

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

President

No. 114 / PO
Vientiane Capital, dated 21 June 2017

Decree
of the President
of the Lao People's Democratic Republic
On the Promulgation of the Law on the People's Court
(amended version)

- Pursuant to the Constitution of the Lao People's Democratic Republic (Revised in 2015) Chapter VI, Article 67 Point 1;
- Pursuant to Resolution No. 09/NA, dated 10 May 2017, of the National Assembly regarding the adoption of the Law on People's Court (Revised);
- Pursuant to Proposal No. 014/NASC, dated 08 June 2017, of the National Assembly Standing Committee.

The President
of the Lao People's Democratic Republic Decrees that:

- Article 1 The Law on People's Court (Revised) is hereby promulgated.
Article 2 This Decree is effective from the date of signing.

President of the
Lao People's Democratic Republic

[Seal and Signature]

Bounnhang VORACHITH

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

No. 09 / NA

Vientiane Capital, dated 10 May 2017

Resolution
of the National Assembly
on the Endorsement of the Law on the the People's Court (Amended)

- Pursuant to Article 53, Point 1 of the Constitution of the Lao People's Democratic (Revised in 2015) and Article 11, Point 1 of the Law of the National Assembly (Revised in 2015).

After the 3th Ordinary Session of the National Assembly of the 8th Legislature, has widely and deeply considered the content of the Law on People's Court (Revised) on the agenda of the afternoon session of 10 May 2017.

The National Assembly Session agreed:

Article 1 Approved the Law on People's Court (Revised) with a majority vote.

Article 2 This Resolution is effective from the date of signing.

President of the National Assembly

[Seal and Signature]

Pany YATHOTOU

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

No. 22/NA

Vientiane Capital, dated 10 May 2017

Law on People's Court
(Amended version)

Part I
General Principles

Article 1 (Amended) Purpose

This Law defines principles, rules and measures on the organizations, operations, management, monitoring and inspection of People's Court to guarantee the quality, efficient, effective functioning of the court, and to render the procedures, such that fast, transparent, objective, proper and fair decisions and judgments aiming at protecting the legitimate rights and interests of the parties, contributing to ensure social order, constant socio-economic development.

Article 2 People's Court

The People's Court is the judicial body that functions to deliberate the case.

In the Lao PDR, only courts have the authority to deliberate, judge on the basis of strict observance and adherence to laws.

Article 3 (Amended) Explanation of Words

The term used in this law is as follows:

1. **The People's Court Officer** means the President, the Vice President, the Head, the Deputy Head of Court Chambers, the Judge, the Assistant to Judge, the Court Clerk, the Technical Staff and the Administrative Staff;
2. **Court Sentences** refer to court orders, instructions, decisions and judgments
3. **Court Order** refers to any type of court agreement on a proceeding, such as a property confiscation or a sequestration, an order to dismiss a case, a arrest warrant, and so on;
4. **A Court Instructions** refer to a court's type of agreement in relation to an arbitration of court authorityl, of court chambers, a non-judgment hearing, a death sentence, and so on;
5. **Court Decision** refers to the court preliminary decision;
6. **Court Judgment** refers to the decisions of the Court of Appeal and the Court of Cassation;

7. **The parties** refer to the plaintiff and the defendant as well as the third party in the case;
8. **Other Protectors** means an lawyer, organization representative, spouse, father, mother, guardian, or close relative who participates in an assigned or legal proceeding to protect the rights and legitimate interests of the accused person or defendant, a damaged person, a civil plaintiff, or a civil responsible person;
9. **A lawyer** refers to a person appointed to participate in a leagal assistant procedure, to protect the rights and legitimate interests of legal parties;
10. **Court subpoena** refers to a suit issued by a court to claim the plaintiff, defendant, a third party, a witness, and any other participant in the proceeding at the date and place specified in the summons;
11. **Court precedents** refer to a Supreme Court judgment on a particular issue in a criminal matter that is not clearly defined by law; civil case, commercial case, labor, custodial case, family and children cases which are not prescribed or defined but are not to be relied upon in the courts at all levels;
12. **Court Clerk** means an officer appointed to assist court chambers in the formation and case file management, the recording of proceedings, thepreparation and recording of court proceedings and other work assigned by court chambers;
13. **Absolute Judgment** refers to a decision, a court judgment in which the plaintiff, defendant, a third party does not appeal, does not revoke or the public prosecutor does not object, the judgment of cassation of the the different parts people's courts and the Supreme Court.

Article 4 State Policy on People's Court Affairs

The State promotes and facilitates the functioning of the court through policy, regulations, laws, budgetary funding, personnel, vehicles and infrastructure development to be appropriate according to actual ability in order to provide a fast, transparent, proper deliberations and judgments and ensure scoial justice.

The State encourages, promotes and focuses on advertising, educates people on the laws, understands and accesses justice processes as well as facilitates the mobility of court chambers.

Article 5 (Amended) Levels of Decision by the People's Courts

The people's courts make decisions at the following three levels:

- At first instance;
- On appeal;
- On cassation.

In cases where the parties have a mutually agreed, minor or non-valuation case as defined in the Law on Criminal Procedure, the children and civil proceeding will be considered as preliminary and appeals only without the right to abrogate unless there is an agreement of the President of the court of appeals. In the event of a violation of law, such as a

creation of court chambers, the court has no authority or judgment to make decisions over the jurisdiction, violate the principles of the hearing, interpret the events or misuse of the law.

