



Unofficial translation

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Government

No. 238 /Gov
Vientiane Capital, 11 August 2017

DECREE ON ASSOCIATIONS

- Pursuant to the Constitution of Lao PDR (amended version) No 63/NA dated 8 December 2015;
- Pursuant to the Law on Government (amended version) No 04/NA dated 8 November 2016;
- Referring to the letter of proposal from the Ministry of Home Affairs Ref. No. 207/MoHA dated 8 August 2017

The Government issues the following Decree:

PART 1

General Provisions

Article 1: Purpose

This decree specifies the principles, regulations, and measures for the establishment, operation, and management of associations to be used as the foundational reference for the establishment of associations of Lao citizens, relevant state organizations, for the management, monitoring, inspections, and promotion of associations to operate in compliance with the laws of the Lao PDR, to contribute to promoting strong national unity, alleviating people's poverty, assisting society, and socio-economic development of the nation.

Article 2: Associations

1. Associations established and operating under this decree are civil society organizations that are voluntarily established; operate regularly; provide mutual assistance; protect the rights and legitimate interests of the associations, association members, and communities; and contribute to the country's socio-economic development.
2. Associations can bear different names: federations, unions, clubs, or other names, hereafter collectively referred to as 'associations' which are membership-based civil society organizations (except for for-profit corporate business groups)

Article 3: Definitions

Terms used in this decree have the following definitions:

1. **Non-profit** means that for the assets and revenues generated from an association's operations, after deduction of administrative costs, the remaining assets are not taken

- as dividends but are further expended in line with the objectives of the association's charter;
2. **Federation or Union** means a coalition of membership-based civil society organizations that are officially established and operate in the same area or sector, are voluntary, and jointly agree to propose to a relevant government agency to be established;
 3. **Club** means a civil society organization that gathers individuals or legal entities as members that has been officially established, exercises professional activities or operate in the same area and sector, are voluntary, and jointly agree to propose to a relevant government agency to be established;
 4. **Community** means all citizens living in a specific area and having similar characteristics and being connected by mutual reliance;
 5. **Voluntary basis** means the joining of a civil society organization based solely on the intentional desire of each member, free of coercion;
 6. **Association with legal entity status** means an Association that is officially established, conducts regular operations, has a charter, has an office, has a seal, and has a proper bank deposit account in accordance with the laws and government regulations;
 7. **Association with non-legal entity status** means an Association established on a voluntary basis by individuals or organizations that do not meet all eligibility criteria as prescribed in article 7 of this Decree;
 8. **Capital** means funds or assets;
 9. **Assets** means buildings, structures, lands, vehicles, equipment, and materials obtained from purchases, donations, and contributions by individuals, legal persons, domestic and foreign organizations, or allocated by the Government;
 10. **Financial donation** means the relinquishing and transferring of funds or assets of individuals, legal persons, legal organizations to an Association;
 11. **Fund mobilization** means organizing meetings or specific events or notification or letters requesting individuals, legal entities, or organizations to make donations, provide financial support or assets to an Association;
 12. **Independent audit organization** means an external audit organization that is run by an audit business or freelance auditor(s) who are registered as independent auditors with the proper enterprise license in accordance with the laws of Lao PDR;
 13. **Association registration** means the certifying documents, approval on the establishment of the Association that the Ministries and ministry-equivalent agencies have properly approved in compliance with this decree.

Article 4: Government's policy on Associations

The Government has the following policy for Associations:

1. The Government approves the official establishment of Associations and only the Government's agencies have the right to approve the establishment of Association;
2. encourages the Associations to undertake public services, assist society, and address the people's poverty with a pure heart;

3. approves the mobilization and acceptance of donations, assets from individuals, legal entities, and domestic and foreign organizations in accordance with the laws, government regulations, and association's charter;
4. approves the interactions, cooperation with international organizations to carry out programs, assistance projects in compliance with the with the laws, government regulations, and association's charter;
5. provides guidance and assistance through the ministries, ministry-equivalent agencies, sectors, and relevant localities in order to ensure effective operation of the associations in line with Party's policy, laws, and government regulations;
6. issues legal instruments for the Associations to use as references for proper operations.

Article 5: Scope

This Decree is applied specifically to Associations that have legal person status of Lao citizens that have been authorized to be established under this Decree.

Article 6: Principle governing the establishment and operations of Associations

Associations are established and operate based on the following principles:

1. Voluntary establishment, fund contribution, participation in operation or withdrawal from the Association without constraints or coercion;
2. Clear purpose and objectives;
3. Regular operations;
4. Self-management and accountability before the Law for all operations;
5. Financial self-sufficiency;
6. Operate not-for-profit;
7. Transparency, openness, and equality.

