



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Foreign Affairs

N° 7443/TPT.KKS1
Vientiane, November 22, 2007

DECISION

On the Organization of Honorary Consular Office of the Lao People's Democratic Republic (Lao PDR) to foreign countries

- Based on the decree on the organization and activities of the Ministry of Foreign Affairs N° 32/PM dated March 17, 2000;
- Based on the Vienna Convention on Consular Relations of April 24, 1963;
- For the purpose of implementing the open policy for relations and cooperation with other countries of the Party and the Government of Lao PDR and
- To strengthen the protection and promotion of the rights and interests of Lao PDR, including national and foreign legal entities.

The Minister for Ministry of Foreign Affairs

Decide:

Chapter 1 General Provisions

Article 1: Purpose

This Decision prescribes the functions, rights, duties, rules and regulations for the Organization of Honorary Consular Office and the appointment of Honorary Consuls, the Organization and activities of the Office of the Lao PDR honorary in foreign countries.

Article 2: The Honorary Consular Office

- 2.1 The Honorary Consular Office of the Lao PDR is the Consular Office of the Lao PDR which is under the management of the Honorary Consul.
- 2.2 The Honorary Consular Office is under the direct guidance of the Office of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate.
- 2.3 In cases where there is not the Office of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate, the Honorary Consular Office is under the direct guidance of the Consular Department Ministry of Foreign Affairs.

Article 3: Definition of Terms

- 3.1 Terms "Office of the Representative of the Lao PDR in the foreign State " means Office diplomatic or Consular Office of the Lao PDR;
- 3.2 Terms of the diplomatic "Office" means the Lao PDR Embassy of the Lao PDR;
- 3.3 Terms "Consular Office of the Lao PDR" means Consular General Office or Consular Office of the Lao PDR;
- 3.4 Honorary Consular term "Secretary" means the local citizen who is recruited by the Honorary Consular to exercise its functions: administrative, technical and secretariat of the Honorary Consular Office;
- 3.5 Term Field "activities" means Honorary Consular area that Honorary Consular Office is authorized to exercise its duties in the Office honorary;
- 3.6 Term of Office "documentation" means Honorary Consular Offices and provision of all official documents of the Office include: Letters, Books and Registration book, National Flag, National Emblem and Seal of the Honorary Consular Office.

Article 4: Principles for the Honorary Consular Office

Principles governing the Honorary Consular Office of the Lao PDR are prescribed in this decision and in the international agreement between Lao PDR and member countries, in particular is the Vienna Convention on Consular Relations dated April 22, 1963.

Article 5: Classes of the Consular Office and Honorary Consul

- 5.1 The Honorary Consular Office of the Lao PDR has two classes: the Honorary Consular General Office and Honorary Consular Office;

- 5.2 Classification of Honorary Consular Office of the Lao PDR will be prescribed in accordance with the field of consular activities, the volume of real tasks and the regulation on the credentials of the State mandate;
- 5.3 Class of the Consular Office of the Lao PDR will be prescribed in accordance with the class of the Honorary Consular Office of the Lao PDR under sections 5.1 and 5.2 of this article.

Article 6: Principles of the creation of the Honorary Consular and appointment of Honorary Consul

- 6.1 The creation of the Honorary Consular of the Lao PDR must be authorized by the Government of Lao PDR based on the agreement of the State government mandate.
- 6.2 The Minister of Foreign Affairs of Lao PDR has the authority to create the Honorary Consular Offices of the Lao PDR by reference to the approval of the Government of Lao PDR and the agreement of the government mandate.
- 6.3 The Honorary Consular Office of the Lao PDR will be established in countries having diplomatic relations with Lao PDR, but Lao PDR doesn't have the representative at these countries or areas distant from the Office of the Representative Lao PDR. In those countries or areas with particular needs for Consular Services, especially great number of Lao citizens residing in the area or have significant activities in the economic, social and cultural rights can become a target for the development and promotion for economic cooperation, trade, investment, services, tourism, education, labor and other areas between the consular activities with the Lao PDR.

Article 7: Principles of Application of Consular Functions

- 7.1 The Honorary Consul exercises consular functions in full or partial compliance with the requirements of this Order in accordance with the tasks assigned by the Minister of Foreign Affairs under the conditions of said requirements are not opposed to the laws and custom State mandate. In exceptional cases, the Minister of Foreign Affairs may entrust other tasks to the Honorary Consul.
- 7.2 The Honorary Consul is not allowed to assign its rights to another person to exercise consular functions in accordance with section 7.1 of this Article, except in cases where the foreign minister authorizes to be exercised.

