed necessary for safeguarding society.</p> <p>Items belonging to the State shall not be confiscated but shall be returned to the relevant organization.</p> <p><b>Article 130 Money Laundering</b></p> <p>Money laundering is the transformation, utilization, displacement, exchange, acquisition, possession, transfer of true ownership of funds or other properties of an natural person, legal person or organization that knows, knew or suspects that the funds or properties are derived from the predicate offences to conceal or disguise their characteristics, origin, and location. This is aimed at legalizing the funds or properties.</p> <p>Any person committing an offence of money laundering for the value less than. 1.000.000.000 Kip shall be punished from three years to seven years in imprisonment and shall be fined from 300.000.000 kip to 500.000.000 Kip and asset shall be confiscated.</p> <p>Where such offence is for the value from 1.000.000.000 Kip or more, the offender shall be punished from seven years to ten years in imprisonment and shall be fined from 500.000.000 kip to 700.000.000 Kip and asset shall be confiscated.</p> <p>Wheresuchanoffenceisperformed aspartof an organizedgroup or asaregularbasis,theoffendershallbe punished from ten years to fifteen years ofimprisonment and shall be fined from 700.000.000 kip to900.000.000 Kip and asset shall be confiscated.</p> <p>Any preparation or attempt to commit such an offence shall also be punished.</p> <p><b>3. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</b></p> <p><b>Article 38: Application of provisional measures</b></p> <p>Competent authorities are eligible to apply provisional measures to seize or freeze fundsin case they detect, find or suspect thatthere is an act of money laundering or financingof terrorism.</p>
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	<p>lawful origin of such alleged proceeds of crime or other property liable to confiscation, to the extent that such a requirement is consistent with the fundamental principles of their domestic law and with the nature of judicial and other proceedings.</p> <p>9. The provisions of this article shall not be so construed as to prejudice the rights of bona fide third parties.</p> <p>10. Nothing contained in this article shall affect the principle that the measures to which it refers shall be defined and implemented in accordance with and subject to the provisions of the domestic law of a State Party.</p>	<p>Applying provisional measures must be in conformity with the relevant regulations and laws of the Lao PDR while protecting the rights and interests of the third party and ensuring no impacts on the operations of the financial and monetary system.</p>
<p>Article 38 Cooperation between national authorities</p>	<p>Each State Party shall take such measures as may be necessary to encourage, in accordance with its domestic law, cooperation between, on the one hand, its public authorities, as well as its public officials, and, on the other hand, its authorities responsible for investigating and prosecuting criminal offences. Such cooperation may include: (a) Informing the latter authorities, on their own initiative, where there are reasonable grounds to believe</p>	<p><b>Law on Anti Corruption No. 27/NA, Dated dated 18 December 2012 (Article 48-54):</b></p> <p><b>Article 48 (Amendment). Status and Role</b></p> <p>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].</p> <ul style="list-style-type: none"> <li>- The Anti-Corruption Organization at the central level has a status equal to ministry organization;</li> <li>- The Anti-Corruption Organization at the ministry-organization level have status equal to department, which under ministry-organization;</li> <li>- The Anti-Corruption Organization at the provincial, capital level have status equal to division of provincial;</li> <li>- The Anti-Corruption Organization at the district, municipality level have status equal to office of district and municipality</li> <li>- The counter-corruption organization is an investigation organization and performs its duties independently.</li> </ul>

	<p>that any of the offences established in accordance with articles 15, 21 and 23 of this Convention has been committed; or (b) Providing, upon request, to the latter authorities all necessary information.</p>	<p><b>Article49. Organizational Structure and Staff of Structure</b></p> <p>1. The organizational structure of the counter-corruption organization consists of:</p> <ul style="list-style-type: none"> <li>• Counter-corruption organization at central level;</li> <li>• Counter-corruption organization at ministry-organization level;</li> <li>• Counter-corruption organization at provincial, capital level;</li> <li>• Counter-corruption organization at district, municipality level.</li> </ul> <p>2. Staff of Structure</p> <p>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.</p> <p>The leader of Counter-corruption organization at central level is appointed and removed by the same procedure as a member of the government.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>Article50 (Amendment). Rights and Duties of the Counter-Corruption Organization at Central Level</b></p> <p>The counter-corruption organization at the central level has the following main rights and duties:</p> <ol style="list-style-type: none"> <li>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;</li> <li>2. To direct and inspect the implementation of activities relating to the prevention and countering of corruption within the entire country;</li> </ol>
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		<p>swapped or investigation;</p> <p>8. To liaise, coordinate, and cooperate with concerned sectors to perform its rights and duties;</p> <p>9. To proposal measures, method of dealing the result of inspection, to concerned organization and its higher for consideration;</p> <p>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;</p> <p>11. To exercise such other rights and performs such other duties as provided by laws and regulations.</p> <p><b>Article 53 (New) Rights and Duties of Counter-Corruption Organizations at district, Municipality Level</b></p> <p>Counter-corruption organizations at the district, municipality level [each] have the following rights and duties:</p> <p>1. To implement policies, directives, plans, laws, regulations, and measures relating to the prevention and countering of corruption;</p> <p>2. To study and receive the claim, proposal of citizens regarding to the corrupt within the scope of their responsibilities;</p> <p>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;</p> <p>4. To receive and inspect the property of the government staff under its supervision and management;</p> <p>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.</p> <p>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;</p> <p>7. To liaise, coordinate, and cooperate with concerned sectors to perform its rights and duties;</p> <p>8. To proposal measures, method of dealing the result of inspection, investigation to concerned organization and its higher for consideration;</p> <p>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</p>
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		<p>provincial, city, head of district, head of municipality; To exercise such other rights and performs such other duties as provided by laws and regulations.</p> <p><b>Article 54. (Amendment) Standards and Qualifications of the Government Staff to be in Charge of Corruption Prevention</b> Government staff in charge of corruption prevention shall meet the following standards and qualifications:</p> <ol style="list-style-type: none"> <li>1. Have strong political commitment, be honest, be transparent, and have not committed any act of corruption;</li> <li>2. Have a strong capacity of the policies and rule of law;</li> <li>3. Have knowledge, be capable and have a level of professional appropriate to the tasks for which they are responsible;</li> <li>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;</li> <li>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.</li> <li>6. To confidential of specific work</li> <li>7. Have a good health</li> </ol> <p>The head of such organization shall have important political status, roles, and influence, and shall be trusted by the public.</p>
<p>Article 40 Bank secrecy</p>	<p>Each State Party shall ensure that, in the case of domestic criminal investigations of offences established in accordance with this Convention, there are appropriate mechanisms available within its domestic legal system to overcome obstacles that may arise out of</p>	<ol style="list-style-type: none"> <li>1. <b>Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</b> <b>Article 52: Prohibitions for reporting entities</b> Reporting entities are prohibited related to AML/CFT from the following behaviours: <ol style="list-style-type: none"> <li>1. Having dealings with anonymous banks, financial institutions, legal persons or organisations;</li> <li>2. Having dealings with banks abroad that do not have regulations on AML/CFT;</li> <li>3. Opening anonymous accounts;</li> <li>4. Having business dealings or performing transactions with natural persons, legal persons or organisations on the United Nations security council list;</li> <li>5. Other activities that contravene legal regulations.</li> </ol> </li> <li>2. <b>Decision On Know Your Customers and Customer Due Diligence No.01/NCC dated</b></li> </ol>

	the application of bank secrecy laws.	<p><b>15 January 2016:</b>  <b>Article 27 Prohibited Products</b>  It is forbidden for reporting units to serve, make transactions or create business relationships with customers who hide their real name, use false names or aliases or with unclear histories. It is forbidden for reporting units who can open accounts to open coded accounts and anonymous accounts for their clients</p> <p><b>3. Order of Chairman of the National Coordination Committee for Anti-Money Laundering and Counter-Financing of Terrorism on enhancing monitor and inspect the Anonymous Accounts No.05/NCC dated 19 May 2015:</b></p> <ol style="list-style-type: none"> <li>1. Pay more attention on monitor and inspect about opening new account for customer (all currencies), especially the source of money that: it is own money or third parties to deposit in the own name that might be an anonymous account. In case of customer come to deposit, but do not show clearly of the source of money, the institution must stop to give service or do not continue to make business relation with such a customer, after that the institution must report to AMLIO within 03 working days;</li> <li>2. In case of institution has already opened an account and know that it is an anonymous account the institution must report to AMLIO within 03 working days;</li> <li>3. Reporting about an anonymous account shall implement follow the STRs form of AMLIO;</li> <li>4. Assign AMLIO responsible for monitoring the implementation this order and report to NCC for each period;</li> <li>5. Commercial banks, Deposit- Taking Microfinance Institutions, Saving and Credit Unions, and Lao Postal Savings Institute shall strictly implement this Order. In case of institution do not implement this Order shall have fine follow the article 65 point 1 of AML/CFT Law.</li> </ol>
