



Legal Document

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LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity

Prime Minister's Office

No. 558/PM

Vientiane Capital, dated 31 Dec 2018

Decree
on Border Checkpoint and International Airport

- Pursuant to the Law on the Government of the Lao PDR No. 04/NA, dated 08 Nov 2016;
- Pursuant to the Custom Law No. 04; dated 20 Dec 2011 and the amended version on some article, No. 57/NA, dated 24 Dec 2014;
- Pursuant to the Law on Immigration and Foreigner control in Lao PDR (revised), No. 59, dated 26 Dec 2014;
- Pursuant to the Law on Government budget (revised) No. 71/NA, dated 16 Dec 2015;
- Pursuant to the Law on Civilian Aviation (revised) No. 53, date 26 Jun 2018.

The Government of the Lao PDR Issued This Decree:

Chapter I

Chapter I
General Provisions

Article 1: Objective

This decree determines principles, regulations and measures on controlling and monitoring the duties on the border checkpoints and international airports to ensure that such duties are effectively implemented, quickly, and transparency in facilitating the service the exchange of goods, passengers passing through, to contribute in enhancing the friendly relationship with those countries which share borders with Lao PDR, regional and international countries, aiming to promote the national social-economic development for sustainability.

Article 2: Border Checkpoint

A *border checkpoint* is a place where travellers, vehicles, or goods of those countries sharing borders and other countries, pass through and are inspected according to the Laws and regulations based on the agreements, treaties, and international protocol that those countries are a part of.

Article 3: International Airport

International airports are airports which provide air service in both national and international flights with the systematical and international standards for entry and exist of passengers and goods, including travel document declaring (immigration), inspection passengers and goods based on the regulations related to the national civilian aviation security protection and the law on civilian aviation.

Article 4: Definition**Words used in this decree carry the following meaning:**

1. Entry and Exist of the Lao PDR means entering and existing the country of Lao citizen, legal permanent residents, foreigners non-national, vehicles, and goods with correct documents declaring procedures accordingly to the set out legal documents;
2. Control of entry and exist of Lao PDR means the facilitation, controlling, monitoring, and inspection the entry and exist of Lao PDR;
3. Market fair at border means place for exchange goods and service located at the border areas of the two countries which share a border according to the agreement of both local provincial authorities where the border check point located;
4. Operating business at border check points means the rent or concession of state's assets for operating varieties businesses such as duty-free shop, bank office, insurance office, service, advertising and other activities;
5. Inland border check points mean places for inspection the entry and exist of people, vehicles which carry passengers, good and stuff on the road with auto vehicles, trailers, cargo trailers, carrying trucks, and train with the correct documents declaring procedures accordingly to the set-out legislations;
6. Water ports mean places for inspection the entry and exist of people, vehicles which carry passengers, goods, and stuff from the road to the water way and from the water to the road by boats, ships, vessels, auto vehicles, trailers, cargo trailers, carrying trucks, and train with the correct documents declaring procedures accordingly to the set out legislations;
7. Foreigners mean a person holding another nationality, traveling to Lao PDR within a short or long term to conduct any duty, and will return after the validity expires. These people are monitored by the ministry of foreign affairs and other related agencies;
8. Legal permanent residents mean someone, holding another nationality, but reside in Lao PDR for a long time and holding Lao resident card and they are still recognized by their own countries;
9. Non-nationality means someone who resides in or outside of the territory of the Lao PDR that is not a Lao citizen and doesn't have a nationality;
10. Neighboring countries mean countries which share a border with the Lao PDR.

Article 5: The rules on monitoring border checkpoints and international airport.

The monitoring of border checkpoints and international airports must follow these basic rules:

1. Comply with the constitution, Laws, and the national social-economic development in each period;
2. Centralized monitoring and be united around the country;
3. Ensure the national safety, security, and protecting all the territory of Lao PDR;
4. Ensure the good friendship and cooperation with the neighboring countries, regional and international countries;
5. Ensure that the organizational structure is established to control border checkpoints and international airports effectively and consistency with the actual circumstance in each period;
6. Ensure to provide the service for passengers and goods as quickly as possible, transparency, accuracy, and fair;
7. Comply with international treaties on controlling border checkpoint management and treaty on international civilian aviation.

Article 6: State policies on border checkpoints and international airports.

The Lao government apply the following policies on border checkpoints and international airports:

1. Build border checkpoints and international airports to be unique impression of the nation, of the local, and to be a place to implement the foreign policies of the Lao PDR to attract investment, exchange goods, and tourism;
2. Build border checkpoints and international airports to be safe, orderly, and secure places with the complete national territory

3. Develop personnel to control border checkpoints and international airports according to the technical guideline of each line agency, moving forward to the modern mechanism to control the border checkpoints and international airports.
4. Support and provide facilitation for the effective and efficiency on controlling border checkpoints and international airports by providing budget, workplace, homestay, vehicles, equipment, and other facilities to ensure the implementation of the assigned roles and responsibilities are fully function;
5. Create, improve, and develop legal documents, control mechanism, coordination, management breakdown among the central and local authorities on the border checkpoints and international airports in each period to continually be effective.

Article 7: Scope of the use

This decree is used for non-individual, individual, state organization, and private enterprises within and outside of the country which related to border checkpoints and international airports works related.

Article 8: International Cooperation

State encourage the cooperation with foreign, regional, and international countries, especially those countries which share border with Lao PDR, regional and international countries on controlling of border checkpoints and international airports by sharing lesson information, science and technology, technical upgrade training, follow the treaties and international protocols which Lao PDR is a part of.

Chapter II

Strategies, Rules and Procedure on Establishing Border Checkpoints and International Airports

Section 1

Strategies and Rules on Establishing Border Checkpoints and International Airports

Article 9: Strategic Plan on establishing border checkpoints and international airports

The establishing of strategic plan for setting up border checkpoints and international airports must base on the fact of the geography of the country and local areas which comply with the need of the social-economic development of the country in each period; ensuring the national safety, security, and protecting all the territory of Lao PDR.

The ministry of foreign affair takes lead to coordinate with the ministry of national defense, ministry of public security, ministry of finance, ministry of industry and commerce, ministry of public works and transportation, ministry of planning and investment and the provincial local authority where Lao PDR shares border with neighboring countries to create the strategic plan on development of national inland border checkpoints and water ports and report to the government for approval.

The ministry of public works and transportation takes lead to coordinate with the ministry of national defense, ministry of public security, ministry of finance, ministry of industry and commerce, ministry of foreign affair, ministry of planning and investment and the provincial local authorities to come up with strategy on aviation transportation and establishing an airport and report to the government for approval.

Article 10: The general rules on establishing border checkpoints and international airports

The establishment of border checkpoints and international airports in Lao PDR need to follow this general rule:

1. The government own the right to approve the establishment of border checkpoints and international airports;
2. The government is the one who determine the type and organizational structure of each type of border checkpoints and international airports;
3. The decision on each type of border checkpoint will base on the agreement with the counterpart border checkpoint of the country which shares the border with;
4. Ensure that it is on the national strategic plan of border checkpoint development and the strategic of aviation transportation;
5. The approval on establishing each type of border checkpoints and the international check points must be on the ability to provide enough of human resources on each technical area and the capacity of the government to provide the budget in building the infrastructure of the border checkpoint and international airport as the standards describe in this decree.

6. Ensure to support the passengers, vehicles, and the quantity of goods and stuff which will be exchange/pass through at the border checkpoint and international airport.

Section 2

The procedure on establishing, upgrading and down grading border checkpoints

Article 11: Type of border checkpoints

There are three types of border checkpoints:

1. International border checkpoints;
2. Local border checkpoint;
3. Traditional border checkpoints

Article 12: International border checkpoints

International border checkpoints of Lao PDR consist of inland border checkpoints and water ports.

International border checkpoints are border checkpoints, where Lao citizen, foreigners, legal permanent residents and non-nationality are allowed to pass through.

All kind of goods are allowed to entry and exist through international border checkpoints, including transit goods and import for re-export.

Article 13: Local border checkpoint

Local border checkpoints of Lao PDR consist of inland border checkpoints and water ports

Local border checkpoints are places where only Lao citizen and the citizen of neighboring countries who have permanent residence nearby the border of the provinces across from each other can pass through by the agreement of both parties.