Article 7: Criteria for the establishment of an Association

The establishment of any Association requires the following criteria:

1. Have clear objectives; clearly defined areas of operation; not to conflict with the Lao Constitution, Laws, and the fine traditions of the nation, localities, and ethnic groups; pose no threat to national stability, social order, and other individual's freedom;
2. Have an Association Mobilizing Committee of at least 3 people appointed by Association's founder where one of the three members of the Mobilizing Committee shall have certified professional qualifications or a work experience certificate relevant to Association's activities;
3. The founder, Founding Committee, Mobilizing Committee, board members, inspectors and directors shall be Lao nationals, aged 18 years or older and have a clear history;
4. The name of the Association being established shall not duplicate the names of other Associations that are already approved to be legally established in the same region, must be in the Lao language, clear, easy to understand, not be obscene, and if necessary the name can be translated into foreign languages;
5. Have the work office for the Association in the Lao PDR with the certificate from the village authorities of the Association's office's address; have a property certificate or lease agreement in accordance with the laws;
6. Have the association's charter based on the form prescribed by the Government

7. Have the full number of registered members who have voluntarily joined the association as specified:
 - 7.1. Associations operating at the national level require at least 25 members;
 - 7.2. Associations operating at the provincial and capital levels require at least 15 members
 - 7.3. Associations operating within a district, municipality or village require at least 10 members.

Membership requirements for economic associations or associations operating within specific regions, sectors, professions or localities will be considered on a case-by-case basis.

PART 2

Types and Levels of Association's activities

Article 8: Types of Associations

Associations in Lao PDR have three types which are:

1. Economic Associations;
2. Professional, technical and creative Associations;
3. Social welfare and social development Associations;

Article 9: Economic Associations

Economic Associations are civil society organizations where the Association members are business units with proper business registration in production, trade, and services in accordance with the Laws and citizens who voluntarily establish the Associations as prescribed by Laws.

Article 10: Professional, technical and creative design Associations

Professional, technical, and creative design Associations are civil society organizations where the members are individuals with a definite professional, technical skill who voluntarily convene to promote the professions, technical occupations, and creative design.

Article 11: Social welfare and social development Associations

Social welfare and social development Associations are civil society organizations where the association members voluntarily, humanitarily, and with great sacrifice contribute their capital, materials, intellectual capacity [and] efforts to assist and develop society, communities, poor people, disadvantaged people, people with disabilities, elderly people, and victims of natural disasters or wars without expectation of any reward.

Article 12: Level of Associations; activities

Associations are classified into 3 levels:

1. Operating nationally;

2. operating within a specific province or the capital;
3. operating within a specific district or municipality or city or village.

Article 13: National Level Associations

National level Associations are Associations registered and widely operating throughout the country or a region of the country covering more than two provinces.

Article 14: Province or Capital Level Associations

Province or capital level Associations are Associations registered and operating within a specific province or the capital.

Article 15: District or Municipality or Village Level Associations

District or Municipality or Village Level Associations are Associations operating within a district or city or village are Associations that are authorized to be established and operate within a specific district or city or village only.

PART 3

Regulations and Procedures for Association Establishment

Article 16: Procedures for Requesting Approval for the Establishment of an Association

Applying for the establishment of an Association for individuals or organizations is divided into the following 4 steps:

1. Application for approval on the nomination of Association's Mobilizing Committee;
2. application for approval to convene Association's inaugural assembly;
3. application for approval on Association's Charter and Board;
4. application to register the Association.

Article 17: Proposal for an approval on the nomination of Association's Mobilizing Committee

The Association's founder shall nominate at least 3 members of the Mobilizing Committee and compose the following complete set of documents to submit to the authorizing agency as prescribed in article 22 for consideration and approval:

1. Letter of application to approve the Association's Mobilizing Committee;
2. copy of family book or copy of ID card of each nominee;
3. curriculum Vitae for the members of the Mobilizing Committee signed and certified by village authority;
4. address verification certificate;
5. criminal record;
6. certificate on professional qualifications or work experiences relevant to the purpose and operation of the Association.

Article 18: Request for approval to convene Association's inaugural assembly

1. **Compilation of documents to request approval to open the Association's inaugural assembly**

The Mobilizing Committee compiles the following documents and submits to the authorizing agency as prescribed in article 22 for consideration:

- 1.1. Letter of request to convene the Association's inaugural assembly;
- 1.2. draft Charter of the Association following the official template;
- 1.3. association's plan of operation or work plan;
- 1.4. list of applicants for membership;
- 1.5. certificate of the location of the Association's office certified by the village authority and basic map of the Association's office.

2. Proceedings of the inaugural assembly

The Mobilizing Committee prepares for the inaugural assembly within ninety days from the date of the decision to convene the inaugural assembly becomes effective.

The Association's inaugural assembly is convened to gather all members of the Association to join as a General Assembly to establish the association with the following proceedings:

- 2.1. Reading of the decision to approve convening the Association's inaugural assembly;
- 2.2. pass the Association's draft Charter;
- 2.3. conduct consultations, elect Board members, inspectors and other positions, as deemed necessary;
- 2.4. pass the plan of activities or Action plan of the Association;
- 2.5. pass the resolutions of the Assembly to establish the Association.

Once the assembly elects Board members, the Mobilizing Committee will be automatically dissolved.

In case the Mobilizing Committee cannot convene the inaugural assembly within 90 days, the Mobilizing Committee shall request the authorizing agency for an extension with written justifications for consideration.