Article 8: Conditions to be Honorary Consul

- 8.1 Must be a Lao citizen or a citizen of the State mandate or a citizen of the third State in permanent residence in the State mandate;
- 8.2 Must be active in and have influence and reputation in society and that they have sufficient economic resources;
- 8.3 Must have the capacity for professional and commercial activities;
- 8.4 Must have the required experience with management and administration;
- 8.5 Must not be an official of any State and has not/does not participate in political activities;
- 8.6 Must have no offense or criminal record in the past and have a clear resume;
- 8.7 Must be a person who can contact government officials and economic affairs of the State mandate without difficulty;
- 8.8 Must be a person who has good knowledge of the Lao PDR and has sincere feeling to the Lao PDR;
- 8.9 Must be a person who has good health and emotional functions to exercise successfully and of good quality, age must be under 65 on appointment;
- 8.10 Must be a person who is not a citizen of a country that is in conflict with the Lao PDR or citizen of an unknown country in the Lao PDR.
- 8.11 Must be a person who does not exercise the functions of the Honorary Consul in a country that is in conflict with the Lao PDR or an unknown country in the Lao PDR.

Chapter 2

Phase Procedure for appointment of Honorary Consul, the examination for the appointment of Honorary Consul, the proposal for the appointment of Honorary Consul and the beginning of exercising the functions of the Honorary Consul

Article 9: Phase Procedure for appointment of Honorary Consul

- 9.1 Those who wish to be named Honorary Consul are to develop an application based on sufficient conditions for Honorary Consul of the Lao PDR at the Embassy of the Lao PDR in the State mandate or under the responsibility of the State mandate (if any), if no such board seat in the State mandate or under the responsibility of the State mandate, the applicant may submit his claim to the nearest Embassy of the Lao PDR or directly to the Consular Department of the Ministry of Foreign Affairs.

9.2 The application file is composed as follows:

1. Photo of the place or apartment (house) considered the seat of the Honorary Consular Office;
2. The detailed curriculum vitae as below:
 - A. Name and surname;
 - B. Date of birth and place of birth;
 - C. Place of residence and workplace;
 - D. Element of general education and vocational training;
 - E. Company's name belongs to them, creation date, date of employment in the Company and function responsibly;
 - F. Details of the transaction of business of the Company and the reality of working under his responsibility;
 - G. Notice the names of shareholders with commercial cases in Lao PDR;
 - H. Further cooperation in Lao PDR and abroad (if any);
 - I. If they have already appointed Honorary Consul for the benefit of certain country or has already been appointed, they shall inform the details of their activities;
 - J. Common language;
 - K. Length of stay in the country office or place of permanent residence;
3. Work plan and business plan at the time of his appointment;
4. Certificate from his bank about his account;
5. Criminal record;
6. If they work for a company, they must have permission of the Company;

Article 10: Review Phase of the request for Honorary Consul

- 10.1 The Office of the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate office provides advice to the Consular Department of the Ministry of Foreign Affairs;
- 10.2 The Consular Department of the Ministry of Foreign Affairs review the file and propose to the Minister of Foreign Affairs for approval;
- 10.3 If the Minister of Foreign Affairs approves, if necessary the Honorary Consular Office must be created and named the Honorary Consul following the proposal of the Office of the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate and the Consular Department of the Ministry of Foreign Affairs, said application must be forwarded to the Government to agree to.
- 10.4 If the government of Lao PDR is in agreement following the proposal of the Minister of Foreign Affairs, the Ministry of Foreign Affairs must proceed under the various stages involved;

Article 11: Phase proposal to create the Consular Office and the appointment of Honorary Consul in the State mandate

- 11.1 Following the agreement of the Government of Lao PDR in order to create the Consular Office and the appointment of Honorary Consul, the Consular Department of the Ministry of Foreign Affairs should issue instructions to the Office of the Embassy of Lao PDR about the State mandate or under the responsibility of the State mandate to undertake the creation of the Honorary Consular Office and shall identify the Honorary Consular candidate with care to send the complete record of the person to the Government of State mandate to review under the procedure for approval and in accordance with the relevant regulation of the state mandate. If there is no Office of the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate, then the Consular Department of the Ministry of Foreign Affairs can take care of the proposal to the Embassy State office in Lao PDR or offer directly to the Ministry of Foreign Affairs of State mandate.
- 11.2 After the approval of the State government office, the Minister of the Ministry of Foreign Affairs issues the warrant of appointment and the order of appointment for Honorary Consul.
- 11.3 After the Minister of Ministry of Foreign Affairs issuance of the warrant of appointment and the appointment order of the Honorary Consul, the Consular Department of the Ministry of Foreign Affairs shall notify the Embassy of the Lao PDR in the State mandate or under the responsibility of the State mandate and make the proposal for clemency (enforcement) for the benefit of the Honorary Consular to the State government mandate.