Goods which are allowed to pass through the local border checkpoints are goods which for consumption and for the production of both local people in the two provinces along the border (must follow the notification of the ministry of Finance in each period).

Article 14: Traditional border checkpoint

Traditional border checkpoints of Lao PDR consist of inland border checkpoints and water ports

Traditional border checkpoints are places where only Lao citizen and the citizen of neighboring country who have permanent residence nearby the border of the districts across from each other can pass through by the agreement of both parties.

Goods which are allowed to pass through the traditional border checkpoints are goods which for consumption and for the production of both local people in the two districts along the border (must follow the notification of the ministry of Finance in each period).

Article 15: Procedure to establish international border checkpoints

According to the strategy to establish border checkpoints, the ministry of foreign affair should coordinate with the provincial and district authorities that wish to establish the international border checkpoint and other related sectors, such as national defense, public security, finance, and other related sectors for gathering information, conduct economic and technical analysis report/feasibility study, budget plan, amount of technical staff, expected passengers, vehicles, and goods/stuff which will be imported/exported from and to such border checkpoint; conduct the impact assessment report on the environment and society and report to the prime minister office to seek guideline.

When the government approves the project, the ministry of foreign affairs should cooperation with related sectors and local authorities to work on the discussion/negotiation with the government of the country sharing the same border.

After the country sharing the same border official agreed, the ministry of foreign affairs will notify the ministry of public works and transportation to cooperate with local authorities to conduct the survey, design and set up the budget to present to the government for approval on building the border checkpoints.

The provincial authority should conduct discussion with the local authority of the country sharing the same border for preparing to organize the official open ceremony of such border checkpoint.

Article 16: Procedure to establish local and traditional border check points.

According to the strategy to establish border checkpoints of Lao PDR, the ministry of foreign affair should coordinate with the provincial and district authorities that wish to establish the local and traditional border checkpoint and other related sectors, such as national defense, public security, finance, and other related sectors for gathering information, conduct economic and technical analysis report/feasibility study, budget plan, amount of technical staff, expected passengers, vehicles, and goods/stuff which will be imported/exported from and to such border checkpoint; conduct the impact assessment report on the environment and society and report to the prime minister office to seek guideline.

When the government approves the project, the ministry of foreign affairs should cooperate with related sectors and local authorities to work on the discussion/negotiation with the government of the country sharing the same border.

After the country sharing the same border official agreed, the ministry of foreign affairs will notify the local authority to guide the department of public works and transportation to conduct the survey, design and set up the budget to present to the government for approval on building the border checkpoints.

Article 17: The opening of local and traditional border checkpoints

After the government approves the project, the provincial authority should cooperate and discuss with the provincial local authority of the country sharing the same border on the procedure to officially build and open the local border checkpoint.

The Lao district authority should cooperate and discuss with the district authority of the country sharing the same border on the procedure to officially build and open the traditional border checkpoint.

Article 18: Upgrading or down grading type of border checkpoints

The proposal for upgrading and down grading each border checkpoint should follow the procedure on establishing border checkpoints, which mentions on article 15-16 in this decree.

Section 3

Procedure on establishment, upgrading, and down grading international airports

Article 19: The establishment of international airports

Following the strategic plan of establishing international airports, the ministry of public works and transportation should cooperate with the provincial authority where the international airport is expected to be set up and cooperate with other related sectors, such as foreign affairs, national defense, public security, finance, and other related sectors for gathering information, conduct economic and technical analysis report/feasibility study, budget plan, amount of technical staff, expected passengers, vehicles, and goods/stuff which will be imported/exported from and to such border checkpoint; conduct the impact assessment report on the environment and society and report to the prime minister office to seek guideline.

When the government approves the project, the ministry of public works and transportation should send a request letter to the Department of Civilian Aviation for consideration and approval. After that the ministry of public works and transportation cooperate with local authority to undertake the construction and set it up for the representative from the government to open the airport.

The security and national safety at the international airport must be the priority issue on establishing the international airport and must follow the Law on Civilian Aviation, No. 53/NA, dated 26 Jun 2018 and the security standard of the international civilian aviation.

Article 20: Upgrading the domestic airports to be international airports or down grading the international airport to be domestic airport

The ministry of public works and transportation should take lead and cooperate with other related sectors to conduct research and present to the government on upgrading a domestic airport to be an international airport or to down grade an international airport to be a domestic airport as defined in article 19 of this decree.

Chapter III**Infrastructure Standard for Border Checkpoints and International Airports****Section 1****Infrastructure Standard for Inland Border Checkpoints****Article 21: Infrastructure standard for international inland border checkpoints**

Infrastructure standard for international inland border checkpoints consists of the following:

1. Located in a strategic area and on the economic path of the country;
2. General diagram, and detail diagram, which was approved by the ministry of public works and transportation.
3. Design the buildings with two or three floors as appropriate, consist of local or national unique symbol;
4. At least 5 hectares, excluding areas for business operation and other services;
5. The buildings should consist of immigration office, custom office, plan protection and quarantine office, vet office, and food and drug inspection office, board management office, and any other facilities;
6. The path way of each side of the building should has at least three lanes for sidewalk, vehicle for passengers, tourism, transport special goods, and emergency;
7. Warehouse and container yards for locating import and export goods;
8. Lane for inspection vehicles with goods, stuff, plants, animals, food, drugs, and medical equipment for import and export;
9. Laboratory rooms for health and agricultural sectors;
10. Parking lot for officials working at the border checkpoint and parking lot for others;
11. Location for weigh measurement and radiation equipment;
12. Control rooms, including restroom/toilet for someone who is suspected to have communicable diseases, and detention room for criminal suspect.
13. Building for fire distinguished, electricity control and electric generators;
14. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.
15. Gate with the national symbol and all areas of the border checkpoint should be surrounded with fence;

Based on the fact of the international border checkpoints in Lao PDR at the moment, the ministry of public works and transportation incorporate with the ministry of public security and the provincial authorities where the international border checkpoints located should consider and plan to improve the international border checkpoints which were established before this decree was issued to comply with the set out standard in this decree step by step.

Article 22: Infrastructure for international border checkpoint for railway

Standard of the infrastructure for international border checkpoints for railway consist of the following:

1. Located in a strategic area and on the economic path of the country;
2. General diagram, and detail diagram, which was approved by the ministry of public works and transportation.
3. Design the buildings with one to many floors as appropriate, consist of local or national unique symbol;
4. Has an area of 24 to 150 hectares, excluding areas for business operation and other services;
5. The buildings should consist of immigration office, custom office, plan protection and quarantine office, vet office and food and drug inspection office, management office, and any other facilities;
6. The path way of each side of the building should has at least three lanes for sidewalk, vehicle for passengers, tourism, transport special goods, and emergency;
7. Warehouse and container yards for locating import and export goods;
8. Lane for inspection vehicles with goods, stuff, plants, animals, food, drugs, and medical equipment for import and export;
9. Laboratory rooms for health and agricultural sectors;
10. Parking lots for officials working at the border checkpoint and parking lots for others;
11. Location for weigh measurement and radiation equipment;
12. Control rooms, including restroom/toilet for someone who is suspected to have communicable diseases, and detention room for criminal suspect.
13. Building for fire distinguished, electricity control and electric generators;
14. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.
15. Gate with the national symbol and all areas of the border checkpoint should be surrounded with fence.

Article 23: Standard of infrastructure for local border checkpoints

Standard of the infrastructure for local border checkpoints consist of the following:

1. Located in the main area of economic development between the province which share a border with neighboring country;
2. General diagram, and detail diagram, which was approved by the provincial department of public works and transportation;
3. Design the buildings with one or two floors as appropriate, consist of local or national unique symbol;
4. Has an area of at least 3 hectares, excluding areas for business operation and other services;
5. The buildings should consist of immigration office, custom office, Plan protection and quarantine office, vet office and food and drug inspection office, communicable disease control office, detention room for suspected people, management office, and any other facilities as appropriate;
6. The path way for entry and exist vehicles, for sidewalk, and vehicle;
7. Lane for inspection vehicles with goods, stuff, plants, animals, food, drugs, and medical equipment for import and export;
8. Parking lots for officials working at the border checkpoint and parking lots for others;
9. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.