Article 19: Application to approve Association's Charter and Board members

Within thirty days after the end of the inaugural assembly, the Board of the Association shall compile all documents and submit them to the authorizing agency as prescribed in article 22 to consider endorsement of the Association's Charter and Board members which consists of the following documents:

1. Letter of request to endorse the Association's Charter and Board;
2. record of the passing of the Charter, election of Board members and inspection committee;
3. resolutions of the inaugural assembly;
4. draft Association's Charter that was passed at the inaugural assembly;
5. registration list of members who joined the meeting;
6. latest list of the Association's members;
7. curriculum Vitae of Board members, address certificates, criminal records, copies of identification Cards or Family registry book (in case the elected members are not

- member of the Mobilizing Committee and has not been screened and certified by the Ministry of Public Security);
- documents regarding the location of the Association's office certified by the village authority of office's location and basic map of the Association's office (in case of changes).

Article 20: Association's registration

When the Association's Charter and Board members have been approved by the authorizing agency, within 7 days the Association must be registered with the Ministry of Home Affairs which consists of the following documents:

- Letter of request for registration;
- approved Association's Charter;
- decision to approve Association's Charter and Board members.

The Association's registration is valid for one year and can be renewed.

Article 21: Renewal of Association's registration

Renewal of the registration must consist of the following documents:

- Letter of request for registration renewal;
- comments from ministry, authorizing authority that approves the establishment;
- annual report on Association's activities;
- approved Charter of the Association (in case of changes);
- decisions to endorse the Association's Charter and Board members. (in case of changes)

PART 4

Agencies authorized to approve the establishment, registration and procedures for the establishment and registration of Associations

Article 22: Agencies that have the right to approve the establishment and registration of Associations

Economic Associations are approved by the Ministry of Industry and Commerce based on the comments from ministries, relevant sectors. Then a request is made to the Ministry of Home Affairs to register the Association.

Professional, technical and creative Associations that are related to specific ministries and ministry-equivalent agencies and the ministers, heads of those ministry-equivalent agencies approve the establishment based on the comments from ministries, relevant sectors. Then a request is made to the Ministry of Home Affairs to register the Association.

Social welfare and development Associations or Associations with activities in more than two sectors are approved and registered by the Ministry of Home Affairs based on the comments from the relevant ministries, ministry-equivalent agencies.

The Associations can officially operate from the date they are properly registered in accordance with this decree.

Article 23: Procedures for considering approving the establishment of Associations

Consideration of the establishment of an Association is divided into the 4 following steps:

1. Consider endorsing the nomination or reject the nomination of the Mobilizing Committee;
2. consider approving the opening of the inaugural assembly or reject the opening of the inaugural assembly of the Association;
3. consider endorsing or rejecting the Association’s Charter and Board members;
4. register the Association.

Article 24: Consideration to approve the mobilizing committee of the Association

The authorizing agency considers endorsing or rejecting the nomination of the Mobilizing Committee of the Association within 60 days of receiving all proper documents as prescribed in article 17 of this Decree.

Article 25: Consideration to open inaugural assembly

After the Association authorizing agency properly receives all documents as prescribed in article 18 paragraph 1 of this decree, it shall consider approving the convening of an inaugural assembly or rejecting the approval to convene an inaugural assembly within thirty days.

In case it receives a proposal from the Mobilizing Committee to postpone the inaugural assembly, the authorizing-agency that approves the establishment of the Association can postpone the opening of the inaugural assembly but should not exceed 60 days.

Article 26: Consideration to approve the Charter and Board members of the Association

After the association-authorizing-agency properly receives all documents as prescribed in article 19 of this Decree, it shall consider endorsing or rejecting the endorsement of the Charter and Board members of the Association within sixty days.

Article 27: Consideration of registrations and registration renewal of the Association

When the Ministry of Home Affairs properly receives the request for registration as prescribed in articles 20 and 21 of this Decree, it shall consider registering or extending the registration of the Charter and Board members within fifteen days.

PART 5

Position, role, rights, duties and prohibition of Associations

Article 28: Position and role of Associations

Associations are civil society organizations that play the role in educating and enhancing national solidarity, providing mutual assistance amongst members and assist the society in compliance with Laws and Government regulations; the Associations protect the rights and legitimate interests of Associations, member of the Association or communities, contribute to building and developing the country and reducing poverty.

Article 29: Article 29: rights and duties of Associations

Associations have the following rights and duties:

1. To properly operate in accordance with the Party's policy, the socio-economic development plans, laws, the government's regulations, and the Association's Charter;
2. to coordinate with line ministries, ministry-equivalent agencies, provincial departments, Vientiane capital, district, municipality, city offices that are connected with the areas and sectors in which the Associations are involved in the planning and operation at the local level;
3. to mobilize and receive support, assistance, donations from individuals, legal persons, both domestic and foreign, based on the laws and government regulations;
4. to consider appointing new members and dismissing members of the Association;
5. to exercise other rights and perform other duties as prescribed in the Charter of the Association, laws, and government regulations.