The people's regional court has the jurisdiction to make decisions as the court of first instance in accordance with the evidence and the laws.

The people's Provincial and Vientiane Capital courts have the jurisdiction to make decisions in accordance with the evidence and the laws as a preliminary matter, the case which is not within the jurisdiction of the regional court or in the appeal matter, the case of which the regional court has made a preliminary decision, which is appealed by parties or objected by the public prosecutor.

The People's different parts Court adjudicates as an appellate matter in accordance with the evidence and laws that the People's Provincial, Vientiane Capital, and Childrenren's Courts have decided as a preliminary matter, which are appealed by parties or objected by the public prosecutor; Considered to be as a legal cassation proceeding, the Provincial, Vientiane Capital Courts have already made as appeal matter, which are dismissed by parties or objected by the Public Prosecutor.

The People's Supreme Court adjudicates as a legal cassation matter in which the People's regional Court and the Supreme military Court adjudicates as an appeal matter, which is revoked by parties or objected by a public prosecutor and a military prosecutor.

Article 6 Protection

Judges, people's court staff, including those involved in the proceeding, must be protected by law from retaliation, threats to life, health, liberty, reputation, personal or family property.

Article 7 International Cooperation

The State promotes foreign, regional and international cooperation in the work of the people's court, for example, legal and judicial cooperation by sharing lessons, information, technology, training or seminars, upgrading technical knowledge to develop investigation and evidence composition, decisions and judicial functions with quality, transparency and ensure the fairness in society, including international conventions and agreements in which the Lao PDR is a party.

Part II

Basic Principles in court proceedings

Article 8 (Amended) Basic Principles in court proceedings

The court proceedings follow these principles:

1. Ensure equality of citizens before law and court;
2. Ensure citizen rights of action;
3. Ensure independence in litigation;
4. Observe and adherence to laws in the judgment;

5. Ensure the deliberation with judicial tribunals;
6. Use Lao language in the proceeding;
7. Ensure the deliberation at court meeting openly;
8. Observe and enforce strict judicial decisions of the court.

Article 9 Equality of citizens before law and court

All Lao citizens are equal before the law and the court regardless of gender, race, ethnicity, socio-economic status, language, education level, occupation, beliefs, geography and so on.

Lao citizens have the right to petition the court for civil conflict and to petition against an investigation organization or a public prosecutor when there is a criminal violation.

Foreign nationals, aliens and stateless persons living within the territory of Lao PDR have the same rights as Lao citizens if the law is not otherwise specified.

Article 10 (Amended) Right of Action

The accused person in a criminal case and the parties in a civil case have the right of action to litigate their matters personally or to have a protector or a lawyer to protect their rights and benefits in proceedings.

The procedures to be observed by the lawyers or other protectors in proceedings are regulated by law on lawyer, the criminal, the children and civil procedure laws.

Article 11 Court Independence

At the trial and adjudication the case, the court is independent and strictly adhered to laws.

Article 12 (Amended) The Deliberations of the cases by Laws

At adjudication of the case, the court must rely on the evidence and strictly follow the law. In the event of an issue not covered by law, the court shall decide the matter in accordance with the equity principles and court precedents. For an offense not covered by the Penal Law or other laws which defines criminal offense, the court may not bring a criminal conviction.

The judgment of Supreme People's Court on a particular issue in a criminal case where the law is unclear, civil case, commercial case, labor, custodial, family and children, which the law does not specify or require, but it is not clear, however, that this is a court precedent that people's courts at all levels must follow until the issue is set out in law. For the judgment of the court of cassation of the People's Court at different parts, it shall be the court precedents only when there is the advice of the Supreme People's Court.

Article 13 (Amended) Judicial Tribunals

"Judicial tribunals" refers to tribunals made up of the judges of the People's Supreme Court, the judges of the different parts people's courts, and the judges of the provincial, Vientiane Capital, regional people's and military courts; comprises three judges, one of them

taking on the role of presiding judge, and the other two as members of the tribunal. Unless the case is not severe, minor, little value or the plaintiff and the defendant agree to a single judge, the deliberation may be preliminary.

The order of each tribunal shall be given effect to in accordance with the opinion of the majority of its members.

The deliberations of judicial tribunals shall be secret.

The deliberation by a single judge is set forth in separate regulations.

Article 14 Language used in the Proceeding

Lao language is used in the court proceeding, participants who do not know the Lao language have the right to use their own language or other languages through their translators.

Article 15 The deliberation of case at court sessions to be conducted openly

The case deliberation at court sessions must be conducted in an open, except in cases involving confidentiality of the State or society, and cases involving childrenren to be conducted in secret.

Article 16 (Amended) The Effectiveness of Court Decisions

The Court issues a decision on behalf of the Lao People's Democratic Republic.

The decision of the People's Court applies already applied, all organizations of the Party, State organizations, Lao front for national deveopment, mass organizations, social organizations, enterprises and citizens must observe; Individuals and organizations involved shall strictly adhere as defined in the Article 98 of the Constitution.

The decision of the People's Court already applied is effective and irrevocable, except in exceptional cases, as new evidence is available to propose to re-open cases as provided by law.