Article 12: The beginning of the exercise of the function of the Honorary Consul

The Honorary Consul will be entitled to begin its work after the clemency (enforcement) issued by the State mandate.

Chapter 3
Function, right and duty

Article 13: Function

- 13.1 Protect the rights and interests of Lao PDR, including individuals and corporations within the consular activities in accordance with the agreements signed between countries and the Lao PDR or as a member of convention or laws customary among the countries are concerned.

- 13.2 Promote friendship and economic cooperation, trade, culture and social, tourism and other relations between the Lao PDR and the State mandate.

Article 14: Rights and duties

14.1 Duty under protection

- Take care of all measures suitable for individuals and corporations in their activities and their legal rights and interests in accordance with the laws of the State mandate or in accordance with the agreements signed between Lao PDR and State mandate or as members of those Conventions.
- In cases where a Lao citizen is arrested temporarily, trapped or killed in the district of its consular activities, it must report to the Embassy of the Lao PDR in the State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs to carry out the directives of those Offices.

14.2 Duties to control and provide information

- Report on the status and trends of the economy-commerce at the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Ministry of Foreign Affairs;
- Provide and advertise sources for information covering the legal rules and customs of the State mandate to individuals and corporations residing in the area of activity of the Consul, especially the sources for the regulation of immigration, residence, participation in work for foreigners and the activities of foreign corporations residing in the State mandate;
- Report to the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs if there are diseases in the area of activity of the Consul, which may be hazardous to human health, animals and plants.

14.3 Duties under encouragement and assistance to citizens

- Promote the encouragement and assistance of cultural and social activities for the benefit of Lao citizens ;
- Promote support material to Lao citizens residing in the area of activity of the Consul for natural disasters, difficulty, disease, and others;
- Visit of Lao citizens residing in the area of activity of the Consul.

14.4 Duties of receiving and sending proposals and other documents

- Receive and send proposals and other documents relating to individuals and corporations residing in the area of activity of the Consul at the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department Ministry of Foreign Affairs;
 - Receive and send documents on statistics of Lao citizens residing in the area of activity of the Consul or suggest the problem on the activities required to the Departments to resolve under the heading of 14.4.
- 14.5 Duties relating to the succession of inheritance
- In cases where there is an opening of a will of a Lao citizen entitled to the inheritance that is not resident in the State mandate or not delegated authority to another person to represent the Honorary Consular having its obligation to consider to resolve this matter as soon as possible in order to protect the rights and interest of the person concerned and at the same time, he must report to the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs for information;
 - In the case that there is an opening of a will in favor of the interests of the Lao PDR or Lao corporation, the Honorary Consular is entitled to manage as a Representative and report to authorities, paragraph I, 14.5 as mentioned in above;
- 14.6 The duties related to ships, boats, airplanes and others transportations
- In case if necessary, the Honorary Consular must make every effort to assist ships, boats, aircraft and other means of transport belonging to the Lao PDR in the constituency of its operations in the State mandate and the legal interests in compliance with legal regulations of the State mandate or in accordance with the agreements signed between the parties or members of the agreements or in accordance with customary laws between States.
 - In case if the transport mentioned in section 1 of 14.6 is involved with an accident or looted in the area of Honorary Consular activities, it must use its best efforts based on the standards set and perform the assistance to persons and transportation during the accident, in addition it must report to the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry Foreign Affairs for information.
- 14.7 Duties of promotion:
- Activities to promote the economic and cultural context including: organizing meetings to discuss economic affairs, visits for the benefit of representatives of trade, science, culture and various cases. After consulting with the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate, the Consular Department of the Ministries of Foreign Affairs, in those cases, the Honorary Consular must organize the trade show on the affairs of the Lao PDR.
 - As part of the promotion of the cases cited above, the Honorary Consular must have the place for the exhibition and to facilitate the exposure of documents, volumes and other printed advertising sent by the Government of Lao PDR including: documents relating to export promotion, investment and tourism,

telephone directories of Lao PDR and various printed documents relating to the economy, culture and history of the Lao PDR.

Article 15: Compliance with legislation

- 15.1 Duty to comply with the legislation of Lao PDR, the State mandate and the agreements signed between Lao PDR and the State mandate or member of the conventions and customary laws between countries;
- 15.2 Apply all orders, regulations or proxies of power delivered by the Minister of Foreign Affairs of Lao PDR into force provided that this does not oppose the law and custom of the State mandate;
- 15.3 Do not need to use the right, privilege and protection to their advantage in any illegal sense.