Article 43 International cooperation	1. States Parties shall cooperate in criminal matters in accordance with articles 44 to 50 of this Convention. Where appropriate and consistent with their domestic legal system, States Parties shall consider assisting each other in investigations of and proceedings in civil and	<p><b>1. Law on Anti Corruption No. 27/NA, Dated dated 18 December 2012:</b>  <b>Article 10. (Amendment) International Relations and Cooperation</b>  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.</p> <p><b>2. Law on the Criminal Procedure No.37/NA, dated 14 November 2017:</b>  <b>Article 272. Implementation of Judicial Assistance</b></p>

	<p>administrative matters relating to corruption.</p> <p>2. In matters of international cooperation, whenever dual criminality is considered a requirement, it shall be deemed fulfilled irrespective of whether the laws of the requested State Party place the offence within the same category of offence or denominate the offence by the same terminology as the requesting State Party, if the conduct underlying the offence for which assistance is sought is a criminal offence under the laws of both States Parties.</p>	<p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p><b>3. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</b></p> <p><b>Article 272. Implementation of Judicial Assistance</b></p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p><b>4. Draft Law on Mutual legal assistance.....</b></p> <p><b>Article 2 International Cooperation for Mutual Legal Assistance in Criminal Matters)</b></p> <p>International Cooperation for Mutual Legal Assistance in criminal matters means a provision of providing an international cooperation for mutual legal assistance between Lao PDR and International Country within the scope of mutual legal cooperation as defined in the Article 7 of this Law.</p> <p><b>Article 7 Scope of International Cooperation for Mutual Legal Assistance)</b></p> <p>International cooperation for mutual legal assistance in criminal matters shall have the following scopes:</p> <ol style="list-style-type: none"> <li>1. Collecting an information;</li> <li>2. Providing an evidence;</li> <li>3. Participation of individuals to the requesting state;</li> <li>4. Participation of offenders or individuals who detained in Lao PDR;</li> <li>5. Addresses and Identities;</li> <li>6. Searching and Seizing an evidence;</li> <li>7. Seizure and Freezing;</li> </ol>
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		<p>8. Return of evidences;</p> <p>9. Recognizing and Following a court's judgment in criminal matters;</p> <p>10. Provision of other assistances may be consistent with the treaty to which Lao PDR is a party and the Laws of Lao PDR.</p>
Article 44 Extradition	<p>1. This article shall apply to the offences established in accordance with this Convention where the person who is the subject of the request for extradition is present in the territory of the requested State Party, provided that the offence for which extradition is sought is punishable under the domestic law of both the requesting State Party and the requested State Party.</p> <p>2. Notwithstanding the provisions of paragraph 1 of this article, a State Party whose law so permits may grant the extradition of a person for any of the offences covered by this Convention that are not punishable under its own domestic law.</p> <p>3. If the request for extradition includes several separate offences, at least one of which is extraditable under this article and some of which are not extraditable by reason of their period of imprisonment but are related to offences established in accordance with this Convention, the requested State</p>	<p><b>Law on Extradition No.18/NA, dated 11 July 2012(Article 2 and 7-16):</b></p> <p><b>Article 2 Extradition</b></p> <p>The extradited person is the person who is the accused or the convicted in the court as a perpetrator in the territory of a foreign state and has escaped to the territory of the Lao PDR or the accused or the convicted in the court of the Lao PDR and has escaped to the territory of another state.</p> <p>Extradition is the handover of the accused or perpetrator sought by the Requested State to the Requesting State for criminal proceeding or for the execution of punishment in the territory of the Requesting State.</p> <p><b>Article 7. Extraditable Offences</b></p> <p>Extraditable offences are offences which are punishable under the penal law of the Lao PDR and that of the Requesting State by the penalty of imprisonment or other form of detention for a period of more than 12 months. It shall not matter whether the penal law of the Lao PDR or the Requesting State places the conduct constituting the offence within the same category of offence or not.</p> <p>Where the request for extradition relates to a person sentenced to imprisonment or other form of detention by a court of the Requesting State for any extraditable offence, extradition shall be granted only if a period of at least six months in the sentence remains to be served.</p> <p>If the request for extradition concerns two or more acts each of which constitutes and offence under the laws of the Requesting State and the Lao PDR and at least one of which fulfils the condition of period of penalty provided in paragraphs 1 and 2 of this Article, the Lao PDR may grant extradition for all of those acts.</p> <p><b>Article 8. Refusal to Grant Extradition</b></p> <p>Extradition shall not be granted in any of the following circumstances :</p> <p>1. The offence for which the request for extradition is made is considered a political offence including fighting for liberty, peace and political opinion, except for offences as described in Article 9 of the this law ;</p> <p>2. An offence under military law of the Requesting State including the escape from the obligation on military service, and not follow the command of the superior ;</p> <p>3. The prosecution or execution or punishment of the offence for which the extradition</p>

	<p>Party may apply this article also in respect of those offences.</p> <p>4. Each of the offences to which this article applies shall be deemed to be included as an extraditable offence in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them. A State Party whose law so permits, in case it uses this Convention as the basis for extradition, shall not consider any of the offences established in accordance with this Convention to be a political offence.</p> <p>5. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offence to which this article applies.</p> <p>6. A State Party that makes extradition conditional on the existence of a treaty shall:</p> <p>(a) At the time of deposit of its instrument of ratification, acceptance or approval of or</p>	<p>has been sought has become barred by the reason prescribed under the law of the Requesting State and the Lao PDR ;</p> <p>4. The court of the Lao PDR has passed judgement upon the person sought in respect of the same offence, before the request for extradition is made;</p> <p>5. The judgement of the Requesting State was made in a trial in absentia , except that the Requesting State ensures that the person sought will have the opportunity to defend himself in a fair trial and reopen the trial with his presence.</p> <p><b>Article 9. Offences that are not Considered as Political Offences</b></p> <p>The following offences shall not be considered as political offences:</p> <ol style="list-style-type: none"> <li>1. Taking of or attempt at the life or an attack on the following persons such as Head of State, President of National Assembly, Head of Government, or other leaders and members of his or her family ;</li> <li>2. Civil commotion;</li> <li>3. Attack of detention and reformatory centers ;</li> <li>4. Offence against friendly countries ;</li> <li>5. Abduction or taking hostages</li> <li>6. Bombing, firing, using equipments or chemicals that are dangerous and harmful to life or massive physical or property destruction ;</li> <li>7. Preparation, attempt or participation or commission in the offence, giving instruction, assistance or inciting other persons to commit offences as described in paragraphs 1 to 3 of this Article.</li> </ol> <p><b>Article 10. Ground for Mandatory Refusal of Extradition</b></p> <p>Extradition shall not be granted in any of the following circumstances :</p> <ol style="list-style-type: none"> <li>1. The Lao PDR has jurisdiction, according to the law, over the offence for which the request for extradition is made and shall institute proceedings against the person sought;</li> <li>2. The Lao PDR is in the process of proceeding against the person sought in respect of the same offence;</li> <li>3. The Lao PDR has well-founded reasons to suppose that the request for extradition is not compatible with humanitarian considerations on account of race, nationality, religion, ethnic, gender, social status or economic status of the person sought, which may be subject to torture or inhumane treatment.</li> </ol> <p><b>Article 11. Refusal of Extradition of a Lao Citizen, Alien or Stateless Person Residing in the Lao PDR</b></p>