Article 24: Standard of infrastructure for traditional border checkpoints

Standard of the infrastructure for traditional border checkpoints consist of the following:

1. Located in the area where both citizens have long history travel to each other between the district which share a border with neighboring country;
2. General diagram, and detail diagram, which was approved by the district division of public works and transportation;
3. Design the building with one floor which consist of the local symbol;
4. Has an area of at least 1 hectare, excluding areas for business operation and other services;
5. The building should consist of immigration office, custom office, Plan protection and quarantine office, vet office, food and drug inspection office, and communicable diseases control office;
6. Parking lots for officials working at the border checkpoint and parking lots for others;
7. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.

Based on the fact of the local and traditional border checkpoints at the moment, the department of public works and transportation incorporate with public security sector and the district authority where the border checkpoints located should consider and plan to improve the local and traditional border checkpoints which were established before this decree was issued to comply with the set out standard in this decree step by step.

Section 2**Standard of the infrastructure for water ports****Article 25: Standard of the infrastructure for international water ports**

Standard of the infrastructure for international water ports consist of the following:

1. Located in a strategic area and on the economic path of the country;
2. General diagram, and detail diagram, which was approved by the ministry of public works and transportation;
3. Design the building with one or many floors as appropriate, consist of local or national unique symbol;
4. Have at least 5 hectares, excluding areas for business operation and other services;
5. Have a gate with the national symbol and a fence to cover the border area;
6. Have buildings which consist of immigration office, custom office, plan protection and quarantine office, vet office and food and drug inspection office, communicable control diseases office; management office, and any other facilities;
7. The run way for import-export, office for ship port in each side of the building, at least three lanes for sidewalk, vehicles for passengers, tourism, transport special goods, and emergency;
8. Runway to the ship/boat at least two lanes for transport vehicles, have loading vehicles or machine to upload stuff, have sta to enter and exit the ship/boat for passengers and tourists;
9. Have Warehouse and container yards for locating import and export goods;
10. Lane for inspection vehicles with goods, stuff, plants, animals, food, drugs, and medical equipment for import and export ar dangerous materials;
11. Location for weigh measurement and radiation equipment;
12. Control rooms, including restroom/toilet for someone who is suspected to have communicable diseases, and detention room for criminal suspect.

13. Building for fire distinguished, electricity control and electric generators;
14. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.
15. Parking lots for officials working at the border checkpoint and parking lots for others;

Article 26: Standard of the infrastructure for local water ports

Standard of the infrastructure for local water ports consist of the following:

1. Located in the economic develop area between the province which shares a border with a neighboring country;
2. General diagram, and detail diagram, which was approved by the provincial department of public works and transportation;
3. Design the building with one or two floors as appropriate, consists of local or national unique symbol;
4. Have at least 3 hectares, excluding areas for business operation and other services;
5. Have buildings which consist of immigration office, custom office, plan protection and quarantine office, vet office and food and drug inspection office, communicable control diseases office; management office, and any other facilities completely;
6. The run way for import-export, for passengers and vehicles;
7. Runway to the ship/boat at least two lanes for transport vehicles or as appropriate, has stairs to the ship/boat for passenger and tourists;
8. Lane for inspection vehicles with goods, stuff, plants, animals, food, drugs, and medical equipment for import and export ar dangerous materials;
9. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.
10. Parking lots for officials working at the border checkpoint and parking lots for others;

Articles 27: Standard of the infrastructure for traditional water ports

Standard of the infrastructure for traditional water ports consist of the following:

1. Located in the area where both citizens have long history travel to each other between the district which share a border with neighboring country;
2. General diagram, and detail diagram, which was approved by the district division of public works and transportation;
3. The buildings form with one floor with the local or national unique symbol;
4. Have at least 1 hectare, excluding areas for business operation and other services;
5. The building should consist of immigration office, custom office, plan protection and quarantine office, vet office and food and drug inspection office, communicable control diseases office, and any other facilitation; restrooms for public, drainage system, security huts at entry and exit; border area should be surrounded by fence;
6. Have stairs to and from the ship/boat for passengers and tourists;
7. Parking lots for officials working at the border checkpoint and parking lots for others;

Based on the fact of the water ports at the moment, the department of public works and transportation incorporate with public security sector and the provincial authority where the water ports located should consider and plan to improve the water ports which were established before this decree was issued to comply with the set out standard in this decree step by step.

Section 3

Standard of the infrastructure for international airports

Article 28: Standard of the infrastructure for international airports

Standard of the infrastructure for international airport consist of the following:

1. Located in the appropriate area;
2. Have an area with the surface that meets the international airports standard and approved by the ministry of public works and transportation;
3. The international airport buildings should carry the national unique symbol and comply with the standard of international aviation agency;
4. General diagram, and detail diagram, which was approved by the ministry of public works and transportation;
5. Appropriate area/location and comply with the standard of the international aviation agency;
6. The buildings consist of immigration office, custom office, plan protection and quarantine office, vet office, food and drug inspection office, communicable control diseases office; management office, and any other full facilities;
7. Have the run way for entry and exit in each side of the buildings at least three lanes for sidewalk, vehicles for passengers, tourism, transport goods, and ensure for emergency cases;

8. Have warehouse and container yards for locating/keeping import and export goods;
9. Parking lots for officials working at the international airports and parking lots for others;
10. Location for weigh measurement and radiation equipment;
11. Control rooms, including restroom/toilet for someone who is suspected to have communicable diseases, and detention room for criminal suspected;
12. Building for fire distinguished, electricity control and electric generators;
13. Restrooms for public, drainage system, entry and exist sentry box, green areas and flower garden, and garbage areas.

Based on the fact of the international airports in Lao PDR at the moment, the ministry of public works and transportation incorporate with the ministry of public security and the provincial authority where the international border checkpoint located should consider and plan to improve the international airports which were established before this decree was issued to comply with the set out standard in this decree step by step.

Chapter IV

The entry and exit at border checkpoints of the passengers, vehicles, and goods and stuff

Section 1

The entry and exit at international border checkpoints and international airports

Article 29: The entry and exit of Lao citizen

Lao citizens who wish to entry-exit at any border checkpoints must use their passports, border pass, travel certificate, or any other legal travel documents which can be used instead of passports according to the laws and regulations.

Lao citizens who reside nearby the border checkpoints, district and province which share a border that wish to entry-exit the border checkpoints must use their border pass, travel certificate, and any other legal travel documents according to the laws and regulations.

The entry-exit of Lao citizens must follow the related laws and regulations of Lao PDR, treaties and protocols which Lao PDR is a part of.

Article 30: The entry and exit of foreign citizens

Foreign citizens who wish to entry-exit, and transit through Lao PDR must use their passports or other legal, valid travel documents which have the same value as passports according to the laws and regulations.

Citizens of Lao neighboring countries who live nearby the borders, districts and provinces and wish to enter-exit Lao border checkpoints must use their border passes, travel certificate or other travel documents which can be used instead accordingly to the laws.

The entry-exit of foreign citizens must follow the related laws and regulations of Lao PDR, treaties and protocols which Lao PDR is part of.

Article 31: The entry-exit international airports of Lao citizens and foreign citizens

The entry-exit international airports of Lao citizens and foreign citizens must use their passports or other legal, valid travel documents which have the same value as passports according to the laws and regulations.

Section 2

The entry-exit of inland border checkpoints and water ports of vehicles

Article 32: The entry-exit of inland border checkpoints of vehicles

All types of vehicles of Lao citizens or foreigners that wish to enter-exit Lao border checkpoints must follow the Lao laws, treaties and protocols which Lao PDR is a part of; must be under the control of the state sectors which are installed at the border checkpoints.

Article 33: Vehicle applications at the border checkpoints

All type of vehicles that wish to enter-exit Lao border checkpoints must complete the following applications:

1. Vehicle registration certificate;
2. International transport permit book;
3. Transit permit (for vehicles that are carrying goods for transit);
4. Permit for passenger transport (for vehicles that are carrying passengers);
5. Permit to transport goods (for vehicles that are carrying goods for domestic consumption);
6. Technical certificate of the vehicles;
7. Insurance certificate;
8. Driver license;
9. Other related documents which are request by Lao laws and treaties, and international protocol that those countries are a part of.