Part III Organizations of the People's Courts

Chapter 1 Status, Roles, Rights and Duties

Article 17 Status and Roles of the People's Courts

The people's courts are the judicial organs, which have the role to dilibertare , adjudicate cases, aiming to educate the citizens to be patriotic to the nation and the regime of the people's democracy; to protect and maximize the outcomes of the revolution, the political regime, the economy, the socio-culture, the Party organs, the State organs, the Lao Front for National Development, the mass organisations, and the social organisations; to protect the legitimate rights and benefits of the citizens; to ensure fairness and justice; to maintain the

public order and peace throughout society; to increase equity, and eliminate and prevent the violation of the laws.

Article 18 The Rights and Duties of the People's Courts

The People's Court has the following rights and duties:

1. To educate, mediate the parties, deliberate the case;
2. To advertise, disseminate rules, laws, seek out, eliminate causes and conditions that constitute offenses;
3. To promote political awareness, observe and adhere to laws of the citizens;
4. To coordinate with relevant agencies, both domestic and foreign, in carrying out their duties;
5. To coordinate and cooperate with other countries in the area of justice and law in accordance with its responsibilities;
6. To summarize, report on the activities and perform their functions to the highest level on a regular basis.

Chapter 2 Organizational Structure

Article 19 (Amended) The Organizational Structure of the People's Court

The Organizational Structure of the People's Court of the Lao PDR consists of:

1. The Supreme People's Court;
2. The Local People's Court:
 - The different parts People's Court;
 - The Provincial, Vientiane Capital and Children People's Courts;
 - The Regional People's Court.
3. The military Court.

Where necessary, sector-specific court may be established in accordance with the decision of the Standing Committee of the National Assembly.

Article 20 The Supreme People's Court

The People's Supreme Court is the highest judicial body of the Lao PDR, which has the role to adjudicate the cases, manage the organizations, administer, inspect the technical work, supervise the activities, the performances of duties of the local people's court as well as the military court throughout the country as defined in the laws.

The Supreme People's Court is located in Vientiane Capital.

Article 21 The Rights and Duties of the Supreme People's Court

The Supreme People's Court has the following rights and duties:

1. To consider as legal cassation matter of the case the different parts people's courts and the higher military court have considered as appeal matter which is revoked by parties or objected by public prosecutor and military prosecutor;
2. To consider as re-opened case matter, order, instruction, decision, judgment of the court already applied;
3. To advise in terms of court precedents, explain the content of laws within the scope of their own responsibilities to the local people's court and the military court;
4. To advise and inspect the correctness and unity in terms of laws in the proceedings by the local people's court and the military court;
5. To examine the jurisdiction of the court throughout the country;
6. To describe the resolution of the general meeting of the judges to ensure that all people's courts and military courts understand and implement them properly.
7. To supervise the examining work and propose draft laws, other legislation and submit legal interpretation to the National Assembly Standing Committee;
8. To direct and manage the different parts People's Courts, Provincial Courts, Vientiane Capital, Children's Courts and Regional People's Courts in the organization, administration and technical inspection of the courts;
9. To make necessary measures on organizational issues, improvement and court administration;
10. To supervise the creation of judges, assistants to judges, court clerk and court personnel;
11. To supervise the implementation of the court's activities, examine and summarize the court's activities, conduct court statistical work, carry out court statistical analysis and other court work;
12. To engage and cooperate with foreign countries on justice and law;
13. To summarize, report on the activities and performance of their duties regularly to the National Assembly;
14. To exercise such other rights and perform such other duties as provided by the laws.

Article 22 (Amended) The different parts People's Court

The different parts People's Court The different parts People's Court is a court in the structure of the people's court that has a role to play in the adjudication of cases as appeal matter where the people's provincial, Vientiane Capital court, or children's courts have a primary decision which is revoked by the parties or objected by the public prosecutor.

The different parts people's courts are located in a Vientiane Capital or province, covered a Vientiane Capital, some provinces, as agreed by the Standing Committee of the National Assembly.

Article 23 The Rights and Duties of different parts People's Court

The different parts People's Court has the rights and duties as follows:

1. Consider as an appeal matter, order, instruction, and case that the the People's Provincial, Vientiane Capital and Children's Courts initially decided which is appealed by the parties or objected by the Public Prosecutor;
2. To consider as cassation matter, the order, the instruction, and the case that the People's Provincial, Vientiane Capital Courts have adjudicated as appeal matter which has been revoked by the parties or objected by the Public Prosecutor;
3. To ask for the case from the Provincial, Vientiane Capital People's Court to conduct as consider an appeal matter their own, if it is found that the case is specially important or difficult according to the regulations, with the approval of the presidium;
4. Propose the legal and court precedents advice of the People's Supreme Court to the Provincial, Vientiane Capital, Children's and regional Courts to ensure the legality and uniformity of law enforcement;
5. To manage the organization and its activities, inspecting the technical matters of the lower people's courts in their responsibility;
6. To examine and summarize the implementation of the duties and collect court statistics;
7. To submit the order, instruction and judgment to the Supreme Court and the Public Prosecutor for review;
8. To coordinate and cooperate with foreign countries of justice and law as assigned by the higher authorities;
9. To summarize and report regularly on the activities and the performances of duties of the Supreme Court;
10. To exercise such other rights and perform such other duties as provided by the laws.

Article 24 (Amended) Provincial, Vientiane Capital People's Court and Children's Court

Provincial, Vientiane Capital People's Court and Children's Court.

The Provincial, Vientiane Capital People's Court, is a court in the structure of the people's court that has the role to deliberate the cases as a primary matter being independent of the jurisdiction of the regional people's courts or judgement of appeal, that the regional people's court has already decided.