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	<p>accession to this Convention, inform the Secretary-General of the United Nations whether it will take this Convention as the legal basis for cooperation on extradition with other States Parties to this Convention; and (b) If it does not take this Convention as the legal basis for cooperation on extradition, seek, where appropriate, to conclude treaties on extradition with other States Parties to this Convention in order to implement this article.</p> <p>7. States Parties that do not make extradition conditional on the existence of a treaty shall recognize offences to which this article applies as extraditable offences between themselves.</p> <p>8. Extradition shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable extradition treaties, including, inter alia, conditions in relation to the minimum penalty requirement for extradition and the grounds upon which the requested State Party may refuse extradition.</p> <p>9. States Parties shall, subject to their domestic law, endeavour to expedite extradition procedures and to simplify</p>	<p>The Lao PDR refuses to extradite its citizen, alien or stateless person residing in the Lao PDR, that commits a crime outside the territory of the Lao PDR, except that the treaty on extradition provides for otherwise.</p> <p>Refusal request for extradition shall not be the ground for the person sought to be released from criminal responsibility and that person is still subjected to criminal proceeding in the Lao PDR according to the law of the Lao PDR. The Requesting State shall submit the case file and relevant information to competent authority of the Lao PDR to prosecute the Lao citizen, alien or stateless person.</p> <p><b>Article 12. Submission of Request for Extradition</b></p> <p>The submission of the request for extradition from the Lao PDR to the Requesting State and from the Lao PDR to the Requesting State shall communicate through the diplomatic channels.</p> <p>For the submission of the request for extradition according to treaties on extradition that the Lao PDR is a party, it shall use the mechanisms as provided in the treaties.</p> <p><b>Article 13. Request for Extradition</b></p> <p>A request for extradition shall be made in writing and shall be accompanied by the following:</p> <ol style="list-style-type: none"> <li>1. Name of requesting organization ;</li> <li>2. Name and surname, age, gender, nationality, photograph, type and number of documents relating to appearance or identity, job and address or residence of the person sought and other information of that person ;</li> <li>3. A summary of offence of the person sought describing offence, date, time, location and the result of the offence;</li> <li>4. The provisions of the law describing the accused or offence, punishment and court jurisdiction of the Requesting State ;</li> <li>5. The provisions of the law describing any time limit on the prosecution or the execution of the punishment for the offence.</li> </ol> <p><b>Article 14. Required Documents for the Request for Extradition</b></p> <p>A request for extradition shall be accompanied by the following:</p> <ol style="list-style-type: none"> <li>1. A copy of the warrant of arrest issued by a prosecutor, judge or other competent officers of the Requesting State ;</li> <li>2. Such evidence as would justify that person's arrest and committal for trial, including evidence establishing that the person to whom the warrant of arrest refers.</li> </ol>
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	<p>evidentiary requirements relating thereto in respect of any offence to which this article applies.</p> <p>10. Subject to the provisions of its domestic law and its extradition treaties, the requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the requesting State Party, take a person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.</p> <p>11. A State Party in whose territory an alleged offender is found, if it does not extradite such person in respect of an offence to which this article applies solely on the ground that he or she is one of its nationals, shall, at the request of the State Party seeking extradition, be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution. Those authorities shall take their decision and conduct their proceedings in the same manner as in the case of any other offence of a grave nature under</p>	<p>Documents to be attached in the request for extradition to prosecution in the Requesting State shall be accompanied by the following:</p> <ol style="list-style-type: none"> <li>1. A copy of final judgement or sentence of the Requesting State ;</li> <li>2. Evidence showing that the person sought for extradition is the person whom the judgement or sentence refers ;</li> <li>3. A statement showing to what extent the judgement or sentence has been carried out;</li> <li>4. In case of a trial in absentia, it shall be clearly assured that the person sought can defend himself or the case will be reopened with his presence.</li> </ol> <p>All documents submitted by the Requesting Party according to this Article or the treaties on extradition that the Lao PDR is a party shall be officially signed and sealed and shall be accompanied by a translation in the Lao language or other languages as described in the treaties.</p> <p><b>Article 15. Concurrent Requests for Extradition</b></p> <p>If request for extradition of the person sought are made by two or more states at the same time whether the offence is the same or not, the Ministry of Foreign Affairs shall determine the priority of any of these requests taking into account the principles or obligations in the treaties on extradition, time and location of the offence, the gravity of the offence, the time of receiving the request, nationality and permanent residence of the person sought, victims and purpose of extradition.</p> <p><b>Article 16. Consideration of Request</b></p> <p>After receiving the request for extradition and attached documents, the Ministry of Foreign Affairs or the Central Authority as described in the treaties on extradition shall consider whether the request has sufficient information or not according to Articles 13 and 14 of this law or treaties on extradition as well as the issues relating to the diplomatic relations and national interest of the Lao PDR.</p> <p>If the information furnished in support of the request for extradition is sufficient according to paragraph 1 of this Article, the Ministry of Foreign Affairs shall transmit the request to the Office of Supreme People's Prosecutor in order to further consider the request for extradition.</p> <p>If the information furnished in support of a request for extradition is insufficient according to Articles 13 and 14 of this law or treaties on extradition, the Ministry of Foreign Affairs or a central authority may request for additional information within fifteen days after the date of receipt of the request or according to the treaties. The Requesting State shall provide additional information according to the request (from the Requested</p>
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	<p>the domestic law of that State Party. The States Parties concerned shall cooperate with each other, in particular on procedural and evidentiary aspects, to ensure the efficiency of such prosecution.</p> <p>12. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State Party to serve the sentence imposed as a result of the trial or proceedings for which the extradition or surrender of the person was sought and that State Party and the State Party seeking the extradition of the person agree with this option and other terms that they may deem appropriate, such conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 11 of this article.</p> <p>13. If extradition, sought for purposes of enforcing a sentence, is refused because the person sought is a national of the requested State Party, the requested State Party shall, if its domestic law so permits and in conformity with the</p>	<p>State) within forty five days after such request is made.</p> <p>If the Requesting State fails to provide additional information within that period, it shall be considered as having renounced its request voluntarily. However, the Requesting State shall not be precluded from making a fresh for the same purpose.</p>
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	<p>requirements of such law, upon application of the requesting State Party, consider the enforcement of the sentence imposed under the domestic law of the requesting State Party or the remainder thereof.</p> <p>14. Any person regarding whom proceedings are being carried out in connection with any of the offences to which this article applies shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided by the domestic law of the State Party in the territory of which that person is present.</p> <p>15. Nothing in this Convention shall be interpreted as imposing an obligation to extradite if the requested State Party has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a person on account of that person's sex, race, religion, nationality, ethnic origin or political opinions or that compliance with the request would cause prejudice to that person's position for any one of these reasons.</p> <p>16. States Parties may not</p>	
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	<p>refuse a request for extradition on the sole ground that the offence is also considered to involve fiscal matters.</p> <p>17. Before refusing extradition, the requested State Party shall, where appropriate, consult with the requesting State Party to provide it with ample opportunity to present its opinions and to provide information relevant to its allegation.</p> <p>18. States Parties shall seek to conclude bilateral and multilateral agreements or arrangements to carry out or to enhance the effectiveness of extradition.</p>	
Article 46 Mutual legal assistance	<p>1. States Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by this Convention.</p> <p>2. Mutual legal assistance shall be afforded to the fullest extent possible under relevant laws, treaties, agreements and arrangements of the requested State Party with respect to investigations, prosecutions and judicial proceedings in relation to the offences for</p>	<p><b>1. Law on Anti Corruption No. 27/NA, Dated dated 18 December 2012:</b>  <b>Article 10. (Amendment) International Relations and Cooperation</b>  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.</p> <p><b>2. Law on the Criminal Procedure No. 37/NA, dated 14 November 2017:</b>  <b>Article 272. Implementation of Judicial Assistance</b>  In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p>