Section 3

The import-export of goods and stuff at international border checkpoints and international airports

Article 34: The import-export of goods and stuff at international border checkpoints

The import-export, import for re-export, and transit of all types of goods must follow the Lao laws and regulations on controlling import-export goods and stuff and, treaties, and international protocol that those countries are a part of. must be under the control the state sectors which are installed at the border checkpoints.

The import-export of all type of goods and stuff, including containers through the border checkpoints must declare to inspection and controlling officials according to the custom law and other related regulations strictly, even though such goods are exempt from tax and other obligation cut.

Article 35: The import-export of goods and stuff by post office through international airports

The import-export of goods and stuff by post office through international airports should strictly follow the custom law, civilian aviation law, other laws, and other international protocol on international civilian aviation, including the bilateral treaty on the air transportation which Lao PDR is a part of, even though such goods are exempt from tax and other obligations.

Section 4

Setting official working and closing hours

The operation of international border checkpoints and airports.

Article 36: Setting official working and closing hours for international border checkpoint and international airports

Setting official working and closing hours for international border checkpoint and international airports must comply with the treaties and international protocols which the Lao PDR is a part of; based on the agreement with the neighboring country that shares the same border with Lao PDR.

Setting official working and closing hours for local border checkpoints depends on the agreement of both provincial authorities of two countries that share the same border based on the approval of the government.

The ministry of public works and transportation will make decision on the working hours of international airports according to the civilian aviation law and other related laws of Lao PDR.

In an emergency case which related to the national security, arresting international criminals, natural disaster, helping of emergency patients, or any other emergencies cases, the board of border checkpoint can open the border out of official business hours, and report to the ministry of public security and local authorities immediately.

Article 37: Temporary closing of border checkpoints

Temporary closing of border checkpoints is when any emergencies case occurs, which related to the national defense and security natural disasters, communicable diseases, or any other reasons or according to the request of the country sharing the same border. The rights and authority on making decision should base on the following:

1. The prime minister approves the order for temporary closing international borders based on the proposal of the ministry of public security after consultation and agreed by the provincial or capital mayor where the border located;
2. The provincial or capital mayor has the right to order closing local and traditional border checkpoint for temporary, according to the proposal of the provincial department of public security after consultation and agreed by district governor, head of district area where the local or traditional border checkpoint located and report to the government;
3. If a border checkpoint is temporary closed for 30 days or more, when the border checkpoint will be reopened, the procedure on establishing border checkpoints must be followed as mentioned in article 15 and 16 of this decree;

Article 38: Temporary closing of international airport

Temporary closing of international airport must follow the article 65 of the law on civilian aviation No. 53/NA, dated 26 March 2018.

Chapter V**The Organizational Structure and Personal Organization of Border Checkpoints****Section 1****Border Checkpoint Management Board****Article 39: The Role of border management board**

The border checkpoint management boards have the role on state management on the border checkpoint area to ensure that all the technical sectors are actively working to facilitate the passengers, vehicles, and goods or stuff passing through the border checkpoints quickly, transparency, fairly, safe, and comply with related laws and regulations.

Article 40: The right and responsibilities of border management board

The border management board has the following rights and responsibilities:

1. Conduct research, learn, understand, and implement the laws, regulations, and other legal documents related to the controlling of border checkpoints;
2. Facilitate related officials to review the documents of passengers, vehicles, goods and stuff, passing through the border checkpoints according to Lao laws and regulations, treaties, and protocol which Lao PDR is a part of;
3. Advertise and conduct outreach on the regulations related to import-export through border checkpoints, collection of fee charge and service fee;
4. Control the entry-exit of officials working at the border checkpoint;
5. Study and set up annual activity plans and budget plan for controlling at the border checkpoint, and activity plan at each period.
6. Facilitate and manage those business operations which operate their business at the border checkpoints after the government approved.
7. Summarize and report the revenue and all the activities at the border checkpoint to the local and central authorities regularly
8. Manage, use, maintain, repair, and clean the building, warehouse, office, parking lots, road, IT system, post and telecommunication system, electricity, generator, water supply, drainage system, power off, CCTV, gate, sentry box, fence, concrete fence, green area, garden, materials, construction materials, and others in the border checkpoint area to be clean, look good, and can used regularly;
9. Set up plan for solving any issues in case of natural disaster and any other emergency case.
10. Study, propose the higher authorities to adjust charge fees and service fees, which are not appropriate to the current circumstance of the social economic development;
11. Coordinate, cooperate with all national and international sectors, counterparts of border checkpoints on implementing the decree, MOU, bilateral and multilateral treaties, protocols, which Lao is a part of; compete and study the lessons on international relation related to border checkpoint control;
12. Exercise rights and implement other tasks as defined in laws and other regulation.

Section 2

The Organizational Structure of the land border checkpoints and water ports

Article 41: The Organizational Structure (Border Agencies) of International Border Checkpoints

The border agencies at the international border checkpoints consist of the following:

1. Immigration
2. Custom
3. Plan quarantine and veterinary, food, drugs and disease control officials
4. Board Office/Management Office
5. Consular Office and public relation at border
6. Infrastructure management for inland and water port international border checkpoints.

Article 42: The Organizational Structure (border agencies) of Local Border Checkpoints

1. Immigration
2. Custom
3. Plan quarantine and veterinary, food, drugs and disease control officials
4. Board office/Management Office

Article 43: The Organizational Structure (border agencies) of Traditional Border Checkpoints

1. Immigration
2. Custom
3. Plan quarantine and veterinary, food, drugs and disease control officials

Article 44: The rights and responsibilities of immigration

The immigration has the following rights and responsibilities:

1. Take responsibility on security, safety, and order in the border checkpoint and within 500 meters from the border;
2. Check all types of travel documents of passengers and vehicles, including stuff which exclude from list of goods;
3. Stop, or postpone the entry-exit of Lao PDR for anything which do not meet the conditions as define in article 9, 12 and 13 of the Law on entry-exit and controlling foreigners in Lao PDR;
4. Educate, warn, fine, detain, and investigate accordingly for those who violate the laws and regulations in the border checkpoint area;
5. Join the inspection by using X-Ray and vehicles with other related officials at the border checkpoint;
6. Coordinate and cooperate with counterpart border checkpoint on the Import-export from Lao PDR according to the role;
7. Summarize and report the implementation of import-Export from Lao PDR to the head office and the local authority where the border post located regularly;
8. Exercise rights and undertake other related tasks as described on laws and regulations.

Article 45: The rights and responsibilities of Custom

Custom at the border checkpoint has the following roles:

1. Advertise, outreach and implement custom law, other laws, and legal documents related to custom;
2. Control, monitor, inspect export, import, import for re-export and transit goods-stuff according to the Laws and regulations quickly and certainly;
3. Collect duty fees and all types of revenues which occur at the border checkpoints as described on the laws and related regulations, correctly, accurately, and timely;
4. Inspect and prevent any action which will violate laws and regulations related to custom and other regulation in the scope of work;
5. Summarize and report the implementation of custom work to the local authority and custom department, ministry of finance regularly;
6. Exercise rights and undertake other related tasks as described on laws and regulations.

Article 46: The rights and responsibilities of plant quarantine, vet, food, drugs, and disease control

1. Plan quarantine responsibilities:

1. Implement the law and regulations on plant protection and quarantine in the border area;
2. Take responsibility according to the roles and technical guideline correctly, completely, and timely;
3. Preventing any action violate the laws and regulations on plant protection and quarantine, collection the basic information on the violation at the border checkpoint and notify other related agencies to resolve according to the law and regulations;
4. Facilitate the import-export, import for re-export, and transit plants and plant products quickly, transparency, and legally.
5. Inspect, test, and analysis plants, plant products, and control materials, such as fertilizer, pesticides, and chemical residue in plants products accordingly to the import requirements;
6. Detain, separate, collecting and maintaining samples, send the samples to test, treat, deny any import, return, destroy or use other measures for plants, plant products, and control material which contain pest, and fertilizer, pesticides, and chemical residue in plants products;
7. Notify traders to conduct treatment/fumigation, return, or destroy plants, plant products, and other materials which contains pest;
8. Issue Phyto-certificate for export, re-export, and other documents, assigning by department of agriculture, ministry of agriculture and forestry and the request of the traders;
9. Summarize and report the implementation of plant quarantine and phytosanitary, including production factors to the agriculture sector regularly;
10. Exercise rights and undertake other related tasks as described on laws and regulations.