In each province, the Vientiane Capital has established the Provincial, Vientiane Capital courts, and the children's court.

The children's court is established based on the approval of the National Assembly Standing Committee.

Article 25 (Amended) The rights and Duties of the Provincial, Vientiane Capital People's Court and Children's Court

The Provincial, Vientiane Capital People's court has the rights and duties as follows:

1. To issue an order, instruction, and decision in a primary proceeding which is independent of the jurisdiction of a regional people's court or to consider as appeal matter, order, instruction, and regional court judgment already decided which is appealed by the parties or objected by the public prosecutor.
2. To ask for a case file which is of special importance or difficulty from the regional courts and to make a preliminary decision on its own according to the rules based on the approval of the President of the court chambers;
3. To submit a case file that the regional court has already made a preliminary decision, which is difficult and complicated for the different parts People's Court to consider and judge as an appeal matter, but must first obtain the approval of the President of the different parts People's Court;
4. To provide legal advice and court precedents of the Supreme People's Court to the regional people's courts to ensure the legitimacy and uniformity of law enforcement;
5. To manage the organization, their own activities and the technical inspection of regional people's courts under their own responsibilities;
6. To examine and summarize the implementation of the duties, collect statistics and report to higher courts;
7. To submit order, instruction, decision and judgment to the higher level People's Court and the Office of Provincial, Vientiane Capital Public Prosecutor to inspect;
8. To submit order, instruction, decision and judgement of the court to Judgment enforcement offices and the place of arrest, place of detention, re-education center, and prisons related to the offense of deprivation of liberty;
9. To coordinate and cooperate with foreign countries on justice and law as assigned by the higher authorities;
10. To summarize, report regularly on the activities and performance of duties to the higher authorities;
11. To exercise such other rights and perform such other duties as provided by the laws.

The rights and duties of the children's court is defined in the law on child procedure.

Article 26 (Amended) The Regional People's Court

The Regional People's Court is a court in the structure of the people's court that has the role to conduct the preliminary deliberation within the scope of their own jurisdictions as defined in the Article 27 of this law.

A regional people's court may be composed of a district, a municipality, a city, or covered by many districts, a municipality, a city to merge as an area based on a context of socio-economic development, with increasing cases or geographical location as agreed by the National Assembly Standing Committee.

To facilitate people access to court proceedings easily, be able to set up a unit of regional people's court in any district, a municipality or a city as agreed by the President of the People's Supreme Court.

Article 27 The rights and duties of regional people's courts

The regional people's court has the rights and duties as follows:

1. To train, mediate the parties in the cases;
2. To consider and make a preliminary decision:
 - Case worth not more than 300,000,000 Kip and case on spouse, son, conjugal property and debts of spouses;
 - Criminal law which imposes a maximum deprivation of liberty sentence of three years, with except for offenses of children case;
 - Other cases as provided by law;
3. To manage their organization and activities;
4. To examine and report on the implementation of tasks, collect statistics to report to the higher level court;
5. To submit orders, instructions, decisions and judgments to the higher people's court and the Office of regional public prosecutor for review;
6. To submit orders, instructions, decisions, and judgement of the court to the implementation units of court decisions and the place of arrest, place of detention, re-education centers and prisons related to the penalty of deprivation of liberty;
7. To summarize, report regularly on the activities and performance of duties to the higher authorities;
8. To exercise such other rights and perform such other duties as provided by the laws.

Article 28 (Amended) Military Court

Military Court is the judgment body of the people's court system to the people of Lao P.D.R. established in the army of Lao people, that has a role to conduct a decision and criminal judgement on offense occurred within the scope of the comprehensive responsibilities of the military, in the national defence armed forces, to officers and soldiers, laborers, national defence personnel and persons outside the army, within the scope of military strategy and frontier areas of the military.

Article 29 (Amended) Military Court System and Procedure

Military Court consists of:

1. Military Court consists of:
2. Different part military Court.

There are two steps to a criminal proceeding in a military court:

- Preliminary;
- Appeal.

The different part military court makes a primary decision based on the evidence and the law.

The higher level military court makes an appellate decision, based on the evidence and criminal law, which the military court has initially decided, which is appealed by parties or objected by the military prosecutor.

The cassation decision is considered in the People's Supreme Court.

Article 30 (New) The rights, duties and activities of the military courts

The military court has the rights and duties in the deliberation of the case as follows:

1. Cases relating to criminal offenses of officers and soldiers, workers and national defense personnel;
2. Cases relating to the criminal offense of the reserve forces, self-defense forces, village security, and of the persons who are in charge of the training, practice, combat readiness, combat or patrol operations in which the army is directly in control;
3. Cases involving criminal offenses of persons outside the army that are detrimental to national security, military secret, and to the interests of the army, life, property, health or honor of the commander and officer.

The organizational structure, rights, duties and activities of the military courts are defined by the Military Court Law.

Chapter 3

Organizational Structure and Personnel

Article 31 Organizational Structure

To ensure the performance of duties and their administrative work, the people's courts have the following organizational structure:

The people's Supreme Court includes General Assembly of Judges, Court's Chambers and Administrative Departments.

The people's regional Court includes the Presidium, Court's Chambers and Administrative Departments

The people's Provincial, Vientiane Capital Courts include the Presidium, Court's Chambers and Administrative Departments.