Chapter 4

Regime of reporting and cooperation

Article 16: Plan Report

- 16.1 The Honorary Consular must send the report on the implementation of his duties to the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate every three months.
If there is no Embassy of Lao PDR in State mandate or under the responsibility of the State mandate, it must send the report to the Consular Department of the Ministry of Foreign Affairs;
- 16.2 The Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate, whose function is to send the evaluation report of the application of the functions of the Honorary Consular to the Department of Consular of the Ministry of Foreign Affairs every three months.

Article 17: Cooperation

- 17.1 The Honorary Consular can directly communicate and cooperate with local agents of the State mandate in the constituency of its activities regarding the issue of cooperation within the framework of its activities. In case it's necessary to cooperate with agents of the central Office of the State mandate, the Honorary Consular must submit its proposal to the Embassy of the Lao PDR in the State mandate for approval, in case there is no Embassy of Lao PDR in State mandate, the Honorary Consular must submit its proposal to the Ministry of Foreign Affairs of the State mandate for approval or that the legal regulations and customs of the State mandate to allow the Honorary Consular can communicate directly with the agents involved or there is unanimous approval for the application between the Lao PDR and the State mandate;

- 17.2 The Honorary Consular can communicate with individuals, local and central organizations of the Lao PDR by hieratic of the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry Foreign Affairs. If there is no Embassy of Lao PDR in the State mandate or in an emergency or in case of special need, the Honorary Consular may also cooperate by hieratic Department of the Ministry of Foreign Affairs.

Chapter 5

Administrative tasks and budget

Article 18: Documentation

18.1 Seal

- The Honorary Consular seal is in Lao language. The Honorary Consular is entitled to use such seal only in the application to exercise the function of the Honorary Consul and whose task is to keep the seal. If the function of the Honorary Consul expires, the person must return such seal at the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate warrant or the person authorized by delegation of Minister of Foreign Affairs.

18.2 National flag, National emblems and Signs

- The National flag, National emblems are displayed at the building (house) seat Honorary Consular;
- The plaque on behalf of the Honorary Consular is in Lao language and language of the State mandate, posted at the entrance and exit of the building (house);
- The national flag is authorized to display at the Honorary Consul's residence and the car in his official activity, but such service must comply with the law as well as the custom of the State mandate.

18.3 Etiquette Office documents

- The Honorary Consular is responsible for printing the label documents for the Honorary Consular Office; regarding the design of the label it must consult the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs.

18.4 Documentation of the various documents of the Consular

- The Honorary Consular must protect and keep records of notes, letters and records of the various activities of his service in the Office to ensure the security and confidentiality. Apart from this, it must separate the descriptions of documents Consular and personal documents, particularly in respect of documents relating to professional or commercial business.
- Descriptions of the Honorary Consular documents are considered property of the Lao PDR and in the case that the Honorary Consular office ends; it must return

the documents to the Embassy of the Lao PDR in State mandate or under the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs.

18.5 Records relating to consular acts

- The Ministry of Foreign Affairs will provide the necessary deeds and other documents in Lao and English to the Honorary Consul for it to exercise its functions.

18.6 The Honorary Consular and hours of work

To exercise its functions, while Honorary Consular, staff should be encouraged as below:

- Honorary Consular Office must be served at a location that is convenient and easy to access. This must have a private office as Honorary Consular Office and in order to keep the consular documents.
- The Honorary Consular must be responsible for providing the address, telephone number and fax of Honorary Consular Office in the register of the State telephone office (page for the Consular Office) and various records including: register commerce, tourism newsletter and other printed matter;
- Honorary Consular Office is open every day of official work. Table of working hours must be posted at a place that can be seen easily. In case of emergency or special need, the members of the Honorary Consular Office must work overtime to assist the Consular Section.

Article 19: Budget

- 19.1 The Honorary Consul does not receive pay or pension or any other money from the Government of Lao PDR;
- 19.2 The Honorary Consul should be responsible for all expenses of the Office of Honorary Consular including salaries of the secretaries of the Honorary Consular Office;
- 19.3 The Honorary Consul does not charge for services provided to Lao citizens, with the exception of service rendered as a professional, but must notify the person requiring the service in advance.