2. Veterinary

1. Implement laws and regulations on inspection and detention of animals in the border checkpoints;
2. Take responsibilities according to the roles and technical guideline correctly, complete and timely;
3. Check documentation, materials, vehicles, packaging, and container, location and related evidence on animal, aquatic, animal product movement, and aquatic products for import-export from the border checkpoint, including giving comments and certify the vet result at the border checkpoint;
4. Vet inspection and issue or refuse for the movement of animals, aquatics, or products of animals and fisheries, passing through the border checkpoint;
5. Detain, separate, cure, treat, collect samples, refuse the entry, return, destroy, disinfect, or use other measures to animals, aquatics, of animal products, vehicles or infected materials, which need to be declared or in case any dangerous contaminant is detected.
6. Collect information on the risk assessment of the movement, the information on animal diseases in foreign countries and neighboring countries regularly;
7. Prevention any action violating the laws and regulations on inspection and detention of animals, collecting the basic information on the violation in the border area and notify the related agencies to resolve the issue according to the laws and regulations.
8. Summarize and report the implementation of inspection, detention of animals to the Agriculture and forestry sector regularly
9. Exercise rights and undertake other related tasks as described on laws and regulations.

3. The responsibilities of food and drugs and communicable disease control cover the following:

1. Implement the laws and regulations on inspections of food, drugs and communicable diseases, prevent and control the communicable diseases in the border area;
2. Inspect food, drugs, medical equipment, which are export, import, transit through the border checkpoint accordingly to the laws and regulations;
3. Using the method on prevention and control communicable diseases, such as detain, separate, and send the sample for analysis, and conduct basic treatment for detection cases;
4. Collecting the basic information on the inspection of food, drugs, and medical equipment, the prevention and control of communicable disease, and report to the higher authority;
5. In case there is any suspect that passengers may be infected by communicable diseases or in case that there is any communicable disease occur in the neighboring countries or any other countries, the passengers can be inspected and issued a health certificate for passengers;
6. Summarize and report the implementation of one's responsibilities to the authorities of food, drugs, medical equipment, and prevention and control of communicable disease regularly;
7. Exercise the rights and undertake other related tasks as described on laws and regulations.

Article 47: Right and responsibilities of the board office

The board office undertakes the following responsibilities:

1. Be responsible for the activities of Party board members;
2. Be responsible for the personnel organization at the border checkpoint;
3. Acting as a central focal point, coordinate with the state management according to the technical field at the border checkpoints;
4. Control, keep, and maintain the infrastructure, facilities, vehicles, equipment, materials, land and other assets of the border checkpoints;
5. Allocate, control the management system at the border checkpoint with the modern technology equipment, and tools to facilitate the centralized management and integrate with and internationally;
6. Control, allocate, and facilitate all the sectors at the border checkpoint on implementing their role by providing location, office equipment, tools and others orderly;
7. Set up plan, control the income-expenses of the border checkpoint as the budget plan;
8. Allocate, control, and facilitate all the business operator at the border checkpoint;
9. Collect monthly, quarterly, and yearly import-export statistics of people, vehicles, good at border checkpoint;
10. Summarize and report the implementation of one's responsibilities to the local authorities regularly;
11. Publication, outreach, and post the charge fees and service fees for public awareness;
12. Control the service business operators at border checkpoints to ensure they are following the laws and regulation;
13. Facilitate border public relation sectors and consular at each border checkpoint that has all the qualification as defined by the ministry of foreign affairs;
14. Facilitate the public works and transportation sector on maintaining and repairing the roads, bridges, and buildings, which are the basic infrastructure of the border checkpoint;
15. Exercise the rights and undertake other related tasks as described on laws, regulations, and assigned by the director of the border checkpoints.

Article 48: The rights and responsibilities of public relation and consular

Regarding the control of international border checkpoints, the public relation at border and consular section have the rights and role on public relation at border, in complying with the bilateral agreement on border that the Lao PDR and the neighboring country are part of; visa related business and international relation.

Article 49: The rights and responsibilities of the infrastructure team at the international inland border checkpoint and water port

Regarding to the controlling of international water ports and railways, the sector which is in charge for the infrastructure that come from the public works and transportation sector has the rights and responsibilities as defined in prime minister decree No. 259/PM, date 04 Sep 2007 on the organization and implementation of the ministry of public works and transportation, the law on railway which was approved on the sixth forum of the 8th national assembly, and other related regulations.

Article 50: The rights and responsibilities of each agencies on duty at local and traditional border checkpoints

The rights and responsibilities of each agencies on duty at local and traditional border checkpoints should follow articles 44, 45, 46 and 47 of this decree according to the scope of right, and responsibilities which are assigned accordingly to the type of the border checkpoint.

Section 3**The personnel structure (border agencies) and border controlling board members****Article 51: Personnel Structure (border agencies) of controlling board members at international border checkpoints**

Personnel Structure (border agencies) of controlling board members at international border checkpoints consist of the Director, deputy director, and a number of board members.

1. The director of controlling board members at international border checkpoint should hold a management position in the government type 4 or 5; appointed, removed, or impeached by the minister of Public Security based on the cooperation and agree by the provincial or capital mayor where the border is located.

2. The deputy director of controlling board members at the international border checkpoints should hold a management position in the government type 5 or 6, consist of:

1. The head of management office at international border checkpoint is appointed, removed, or impeached by the provincial or capital mayor where the border is located;
2. The head of immigration office at border checkpoint is appointed, removed, or impeached by the minister of the ministry of public security;
3. Head of custom office at the border checkpoint is appointed, removed, or impeached by the minister of the ministry of finance;

3. The international border board member should hold a management position in the government type 6 or 7, consist of:

1. The persons, in charge of plan quarantine, veterinary, food and drug, and communicable diseases control by the selection from four related agencies;
 - Head of plant quarantine and veterinary are appointed, removed or impeached by the minister of the ministry of Agriculture and forestry;
 - Head of food and drug and communication disease are appointed, removed, or impeached by the minister of the ministry of health;
2. The person, in charge of public relation and consular works is appointed, removed, or impeached by the minister of the ministry of foreign affairs;
3. The person, in charge of the infrastructure joining the board member at inland border checkpoint and water port is appointed, removed, or impeached by the minister of the ministry of public works and transportation.

The appointing of the director, deputy director, and border controlling board members must be based on the cooperation and agreement among those related sectors and the provincial authority where the border checkpoint is located.

Article 52: Personnel Structure of the local border controlling board members

The local border controlling board members consist of the director and deputy directors with a number of board members.

The director should hold the management position in the government type 5 or 6, is appointed, removed, or impeached by the provincial governor or capital mayor where the border checkpoint is located, according to the proposal of director of provincial Public Security Department with the coordination with other related agencies in the province and the district authority where the border checkpoint is located.

The deputy director of the board members consists of:

1. The head of immigration office is appointed, removed, or impeached by the director of provincial public security department
2. The head of custom office is appointed, impeached, removed, or transferred by the minister of the ministry of finance with the coordination with the local authority where the border checkpoint is located;
3. The representatives in charge of plant quarantine, veterinary, food, drug and communicable control are appointed, removed, or impeached by the minister of the agriculture and forestry and the minister of health according to the proposal of the provincial department of agriculture and forestry and the department of health.

The consideration of personnel and positions determination of the border controlling board members is made by the provincial mayor based on the location, the importance, and the number of people entry and exit and the quantity of good exchange in each local border checkpoint.

Article 53: Personnel Structure of the traditional border controlling board members

The traditional border controlling board members consist of: Team Leader and a number of team member.

The leader of the border controlling board member is the immigration officer, in charge of inspection of entry-exit people, is appointed, removed, or impeached by district governor where the traditional border checkpoint is located according to the public security of district.

Custom official in charge at traditional border checkpoint is appointed and assigned to take the task by the provincial department of finance (custom control unit) based on the actual circumstance of each traditional border checkpoint and other related regulation.

Plant quarantine official, veterinary, food, drug, and communicable disease control officials at the traditional border checkpoint are appointed and assigned to undertake the tasks by the provincial department of agriculture and forestry (plant quarantine and veterinary unit) and department of health (food, drug, and communicable diseases control unit) base on the actual circumstance of each traditional border checkpoint and other related regulation.

