

## Law on Telecommunications (Amended)

### Part I General Provisions

#### Article 1 (Amended). Objectives

This Law determines the principles, regulations and measures regarding the organization, activities, management, monitoring, inspection of the operation of telecommunication activities, telecommunication resources, technical standards, supply and usage of telecommunication services ensuring quality, widespread coverage, convenience, fairness, continuity of development and modernization securing national security and safety, and to generate revenue to the State budget contributing to the national defense and development.

#### Article 2 (new) Telecommunications

Telecommunication is the communication by the transmission and receipt of data, information, sound, pictures, numbers, letters and any symbol by a wired system, fiber-optic system, frequency way system, electromagnetic system, and any other system or a combination of many systems.

#### Article 3 (amended). Definitions

1. **Telecommunication Network** refers to the telecommunication infrastructure system which includes wired and wireless systems or systems integrating wired and wireless components, including equipment incorporated into any telecommunication services.
2. **Telecommunication Resources** refers to the radio frequency spectrum, telephone numbers, internet, internet domain name, position of satellite orbit and telecommunication infrastructure.
3. **Internet** refers to the connection of different computer networks worldwide through telecommunication networks for the transmission, receipt and exchange of data and information.
4. **Telecommunication Equipment** refers to telephone centers, telephone sets, radio transmission and receiver sets, telex machines, facsimile machines, computers, electric generators, electricity supply and other associated equipment, including copper wires, mixed metal wires, fiber-optic cables, air wires or materials used to connect with the telecommunication network.

5. **Interconnection** refers to the interconnection among telecommunication networks of the service providers to allow users to be able to communicate each other.

#### **Article 4 (amended). State Policy on Telecommunications**

The State promotes both domestic and foreign individuals, legal entities or organizations to invest in the construction, development and extension of telecommunication networks according to the types and term of telecommunication business.

The State promotes telecommunication service providers to fairly compete in the operations of telecommunication services and shall strictly comply with the commercial competition regulations of Lao PDR.

The State supports and promotes telecommunication service providers to expand the telecommunication infrastructure as needed using the transmission system and national security management center as appropriate to enable people living throughout rural and remote areas to use [telecommunication] services with reasonable service charges.

The State supports and promotes telecommunications providers to participate in the activities of national defense and national security nationwide to counteract and block all destructive actions of person with ill intent toward the country.

#### **Article 5 (new). Telecommunication Principles**

Telecommunication shall be implemented according to the following principles:

1. Ensuring telecommunication development in compliance with the guidelines, the state socioeconomic development plan and the sectoral development strategic plan;
2. Ensuring equality in front of the law, non-discrimination and independence of the telecommunication management authority from telecommunication service providers in accordance with the laws and regulations;
3. Ensuring the objective, timely and transparent distribution and utilization of telecommunication resources; and the disclosure of frequency spectrums that have already been distributed, except details of the frequency spectrum distributed for any specific use by the Government;
4. Ensuring the confidentiality of the State, official confidentiality, confidentiality of individuals, legal entities or organizations and ensuring transparency and justice;
5. Ensuring compliance with technical standards, connection with regional and international telecommunication networks and the convenient, quick and quality provision of services;
6. Protecting legitimate rights and benefits of service providers and users of telecommunications;
7. Ensuring the national security, safety and protection of the environment and fine [cultural] traditions;

**Article 6 (new). Scope of the Law**

This Law applies to both domestic and foreign individuals, legal entities and organizations concerning telecommunications in Lao PDR.

**Article 7 (amended). International Cooperation**

The State promotes the relations and cooperation with foreign countries at regional and international levels on the management and development of telecommunication activities by the exchange of lessons, information, technology and infrastructure development, coordination in using resources, technical standards, trade and services in telecommunication, and implementation of international agreements and treaties of which Lao PDR is a party.

**Part II  
Telecommunication Resources**

**Chapter 1  
Radio Frequency Spectrum**

**Article 8 (new). Radio Frequency Spectrum**

Radio frequency spectrum refers to the distribution of electromagnetic waves in a range of about three kilohertz to three hundred gigahertz to be used in telecommunications.