	<p>which a legal person may be held liable in accordance with article 26 of this Convention in the requesting State Party.</p> <p>3. Mutual legal assistance to be afforded in accordance with this article may be requested for any of the following purposes: (a) Taking evidence or statements from persons; (b) Effecting service of judicial documents; (c) Executing searches and seizures, and freezing; (d) Examining objects and sites; (e) Providing information, evidentiary items and expert evaluations; (f) Providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records; (g) Identifying or tracing proceeds of crime, property, instrumentalities or other things for evidentiary purposes; (h) Facilitating the voluntary appearance of persons in the requesting State Party; (i) Any other type of assistance that is not contrary to the domestic law of the requested State Party; (j) Identifying, freezing and tracing proceeds of crime in accordance with the provisions of chapter V of this</p>	<p><b>3. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</b></p> <p><b>Article 272. Implementation of Judicial Assistance</b></p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p><b>4. Draft Law on Mutual legal assistance.....</b></p> <p><b>Article 2 International Cooperation for Mutual Legal Assistance in Criminal Matters</b></p> <p>International Cooperation for Mutual Legal Assistance in criminal matters means a provision of providing an international cooperation for mutual legal assistance between Lao PDR and International Country within the scope of mutual legal cooperation as defined in the Article 7 of this Law.</p> <p><b>ໝາຍ ໗ Scope of International Cooperation for Mutual Legal Assistance</b></p> <p>International cooperation for mutual legal assistance in criminal matters shall have the following scopes:</p> <ol style="list-style-type: none"> <li>1. Collecting an information;</li> <li>2. Providing an evidence;</li> <li>3. Participation of individuals to the requesting state;</li> <li>4. Participation of offenders or individuals who detained in Lao PDR;</li> <li>5. Addresses and Identities;</li> <li>6. Searching and Seizing an evidence;</li> <li>7. Seizure and Freezing;</li> <li>8. Return of evidences;</li> <li>9. Recognizing and Following a court's judgment in criminal matters;</li> <li>10. Provision of other assistances may be consistent with the treaty to which Lao PDR is a party and the Laws of Lao PDR.</li> </ol>
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	<p>Convention; (k) The recovery of assets, in accordance with the provisions of chapter V of this Convention.</p> <p>4. Without prejudice to domestic law, the competent authorities of a State Party may, without prior request, transmit information relating to criminal matters to a competent authority in another State Party where they believe that such information could assist the authority in undertaking or successfully concluding inquiries and criminal proceedings or could result in a request formulated by the latter State Party pursuant to this Convention.</p> <p>5. The transmission of information pursuant to paragraph 4 of this article shall be without prejudice to inquiries and criminal proceedings in the State of the competent authorities providing the information. The competent authorities receiving the information shall comply with a request that said information remain confidential, even temporarily, or with restrictions on its use. However, this shall not prevent the receiving State Party from</p>	
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	<p>disclosing in its proceedings information that is exculpatory to an accused person. In such a case, the receiving State Party shall notify the transmitting State Party prior to the disclosure and, if so requested, consult with the transmitting State Party. If, in an exceptional case, advance notice is not possible, the receiving State Party shall inform the transmitting State Party of the disclosure without delay.</p> <p>6. The provisions of this article shall not affect the obligations under any other treaty, bilateral or multilateral, that governs or will govern, in whole or in part, mutual legal assistance.</p> <p>7. Paragraphs 9 to 29 of this article shall apply to requests made pursuant to this article if the States Parties in question are not bound by a treaty of mutual legal assistance. If those States Parties are bound by such a treaty, the corresponding provisions of that treaty shall apply unless the States Parties agree to apply paragraphs 9 to 29 of this article in lieu thereof. States Parties are strongly encouraged to apply those paragraphs if</p>	
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	<p>they facilitate cooperation.</p> <p>8. States Parties shall not decline to render mutual legal assistance pursuant to this article on the ground of bank secrecy.</p> <p>9. (a) A requested State Party, in responding to a request for assistance pursuant to this article in the absence of dual criminality, shall take into account the purposes of this Convention, as set forth in article 1;</p> <p>(b) States Parties may decline to render assistance pursuant to this article on the ground of absence of dual criminality. However, a requested State Party shall, where consistent with the basic concepts of its legal system, render assistance that does not involve coercive action. Such assistance may be refused when requests involve matters of a de minimis nature or matters for which the cooperation or assistance sought is available under other provisions of this Convention;</p> <p>(c) Each State Party may consider adopting such measures as may be necessary to enable it to provide a wider scope of assistance pursuant to this article in the absence of</p>	
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	<p>dual criminality.</p> <p>10. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of identification, testimony or otherwise providing assistance in obtaining evidence for investigations, prosecutions or judicial proceedings in relation to offences covered by this Convention may be transferred if the following conditions are met: (a) The person freely gives his or her informed consent; (b) The competent authorities of both States Parties agree, subject to such conditions as those States Parties may deem appropriate.</p> <p>11. For the purposes of paragraph 10 of this article: (a) The State Party to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State Party from which the person was transferred; (b) The State Party to which the person is transferred shall without delay implement its obligation to return the person to the</p>	
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	<p>custody of the State Party from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States Parties; (c) The State Party to which the person is transferred shall not require the State Party from which the person was transferred to initiate extradition proceedings for the return of the person; (d) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spent in the custody of the State Party to which he or she was transferred.</p> <p>12. Unless the State Party from which a person is to be transferred in accordance with paragraphs 10 and 11 of this article so agrees, that person, whatever his or her nationality, shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts, omissions or convictions prior to his or her departure from the territory of the State from which he or she</p>	
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	<p>was transferred.</p> <p>13. Each State Party shall designate a central authority that shall have the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. Where a State Party has a special region or territory with a separate system of mutual legal assistance, it may designate a distinct central authority that shall have the same function for that region or territory. Central authorities shall ensure the speedy and proper execution or transmission of the requests received. Where the central authority transmits the request to a competent authority for execution, it shall encourage the speedy and proper execution of the request by the competent authority. The Secretary-General of the United Nations shall be notified of the central authority designated for this purpose at the time each State Party deposits its instrument of ratification, acceptance or approval of or accession to this Convention. Requests for mutual legal assistance and any communication related thereto</p>	
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	<p>shall be transmitted to the central authorities designated by the States Parties. This requirement shall be without prejudice to the right of a State Party to require that such requests and communications be addressed to it through diplomatic channels and, in urgent circumstances, where the States Parties agree, through the International Criminal Police Organization, if possible.</p> <p>14. Requests shall be made in writing or, where possible, by any means capable of producing a written record, in a language acceptable to the requested State Party, under conditions allowing that State Party to establish authenticity. The Secretary-General of the United Nations shall be notified of the language or languages acceptable to each State Party at the time it deposits its instrument of ratification, acceptance or approval of or accession to this Convention. In urgent circumstances and where agreed by the States Parties, requests may be made orally but shall be confirmed in writing forthwith.</p> <p>15. A request for mutual legal assistance shall contain: (a) The</p>	
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	<p>identity of the authority making the request; (b) The subject matter and nature of the investigation, prosecution or judicial proceeding to which the request relates and the name and functions of the authority conducting the investigation, prosecution or judicial proceeding; (c) A summary of the relevant facts, except in relation to requests for the purpose of service of judicial documents; (d) A description of the assistance sought and details of any particular procedure that the requesting State Party wishes to be followed;</p> <p>(e) Where possible, the identity, location and nationality of any person concerned; and (f) The purpose for which the evidence, information or action is sought.</p> <p>16. The requested State Party may request additional information when it appears necessary for the execution of the request in accordance with its domestic law or when it can facilitate such execution.</p> <p>17. A request shall be executed in accordance with the domestic law of the requested State Party and, to the extent not contrary to the domestic law of the requested State Party and where</p>	