The district governor, where the border checkpoint is located, is in charge of considering and making decision on personnel and position at the border checkpoint by coordinating with related agencies based on the location, the importance, and the number of people entry and exit and the quantity of good exchange in each traditional border checkpoint.

The traditional border checkpoint that organize any market fairs between the two countries and exchange goods must have official in charge of custom, plant quarantine, vet, food, drug, and communicable disease control on duty at the border checkpoint. Other than that, there should be only immigration officials in charge at the border checkpoint.

Section 4

The Organizational and Personnel Structure at International Airport

Article 54: The Organizational Structure (border agencies) of International Airport

The Organizational Structure (border agencies) of international airport consist of:

1. Immigration;
2. Administration, Security, and general aviation security;
3. Custom;
4. Plan quarantine and veterinary, food, drugs and disease control agencies;
5. Consular Office.

The rights and responsibilities of immigration official, custom, plant quarantine, vet, food, drug, and communicable disease control and consular officials should follow articles 44, 45, 46, 48 of this decree.

Article 55: The Personnel Structure at International Airport

The personnel structure at international airport consist of:

1. International airport controlling board members are in charge of immigration, custom, plant quarantine, food, drugs, and communicable disease control and consular.
2. International airport administration office is in charge of security and protect all aviation security; administration tasks, facilitate each state agency, passengers, and business operators.

The controlling of international airport of the board member above must coordinate and discuss on planning and implementing together to ensure the effective implementation according to the roles.

Article 56: Personnel structure of the international airport controlling board members

Personnel structure of the international airport controlling board members consist of: a director, and deputy director(s) with a number of board members.

1. The director of international airport controlling board is appointed, removed, or impeached by the minister of ministry of public security base on the coordination and agreement of provincial or capital governor where the international airport is located;
2. The deputy director of international airport controlling board consist of:
 1. Head of immigration at the international airport, appointed, removed, or impeached by the minister of the ministry of public security;
 2. Head of custom at the international airport, appointed, removed, or impeached by the minister of the ministry of finance;
3. Board members of international airport controlling board consist of:
 1. Representatives in charge of plant quarantine, vet, food and drug, and communicable disease control by the selection from those four related agencies:

- The head in charge of plant quarantine, and veterinary is appointed, removed, or impeached by the minister of the ministry of agriculture and forestry;
 - The head in charge of food and drug, and communicable disease control is appointed, removed, or impeached by the minister of the ministry of health;
2. Official in charge of consular work is appointed, removed, or impeached by the minister of the ministry of foreign affairs;

Article 57: The office of international airport

The head and deputy head of the office of international airport is appointed, removed, or impeached by the minister of the ministry of public works and transportation.

Personnel structure of the office of international airport should follow the decree on the organization and implementation of Lao airport No. 6313/PWT, dated 26 March 2018.

Chapter VI

Finance of border checkpoints and international airports

Article 58: The budget of border checkpoints and international airports

Border checkpoints have their own budget. It is a budget unit which is in charge by the local authority where the border checkpoint located.

International airports have their own budget. It is a budget unit which is in charge by the ministry of public works and transportation.

Article 59: The determination of technical income and expenses

All income-expenses from the technical service fee, such as rent fee, concession fee and other income according to the contract which occur at the border checkpoint and international airport should be count as technical income and use it accordingly to the law on government budget and other related regulations.

Article 60: Type of income at border checkpoints and international airports

The state revenue from border checkpoints and international airports consist of the following:

1. Tariff, duty, state fund and other fees;
2. Technical charge fees of each agency;
3. Technical service fee at border checkpoint and international airport, rent fees, concession fees, and other income according to the contract;

Article 61: Budget management at border checkpoints and international airports

1. Income from tariff, duty, state fund and other fees should collect correctly, completely, and hand over to the state budget as defined on the laws and regulations;
2. Technical service fee of each sector at border checkpoints and international airports must be centralized collection at a single point, collected by custom officials according to the laws and related regulations and centralized hand over to the state budget;
3. Rent fee, concession fee, and other income according to the contract in the area in charge by the border checkpoints should be collected by the border board and board of international airport and hand over to the state budget.

Article 62: Type of budget expense at border checkpoints and international airports

The expense at border checkpoint and international airport consist of the expense which relies on the central and local authorities as following:

1. Expense on salaries and other benefits of government staff who are on duty at border checkpoints and international airports are depended on the budget of the central and local authorities;
2. Expense on investment which related to the infrastructure construction relies on the public works and transportation sector budget;
3. Expense on technical equipment of each agency is in charge by the central authorities of each sector;

4. The administration expenses, such as electricity fee, water supply fee, telephone fee, cleaning, minor fixing, maintaining, to for administration and others is belong to the local authorities.
- The administration expense of international airports is handled by to the ministry of public works and transportation.

Article 63: Budget planning at border checkpoints and international airports.

1. The yearly budget planning of border checkpoint and international airport must calculate, balance the income and expense and summarize to the annual budget planning. Implement the state financial regulation and undertake management of financial sector, public works and transportation and the local authorities.
 2. The border checkpoints and international airports are responsible for setting up the yearly budget plan for expenses, such a electricity fee, water supply fee, telephone fee, cleaning, minor fixing, maintenance office tools at the border administration and other and propose to the provincial or capital cabinet office where the border checkpoint is located.
- For international airports, the proposal should be submitted to the ministry of public works and transportation.

Chapter VII

The business operation at border checkpoint area and international airport

Article 64: The business operation at border checkpoint area and international airport

The business operation at border checkpoint area and international airport should follow the following:

1. Implement the law on state assets, law on investment promotion, laws and other related regulations;
2. Business operation approval at the international border checkpoint and international airport is in charge by the ministry of finance to consider according to its roles and responsibilities;
3. The income from the business operators at international border checkpoint and international airport should be handed over the central revenue.

Article 65: The business operation at local and traditional border checkpoints

The business operation at local and traditional border checkpoints should comply the following:

1. Implement the law on state assets, law on investment promotion, laws and other related regulations;
2. Business operation approval at the local and traditional border checkpoints is in charge by the provincial or capital authorities where the border checkpoint is located to consider and approve or give the power to the district to consider and approve as suitable;
3. The income from the business operation in the areas of local and traditional border checkpoints is given to the revenue of province or capital where the border checkpoint is located.

Article 66: Opening border market fairs

Opening border market fairs at traditional border checkpoints is the determination of location, date, and time for those citizens who live around the border to have a chance to exchange, sell, and buy goods and service according to the agreement of provincial authorities based on the proposal of the district.

The income from the opening border market fairs, other than the revenue income for state budget as defined in the law on state budget, should be given to the revenue of the district where the traditional border is located.

Chapter VIII

Prohibition

Article 67: Prohibition for staff and official on duty at the border

It's prohibited for staff and officials on duty at border to take following actions:

1. Release the national and official confidential information, and confidential information of the border checkpoint;
2. Retard, hold back, falsify paper works, lack of responsibility for the given tasks;
3. Abuse position, use violence, abuse and threat, claim, ask for, or receive any gift which may cause any damage to the advantage of any individual, organization, non-individual and state;

4. Protect, or consistent with individual, non-individual organization and other sectors which violate the laws;
5. Take any other action which will violate the laws.

Article 68: Prohibition for individual, non-individual and other related organizations

It's prohibited for individual, non-individual and other related organizations take the following action:

1. Refuse to provide information on offense or violation of the laws on controlling border checkpoints and international airports
2. Join offense, cover, and hide criminal related to the controlling border and international airport;
3. Take any other actions which will violate the laws.

Chapter IX

The controlling and inspection of border affairs and international airport

The border affairs and international airport are centralized, harmonized control by the government. International border checkpoints and international airports are controlled by the central authority by given the authority to the ministry of public security to take the responsibilities with the coordination with related agencies and local authorities. Regarding the local and traditional border checkpoints, the local authorities where the border checkpoint is located should be in charge according to the role and responsibilities defined in this decree.