Article 30: Obligations of the Associations

Associations have the following obligations:

1. To report annually to the Association's authorizing agency and relevant government agencies regarding the status of the implementation of activities, revenues-expenditures;
2. operating in any areas [or] sectors must be under the management of the government agencies relevant to those areas and sectors;
3. to mobilize funds or receive donations, assistance from individuals, legal persons, domestic and foreign organizations in line with the objectives of the Association and based on the laws and government regulations;
4. to utilize all funds that the Association has mobilized in accordance with the objectives, targets of the Associations;
5. to strictly comply with the laws regarding accounting, auditing, and the association's charter;
6. to fulfill other obligations as prescribed in the association's charter, laws, and government regulations.

Article 31: Prohibitions for Associations

Associations are prohibited from operating in the following ways:

1. To abuse the right to establish an Association; or on behalf of the Association to operate in conflict with the Lao constitution, laws, or government regulations;
2. to support or operate in a way that threatens national security, social order, others' individual freedoms, [or] the fine national, local and ethnic traditions;
3. to operate in a way that will lead to divisions of solidarity among the nation, localities, religions [or] ethnic groups;
4. to harm national, collective, and individual interests;
5. to falsify, transfer, rent or lend the approval to establish or register an Association in any form;
6. to borrow or lend money, loan guarantee from financial institutions, legal persons and domestic and foreign individuals;

7. to accept foreign experts and volunteers to have permanent work in the Association.

PART 6

Organizational structure of Association

Article 32: Institutional structure of the Association

The institutional structure of the Association consists of: administrative office which is the regular administrative institution of the Association and plays the role in assisting Board members in the management, supervision, and facilitation of work operations of the Association. In addition, there are other technical units in line with the role, rights and Charter of the Association.

Article 33: Personnel structure of the Associations

The personnel structure of the Associations consists of:

1. Board (President, Vice-President, and board members);
2. inspection committee;
3. directors;
4. members;
5. personnel in other positions as defined in the Charter of the Association.

Article 34: Association's Board

The Board members of the Association shall be ordinary members elected by other ordinary members at the general assembly and shall be at least 3 in number with a term not exceeding 5 years with a role in providing guidance [and] leadership in all operations and important decisions of the Association.

Article 35: Inspection committee of the Association

The inspection committee of the Association shall be ordinary members elected by the ordinary members at the Association's inaugural assembly and shall be constituted of at least 3 individuals with a term not exceeding five years, have a role in monitoring and inspecting all operations of the Associations and the administration of Board members to ensure the compliance with the Charter of the Association, laws and Government regulations.

Article 36: Director of the Association

The Director of the Association is the assistant to the President of the Association who is nominated by the President of the Association based on the agreement of Board members with the role of administering the day-to-day operations of the Association.

PART 7

Members of the Association

Article 37: Members of the Associations

The members of the Associations consist of:

1. Ordinary members;

2. support members;
3. honorary members.

Article 38: Ordinary members

Ordinary members are organizations or Lao citizens who agree with the Charter of the Association, voluntarily join the Association and meet all standards [and] requirements to be ordinary members of the Association in accordance with the Charter.

Article 39: Support members

Support members are organizations or Lao citizens who agree with the Charter of the Association, voluntarily join the Association, contribute to [and] participate with the Association but do not meet all standards [or] requirements to become ordinary members of the Association under the Charter or are not willing to become members yet.

Support members have the same rights and duties as ordinary members except the rights to vote, to apply for positions within the Board, inspectors committee [or] director and to cast votes for decisions on issues of the Association.

The acceptance or dismissal of support members shall follow the Charter of the Association

Article 40: Honorary members

Honorary members are representatives of organizations or Lao citizens of standing, esteemed persons, respected in society, [who] have previously contributed to the Association and the Association has invited them to be honorary members.

Article 41: Advertisement and expansion of Association's membership

The authorizing agency and local authorities shall be informed of the advertisement to expand Association's membership in writing 7 days in advance.

PART 8

Meetings of Association

Article 42: Categories of Association meetings

1. General assembly;
2. annual meetings;
3. board meetings.

Article 43: General Assembly of the Association

The General Assembly is the preeminent body of the Association and is convened in the form of a General assembly of all members or a general assembly of representatives of members in accordance with the Charter of the Association.

The general assembly is convened in accordance with the schedule defined in the Charter but not later than 5 years after the end of the previous general assembly. In case the General assembly cannot be convened, the President of the Association shall provide written justifications for postponing the general assembly to the authorizing agency.

The Association can call for an extraordinary session if deemed necessary and urgent regarding the operations of the Association or when more than half of the ordinary members or 2/3 of the Board members call for an extraordinary session.

The principles and format for voting during the session follow the principle of majority vote.

Prior to convening a general assembly, the Board shall inform the authorizing agency in writing of the content of the assembly and the staff who will be the chair of the assembly or the Vice president of the Board, attendees of the Association 30 days in advance prior to the date of the general assembly. After the conclusion of the general assembly, the authorizing agency and local authorities shall be informed of the outcomes of the assembly within 30 days.

Article 44: Annual meeting of the Association

The annual meeting of the Association is the meeting to summarize the results of the activities of the Association over the previous year, to ratify the work plan for the following year, to commend individuals for exemplary performance and to discuss other issues of the Association.