**Article 9 (new). Use of Radio Frequency Spectrum**

The management, administration, allocation, distribution and recall of all radio frequency spectrum in Lao PDR shall be under the responsibility of the State as defined in the laws and regulations.

Individual, legal entity or organization wishing to use the radio frequency spectrum shall be granted a concession from the government.

A concession certificate to use the radio frequency spectrum is a specific right of the authorized person; the transfer of radio frequency spectrum to others to share the use shall be approved by the government.

The use of fixed and mobile radio frequency spectrum and radio equipment such as in the office, car, on a boat, and on a plane of Lao PDR and foreign countries when passing through Lao territory shall comply with the international laws, agreements and treaties of which Lao PDR is a party.

**Article 10 (new). Radio Frequency Interference**

The emission of any radio frequency of the same or approximate level of frequency and amplitude may disturb the emission of radio frequency of radio stations, television stations and other radio frequency spectrum distribution stations in the country and between countries.

**Article 11 (new) Fee for the Use of Radio Frequency Spectrum**

An individual, legal entity or organization using the radio frequency spectrum shall pay a user fee, except [when the radio frequency spectrum] is used for national defense, public security, emergency activities and specific activities of the Government and [by] embassies and international organizations according to the laws and regulations.

**Chapter 2**

**Telephone Numbers, Internet Numbers and Internet Domain Names**

**Article 12 (new). Telephone Numbers, Internet Numbers and Internet Domain Names**

Telephone and internet numbers refer to numbers, letters or symbols indicating a telecommunication network, internet network, and host or terminal equipment for communications.

Internet Domain Name refers to the abbreviated name or letters determined specifically for individual, legal entity or organization for use.

The Ministry of Post, Telecommunications and Communications [shall] develop a plan to administer, allocate, distribute and recall telephone numbers, internet numbers and internet domain names.

**Article 13 (new). Registration of Telephone Numbers, Internet Numbers and Internet Domain Names**

An individual, legal entity or organization wishing to use a telephone number, internet number and internet domain name shall apply for registration at the telecommunication service point or Post, Telecommunications and Communications Sector.

## **Chapter 3**

### **Position of Satellite Orbit and Telecommunication Infrastructure**

#### **Article 14 (new)                      Position of Satellite Orbit**

The position of a satellite orbit is a position where a satellite is put that moves according to the orbit in the atmosphere and is important for telecommunication activities, meteorology activities, natural resource surveying activities and others.

The use of the position of satellite orbit is defined in a separate regulation.

#### **Article 15 (new)                      Telecommunication Infrastructure**

Telecommunication Infrastructure refers to buildings and structures as well as equipment and signal-transmitting wires to support telecommunication network services such as wire pipe, wire poles, telecommunication poles, air wires, fiber-optic cables, copper wires, mixed metal wires and transformers.

### **Part III**

### **Technical Standards and Quality**

#### **Article 16 (new).                      Determination of Technical Standards and Quality**

The Ministry of Post, Telecommunications and Communications determines technical standards for telecommunication equipment, networks and quality of telecommunication services in compliance with the Law on Standardization, international standards, international agreements and treaties of which Lao PDR is a party.

#### **Article 17 (new).                      Certification and Approval**

The Ministry of Post, Telecommunications and Communications certifies and approves technical standards and the quality of telecommunication equipment produced in Lao PDR and imported from foreign countries including telecommunication networks installed in Lao PDR in compliance with the Law on Standardization, international standards, international agreements and treaties of which Lao PDR is a party including:

1. Safety for consumers;
2. [Avoiding] harm to the environment;
3. [Avoiding any] danger from telecommunication networks;
4. Compatibility with telecommunication networks in Lao PDR.

**Article 18 (new). Importation of Telecommunication Equipment**

The Ministry of Post, Telecommunications and Communications manages the importation of telecommunication equipment by issuing a Ministry of Post, Telecommunication and Communications regulation on the types of telecommunication equipment that required import approval.

Telephone sets and computers shall have a menu and content in the Lao language.