Section 1

Public Security Sector

Article 69: The rights and responsibilities of the ministry of public security

Regarding the controlling of border checkpoints and international airports, the ministry of public security should exercise the following rights and responsibilities:

1. Studies, plan, and be aware of all the circumstances related to the entry-exit of Lao PDR around the country.
2. Control, take lead, order, monitor, inspect, and conduct assessment on the entry-exit of Lao PDR and at each border checkpoint around the country to ensure that the entry-exit of Lao PDR is convenient, quick, peaceful, secure, and disciplined.
3. Be aware and monitor peace, security, and order of the entry-exit of passengers, vehicles, and goods at border checkpoints and international airports around the country and report to the prime minister office regularly;
4. Submit proposal to the minister of the ministry of public security to appoint, remove, or impeach the director of international border checkpoint, head of immigration and technical staff at international border checkpoints;
5. Stop, or suspend the travelling of passengers, vehicles when the immigration officers have evidence on any violation related to law and regulations, including tools and other materials which are dangerous;
6. Take lead on issuance of border pass, travel document certificate for Lao citizen who wish to entry-exit border checkpoints around the country;
7. Liaise, and collaborate with other countries and international countries on entry-exit Laos PDR as assigned;
8. Summarize and report the implementation of entry-exist Lao PDR to the higher authority regularly;
9. Exercise the rights and implement other tasks as defined on laws and regulation.

Article 70: Provincial public security head quarter

Regarding the controlling of border checkpoints, the provincial public security head quarter should exercise the following rights and responsibilities:

1. Control, take lead, order, monitor, inspect, and conduct assessment on entry-exit of Lao PDR and at border checkpoints in province and capital;
2. Check documents for exit or asking for extension of border pass, travel document certificate of Lao citizen and forward to the higher authority for approval;
3. Propose to the director of the provincial head quarter to appoint, remove, or impeach the deputy head of immigration at international border checkpoints, head, deputy head and technical staff of immigration at local border checkpoint;
4. Propose to the director of the provincial head quarter to appoint, remove, or impeach the head of immigration at local border checkpoint, and some suitable technical staff through the administration office;

5. Propose higher authority to stop or suspend traveling of passengers and vehicles when the immigration officers have some information on law and regulation violation and materials and other things that are dangerous;
6. Liaise, and collaborate with other countries and international countries on entry-exit Laos PDR as assigned;
7. Summarize and report the implementation of entry-exit Laos PDR to the higher authority regularly;
8. Exercise the rights and implement other tasks as defined on laws and regulation.

Article 71: District public security

Regarding the controlling of border checkpoints, the district public security should exercise the following rights and responsibilities

1. Control, take lead, order, monitor, inspect, and conduct assessment on entry-exit of Laos PDR and at traditional border checkpoints in district or capital;
2. Check travel certificate of Laos citizen living in the district or capital where share the same with other country to higher authority for approval;
3. Propose to the head of district public security to appoint, remove, or impeach the head and deputy head of immigration at traditional border checkpoint;
4. Propose higher authority to stop or suspend traveling of passengers and vehicles when the immigration officers have some information on law and regulation violation and materials and other things that are dangerous;
5. Summarize and report the implementation of entry-exit Laos PDR to the higher authority regularly;
6. Exercise the rights and implement other tasks as defined on laws and regulation.

Article 72: The determination of on duty timeline of public security officers at border checkpoints

The head and deputy head of immigration officers and other officers of the public security sector on duty at border checkpoint must follow the regulation on replacement as defined on the laws and specific regulation of the ministry of public security.

Section 2

Financial Sector

Article 73: The rights and responsibilities of financial sector

Regarding the controlling of border checkpoints and international airports, the ministry of finance should exercise the following rights and responsibilities:

1. Act as general secretariat for the government on studying and proposing policy, legal documents, and strategic plan on custom duty on the border checkpoint in each period;
2. Take lead on studying and determining measures, regulations, guideline, and technical note on custom duty at border checkpoint and international airport;
3. Consider on appointing, removing, or impeaching head of custom at border checkpoints and international airports;
4. Develop the information system, analysis, and publish information on custom;
5. Cooperate and liaise with other related sectors to develop border checkpoints, building capacity of duty collection and other income at border checkpoint to be accurate, complete, quick, and modern;
6. Study, set out, and have detail legislations on dividing the responsibilities of financial sector at border checkpoint.

Article 74: The rights and responsibilities of provincial and district financial sector

Regarding the border controlling, the provincial and district financial sector should exercise the following rights and responsibilities

1. Advertise and outreach the implementation of laws and other legal documents related to custom duty;
2. Liaise with local authorities on personnel organization in the financial and custom sector on carrying the roles and responsibilities to be unity and harmonize;
3. Study and propose the ministry of finance to appoint, impeach, and removed, rotate, custom officers at local and traditional border checkpoints based on the coordination of the ministry of finance and provincial and capital department of finance;
4. Exercise the rights and implement any other roles, assigned by the ministry of finance and local authorities;

Section 3

Agricultural and Forestry Sector

Article 75: The rights and responsibilities of the ministry of agriculture and forestry

Regarding the controlling of border checkpoints and international airports, the ministry of agriculture and forestry should exercise the following rights and responsibilities:

1. Act as the general secretariat for the government on studying, introducing policies, legislation and strategic plan on the plant quarantine and veterinary in each period;
2. Study, determine measures, regulations, guideline, and technical note on plant quarantine and veterinary inspection at border checkpoint;
3. Appoint, remove, or impeach plant quarantine and veterinary officials at border checkpoint;
4. Develop the information system, analysis, and publish information on plant quarantine and veterinary;
5. Cooperate and liaise with other related sectors to develop border checkpoints, building capacity for inspection, risk surveillance, controlling of the movement, building location for plant quarantine and veterinary as accurate, safe, quick, and modernized;
6. Study, set out, and have detail legislations on assigning the responsibilities of the agricultural and forestry sector on plant quarantine and veterinary at border checkpoints.

Article 76: The rights and responsibilities of provincial department of agriculture and forestry and district agricultural and forestry office

Regarding the controlling of border checkpoints, the provincial department of agriculture and forestry and district agricultural and forestry office should exercise the following rights and responsibilities:

1. Implement and expand policies, legislations, and strategic plan on plant quarantine and veterinary in one's responsibilities;
2. Study and propose to the ministry of agriculture and forestry to appoint, remove, or impeach plant quarantine and vet official at border checkpoint;
3. Study and propose to the ministry of agriculture and forestry to set up plant quarantine and veterinary unit at local and tradition border checkpoint, where is necessary;
4. Implement the administration and service at border checkpoint as assigned by the ministry of agriculture and forestry and local authority;

Section 4

Public Health Sector

Article 77: The rights and responsibilities of the ministry of public health

Regarding the controlling of border checkpoints and international airports, the ministry of public health should exercise the following rights and responsibilities:

1. Act as the secretariat for the government on studying, introducing policies, legislation and strategic plan on food, drug, medical equipment, preventing and controlling communicable diseases in each period;
2. Take lead to study, determine measures, regulations, guidelines, and technical note on food, drug, medical equipment, preventing and controlling communicable diseases at border checkpoints and international airports;
3. Appoint, remove, or impeach food, drug, medical equipment and communicable diseases officials on duty at border checkpoints or international airports;
4. Develop the information maintaining system, analysis, and publish information on food, drug, medical equipment inspection preventing and controlling communicable diseases at border checkpoints or international airports;
5. Cooperate and liaise with other related sectors to develop border checkpoints, building capacity for food, drug, medical equipment inspection, preventing and controlling communicable diseases to facilitate export, import, and transit food, drugs, medical equipment as accurate, safe, quick, and modernized;
6. Study, set out, and have detail legislations on assigning the responsibilities of the health sector on the inspection of food, drugs, and medical equipment, preventing and controlling of communicable diseases at border checkpoints and international airports.

Article 78: The rights and responsibilities of provincial department of Health

Regarding the controlling of border checkpoints and international airports, the department of public health should exercise the following rights and responsibilities:

1. Control, advise, take lead, monitor, inspect, and conduct the assessment on implementing the inspection of food, drugs, and medical equipment; preventing and controlling communicable diseases at the border checkpoint in the province.

2. Facilitate for the implementing of inspection on food, drugs, and medical equipment, and preventing and controlling communicable diseases;
3. Cooperate, coordinate and working with related agencies on developing the border checkpoint and building capacity;
4. For the inspection on food, drugs, and medical equipment, preventing and controlling communicable diseases to facilitate the import and export, transit food, drugs, and medical equipment to be quick, modern, and safe as the international guideline;
5. Appoint, remove food, drug, and medical equipment and communicable disease control inspectors at provincial and district level as appropriate;
6. Summarize and report the implementation of inspection of food, drugs, and medical equipment, and communicable disease to the ministry of health regularly.
7. Implementing other tasks as required by the ministry of health and local authority.