The Associations shall submit its annual report to apprise the authorizing agency and relevant Government agencies for information before 15 December of the each year.

The rules, notification about the meeting [and] attendance at the annual meeting shall comply with the Charter of the Association.

Article 45: Board meeting

The Board meeting is convened in accordance with the Charter of the Association but at least twice a year to summarize [and] review the performance and continue implementing the operations to accomplish the set annual work plan.

The rules, notification about the meeting [and] attendance at the annual meeting shall comply with the Charter of the Association.

PART 9

Merging, separation, dissolution and establishment of Association's branches

Article 46: Merging

Merging of Associations is merging multiple Associations that operate in one area and sector or different sectors into one Association on a voluntary basis with the agreement from the relevant ministry [or] ministry-equivalent agencies and the approval from the authorizing agency.

Article 47: Separation

The separation of an Association is the separation of one Association into two or more Associations based on the willingness of the members through a resolution in an Association meeting and with the agreement from the ministry, relevant ministry-equivalent agencies and the approval from the authorizing agency.

Article 48: Dissolution

There are 2 scenarios for dissolution of an association:

1. Dissolution following the order of the authorizing agency:

- 1.1. The Association violates the prohibitions prescribed in article 31 of this Decree;
- 1.2. the Association operates in serious violations of Party's guidance and policy, Government's regulations and Association's Charter;
- 1.3. the Association does not operate at least for 12 months or has achieved its operational objectives or the operational period expires yet continues to operate;
- 1.4. the Association does not apply for re-registration of its operations.

2. Voluntary dissolutions by the Association:

- 2.1. More than half of the ordinary members request for dissolution;
- 2.2. the Association lacks funding or is unable to continue operating;
- 2.3. the Association has completed its mandate as prescribed in the Charter;
- 2.4. the Association has achieved its objectives as defined in the Charter.

Article 49: Duties of the Association after dissolution

1. Dissolution following the order of the authorizing agency

After the authorizing agency issues an agreement to dissolve the Association, the Association's Board shall prepare and submit the following documents to the authorizing agency:

- 1.1. The list of assets, liabilities, revenue-expenditures and remaining treasury;
- 1.2. the plan for debt clearance and how to handle remaining assets;
- 1.3. the decision to approve the Charter, the decision on the approval of the Board and registration.

2. Voluntary dissolutions by the Association

When the Association agrees to be dissolved, the Association's Board shall prepare and submit the following documents to the authorizing agency:

- 2.1. The letter of request to dissolve the Association;
- 2.2. the resolutions or record of the general assembly to dissolve the Association;
- 2.3. the list of assets, liabilities, revenue-expenditures, and remaining treasury;
- 2.4. the plan for clearance and how to resolve remaining assets;
- 2.5. the decision to approve the Charter, the decision on the approval of the Board and registration.

Article 50: Assets after the dissolution of the Association, termination of the duties and right of the Association

After dissolution, the assets shall be handled in accordance with the Charter of the Association or transferred to other Associations or foundations having similar objectives

of activities or the Government receives the assets to allocate to other Associations or foundations.

The duties and mandate of the dissolved Association are terminated as of the date the authorizing agency revokes its decision to approve the Charter, the decision to approval of Board, and registration.

Article 51: Duties of the authorizing agency towards the dissolved Association

The authorizing agency has the following duties towards to the dissolved Association:

1. To issue the decision on the dissolution of the Association;
2. to notify in writing relevant agencies of the dissolution and notify the registration agency to remove the Association from the list of registered Associations;
3. to encourage and monitor the resolution of the Association's assets, [and] liabilities to comply with the Laws and Government's regulations and Association's Charter;
4. to exercise other rights and perform other duties in as prescribed in law and Government regulation.

Article 52: Establishment of Branch office

Associations that operate nationwide can establish branch offices in other localities based on the agreement of local authorities and with the approval from the authorizing agency.

PART 10

Sources of revenue, management and utilization of revenue

Article 53: Sources of an Association's revenue

The revenue of an Association comes from various sources:

1. Membership fees;
2. receipt of funds, [and] assets from domestic and foreign;
3. other sources by Laws and Government's regulations.

Article 54: Association's membership fees

Membership fees are monies that the members pay to the Association in a monthly or annual payment, where the Association can define the amount of the fees in its Charter as appropriate.

Article 55: Funds, assets from domestic and foreign donators

Associations can receive funds [and] assets from individuals, legal entities, or organizations of the Lao PDR but they shall be funds and assets with clear [and] transparent sources. Receipt of funds or assets must be reported to the authorizing agency in writing within 7 days.

The Associations can also receive funds and assets from foreign individuals, legal entities or organizations but they shall be funds and assets with clear [and] transparent sources and shall request approval from the Ministry of Foreign Affairs in accordance

with specific regulations of the Ministry of Foreign Affairs based on the comments from the authorizing agency and Ministry of Home Affairs.

Article 56: Management and utilization revenue sources

The management and utilization of revenue sources shall comply with the Laws, relevant Government regulations and the Association's Charter but shall ensure that the gross regular overhead costs does not exceed 25% of the annual planned expenditures.