**Part IV**  
**Interconnection and Usage of Telecommunication Infrastructure**

**Article 19 (new). Interconnection**

Telecommunication service providers are allowed to request to connect their networks with networks or telecommunications of others; in addition, they are also obliged to allow others to connect with their networks or services on equal principles and shall provide information on network connection and shall disclose their interconnection contracts.

Telecommunication providers shall meet technical requirements on interconnection such as compliance with connection standards of telecommunication networks determined by the Ministry of Post, Telecommunications and Communications and shall ensure the safety of their networks.

**Article 20 (new). Utilization of Infrastructure**

Service providers shall share the use of telecommunication infrastructure without discrimination in terms of the requirements, quality and services based on mutual benefit to avoid overlapping investment.

**Article 21 (new). Calculation of Charges for the Connection and Utilization of Infrastructure**

The calculation of charges for the connection and usage of telecommunication infrastructure shall be applied according to transparency, equality and non-discrimination principles and based on actual expenses and agreements among telecommunication service providers.

## **Part V**

### **Operating Telecommunication Services**

#### **Chapter 1**

##### **Categories and Terms of Telecommunication Service Operations**

###### **Article 22 (new). Categories of Telecommunication Service Operation**

There are four categories of licensing to operate telecommunication services in Lao PDR:

1. Category I: Supply of network and telecommunication service;
2. Category II: Supply of telecommunication service for those who do not have their own networks, internet, internet domain name, internet connection and supporting services;
3. Category III: Consultancy, installation, repair services; export, import, manufacturing and distribution of telecommunication equipment;
4. Category IV: Installation of telecommunication networks for the use [of the service provider].

###### **Article 23 (new). Term of Each Category**

The term of each category of telecommunication services is:

1. Category I is valid for 15 years
2. Category II is valid for 10 years
3. Category III is valid for 5 years
4. Category IV is valid for 3 years

The registered operator for each category of operation shall pay an annual licensing fee and is allowed to extend the term of licensing from the Ministry of Post, Telecommunications and Communications six months before its expiry date.

#### **Chapter 2**

##### **Establishment of Telecommunication Enterprise**

###### **Article 24 (amended). Application for the Establishment of a Telecommunication Enterprise**

Any domestic and foreign individual, legal entity or organization wishing to establish a telecommunication enterprise shall file an application for establishment and registration to the concerned sector as defined in the Law on Investment Promotion, the Law on Enterprise, this Law and other relevant laws of Lao PDR.

Operations of a telecommunication enterprise that require approval from the Ministry of Post, Telecommunication and Communications are:

1. Supply of network and telecommunication service;
2. Supply of telecommunication service for those who do not have their own networks;
3. Installation of telecommunication networks for the use [of the service provider].

Operations of telecommunication services that require approval from the (Provincial/Capital) Department of Post, Telecommunication and Communications are:

1. Supply of internet, internet domain name, internet connection and supporting services;
2. Consultancy, installation, repair services; export, import, manufacturing and distribution of telecommunication equipment.

The Ministry of Post, Telecommunication and Communications shall disseminate the requirements and procedures of the application for the establishment of a telecommunication enterprise. The sector that processes the application shall provide reasonable explanation in writing to the applicant if the application is rejected.

#### **Article 25 (new). Duplication of Contract**

An operator granted any type of licensing according to Article 22 of this Law shall submit copied contracts made with other telecommunication service providers to the Ministry of Post, Telecommunications and Communications.

## **Part VI**

### **Rights, Obligations of the Service Providers and Service Users**

#### **Article 26 (amended). Rights of the Telecommunication Service Providers**

Telecommunication service providers have the following rights:

1. Request to the concerned sectors regarding the use of land, streets, drainage channels, buildings, structures and others in compliance with the laws and regulations;
2. Propose fees and service charges that are suitable to the social-economic conditions of each period to the Ministry of Post and Telecommunications for consideration;
3. Suspend temporary or long-term service for users in the following cases:
  - not paying regular service charges after a warning;
  - unauthorized telephone [service] extended to third parties or violating this Law and other telecommunication regulations.