People's regional Court includes Presidium, Court's Chambers and Administrative Departments.

The organizational structure and personnel of the children is defined in separate legislations.

Article 32 (Amended) The General Assembly of Judges

The General Assembly of Judges is the committee of the Supreme People's Court, which is comprised of the President, Vice-Presidents, all Heads of the Court's Chambers and

some Judges of the People's Supreme Court, considered, approved the appointment, transferred or removed by the National Assembly based the proposal of the President of People's Court.

The number of the General Assembly of Judges shall not exceed fifteen members.

The General Assembly of Judges has the following rights and duties:

1. To review draft laws and other legal documents of the people's courts;
2. To consider and draft the instructions on law enforcement and legal proceedings in order to ensure their correctness and uniformity;
3. To consider drafts of the precedents of the People's Supreme Court;
4. To consider the death penalty decisions of the local courts and military courts to propose for the President of People's Supreme Court to issue the final order
5. To consider proposals of the Public Prosecutor calling for the reopening of cases;
6. To consider the appointment or removal of the Vice Presidents of the People's Supreme Court so that the President of the People's Supreme Court makes proposals to the President of the State for consideration;
7. To consider the appointment, transfer or removal of the judges of the People's Supreme Court, the presidents, vice-presidents, and judges of the people's courts, so that the President of the People's Supreme Court makes proposals to the National Assembly for consideration;
8. To prepare the agenda and supporting documents for the General Meeting of Judges;
9. To evaluate the performance of activities of the people's courts, particularly, the proceedings of the courts;
10. To draft the annual report of the People's Supreme Court on the court's activities to be submitted to the National Assembly and its Standing Committee;
11. To exercise such other rights and perform such other duties as provided by the laws.

The meeting of the General Assembly of Judges is held at least once every three months.

The meeting of the General Assembly of Judges can be held only if more than two-thirds of its total members are present.

Resolutions of the meeting of the General Assembly of Judges shall be made by the vote of more than one-half of the members participating in the meeting.

Article 33 (Amended) Presidium of the local people's courts

The presidium of local people's court is the leading committee of the people's court, which consists of presidents, vice-presidents, heads of court's chambers and judges.

The Presidium of the Local People's Court is appointed and removed by the President of the People's Supreme Court at the request of the President of the People's Court concerned.

The Presidium of the Local People's Court has the rights and duties as follows:

To examine important issues, including the death penalty and other important cases within their own jurisdiction;

1. To summarize and evaluate the lessons learned in court activities such as proceeding;
2. To examine documents that will be presented to the General meeting and the Supreme People's Court;
3. To exercise such other rights and perform such other duties as provided by the laws.

Article 34 (Amended) Court's Chambers of People's Court

The court chambers of the People's Supreme Court, the different part and provincial, Vientiane Capital People's Court consists Chambers of criminal courts, Chambers of civil courts, Chambers of commercial courts, Chambers of family courts, Chambers of children's courts, Chambers of labor courts, Chambers of administrative courts and other tribunals.

Court's chambers of regional people's court consists of chambers of criminal court, chambers of civil court, chambers of family court, chambers of labor court, and other court's chambers.

Each court's chamber of the people's court has Head of court's chambers, Deputy Head, judge, assistant to judge, court clerk and technical staff.

Court's chamber of the people's court has the rights and duties as defined in the Article 21 point 1,2,5 and 14 of this law.

Court's chamber of the different parts people's court has the rights and duties as defined in the Article 23 point 1,2,3 and 10 of this law.

Court's chamber of the provincial, Vientiane Capital people's court has the rights and duties as defined in the Article 25 point 1,2,3,4 and 11 of this law.

Court's chamber of the regional people's court has the rights and duties as defined in the Article 27 point 1,2 and 8 of this law.

Article 35 (Amended) Administrative Departments

In order to ensure the operations and performance of duties of each people's court, each level has the following administrative departments:

The Supreme People's Court has their own Office, Departments and Institute.

The different parts People's Court has their own Office, divisions and sections.

The provincial, Vientiane Capital and children People's Court has their own Office, divisions.

The regional People's Court has their own Office and units.

Where necessary, the periodic work requirements may be set up departments and other administration systems.

The organizational structure, number of members and activities of the administrative departments are determined by the internal rules of the people's courts.

Article 36 The Organizational Structure of the People's Court personnel

The people's courts at all levels consist of the President, the Vice-Presidents, the Judges, the Judges, the Assistants to Judges, the Court Clerk, the technical staff and the administrative staff.

Article 37 (Amended) Election, Appointment, Transfer or Removal

The President of the People's Supreme Court is elected or removed by the National Assembly at the recommendation of the President of the State and is equivalent to the term of office of the National Assembly.

The Vice President of the People's Supreme Court is appointed or removed by the President of the State based on the recommendation of the President of the People's Supreme Court.

Judges, Head of Court's Chambers, Head of Office, Head of Departments, Head of Institutions of the People's Supreme Court are appointed, transferred or removed by the Standing Committee of the National Assembly at the recommendation of the President of the People's Supreme Court.

The President of the different parts, provincial, Vientiane Capital, regional People's Court, is appointed, transferred or removed by the Standing Committee of the National Assembly following the recommendation of the President of the People's Supreme Court after the people's provincial council, where the people's courts are located, considered the approval.