Article 79: The rights and responsibilities of district health office

The district of health office under takes the following rights and responsibilities on the border affair:

1. Monitor, inspect and encourage the food, drugs, and medical equipment; preventing and controlling communicable disease; inspector at traditional border checkpoint;
2. Implementing other tasks as required by the provincial health department and local authority.

Section 5

Foreign Affair Sector

Article 80: The rights and responsibilities of the ministry of foreign affair

Regarding the controlling of border checkpoints and international airports, the ministry of foreign affairs should exercise the following rights and responsibilities:

1. Coordinate with related agencies and local authorities to study and set up the strategic plan to develop the border affairs around the country and report to the government for approval;
2. Coordinate with related agencies and local authorities to conduct economic and technical analysis report/feasibility study to propose for establishing new border checkpoint of Lao PDR;
3. Consider and approve responsible for coordinating and consular agencies at border checkpoint and international airport, including appointing official to be on duty at border checkpoints and international airports;
4. Consider the proposal of province on temporary closing international border checkpoint or proposal to permanent closing international border to forward to the government for approval;
5. Come up with legislations on border management, and take lead on the foreign coordination at border checkpoint at each border checkpoint.

Article 81: The rights and responsibilities of provincial foreign department

1. The provincial foreign department exercise the rights and responsibilities as assigned by the ministry of foreign affairs on international relation, border affairs, and consular work at border checkpoints.

Section 6

Public Works and National Defense Sectors

Article 82: The rights and responsibilities of the ministry of public works and transportation.

Regarding the controlling of border checkpoints and international airports, the ministry of public works and transportation should exercise the following rights and responsibilities:

1. Control the survey, designation, construction, repairing, and maintaining bridge, building, road, parking lots, and other facilities at the border checkpoints;
2. Come up with methods and measures; coordinate, monitor, and encourage the resolution of any obstacle that may occur during the transportation to facilitate the transportation to be quick, safe, effective, and integrate with ASEAN, regional, and international transportation system;

3. Under take the role and responsibilities on the management activities and administer the airport around the country, and ensure the safety, convenience, quick, and in order and comply with the standard of the internal and international civil aviation;
4. Control the survey, designation, and construction, and repairing airports; approve, register, and give permission to use airports, vehicle and other facilities for the technical team and the administer and protect the environment to meet the standard;
5. Control the technical standard of the flight radio, flight climate, and flight information, flight map, cycle of taking off and landing, the traffic in the air, and the service of safety standard, the security during the flight, and environment;
6. Inspect, and improve the infrastructure of the border checkpoints which were established in the past to meet the standard, fined in this decree;
7. Consider to appoint, remove, or impeach officials who are in charge of the public work and transportation at inland and water port border checkpoints and international airports.

Article 83: The rights and responsibilities of the ministry of national defense

Regarding the controlling of border checkpoints and international airports, the ministry of national defense should exercise the following rights and responsibilities:

1. Coordinate with the border protection of the neighboring countries to implement the international protocol, treaties, and decree on border, exchange lessons, and resolve any issues occur as assigned by the higher authority.
2. Liaise with the security team, and public administration sectors, business operators around the border checkpoints to gather the necessary information on border protection and control.
3. Cooperate with the public security team at border checkpoint on controlling and inspection of the entry and exit of Lao citizen and foreign citizen at border checkpoints to ensure the security and safety of the border checkpoint;
4. Exercise rights and undertake other related tasks as described on laws and regulations.

Section 7

Local Authority Agencies

Article 84: Local Authority Agency

Regarding the controlling of border checkpoints, the local authority includes: province, capital, and district where the border checkpoint located.

Article 85: The Rights and responsibilities of the province and capital where the border checkpoint located

The province and capital where a border checkpoint located exercise the following right and responsibilities:

1. Take lead, support, monitor, inspection, and facilitate those border checkpoint which located in the province and capital according to the laws, regulations, and its roles and responsibilities;
2. Consider and propose the government through the ministry of foreign affair to request for establishing a border checkpoint, upgrade, downgrade, or permanent closing the border checkpoint which located in the local area;
3. Appoint, remove, or impeach the head of board management of local and traditional border checkpoint;
4. Report the implementation of border control in each period to the government regularly;
5. Exercise the rights and implement other tasks as defined on laws and regulations.

Article 86: The rights and responsibilities of the district where the border checkpoint located

The district where a border checkpoint located should have the following right and responsibilities:

1. Take lead, support, monitor, inspection, and facilitate local and traditional border checkpoints which located in the local area on implementing the border works related according to the laws, regulations, and its roles and responsibilities;
2. Consider and liaise with other related agencies to propose the provincial governor to appoint, remove, or impeach the head border board management, head of national defense unit, head of public security unit, and head of custom at the traditional border which located in the district;
3. Report the implementation of border control in each period to the province or capital regularly;
4. Exercise the rights and implement other tasks as defined on laws and regulation.

Section 8

Border affairs and international airports inspection

Article 87: Border affairs and international airports inspection agency

Border affairs and international airport inspection agency include:

1. Internal inspection agency is the same agency as the border checkpoint and international airport control agency as defined this decree;
2. External inspection agencies are the national assembly, provincial people assembly, the state inspection agency, government inspection agency, the Lao Front for National Development, and mass organization, media and all citizen;

Article 88: Content of the inspection

The border affairs and international airport inspection include the following main contents:

1. Implement the laws and regulations on border affairs and international airports;
2. Implementing responsibilities of government staff.

Article 89: Inspection pattern

The inspection consists of the following pattern:

1. Regular inspection;
2. Inspection with a prior notification;
3. Emergency inspection.

The regular inspection is a routine inspection according to the plan regularly with a certain schedule;

The inspection with a prior notification is a non-routine inspection, conducted when necessary by notifying the target to be aware;

Emergency inspection is conducted by emergency case without any prior notification.

Chapter X

Benefits for outstanding person and measures for violator

Article 90: Benefits for outstanding person

Individual, non-individual, and organization who have an outstanding performance on implementing this decree will be awarded and receive other benefits according to the regulations.

Article 91: Measure for violators

Individual, non-individual, and organization who violate this decree on controlling of border checkpoints and international airports will be educated, warned, fined, disciplined, sued for civil or crime according to the case.

Article 92: Measures for official on duty at border checkpoint and international airport

Staff and officials on duty at a border checkpoint who are in charge of controlling border checkpoint and international airports that violate the prohibited provision as defined in article 64, 65 of this decree and other regulations on the border affairs and international airports is subject to the following case:

1. Be educated and warned in case of violate this decree and other regulations but do not harm or do not fall under crime;
2. To be disciplined in case violate this decree and other regulations seriously, but do not cause any serious damages or do not fall under crime;
3. Repay the damages and sue for crime depending on the case, in case the violator takes no responsibilities or mislead one's duty which cause damage to individual, non-individual, and state organizations.

Chapter XI

Final Provision

Article 93: Stamp

The board management of international and local border checkpoints and international airports have their own stamp to be use for implementing the official roles and responsibilities according to the laws and regulations.

For those technical sectors, they will have their own stamp as defined on the laws and other related regulations.

Article 94: Uniform, mark, and card for staff and officials at border checkpoints and international airports

While on duty the staff and officials at border checkpoint and international airports must put on their uniforms, mark, named sign, and staff ID card as defined on the regulations of each sector.

Article 95: Implementation

The ministry of home affair is assigned to take lead on coordinating with related agencies and local authorities where the border checkpoint located to improve the organizational chart and personnel of each border checkpoint and international airport to be complete within twelve months after this decree was approved and propaganda.

Ministries, ministry-equivalent organization, local authorities, and other related sectors should be aware and implementing this decree strictly.

Article 96: Effectiveness

This decree is effective from the date of signature and after 15 days of publishing in the Lao official gazette website.

Any provision, terms that are contradict with this decree should be canceled.

The Government of Lao PDR

Prime Minister

Sealed and signed

Thongloun SISOULITH

Download English: **[Decree on Border Checkpoint and International Airport No. 558/GoL, dated 31 December 2018 \(/kcfinder/upload/files/Legal_1572332228.pdf\)](#)**

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