4. Expand its telecommunication networks;
5. Produce, export, import, distribute and install telecommunication equipment;
6. Request to other concerned government organizations on the interconnection, the use of telecommunication resources, and the quality and standard of the services;
7. Give priority to the supply of telecommunications services to the state organizations;
8. Implement other rights as specified in the laws and regulations.

**Article 27 (amended).            Obligations of the Telecommunication Service Providers**

Service providers have the following main obligations:

1. Strictly implement the laws on telecommunications;
2. Ensure its connection, signal system allocation, and its networks are compatible with other telecommunication service providers;
3. Secure widespread, quality, convenient, quick and fair services;
4. Have a protection plan to recover telecommunication networks in case of disasters, crises or emergencies;
5. Comply with financial-accounting, statistics and reporting rules;
6. Pay the fees for using telecommunication resources;
7. Be subject to inspection by concerned sectors;
8. Resolve complaints of telecommunication service users on the quality and standards of the services;
9. Summarize and report on the implementation of activities to the Ministry of Post, Telecommunication and Communications on a regular basis;
10. Implement other obligations as specified in the laws and regulations.

**Article 28 (amended).            Rights of the Telecommunication Service Users**

Telecommunication service users have the following rights:

1. Receive quality, convenient, quick and fair services;
2. Re-sell telecommunication services to other service users according to the approval of the Ministry of Post, Telecommunication and Communications;
3. Propose to service providers or the concerned public sector to improve regulations, and inspect the collection of fees and service charges;
4. Receive information on services, services charges and quality of services;
5. Implement other rights as specified in the laws and regulations.

**Article 29 (amended).            Obligations of Telecommunication Service Users**

Telecommunication service users have the following obligations:

1. Comply with technical regulations for the use of telecommunication equipment and other regulations issued by the concerned sectors;
2. Pay fees and service charges on a regular basis;
3. Be subject to inspection of concerned sectors;
4. Implement other obligations as defined in the laws and regulations.

## **Part VII**

### **Telecommunication Development Fund**

#### **Article 30 (amended). Telecommunication Development Fund**

The State authorizes the establishment of a Telecommunication Development Fund to develop telecommunications of Lao PDR to be expanded, advanced, modernized and sustainable and to cover all rural remote areas throughout Lao PDR.

#### **Article 31 (amended). Fund Sources**

[Funding for] The Telecommunication Development Fund [will come] from these main sources:

1. The State budget;
2. Grants from foreign countries and international organizations;
3. Contributions from both domestic and foreign individuals and organizations;
4. Contribution from the fines according to regulations;
5. Income generated from telecommunication activities and fees from using telecommunication resources.

#### **Article 32 (new). Management and Utilization of Fund**

The management and usage of the Telecommunication Development Fund shall be implemented according to the objectives as defined in Article 30 of this Law in compliance with the laws and regulation on the State budget.

The organization and operation of the Fund are defined in a separate regulation.

## **Part VIII**

### **Fees and Services Charges**

#### **Article 33 (amended). Fees**

Telecommunication fee is the administrative fee that the State charges from individuals, legal entities or organizations who apply for telecommunication service licensing, usage of telecommunication resources and infrastructure and issuance of technical standards certificates.

The collection and payment of fees to the State budget shall be applied according to the Presidential Decree on Fees and Service Charges as promulgated in each period.

#### **Article 34 (amended).      Service Charges**

Telecommunication service charges are administrative and technical costs collected from individuals, legal entities or organizations applying for the telecommunication services licensing, usage of telecommunication resources and infrastructure and issuance of technical standard certificates to supplement expenditure from the State budget.

The collection and payment of service charges to the State budget shall be applied according to the Presidential Decree on Fees and Charges promulgated in each period.

### **Part IX Prohibitions**

#### **Article 35 (new).      Prohibitions for Telecommunication Personnel**

Telecommunication personnel are prohibited to behave as follows:

1. Disclose state and official confidentiality; delay and falsify documents concerning telecommunications;
2. Abuse mandates causing damages to individuals, collectives, State and organizations;
3. Be negligent to duties and responsibilities assigned by the organization;
4. Holding any position or being an advisor in the telecommunication business;
5. Operate telecommunication business;
6. Recruit their family members and relatives into any managerial position in telecommunication business.