The Vice-President of the different parts, provincial, Vientiane Capital, regional People's Court and Judges of the People's Court are appointed, transferred or removed by the Standing Committee of the National Assembly based on the recommendation of the President of the People's Supreme Court after the Standing Members of the Provincial People's Council where the People's Court is located, considered the approval.

Article 38 (Amended) Rights and Duties of the President of the People's Supreme Court

President of the People's Supreme Court has the following rights and duties:

1. To preside over any judicial tribunal of the People's Supreme Court;
2. To direct and guide the work of the People's Supreme Court, Assembly of judges, General Meetings of Judges and convene the meetings of the assembly of Judges and general meeting of Judges ;
3. To report on the organization and operations of the people's courts and military courts to the National Assembly sessions or the National Assembly Standing Committee when the National Assembly has not convened;
4. To propose the President to appoint or remove the Vice President of the People's Supreme Court;
5. To propose appointment, transfer or removal of members of Judge Assembly to the National Assembly for consideration and approval;
6. To determine the number of judges of each people's court and to appoint, transfer or remove the judges of the People's Supreme Court, the President, the Vice-President and the judges of the people's courts for the Standing Committee of the National Assembly to consider;
7. To decide on the scope of responsibility and the location of the regional people's courts;

8. To issue legal advice, explanations of law, and proceedings within the responsibility of the People's Courts to ensure fairness and uniformity throughout the country;
9. To issue an instruction on death sentence of the court;
10. To issue arbitration on judicial authority throughout the country;
11. To direct the research and propose draft law, other legislation and propose the Standing Committee of the National Assembly to interpret the law;
12. To appoint, transfer or remove the Deputy Head of the Court's Chambers, Deputy Head of Office, Deputy Head of Department, Deputy Director of the Institution, Head, Deputy Head of Division, Section, Unit, Assistant to Judge, Court Clerk of the People's Court;
13. To determine the administrative structure of the People's Supreme Court and local people's courts to present to the Standing Committee of the National Assembly for consideration and approval;
14. To exercise such other rights and perform such other duties as provided by the laws.

Article 39 (Amended) Vice President of the People's Supreme Court

Vice President of the People's Supreme Court to preside over any judicial tribunal of the People's Supreme Court.

The Vice-President of the People's Supreme Court has the duty to assist the President of the People's Supreme Court in carrying out the duties and responsibilities of a particular task assigned by the President of the People's Supreme Court.

The Vice President of the People's Supreme Court is the President of the higher Military Court by position. In the event that the President of the People's Supreme Court is engaged in other matters, the assigned Vice-President of the People's Supreme Court will act on his behalf.

Article 40 (Amended) Rights and Duties of the Presidents of the People's Local Court

The Presidents of the People's Local Courts has the rights and duties as follows:

1. To preside over any judicial tribunal of their own People's Local Court;
2. To take the leadership role in implementing and carrying out the activities of such People's Local Court;
3. To be trained and upgraded on administrative and technical work;
4. To report on the implementation and carrying out of such People's Local Court's activities to the General Meeting of Judges and the People's Supreme Court and to the next higher level People's Court;
5. To exercise such other rights and perform such other duties as provided by the laws.

Article 41 (Amended) The Vice Presidents of the People's Local Court

The Vice President of the People's Local Court has the rights to preside over any judicial tribunal of their own People's Local Court.

The Vice President of the People's Local Court has responsibilities to assist the President of the People's Local Court at own level to carry out the duties and will undertake specific tasks assigned by the President of the People's Local Court.

When the President of the People's Local Court is engaged on other matters, the assigned the Vice President of the People's Local Court will act on his behalf.

Article 42 (Amended) Rights and Duties of Judges

Judges have the following rights and duties:

1. To be loyal, honest and strictly adhere to the laws;
2. To protect the interests of the State, collective, rights and the legitimate interests of the citizens;
3. To study case files that are assigned to them;
4. To take the testimony of the plaintiff, defendant, and other persons that participate in court proceedings;
5. To collect the evidence in a case;
6. To mediate parties in cases;
7. To preside over judicial tribunals;
8. To be trained and upgraded on the work of judges;
9. To exercise such other rights and perform such other duties as provided by the laws.

Article 43 Rights and Duties of Assistant to Judge

Assistant of judge has the rights and duties as follows:

1. To assist judge in examining the case file;
2. To assist judge to take the testimony of the participants in the proceeding;
3. To attend the mediation of parties in the caes;
4. To summarize and report the case un their own responsibilities, research to judge;
5. To assist the judge in writing the court's decisions and judgments;
6. Have been trained and upgraded the work to assist the judge;
7. To exercise such other rights and perform such other duties as assigned.

The criteria of Assisant to Judge are defined in the relevant law.

Article 44 (Amended) The Rights and Duties of the court Clerk

The court clerk is a technical staff, who has the criteria and is appointed by the President of the People's Supreme Court.

The court clerk has the rights and duties as follows:

1. To receive and examine petitions, complaints, objections, appeals, request for cassation, compile case file, prosecute, list of cases, categorize documents in the case;

2. To make summons, invitations as instructed by the judge;
3. To examine and issue a criminal record No. 3.
4. To attend and record the testimony and mediations;
5. To prepare, inform regulations and record court meeting books at the court meetings;
6. To explain, give reasons to the parties in the case regarding the decision or judgment of the court, as well as the right to appeal or dismiss;
7. To sign to confirm the decision or judgment and other documents accordance with regulations and laws;
8. To make a list, keep evidence of cases and manage legal court fees, summarize statistics of cases, submit decisions or judgments to the higher people's court and relevant Office of Public Prosecutors for inspection;
9. To be trained, upgraded the work on court clerk;
10. To exercise other rights and perform such other duties as assigned.