PART 11

Assets and management of Association's assets

Article 57: Association assets

The assets of the Associations are buildings, structures, lands, vehicles, equipment, and other assets contributed by the members, purchased, donated, [or] granted from individuals, legal entities, domestic and foreign donors or allocated by the Government.

Article 58: Management of utilization of assets

The management of utilization of assets of the Association:

1. The Government recognizes and protects the lawful assets of the Association;
2. The management and utilization of assets shall comply with the Association's Charter, Laws, and relevant Government regulations.

PART 12

Supervising agencies

Article 59: Supervising agencies

The Government ensures central and uniform supervision of Associations nationwide by mandating the following Government's agencies to directly supervise the Associations:

1. Ministries, relevant sectors;
2. Ministry of Home Affairs;
3. Ministry of Finances;
4. Ministry of Public Security;
5. Ministry of Foreign Affairs;
6. Lao Front for National Construction;
7. Provincial, Vientiane Capital authorities;
8. Provincial, Vientiane Capital departments;
9. Provincial, Vientiane Capital internal agencies;
10. District, municipality, city authorities;
11. District, municipality, city departments;

12. District, municipality, city internal agencies;
13. Village authorities.

Article 60: Rights and duties of Ministries, ministry-equivalent agencies

The ministries, ministry-equivalent agencies have the following rights and duties:

1. To examine, provide comments, or consider the establishment, endorse the merger, separation and dissolution of Associations that are related to areas and sectors under their responsibilities;
2. to collaborate with other ministries, ministry-equivalent agencies, relevant local authorities and provincial departments to supervise, monitor, inspect the organization, operations of the Associations in the sectors under their responsibilities;
3. to examine and consider the approval of programs [and] projects of the Association as well as encourage implementation;
4. to coordinate with line ministries, ministry-equivalent agencies to monitor and manage programs and projects of the Association;
5. to examine and consider addressing Associations' proposals within the scope of their rights;
6. to disseminate to Association policies, Laws and regulations relevant to the sectors under their responsibilities;
7. to advise, facilitate Association to conduct activities in accordance with the objectives and role of the Association;
8. to approve or propose to relevant agencies or Government to award Associations with outstanding contribution to the development and assistance to society related to their sector;
9. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.

Article 61: Rights and duties of the Ministry of Home Affairs

In addition to the rights and duties prescribed in articles 22, 27 and 60 of this Decree, the Ministry of Home Affairs also has the following rights and duties:

1. To act as a Chief of Staff and assist the Government in centrally [and] uniformly supervising the Association nationwide;
2. to coordinate with relevant parties to research [and] draft policies, Laws and Government regulations on Associations for further consideration and approval by higher authorities;
3. to register or expunge the Association from the list of registered Associations after the ministry and sector have approved or dissolved the Association;
4. to consider imposing disciplinary measures to Associations that the Ministry of Home Affairs has approved, or present to the relevant authorities in cases of violations of Laws, Government regulations and Association's Charter;
5. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.

Article 62: Rights and duties of the Ministry of Finances

In addition to the rights and duties prescribed in article 22 and 60 of this Decree, the Ministry of Finances also has the following rights and duties:

1. To take the lead in examining regulations on financial management and use of Association's funds and provide advice on implementation;
2. to monitor [and] inspect the use of Association's funds and assets;
3. to consider proposals from the Association for tax and customs duty reduction or exemption, in accordance with the Laws and Government's regulations;
4. to coordinate with relevant organizations to consider addressing the case of violation of Laws and Government's regulations on Finances;
5. to exercise other rights and perform other duties in accordance with the Laws and Government regulations.

Article 63: Rights and duties of the Ministry of Public Security

In addition to the rights and duties prescribed in article 22 and 60 of this Decree, the Ministry of Public Security also has the following rights and duties:

1. To inspect and certify the accuracy of personal data of the founder, Founding Committee, Mobilizing Committee and Board members within 45 days from the date the letter is received from the relevant ministry [or] ministry-equivalent agency;
2. to monitor [and] inspect the activities of the Association;
3. to exercise other rights and perform other duties in accordance with the Laws and Government regulations.

Article 64: Rights and duties of the Ministry of Foreign Affairs

In addition to the rights and duties prescribed in article 22 and 60 of this Decree, the Ministry of Foreign Affairs also has the following rights and duties:

1. To inspect, certify, and consider matters regarding the involvement and acceptance of funds and assets from foreign donators, INGOs, foreign legal entities, Associations, foundations, funds, institutes and clubs to carry out programs and projects of the Associations within 30 days from the date the letter from the relevant ministry [or] ministry-equivalent agencies is received;
2. to coordinate with relevant Ministries [and] ministry-equivalent agencies to monitor and supervise programs and projects of the Association that the Ministry of Foreign Affairs has approved the acceptance of funds;
3. to exercise other rights and perform other duties in accordance with the Laws and Government regulations.