#### **Article 36 (new).      Prohibitions for Telecommunication Service Providers**

Telecommunication service providers are prohibited to behave as follows:

1. Lend, lease or transfer their licenses to others;
2. Use telecommunication resources and import telecommunication equipment without authorization;
3. Adjust its radio frequency spectrum, telecommunication equipment and networks into radio frequency spectrum, telecommunication equipment and networks of other telecommunication service providers or of the service users without authorization;
4. Collude with other service providers in ways that obstruct fair competition;
5. Use information received from other service providers for unfair competition purposes;

6. Use the advantage of telecommunication network, market share and infrastructure to block, limit, obstruct and create difficulties to the supplies of services of other service providers;
7. Suspend and cut services without advance notice or warning, except the suspension and cutting [of services] for the purpose of the national stability;
8. Disclose confidential [information] of the state, official and telecommunication service users;
9. Increase or decrease service prices without approval from the Ministry of Post and Telecommunication and Communications and distribution of telephone numbers free of charge;
10. [Exaggerate] advertising, display salacious content, and promote illegal gambling; destroy telecommunication equipment of other telecommunication service providers, destroy the environment and natural scenery, and the installation of telecommunication equipment that obstructs traffic.

**Article 37 (new). Prohibitions for Telecommunication Service Users**

Telecommunication service users are prohibited to behave as follows:

1. Use communications to destroy the national stability, security, social-economic development or culture;
2. Use telecommunication resources and import telecommunication equipment without authorization;
3. Use communications to discredit individuals, legal entities or organizations;
4. Use telecommunication equipment to interrupt, destroy, steal connections, eavesdrop, and scrutinize data and information of others;
5. Destroy telecommunication equipment.

**Article 38 (new). Prohibitions for Other Individuals, Legal Entities and Organizations**

Other individuals, legal entities and organizations are prohibited to behave as follows:

1. Operate telecommunications businesses without approval;
2. Use telecommunication resources and import telecommunication equipment without approval;
3. Destroy telecommunication equipment such as telephone cable, telephone booths, air cable, cable poles, antenna pole and others;
4. Use violence, threaten or obstruct the implementation of duties of telecommunication personnel or telecommunication service providers.

## **Part X**

### **Settlement of Disputes**

#### **Article 39 (new). Forms of Dispute Settlement**

Telecommunication dispute settlement shall be implemented according to the following forms:

1. Settlement by compromise;
2. Settlement by administrative procedures;
3. Settlement by the economic dispute resolution committee;
4. Suing to court.

#### **Article 40 (new) Settlement by Compromise**

In case a dispute occurs, the contracting parties shall try to resolve the dispute by negotiation and compromise to find the most appropriate solutions for all sides.

#### **Article 41 (amended) Settlement by Administrative Procedures**

In case the dispute could not be solved or settled, the parties are eligible to appeal to the Post, Telecommunications and Communications sector to resolve the dispute through administrative procedures according to the regulations.

#### **Article 42 (new). Settlement by the Economic Dispute Resolution Committee**

If the dispute could not be solved through compromise or administrative procedures, the parties are eligible to appeal to the Economic Dispute Resolution Committee to resolve [the dispute] in accordance with the laws and regulations on the basis of common agreement.

#### **Article 43 (new) Suing to Court**

In can any party disagrees with the dispute settlement decision made by the relevant sector, that party is eligible to sue to People's Court to take legal proceedings in accordance with the laws and regulations.

If the dispute is related to parties from outside the country, the dispute settlement shall be processed in accordance with the agreements and treaties of which Lao PDR is a party.

# **Part XI**

## **Telecommunication Management and Inspection**

### **Chapter 1**

#### **Telecommunication Management**

##### **Article 44 (amended). Telecommunication Management Authority**

The State manages telecommunication activities centrally and uniformly throughout the country by authorizing the post, telecommunication and communication sector, in cooperation with other concerned sectors and local authorities, to actively manage the telecommunication activities according to their roles.