The criteria of the court clerk are defined in the relevant laws.

Article 45 (New) Technical Staff

The technical staff is a person who has passed the legal profession, who works in the chambers of the court of the People's Court.

Technical Staff has the the rights and duties as follows:

1. To assist in work of court clerk in the proceeding;
2. To participate in court hearings and records the testimony;
3. To assist with court clerk in meeting matters;
4. To participate in the collection of evidence, mediations and records;
5. To sign in the testimony transcripts, other documents as duties or assigned;
6. Have been upgraded knowledge, abilities, technical work and technical skills;
7. To exercise such other rights and perform such other duties as provided by the laws and as assigned.

Article 46 (New) Administrative Staff

The administrative staff is the staff who works on the court administration according to technical work in each administration department.

The rights and duties of administrative personnel to comply with the Law on Personnel.

Part IV Judges

Chapter 1 Criteria, Ranks, Levels and Safeguards for Judges

Article 47 Judges

Judges are those who have criteria and are appointed by the National Assembly Standing Committee to adjudicate cases.

Only a judge appointed by law can form as court's chambers to adjudicate cases.

Article 48 (Amended) Criteria for a Judge

A judge of the people's court must have the following criteria:

1. Be a Lao citizen and be at least 25 years of age;
2. Have strong political commitment;
3. Have good behavior, a revolutionary manner, a good ethics, honest to his performance of duty;
4. Have obtained an education in law from higher education up to and have followed a training of judge course;
5. Be in good health.

For the detailed criteria of judges applying to the people's courts at different levels are as provided by specific laws.

Article 49 (New) Criteria of Judge of the Supreme People's Court

Supreme People's Court judges, in addition to the general criteria, must meet the following criteria:

1. Have strong political commitment, revolutionary manner, etiquette, good ethics;
2. be 40 years of age;
3. Have ever held a leading administrative position in any people's court;
4. Never been disciplined and criminally punished;
5. Be in good health.

Article 50 Rank, Level of Judge

Judges have their own ranks and levels as set forth in the relevant law.

Article 51 Safeguards for Judge

Judges can only be arrested or investigated upon the approval of the Standing Committee of the National Assembly

In the event that it is necessary to arrest a judge for a serious and urgent offense, such arrest must be reported to the Standing Committee of the National Assembly immediately, and approval for further investigative measures must be obtained.

Furthermore, the arrest of any judge of the people's different part, provincial, Vientiane Capital, children, and regional courts must be reported to the People's Supreme Court.

The arrest of any judge of the military courts must be reported to the People's Supreme Court and the Ministry of National Defence

Chapter 2

The General Meeting of Judges

Article 52 Status and Role of the General Meeting of Judges

The General Meeting of Judges is the supreme organisation of the deliberation and judicial organ, and has the role to supervise all levels of the people's courts in order to ensure the correct and uniform implementation of the laws throughout the country.

The General Meeting of Judges comprises: the President of the People's Supreme Court as the chairperson of the meeting, all vice-presidents and judges of the People's Supreme Court, all presidents, vice-presidents, heads of court;s chambers of the different parts people's courts, presidents, vice-presidents of provincial, Vientiane Capital people's courts, children court, president of regional people's courts, president of high military court and different parts military court. In addition, leading committee of other relevant sectors are invited to participate in the meeting. The participants by invitation have the right to express views and opinions, but have no right to vote.

Article 53 Rights and Duties of the General Meeting of Judges

The General Meeting of Judges has the following rights and duties:

1. To hear reports on the activities and future direction of the people's courts from the General Assembly of Judges, the chambers of the People's Supreme Court, and the presidents of the different parts people's courts, the provincial, Vientiane Capital people's courts, the children court, regional people's courts and the high military court;
2. To evaluate the courts' statistics and performance, and the application of laws by the courts;
3. To review decisions at all levels of the people's courts and the military courts, in order to guide the people's courts that have jurisdiction to correct such errors;
4. To decide on strategic improvements to the organisational structure of the people's courts;
5. To issue resolutions relating to the organisational structure of the people's courts, the implementation of the courts' laws;
6. To consider other important issues relating to the work of the people's courts.

Article 54 Convening a General Meeting of Judges

The General Meeting of Judges is held at least once every two years convened by the President of the Supreme People's Court.

The General Meeting of Judges may be convened only if at least two-thirds of the total members are present.

Resolutions of the General Meeting of Judges shall be made by the vote of more than one-half of the members participating in the meeting.

Part V Working Systems

Article 55 Working System

The People's Courts at all levels form as a system of the people's courts, the People's Supreme Court administers the organization and administration of the local people's courts; To supervise the performance of duties and inspection of the technical affairs of the local people's courts and military courts.

The work of the people's courts must be conducted on the basis of respect for the independence of judges, in combination with the principle of working as a jury, in accordance with the law, to ensure a fair and just decision.

The higher people's courts review the lower people's courts in decisions and cases.

Article 56 How to work

The people's courts carry out the duties of a group of divisions, assigning responsibilities to each of court's chamber, the administrative department and individual, to work with plan, inspect, summarize, evaluate, share lessons, report, and seek advice from their highest level and coordinate with other relevant sectors and local administration.