Article 65: Rights and duties of Lao Front for National Development

The Lao Front for National Construction has the following rights and duties:

1. To educate, unite in solidarity, and mobilize civil society organizations in applying policies, Laws, regulations and socio-economic development plan, unite members of Associations to build solidarity throughout society for the protection and development of the country;

2. to act as representatives of the Associations and their members to convey their views, aspirations, [and] proposals to relevant authorities for examination and resolution;
3. to participate and contribute to the formulation of policies and legal texts on the work of Associations;
4. to uphold patriotism, culture and fine traditions of Lao multiethnic people, protect the rights and legitimate interests of the organizations, Associations and the members in accordance with the Laws and relevant Government's regulations;
5. to exercise other rights and perform other duties in accordance with the Laws and Government regulations.

Article 66: Rights and duties of provincial and Vientiane Capital authorities

1. The provincial and Vientiane Capital authorities have the following rights and duties:
2. to supervise the Associations that operate in the provinces, Vientiane Capital through monitoring, inspections and report from relevant sectors;
3. to provide guidance, educate Associations that operate in the provinces, Vientiane Capital to conduct activities in compliance with Laws, Government's regulation and Association's Charter;
4. to award or propose to the authorizing agency to award Associations with outstanding contribution to the development and assistance to the society in their respective localities;
5. to propose the authorizing agency to impose disciplinary measures to Associations for violation of Laws, Government's regulations and Association's Charter;
6. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.

Article 67: Rights and duties of provincial and Vientiane Capital Departments

1. The Provincial and Vientiane Capital Departments have the following rights and duties:
2. to disseminate, advise on the implementations of policies, Laws and sector's regulations on Association;
3. to examine, consider and provide comments on the establishment, approval to merge, separate and dissolve an Association as prescribed in articles 14 and 15 of this Decree;
4. to advise, facilitate, monitor and inspect the activities of Associations that operate in their respective sectors to ensure effectiveness, to achieve the objectives and to be in line with the role of the Association;
5. to regularly report to the Provincial, Vientiane Capital authorities and higher authorities the status of Associations' activities in their respective sectors for further consideration and guidance;
6. to examine and consider addressing proposals, mediations and disputes settlements and negative phenomenon caused by Associations that operate in their respective sectors within the scope of their rights;
7. to assess the activities of Associations and award or propose to the authorizing agency to award Associations with outstanding contribution to the development and assistance to the society in their respective localities;
8. to propose the ministers, Heads of ministry-equivalent agencies or competent authorities of the province, Vientiane Capital to consider imposing measures to

Associations for violation of Laws, Government's regulations and Association's Charter;

9. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.
- 10.

Article 68: Rights and duties of provincial and Vientiane Capital internal agencies

In addition to the rights prescribed in article 67 of this Decree, the provincial and Vientiane Capital internal agencies also have the following rights and duties:

1. to disseminate, advise on the implementations of policies, Laws and Government's regulations on Association;
2. to periodically report to the Minister of Home Affairs, Governors and Mayor of Vientiane Capital on the activities of the Associations that the Ministry of Home Affairs as approved to operate in their respective localities;
3. to assess the activities of Associations and award or propose to the Government's competent agency to award Associations with outstanding contribution to the development and assistance to the society in the respective localities;
4. to propose the Minister of Home Affairs or relevant competent authorities to consider imposing measures to Associations that the Ministry of Home Affairs has approved for violation of Laws, Government's regulations and Association's Charter;
5. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations

Article 69: Rights and duties of district, municipality and city authorities

The district, municipality and city authorities have the following rights and duties:

1. to supervise the Associations that operate in the districts, municipalities and cities through monitoring, inspections and report to relevant district, municipality and city offices;
2. to provide guidance, educate Associations that operate in the districts, municipalities and cities to conduct activities in compliance with Laws, Government's regulations and Association's Charter;
3. to award or propose the Governors and Mayor of Vientiane Capital to award Associations with outstanding contribution to the development and assistance to the society in the respective localities;
4. to report to the Governor, Mayor of Vientiane Capital to propose to the authorizing agency to impose disciplinary measures to Associations for violation of Laws, Government's regulations and Association's Charter;
5. To exercise other rights and perform other duties in accordance with the Laws and Government's regulations.

Article 70: Rights and duties of district, municipality and city offices

The district, municipality and city offices have the following rights and duties:

1. to disseminate, advise on the implementations of policies, Laws and sector's regulations on Association;
2. to advise, facilitate, monitor and inspect the activities of Associations that operate in their respective sectors to ensure effectiveness, to achieve the objectives and to be in line with the role of the Association;
3. to regularly report to the district authorities and higher authorities on the status of Associations' activities on their respective sectors;
4. to assess the activities of Associations and award or propose to the authorizing agency to award Associations with outstanding contribution to the development and assistance to the society in the respective sectors;
5. to report to higher authority to propose to the authorizing agency to consider imposing disciplinary measures to Associations that operate in the districts, municipalities and cities for violation of Laws, Government's regulations and Association's Charter;
6. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.
- 7.