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	<p>possible, in accordance with the procedures specified in the request.</p> <p>18. Wherever possible and consistent with fundamental principles of domestic law, when an individual is in the territory of a State Party and has to be heard as a witness or expert by the judicial authorities of another State Party, the first State Party may, at the request of the other, permit the hearing to take place by video conference if it is not possible or desirable for the individual in question to appear in person in the territory of the requesting State Party. States Parties may agree that the hearing shall be conducted by a judicial authority of the requesting State Party and attended by a judicial authority of the requested State Party.</p> <p>19. The requesting State Party shall not transmit or use information or evidence furnished by the requested State Party for investigations, prosecutions or judicial proceedings other than those stated in the request without the prior consent of the requested State Party. Nothing in this paragraph shall prevent the</p>	
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	<p>requesting State Party from disclosing in its proceedings information or evidence that is exculpatory to an accused person. In the latter case, the requesting State Party shall notify the requested State Party prior to the disclosure and, if so requested, consult with the requested State Party. If, in an exceptional case, advance notice is not possible, the requesting State Party shall inform the requested State Party of the disclosure without delay.</p> <p>20. The requesting State Party may require that the requested State Party keep confidential the fact and substance of the request, except to the extent necessary to execute the request. If the requested State Party cannot comply with the requirement of confidentiality, it shall promptly inform the requesting State Party.</p> <p>21. Mutual legal assistance may be refused: (a) If the request is not made in conformity with the provisions of this article;(b) If the requested State Party considers that execution of the request is likely to prejudice its sovereignty, security, ordre public or other essential interests; (c) If the authorities of</p>	
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	<p>the requested State Party would be prohibited by its domestic law from carrying out the action requested with regard to any similar offence, had it been subject to investigation, prosecution or judicial proceedings under their own jurisdiction; (d) If it would be contrary to the legal system of the requested State Party relating to mutual legal assistance for the request to be granted.</p> <p>22. States Parties may not refuse a request for mutual legal assistance on the sole ground that the offence is also considered to involve fiscal matters.</p> <p>23. Reasons shall be given for any refusal of mutual legal assistance.</p> <p>24. The requested State Party shall execute the request for mutual legal assistance as soon as possible and shall take as full account as possible of any deadlines suggested by the requesting State Party and for which reasons are given, preferably in the request. The requesting State Party may make reasonable requests for information on the status and progress of measures taken by</p>	
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	<p>the requested State Party to satisfy its request. The requested State Party shall respond to reasonable requests by the requesting State Party on the status, and progress in its handling, of the request. The requesting State Party shall promptly inform the requested State Party when the assistance sought is no longer required.</p> <p>25. Mutual legal assistance may be postponed by the requested State Party on the ground that it interferes with an ongoing investigation, prosecution or judicial proceeding.</p> <p>26. Before refusing a request pursuant to paragraph 21 of this article or postponing its execution pursuant to paragraph 25 of this article, the requested State Party shall consult with the requesting State Party to consider whether assistance may be granted subject to such terms and conditions as it deems necessary. If the requesting State Party accepts assistance subject to those conditions, it shall comply with the conditions.</p> <p>27. Without prejudice to the application of paragraph 12 of this article, a witness, expert or other person who, at the request</p>	
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	<p>of the requesting State Party, consents to give evidence in a proceeding or to assist in an investigation, prosecution or judicial proceeding in the territory of the requesting State Party shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in that territory in respect of acts, omissions or convictions prior to his or her departure from the territory of the requested State Party. Such safe conduct shall cease when the witness, expert or other person having had, for a period of fifteen consecutive days or for any period agreed upon by the States Parties from the date on which he or she has been officially informed that his or her presence is no longer required by the judicial authorities, an opportunity of leaving, has nevertheless remained voluntarily in the territory of the requesting State Party or, having left it, has returned of his or her own free will.</p> <p>28. The ordinary costs of executing a request shall be borne by the requested State Party, unless otherwise agreed by the States Parties concerned.</p>	
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	<p>If expenses of a substantial or extraordinary nature are or will be required to fulfil the request, the States Parties shall consult to determine the terms and conditions under which the request will be executed, as well as the manner in which the costs shall be borne.</p> <p>29. The requested State Party:</p> <p>(a) Shall provide to the requesting State Party copies of government records, documents or information in its possession that under its domestic law are available to the general public;</p> <p>(b) May, at its discretion, provide to the requesting State Party in whole, in part or subject to such conditions as it deems appropriate, copies of any government records, documents or information in its possession that under its domestic law are not available to the general public.</p> <p>30. States Parties shall consider, as may be necessary, the possibility of concluding bilateral or multilateral agreements or arrangements that would serve the purposes of, give practical effect to or enhance the provisions of this article.</p>	
Article 48	1. States Parties shall cooperate	<b>5. Law on Anti Corruption No. 27/NA, Dated dated 18 December 2012:</b>



	<p>property, equipment or other instrumentalities used or intended for use in the commission of such offences; (c) To provide, where appropriate, necessary items or quantities of substances for analytical or investigative purposes; (d) To exchange, where appropriate, information with other States Parties concerning specific means and methods used to commit offences covered by this Convention, including the use of false identities, forged, altered or false documents and other means of concealing activities; (e) To facilitate effective coordination between their competent authorities, agencies and services and to promote the exchange of personnel and other experts, including, subject to bilateral agreements or arrangements between the States Parties concerned, the posting of liaison officers; (f) To exchange information and coordinate administrative and other measures taken as appropriate for the purpose of early identification of the offences covered by this Convention.</p> <p>2. With a view to giving effect</p>	<p>International cooperation for mutual legal assistance in criminal matters shall have the following scopes:</p> <ol style="list-style-type: none"> <li>1. Collecting an information;</li> <li>2. Providing an evidence;</li> <li>3. Participation of individuals to the requesting state;</li> <li>4. Participation of offenders or individuals who detained in Lao PDR;</li> <li>5. Addresses and Identities;</li> <li>6. Searching and Seizing an evidence;</li> <li>7. Seizure and Freezing;</li> <li>8. Return of evidences;</li> <li>9. Recognizing and Following a court's judgment in criminal matters;</li> <li>10. Provision of other assistances may be consistent with the treaty to which Lao PDR is a party and the Laws of Lao PDR.of Lao PDR.</li> </ol>
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	<p>to this Convention, States Parties shall consider entering into bilateral or multilateral agreements or arrangements on direct cooperation between their law enforcement agencies and, where such agreements or arrangements already exist, amending them. In the absence of such agreements or arrangements between the States Parties concerned, the States Parties may consider this Convention to be the basis for mutual law enforcement cooperation in respect of the offences covered by this Convention. Whenever appropriate, States Parties shall make full use of agreements or arrangements, including international or regional organizations, to enhance the cooperation between their law enforcement agencies.</p> <p>3. States Parties shall endeavour to cooperate within their means to respond to offences covered by this Convention committed through the use of modern technology.</p>	
Article 50 Special investigative techniques	<p>1. In order to combat corruption effectively, each State Party shall, to the extent permitted by the basic principles of its domestic legal system and in</p>	<p><b>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017:</b>  <b>Article 9. Cooperation with International</b>  The government shall support all cooperation with international inside and outside the region regarding the criminal proceeding, cooperation, exchanging of experience, information, technology, upgrading knowledge and experience to personnel belonging to</p>