Article 57 The participation and monitoring, inspection of the Public Prosecutor in the proceedings of the People's Courts

The Public Prosecutor participates in proceedings at the court meetings and monitors and inspects the adherence to laws of the court in accordance with regulations and within the scope of their responsibilities as prescribed by law.

Article 58 The Participation of Lao Front for National Development, Mass Organizations and Social Organizations in the Proceeding of the People's Court.

Representatives of the Lao Front for National Development, Mass Organizations and Social Organizations involved in the proceedings based on the proposal by the People's Court to protect the rights and legitimate interests of the parties or persons in their management by clarifying, informing, explaining and reasoning the relevant cases.

Part VI

Prohibition

Article 59 Prohibition for People's Court Staff

Prohibit the people's court staff from acting as follows:

1. Abuse the function, position, authority for personal benefits, family or relatives;
2. coercing, intimidating, using authority, performing over the scope or violating a procedural rule;
3. Prejudice or be partial leading to the wrong decision;
4. Ban the case file, slow down the document for the benefit of the case proceeding;
5. Disclose confidentiality, before any judgment in exchange for any benefits○
6. Request, solicit, accept bribes;
7. Be a legal adviser, dealing with parties for the benefit of the case;
8. Hide, conceal document, and present evidence in the case;
9. Other conduct that is morally wrong and is in violation of the law.

Article 60 Prohibition for participants in the proceeding

Prohibit the participants to the proceedings in the following manner:

1. Obstruct, make difficulties, constrain, intimidate people's court personnel and participants in proceedings;
2. Reporting, providing information, inaccurate material, hiding, destroying information, documents in evidence for the proceeding;
3. Avoid coming to court;
4. Interfere, supervise the proceedings;
5. Bribe staff who conducts the proceeding;
6. Denigrate, blasphemy, gossip, slander against a people's court staff;
7. Any other conduct that is in violation of the law.

Article 61 Prohibition for Individuals and other Organizations

Prohibit other individuals and organizations from acting as follows:

1. Interfere, intervene and hinder the conduct of the decisions and adjudicate cases;
2. intimidate, assault on the people's court staff;
3. There are acts that render the judgment unjust;
4. Denigrate, blasphemy, gossip, slander against a people's court staff;
5. Hide, conceal, destroy evidence pertaining to the case and protect the perpetrator;
6. To transfer the judges of the People's Supreme Court, the President, the Vice-President and judges of the local people's courts and military court without the resolution of the Standing Committee of the National Assembly;
7. Any other conduct that is in violation of the law.

Part VII

Establishment Day, Budgets, Emblem, Uniform, Badge, Identification Card of Judges and Seal

Article 62 The Establishment day of the People's Court

The Establishment day of the People's Court is on 15 August 1982.

Article 63 (Amended) Budgets of the People's Court

The budget of the people's courts at all levels depends on the vertical lineage, the Supreme People's Court will develop the plan and propose them for approval by the laws.

The budget of the military court depends on the Ministry of National Defense.

Judges, Assistant to Judges, and court clerks have specific salaries which are defined in relevant laws.

Article 64 Emblem, Uniform, Badge and Identification cards

Emblem, Uniform, Badge of the staff of the people's court is the National Assembly Standing Committee to decide based on the proposal of the President of the Supreme People's Court.

Identification cards of the judge are issued by the the President of the Supreme People's Court.

Article 65 (Amended) Seal of the People's Court

The seal of the President and the court's chambers of the people's court at each level are determined as follows:

The seal of the court's President is a circle, in the middle of the circle with a national emblem, the text on the top edge of the circle inscribed with the name of the people's court of their level, below it is labeled President with a five-pointed star.

The seal of the court's Chambers is a circle, the middle of the circle has a national emblem, the text in the upper circle inscribes the name of people's court of their level, and the lower part it is labeled Chambers of Court with a five-pointed star.

The seal of the Court Clerk is a circle, in the middle of the circle inscribed the Court Clerk, the text at the top edge of the circle writing the name of the people's court of their level, below the name of the Court's Chambers, with a five-pointed star.

Administrative Departments of the people's court have a seal to be used for the operations.

Part VIII

Awards Policies and Measures against Violators

Article 66 Awards Policies

People's Court officers who have strictly enforced this law, make decisions and judgments with fairness and justice, and actively develop the people's court systems with efficiency, transparency and modern one shall be awarded merits, congratulated and other policies according to the rules.

For those involved in the proceedings, individuals and other organizations who are sincere, cooperate in the proceedings and develop the people's court systems will receive policies in accordance with the rules.

Article 67 (Amended) Measures against Violators

Staff of people's court, participants in the proceedings, individuals and other organizations that violate this law which causes damage to the interests of the state, society, honour, reputation, rights and the legitimate interests of citizens will be subject to education, disciplinary action, fines or criminal sanctions as the case may be as well as compensation.

Part IX

Final Provisions

Article 68 Implementation

The Government and the Supreme People's Court of the Lao People's Democratic Republic shall implement this law.

Article 69 (Amended) Effectiveness

This law shall enter into force on the date when the President of the Lao People's Democratic Republic issues a decree for its promulgation and after publication in the Lao Official Gazette fifteen days.

This law replaces the Law on People's Court, No. 09/NA, dated 26 November 2009. Regulations and provisions that contradict this law are null and void.

President of the National Assembly

[Seal and Signature]

Pany YATHOTOU