Article 71: Rights and duties of district, municipality and city internal agencies

The district, municipality and city internal agencies have the following rights and duties:

1. to disseminate, advise on the implementations of policies, Laws and Government's regulations on Association to the Associations that operate in the districts or municipalities or villages;
2. to monitor, inspect and draw conclusion and lesson learned on the organizations, activities of Associations that under the supervision of the districts, municipalities and cities;
3. to regularly report to provincial and Vientiane Capital internal agencies, Chiefs of District, Heads of Municipalities and Mayor of Vientiane Capital on the status of Associations' activities in their respective sectors;
4. to report to Provincial and Vientiane Capital internal agencies to propose to the Ministry of Home Affairs that has approved the Associations to operate in their districts, municipalities and cities to impose them disciplinary measures for violation of Laws, Government's regulations and Association's Charter;
5. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.

Article 72: Rights and duties of village authorities

The village authorities have the following rights and duties:

1. to monitor [and] inspect and regularly report to the Head of District, Head of Municipalities, Head of cities through district, municipality and city internal agencies on the status of Association's operations that contribute to the development of the village and help in alleviating people's poverty in the village;
2. to cooperate and facilitate the activities of the Association;

3. to certify the contribution from the Associations to the development of village and alleviating people's poverty in the village;
4. to draw conclusion and lesson learned from the activities of the Association;
5. to issue certificates on the location of Association's office;
6. to sign and certify personal data of Association's Mobilizing Committee and Board members;
7. to exercise other rights and perform other duties in accordance with the Laws and Government's regulations.

Article 73: Coordination

1. Coordination at the central level

- 1.1. The relevant ministries and sectors shall collaborate with the Ministry of Home Affairs in monitoring, inspecting, and assessing the activities of Association that operate in their respective areas [and] sectors;
- 1.2. ministries [and] ministry-equivalent agencies report on the operations of the Associations that operate in their respective areas and sectors on a semiannual basis to the Prime Minister through the Ministry of Home Affairs;
- 1.3. in case of negative incidents involving Associations, it is the duty of the authorizing ministry or agency to take the lead in coordinating with relevant sectors to address or to propose to higher authorities to address the issues in accordance with Laws and Government regulations;
- 1.4. line ministries [and] ministry-equivalent agencies approving the establishment, merging, separation and dissolution of an Association shall first receive comments from relevant ministries and sectors.

2. Coordination at the local level

- 2.1. Relevant provincial departments shall collaborate with provincial [and] Vientiane Capital internal agencies and relevant sectors to facilitate and cooperate with the Associations in the planning and implementation of activities in their respective localities; committed to monitoring, inspecting, and assessing the associations operating in their respective work areas
- 2.2. in case of negative, local incidents involving Associations, the relevant departments will take the lead in coordinating with internal agencies and other relevant sectors to consider solutions or to propose to higher authorities to address the issues in accordance with Laws and Government regulations;
- 2.3. relevant district, municipality and city offices shall collaborate with district, municipality and city internal agencies in monitoring [and] inspection operations of the Association in their respective localities

PART 13

Inspection agencies for Associations

Article 74: Associations Inspection agencies

The inspection agencies for Associations are as follows:

1. Governing agencies as prescribed in article 59 of this Decree;
2. State's Audit Organization;
3. Independent Audit.

Article 75: Associations Inspection

The Associations inspection agencies have the duties to inspect the organizations and activities of the Association within the scope of their rights as follows:

1. To inspect personal data of Association's Founder, Mobilizing Committee and Board members;
2. to inspect Association's objectives as described in Association's Charter;
3. to inspect the annual report on the organization and activities of the Association;
4. to inspect annual report on revenue-expenditures of the Association;
5. to inspect the violations of Association's Charter, Law and Government regulations.

PART 14

Policy towards Associations with outstanding achievements and measures against violators

Article 76: Policy towards Associations with outstanding achievements

Associations [and] members of Associations with outstanding contributions to the interests and virtue of society and country shall be awarded under various forms based on Government policy.

Article 77: Measures against violators

Associations, members of Associations who violate this Decree or other Laws and Government's regulations will be warned, suspended, dissolved, or prosecution according to the Law.

PART 15

Logo and seal

Article 78: Logo

If necessary, the Associations can have their own logo and the relevant Government's agency that approves the logo according to the size and format as prescribed in the Laws and relevant Government regulations.

Article 79: Seal

The Associations have their own seal and it is the relevant Government's agency that approves the seal according to the size and format as prescribed in the Laws and relevant Government's regulations.

PART 16

Final provisions

Article 80: Implementation

The line ministries, ministry-equivalent agencies, local authorities and domestic civil society organizations shall acknowledge and strictly implement this Decree.

The Ministry of Home Affairs has the responsibilities for issuing detailed instructions on the implementation of the content of this Decree.

Article 81: Entry into effect

This Decree enters into effect ninety days after it is signed and 15 days after its publication in official Gazette.

For those Associations established under Decree on Association 115/PM dated 29 April 2009, they have to re-register with the Ministry of Home Affairs 15 days after this Decree becomes effective by submitting the document accurately and completely as prescribed in the content of article 20 of this Decree.

This Decree supersedes the Decree on Association No 115/PM dated 29 April 2009. All provisions and regulations that conflict with the present Decree shall be null and void.

Government of Lao PDR

Seal and signature
Thongloun Sisoulith