	<p>accordance with the conditions prescribed by its domestic law, take such measures as may be necessary, within its means, to allow for the appropriate use by its competent authorities of controlled delivery and, where it deems appropriate, other special investigative techniques, such as electronic or other forms of surveillance and undercover operations, within its territory, and to allow for the admissibility in court of evidence derived therefrom.</p> <p>2. For the purpose of investigating the offences covered by this Convention, States Parties are encouraged to conclude, when necessary, appropriate bilateral or multilateral agreements or arrangements for using such special investigative techniques in the context of cooperation at the international level. Such agreements or arrangements shall be concluded and implemented in full compliance with the principle of sovereign equality of States and shall be carried out strictly in accordance with the terms of those agreements or arrangements.</p> <p>3. In the absence of an</p>	<p>organizations of criminal proceeding and not against to the international treaties that the Lao PDR has ratified.</p> <p><b>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014(Article 14 and 43):</b></p> <p><b>Article 14: International cooperation</b></p> <p>The state encourages a relation and co-operation with foreign countries, regions and international community onAML/CFTthrough an exchange of lessons, information, seminars, technical knowledge upgrading and capacity building, technicalassistance in order to develop AML/CFT efforts and comply with the international agreements and treaties, which the Lao PDR is a party to.</p> <p><b>Article 43: Contents of international co-operation</b></p> <p>International co-operation onAML/CFTshall be in the following contents:</p> <ol style="list-style-type: none"> <li>1. gather, study, and exchange of information, technologies and lessons on money laundering and financing of terrorism; Unofficial Translation;</li> <li>2. sign agreements with foreign countries or becomea party tothe international treaties and agreements onAML/CFT;</li> <li>3. mutual assistance in technical capacity building including training and knowledge upgrading for concerned personnel and officers;</li> <li>4. Comply withthe international agreements and treaties which the Lao PDR is a party to.</li> </ol>
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	<p>agreement or arrangement as set forth in paragraph 2 of this article, decisions to use such special investigative techniques at the international level shall be made on a case-by-case basis and may, when necessary, take into consideration financial arrangements and understandings with respect to the exercise of jurisdiction by the States Parties concerned.</p> <p>4. Decisions to use controlled delivery at the international level may, with the consent of the States Parties concerned, include methods such as intercepting and allowing the goods or funds to continue intact or be removed or replaced in whole or in part.</p>	
Article 51 General provision (Asset recovery)	<p>The return of assets pursuant to this chapter is a fundamental principle of this Convention, and States Parties shall afford one another the widest measure of cooperation and assistance in this regard.</p>	
Article 52 Prevention and detection of transfers of proceeds of crime	<p>1. Without prejudice to article 14 of this Convention, each State Party shall take such measures as may be necessary, in accordance with its domestic law, to require financial institutions within its jurisdiction to verify the</p>	<p><b>1. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014(Article 17, 18, 33, 34, 53, 54 and 55):</b></p> <p><b>Article 17: Reporting entities</b></p> <p>Reporting entities are legal persons and organisations which have the obligation to report information or suspicious activities of being money laundering and financing of terrorism to the Anti-Money Laundering Intelligence Office(herein after called “AMLIO”).</p> <p>Reporting entities which consists of financial institutions andDNFBPs as defined in subparagraph 7 and 8 of article 8.</p>

	<p>identity of customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates. Such enhanced scrutiny shall be reasonably designed to detect suspicious transactions for the purpose of reporting to competent authorities and should not be so construed as to discourage or prohibit financial institutions from doing business with any legitimate customer.</p> <p>2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall: (a) Issue advisories regarding the types of natural or legal person to whose accounts financial institutions within its jurisdiction will be expected to</p>	<p><b>Article 18: Rights and Obligations of reporting entities</b></p> <p>The reporting entities have the following rights and obligations:</p> <ol style="list-style-type: none"> <li>1. Developing AML/CFT Programme;</li> <li>2. Implementing risk assessment and risk based management principles;</li> <li>3. Implementing Know Your Customer measures;</li> <li>4. Enhancing Customer Due Diligence measures;</li> <li>5. Gathering detailed information on customers;</li> <li>6. Gathering information about customers' transactions;</li> <li>7. Dealing with PEPs;</li> <li>8. Dealing with corresponding banks;</li> <li>9. Collecting data on wiretransfer;</li> <li>10. Maintaining records;</li> <li>11. Postponing transactions;</li> <li>12. Reporting;</li> <li>13. Reporting suspicious transactions;</li> <li>14. Maintaining reporting confidentiality.</li> </ol> <p>Overseas branches and subsidiaries in the group of the reporting entities are obliged to observe articles 19 to 32 of this law.</p> <p>In case the laws of the country where the branches subsidiaries in the group of the reporting entities are located do not allow the application of these obligations, the reporting entities shall notify their supervisory authorities.</p> <p><b>Article 53: Management body of AML/CFT</b></p> <p>The Government is to manage the AML/CFT activities centrally and unanimously in the nation, by assigning the National Coordination Committee (herein after called "NCC") which is directly responsible for an aging, monitoring, inspecting on the basis of co-ordination with other concerned authorities and related local administrations.</p> <p>The Management body of AML/CFT is the NCC that has the role of chief of staff for the Government in implementation of this law and international standards relating to this work and attaining achievement.</p> <p>The NCC on AML/CFT which is non-permanent body consists of: Chairman, Deputy Chairman and a number of members who will be appointed or removed by the Prime Minister. Deputy Prime Minister is the Chairman of NCC on AML/CFT, Governor of Bank of Lao PDR is the first deputy chairman and act as standing member of the committee, Deputy Minister of Ministry of Public Security is the second deputy chairman and other members</p>
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	<p>apply enhanced scrutiny, the types of accounts and transactions to which to pay particular attention and appropriate account-opening, maintenance and recordkeeping measures to take concerning such accounts; and (b) Where appropriate, notify financial institutions within its jurisdiction, at the request of another State Party or on its own initiative, of the identity of particular natural or legal persons to whose accounts such institutions will be expected to apply enhanced scrutiny, in addition to those whom the financial institutions may otherwise identify.</p> <p>3. In the context of paragraph 2 (a) of this article, each State Party shall implement measures to ensure that its financial institutions maintain adequate records, over an appropriate period of time, of accounts and transactions involving the persons mentioned in paragraph 1 of this article, which should, as a minimum, contain information relating to the identity of the customer as well as, as far as possible, of the beneficial owner.</p> <p>4. With the aim of preventing</p>	<p>with equivalent ranking of Deputy Minister from relevant ministries and Deputy Head of related organizations. The organizational structure, activities and budget of the NCC for AML/CFT is set out in specific regulations.</p> <p><b>Article 54: Rights and Duties of NCC</b></p> <p>The NCC for AML/CFT has the following rights and duties:</p> <ol style="list-style-type: none"> <li>1. Study, form, amend national strategies, policies and regulations regarding AML/CFT for the Government's consideration;</li> <li>2. Transpose the national strategies, policies, and regulations regarding AML/CFT into work plans, programmes, and projects as well as implement in each period to conform with regional and international standards;</li> <li>3. Endorse action plans for AML/CFT and solve pending problems of AML/CFT systems;</li> <li>4. Direct, stimulate, manage and monitor the implementation and dissemination of national policy, programmes, and laws and regulations regarding AML/CFT of terrorism of AMLIO, supervisory agencies and other relevant agencies;</li> <li>5. Train, upgrade professional skills of staff about AML/CFT;</li> <li>6. Take administrative measures against natural persons, legal entities or organisations that breach this law; Unofficial Translation</li> <li>7. Co-ordinate with various sectorial authorities, local government administrations, and relevant parties related to AML/CFT in nationwide;</li> <li>8. Relate with, co-operate with foreign countries, regionally and internationally on AML/CFT;</li> <li>9. Summarize and report on its activities to the Government on a regular basis;</li> <li>10. Perform rights and duties as defined in the laws and assigned by the Government.</li> </ol> <p><b>Article 55: Anti-Money Laundering Office</b></p> <p>AMLIO is one organisation in the organisational structure of the Bank of Lao PDR and has the operational independence concerning his activities.</p> <p>AMLIO has main roles and tasks in data collection, analysis, dissemination, co-ordination with related parties both domestically and internationally for the combat and prevent of money laundering and terrorism financing.</p> <p>AMLIO uses the budget of the Bank of the Lao PDR.</p> <p>Organisational structure and activities of AMLIO are defined in separate regulation.</p> <p><b>Article 33: Declaration of cash, precious metal and bearer negotiable instruments at border crossings</b></p> <p>Natural persons who carry cash, precious metal and bearer negotiable instruments in and</p>