Chapter 6

Mechanism of the organization, facilities, privileges and protection

Article 20: Mechanism of the Organization

- 20.1 The Honorary Consular Office of the Lao PDR consists of the Honorary Consul General or Honorary Consul 1 person;
- 20.2 The Honorary Consular Office may be composed of a number of secretaries of local citizens, but the hiring of secretaries must have the approval of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs;

- 20.3 In case of need and based on the unanimous agreement between Lao PDR and the State mandate, the Ministry of Foreign Affairs may appoint an official of the Consular Department of Professional Ministry of Foreign Affairs of Lao PDR to perform the functions to the Office of Honorary Consular.

Article 21: Facilities, privileges and protection

The Honorary Consular will have the ease, privilege and protection in accordance with the Vienna Convention on Consular Cooperation dated April 22, 1963 and the relevant regulation of the State mandate.

Chapter 7

Term of the appointment/promotion, leave, reward and the end of the employment

Article 22: Term and extension of the term of appointment

- 22.1 The term of the appointment of Honorary Consul is set three years;
- 22.2 The Minister of Foreign Affairs of Lao PDR considers the term of appointment of the Honorary Consul on a proposal from the Ambassador of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate and the proposed the Director of the Consular Department of the Ministry of Foreign Affairs;
- 22.3 The extension of the term of appointment will depend on the conditions of time at the Honorary Consul.

Article 23: Leave

- 23.1 The Ambassador of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs may authorize the Honorary Consul to leave for a period less than 3 months for 1 year;
- 23.2 To take more than three months leave they must obtain permission in advance from the Minister of Foreign Affairs of Lao PDR;
- 23.3 During the leave of the individual and in the absence of the exercise of its functions of Honorary Consul, a person must issue a written notice posted in front of the Honorary Consular Office to inform the public of where it can communicate.

Article 24: Congratulations

When The Honorary Consul has had great success in participation for the promotion of friendly cooperation and economic cooperation, trade, investment, tourism, cultural and other relations between the Lao PDR and in the activities as the Honorary Consular and having success in the protection of law and legal interests of the Lao PDR, including individuals and corporations, it will be awarded a congratulation from the Minister of the Ministry of Foreign Affairs and the Government of Lao PDR under the right conditions.

Article 25: End of the function

- 25.1 The function of the Honorary Consul expires before the term of appointment for the following reasons:
- Resignation proposed by the applicant;
 - Revocation decided by the Minister of the Ministry of Foreign Affairs on the proposal of the Ambassador of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate and the proposal of the Director of the Consular Department of the Ministry of Foreign Affairs;
 - Death of Honorary Consul.
- 25.2 If the Honorary Consul intends to resign, the applicant must submit his resignation to the Minister of the Ministry of Foreign Affairs three months in advance.
- 25.3 The Minister for Ministry of Foreign Affairs may suspend the function of the Honorary Consul for the following reasons:
- Does not perform his duty for more than 30 consecutive days without permission of the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs ;
 - Does not work in accordance with instructions issued by the Embassy of the Lao PDR in State mandate or the responsibility of the State mandate or the Consular Department of the Ministry of Foreign Affairs;
 - Does not comply with the provisions of this Order;
 - A person was declared as undesirable by the State mandate;
 - Business or Company's seat where the person is made, has been declared closing or bankrupt;
 - A conviction for criminal penalties by the decision of the Tribunal;
 - Having diverse activities or actions to create the damage and dishonor of interest and loss of interest in the Lao PDR;
- 25.4 The Minister for Ministry of Foreign Affairs of Lao PDR may suspend the function of the Honorary Consul at any time without needing to explain the reasons in cases where the Honorary Consul does not exercise its function in accordance with provisions of this Order or the Minister of the Ministry of Foreign Affairs determines that the appointment of honorary Consul is no longer necessary for the possible appointment.

Chapter 8

Final Provisions

Article 26: Organization for application

- 26.1 The Consular Department of the Ministry of Foreign Affairs has a duty to give instructions to the Office of the Representative and Honorary Consular Office of the Lao PDR abroad for implementation of this order successfully.
- 26.2 The Representative Offices and Consular Honorary Lao PDR abroad has the duty to cooperate effectively with the Consular Department of the Ministry of Foreign Affairs in the application in accordance with this Order and in force;

Article 27: Effect

- 27.1 This Decision replaced the order dated December 30, 2002 and takes effect from the date of signature;
- 27.2 The present Decision has the effect of previous application in favor of the Honorary Consul of the Lao PDR who was appointed before the date of this Decision;
- 27.3 The provisions or articles that oppose this Order shall be considered invalid.

The Deputy Prime Minister,
The Minister for Ministry of Foreign Affairs
Seal and signature
Thongloun Sisoulith