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	<p>and detecting transfers of proceeds of offences established in accordance with this Convention, each State Party shall implement appropriate and effective measures to prevent, with the help of its regulatory and oversight bodies, the establishment of banks that have no physical presence and that are not affiliated with a regulated financial group. Moreover, States Parties may consider requiring their financial institutions to refuse to enter into or continue a correspondent banking relationship with such institutions and to guard against establishing relations with foreign financial institutions that permit their accounts to be used by banks that have no physical presence and that are not affiliated with a regulated financial group.</p> <p>5. Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance. Each State Party shall also consider taking such measures</p>	<p>out of the Lao PDR, with value exceeding the threshold periodically set by the Bank of the Lao PDR, need to declare them to customs officers at border checkpoints. Customs officers will further report to AMLIO.</p> <p><b>Article 34: Examination by customs officers at border crossings</b></p> <p>Customs officers at border checkpoints are responsible for checking the correct declaration of cash, precious metal and bearer negotiable instruments of natural persons entering/exiting of the Lao PDR in accordance with relevant regulations and laws.</p> <p>In case customs officers at checkpoints detect or suspect that there is a non-declaration or underreporting of cash, precious metal and bearer negotiable instruments or a false declaration relating to money laundering and financing of terrorism, such items will be seized or sequestrated immediately; AMLIO to be informed, and an investigation is to be initiated to determine origins of cash, precious metal or bearer negotiable instruments.</p> <p>In case of inaccurate declaration, inaccurate amount, non-declaration or false declaration on cash, precious metal and bearer negotiable instruments when crossing Lao PDR's borders, a declarer will be fined in accordance with the relevant regulations.</p> <p><b>2. Agreement On Organization and Operations of The Anti-Money Laundering Intelligence Office (Revised edition) No: 15 /NCC, Date 08 NOV 2016:</b></p> <p><b>Article 3 Duties</b></p> <p>AMLIO has Duties the following rights:</p> <ol style="list-style-type: none"> <li>1. To make the Strategy Plan, Policy and legislations of Anti-Money Laundering and Counter-Financing of Terrorism in order to propose NCC's considering;</li> <li>2. To collect extra information that's seem to be necessary from Reporting Entities and related organization to monitoring, inspect, analysis the information about money laundering and countering of financing terrorism, which notified of reported from individual, entity or organization and Reporting Entities in order to propose NCC;</li> <li>3. To submit documents and make financial reporting, if it's seem to be suspected information about money laundering and financing of terrorism in order to submit to the related Investigation organization, and provide money laundering and financing of terrorism information in order to submit to the related Investigation Organization as required as NCC's assignment;</li> <li>4. To co-ordinate ministries, Reporting Entities supervision organization and related other organization in order follow and inspect the implementation of Anti-Money Laundering and Counter-Financing of Terrorism;</li> <li>5. To summarize information in eventually, information collect and statistic about Anti-Money Laundering and Counter-Financing of Terrorism and report the evaluation on</li> </ol>
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	<p>as may be necessary to permit its competent authorities to share that information with the competent authorities in other States Parties when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention.</p> <p>6. Each State Party shall consider taking such measures as may be necessary, in accordance with its domestic law, to require appropriate public officials having an interest in or signature or other authority over a financial account in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures shall also provide for appropriate sanctions for non-compliance.</p>	<p>implementation of inspection the Reporting Entities to NCC;</p> <ol style="list-style-type: none"> <li>6. To co-ordinate related organization for inform list of terror, group of terrorism, terrorism organization, money launder and terrorism supporter and suspicious person to Reporting Entities and report, follow and punish suitable case;</li> <li>7. To make staff training plan on Anti-Money Laundering and Counter-Financing of Terrorism in previously to enhance the implementation capacities;</li> <li>8. To make a plan for seminar, meeting on Anti-Money Laundering and CounterFinancing of Terrorism and attend the meeting with other related to technical works as NCC's assignment;</li> <li>9. To advertise, promoted and study on Anti-Money Laundering and CounterFinancing of Terrorism to party, state enterprise and public as NCC's assignment;</li> <li>10. To release more the Reporting Entities on coordination with Reporting Entities supervision organization in order to propose NCC;</li> <li>11. To cooperate and relative with international organization on Anti-Money Laundering and Counter-Financing of Terrorism as assigned by the Chairman of NCC;</li> </ol> <p>To provide report of financial intelligence to other organization; 13. Fulfill other duties as assigned by the Chairman of NCC.</p>
<p>Article 53 Measures for direct recovery of property</p>	<p>Each State Party shall, in accordance with its domestic law: (a) Take such measures as may be necessary to permit another State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with this Convention; (b) Take such</p>	<p><b>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017:</b>  <b>Article 272. Implementation of Judicial Assistance</b></p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p><b>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA,</b></p>



	<p>another State Party; (b) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money-laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law; and (c) Consider taking such measures as may be necessary to allow confiscation of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.</p> <p>2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law: (a) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requesting State Party that provides a reasonable basis for the requested State</p>
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	<p>Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article; (b) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article; and(c) Consider taking additional measures to permit its competent authorities to preserve property for confiscation, such as on the basis of a foreign arrest or criminal charge related to the acquisition of such property.</p>
<p>Article 55 International cooperation for purposes of confiscation</p>	<p>1. A State Party that has received a request from another State Party having jurisdiction over an offence established in accordance with this Convention for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in</p> <p><b>1. Law on the Criminal Procedure No.37/NA, dated 14 November 2017:</b>  <b>Article 272. Implementation of Judicial Assistance</b>  In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.  Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p>

	<p>article 31, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system: (a) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effect to it; or (b) Submit to its competent authorities, with a view to giving effect to it to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with articles 31, paragraph 1, and 54, paragraph 1 (a), of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the territory of the requested State Party.</p> <p>2. Following a request made by another State Party having jurisdiction over an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in</p>	<p><b>2. Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</b></p> <p><b>Article 272. Implementation of Judicial Assistance</b></p> <p>In the provision of judicial assistance, the competent organization conducting criminal proceedings in the Lao PDR shall comply with the agreements that the Lao PDR has signed with foreign countries or international conventions that the Lao PDR is a party to and shall comply with this law.</p> <p>Provision of judicial assistance may have the objective of extradition, or exchange of prisoners, or seizure or sequestration of assets of an accused person or defendant, or enforcement of judgment, or cooperation in combating of cross-border crime and others.</p> <p><b>3. Draft Law on Mutual legal assistance.....</b></p> <p><b>Article 2 International Cooperation for Mutual Legal Assistance in Criminal Matters</b></p> <p>International Cooperation for Mutual Legal Assistance in criminal matters means a provision of providing an international cooperation for mutual legal assistance between Lao PDR and International Country within the scope of mutual legal cooperation as defined in the Article 7 of this Law.</p> <p><b>ᨡᨣᨣᨣ 7 Scope of International Cooperation for Mutual Legal Assistance</b></p> <p>International cooperation for mutual legal assistance in criminal matters shall have the following scopes:</p> <ol style="list-style-type: none"> <li>1. Collecting an information;</li> <li>2. Providing an evidence;</li> <li>3. Participation of individuals to the requesting state;</li> <li>4. Participation of offenders or individuals who detained in Lao PDR;</li> <li>5. Addresses and Identities;</li> <li>6. Searching and Seizing an evidence;</li> <li>7. Seizure and Freezing;</li> <li>8. Return of evidences;</li> <li>9. Recognizing and Following a court's judgment in criminal matters;</li> <li>10. Provision of other assistances may be consistent with the treaty to which Lao PDR is a party and the Laws of Lao PDR.</li> </ol>
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	<p>article 31, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.</p> <p>3. The provisions of article 46 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain: (a) In the case of a request pertaining to paragraph 1 (a) of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property and a statement of the facts relied upon by the requesting State Party sufficient to enable the requested State Party to seek the order under its domestic law; (b) In the case of a request pertaining to paragraph 1 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement of the facts and information as to the extent</p>	
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	<p>to which execution of the order is requested, a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final; (c) In the case of a request pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting State Party and a description of the actions requested and, where available, a legally admissible copy of an order on which the request is based.</p> <p>4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral agreement or arrangement to which it may be bound in relation to the requesting State Party.</p> <p>5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations or a</p>	
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	<p>description thereof to the Secretary-General of the United Nations.</p> <p>6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence of a relevant treaty, that State Party shall consider this Convention the necessary and sufficient treaty basis.</p> <p>7. Cooperation under this article may also be refused or provisional measures lifted if the requested State Party does not receive sufficient and timely evidence or if the property is of a de minimis value.</p> <p>8. Before lifting any provisional measure taken pursuant to this article, the requested State Party shall, wherever possible, give the requesting State Party an opportunity to present its reasons in favour of continuing the measure.</p> <p>9. The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.</p>	
Article 57 Return and disposal of assets	<p>1. Property confiscated by a State Party pursuant to article 31 or 55 of this Convention shall be disposed of, including by return to its prior legitimate</p>	<p><b>Law on the Criminal Procedure No.37/NA, dated 14 November 2017(Article 30-31):</b></p> <p><b>Article 30 (Amended). Gathering and Keeping Physical Evidence</b></p> <p>Gathering of physical evidence should be immediately made at the time of discovering; collecting evidence must be thorough, recorded of the circumstances, and protecting the evidence as of the prescription in laws. In case that the evidence cannot be</p>

	<p>owners, pursuant to paragraph 3 of this article, by that State Party in accordance with the provisions of this Convention and its domestic law.</p> <p>2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State Party, in accordance with this Convention, taking into account the rights of bona fide third parties.</p> <p>3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall: (a) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 55 and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property</p>	<p>gathered materially, taking photo shall be recommended for collecting as electronic evidence. For the object that seems like silver, gold, diamond or any other valuable object must to be researched and verified on the quality of the material, as well as weigh it immediately.</p> <p>Physical evidence should be protected by wrapping up, or kept in the bag.</p> <p>Physical evidence should be protected from damaging, lost, changing, breaking, and mixing up with others.</p> <p>Protection of physical evidence should follow:</p> <ol style="list-style-type: none"> <li>6. Physical evidence should be wrapped up and kept in the bag immediately after completing gathering process. All items should be recorded documentarily in detail and kept in the case file;</li> <li>7. Physical evidence which is money, bank note, gold, silver, diamond, and other valuable items should be deposited with the bank under the rules of laws;</li> <li>8. Chemical or addictive items must be identified before being kept;</li> <li>9. Guns, exploded substance, inflaming substance, and other dangerous substances, must be delivered to concerned organizations for properly maintaining;</li> <li>10. Physical evidence which is about bloodstain, hair, fingerprint, footprint, bullet, and others, must be kept properly as prescribed by laws;</li> </ol> <p>In case that all physical evidence mentioned above has been lost, changed, and damaged, without any reasonable explanation, authorities concerned must be legally responsible under the Penal Code.</p> <p><b>Article 31. The Resolution of Physical Evidence</b></p> <p>Criminal proceeding organization has the rights and duties to deal with the evidence including:</p> <ol style="list-style-type: none"> <li>1. All objects used or will be used into the productive process or any products which are prohibited to possess by laws, or use, will be seized and repossessed to the government;</li> <li>2. Public belongings must be returned back to the government after gathering from physical evidence from the offenses;</li> <li>3. Physical evidence which cannot be identified of the true owner will automatically be transferred to the government;</li> <li>4. Substance which is fragile to be derogated and spoiled must be placed on auction, and then shall be brought to the court for further proceeding;</li> </ol>
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	<p>to the requesting State Party; (b) In the case of proceeds of any other offence covered by this Convention, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property to the requested State Party or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property; (c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.</p> <p>4. Where appropriate, unless States Parties decide otherwise, the requested State Party may deduct reasonable expenses incurred in investigations, prosecutions or</p>	<p>5. All priceless and useless items shall be destroyed after having been gone through case proceeding;</p> <p>For all disputes of criminal physical evidence should be resolved by laws</p>
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	<p>judicial proceedings leading to the return or disposition of confiscated property pursuant to this article.</p> <p>5. Where appropriate, States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property.</p>	
Article 58 Financial intelligence unit	<p>States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and of promoting ways and means of recovering such proceeds and, to that end, shall consider establishing a financial intelligence unit to be responsible for receiving, analysing and disseminating to the competent authorities reports of suspicious financial transactions.</p>	<p>1. <b>Law on Anti-Money Laundering and Counter-Financing of Terrorism No. 50/NA, dated 21 July 2014:</b>  <b>Article 55: Anti-Money Laundering Office</b>  AMLIO is one organisation in the organisational structure of the Bank of Lao PDR and has the operational independence concerning his activities.  AMLIO has main roles and tasks in data collection, analysis, dissemination, co-ordination with related parties both domestically and internationally for the combat and prevention of money laundering and terrorism financing.  AMLIO uses the budget of the Bank of the Lao PDR.  Organisational structure and activities of AMLIO are defined in separate regulation.</p> <p>2. <b>Decision on Organization and Operations of The Anti-Money Laundering Intelligence Office No. 08/NCC dated 19 May 2015 (Article 2 and 3):</b>  <b>Article 2 Status and Mandate</b>  Anti-Money Laundering Intelligence Office or “AMLIO” is an organization under direct supervision-leadership of National Coordination Committee for Anti-Money Laundering and Counter-Financing of Terrorism (NCC), and under ideological and political supervision-leadership of and receiving budget from the Bank of Lao PDR.  AMLIO is mandated as machinery, assisting The National Coordination Committee for Anti-Money Laundering and Counter-Financing of Terrorism in implementation of Anti-Money Laundering and Counter-Financing of Terrorism to ensure the tasks are in order and smooth, in line with law and international standard.</p> <p><b>Article 3 Duties</b></p>

		<p>AMLIO has Duties the following rights:</p> <ol style="list-style-type: none"> <li>1. To make the Strategy Plan, Policy and legislations of Anti-Money Laundering and Counter-Financing of Terrorism in order to propose NCC's considering;</li> <li>2. To collect extra information that's seem to be necessary from Reporting Entities and related organization to monitoring, inspect, analysis the information about money laundering and countering of financing terrorism, which notified of reported from individual, entity or organization and Reporting Entities in order to propose NCC;</li> <li>3. To submit documents and make financial reporting, if it's seem to be suspected information about money laundering and financing of terrorism in order to submit to the related Investigation organization, and provide money laundering and financing of terrorism information in order to submit to the related Investigation Organization as required as NCC's assignment;</li> <li>4. To co-ordinate ministries, Reporting Entities supervision organization and related other organization in order follow and inspect the implementation of Anti-Money Laundering and Counter-Financing of Terrorism;</li> <li>5. To summarize information in eventually, information collect and statistic about Anti-Money Laundering and Counter-Financing of Terrorism and report the evaluation on implementation of inspection the Reporting Entities to NCC;</li> <li>6. To co-ordinate related organization for inform list of terror, group of terrorism, terrorism organization, money launder and terrorism supporter and suspicious person to Reporting Entities and report, follow and punish suitable case;</li> <li>7. To make staff training plan on Anti-Money Laundering and Counter-Financing of Terrorism in previously to enhance the implementation capacities;</li> <li>8. To make a plan for seminar, meeting on Anti-Money Laundering and CounterFinancing of Terrorism and attend the meeting with other related to technical works as NCC's assignment;</li> <li>9. To advertise, promoted and study on Anti-Money Laundering and CounterFinancing of Terrorism to party, state enterprise and public as NCC's assignment;</li> <li>10. To release more the Reporting Entities on coordination with Reporting Entities supervision organization in order to propose NCC;</li> <li>11. To cooperate and relative with international organization on Anti-Money Laundering and Counter-Financing of Terrorism as assigned by the Chairman of NCC;</li> <li>12. To provide report of financial intelligence to other organization;</li> <li>13. Fulfill other duties as assigned by the Chairman of NCC.</li> </ol>
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