The telecommunication management authority consists of:

1. The Ministry of Post, Telecommunications and Communications;
2. The Provincial and Capital Post, Telecommunication and Communication Department;
3. The District and Municipal Post, Telecommunication and Communication Offices.

##### **Article 45 (new) Control of Telecommunications**

To secure public safety and national security, the government shall approve and authorize the Ministry of Post, Telecommunication and Communications, in cooperation with the Ministry of National Defense and Ministry of Public Security, to control the following:

1. Temporarily control telecommunication networks and services at the time an incident occurs;
2. Inspect the communication of any individual that is suspected of being involved with making public unrest and insecurity;
3. Control and seize telecommunication equipment of service users that involves public unrest and security and take legal actions in accordance with the law.

##### **Article 46 (amended). Rights and Duties of the Ministry of Post, Telecommunication and Communications**

The Ministry of Post, Telecommunications and Communications has the following rights and duties:

1. To determine policies, strategic plans, programs, plans and projects for telecommunication development to propose to the government for approval;
2. To develop and amend laws and regulations on telecommunications and propagate, disseminate, supervise and monitor its implementation;

3. To approve, extend, inspect, suspend, withdraw and cancel telecommunication business in cooperation with relevant sectors;
4. To approve the use of resources;
5. To import telecommunication equipment;
6. To authorize telecommunication operators to connect their telecommunication equipment and networks with telecommunication equipment and networks of other telecommunication service providers or other service users;
7. To develop human resources in telecommunications;
8. To settle complaints of service users and providers regarding the quality and standards of telecommunication services;
9. To manage, administer, allocate, distribute and recall telecommunication resources;
10. To collect telecommunication fees and charges;
11. To inspect and measure radio frequency spectrum in Lao PDR;
12. Work with relevant sectors to determine the rates of fees and service charges for the use of telecommunication resources, and fees for the use of telecommunication services;
13. To determine technical standards for telecommunication equipment within the country;
14. To cooperate with foreign countries and international organizations on telecommunications;
15. Summarize and report on implementation of its duties to the government on regular basis;
16. Implement other rights and duties as defined in the laws and regulations.

**Article 47 (amended). Rights and Duties of the Provincial and Capital Post, Telecommunication and Communication Department**

The Provincial and Capital Post, Telecommunication and Communication Departments have the following rights and duties:

1. Apply the policies, plans and decisions of the Ministry into their detailed plans, programs and projects for implementation;
2. Supervise the District and Municipal Post and Telecommunication Offices regarding telecommunications;
3. Approve, extend, suspend, withdraw and cancel telecommunication businesses under their jurisdiction in cooperation with relevant sectors;
4. Resolve complaints of telecommunication service users and providers on the quality, technical standards, service charges and other complaints within their region;
5. Collect telecommunication fees and service charges within their region;
6. Gather statistics on telecommunication users and providers within their region;
7. Monitor the business operations of different telecommunication service providers within their region;
8. Coordinate with the provincial and Capital authorities on the management of telecommunication activities;
9. Carry out international relations and cooperation as assigned by the higher level;

10. Summarize and report on the implementation of its activities to the Ministry of Post, Telecommunication and Communications, and provincial and Capital authorities on regular basis;
11. Implement other rights and duties as defined in the regulations and laws.

**Article 48 (amended). Rights and Duties of the District and Municipal Post, Telecommunication and Communication Offices**

The District and Municipal Post and Telecommunication Offices have the following rights and duties:

1. Implement policies and strategic plans on telecommunication activities laid out by the Provincial and Capital Post and Telecommunication Departments;
2. Monitor and inspect the supply of different telecommunication services within their districts;
3. Forward complaints/requests of telecommunication service users and providers regarding the quality, technical standards, service charges and other proposals to the Provincial and Capital Post, Telecommunication and Communications;
4. Gather statistics on telecommunication users and providers within their region;
5. Forward requests for the approval, extension, withdrawal and cancellation of telecommunication business operation to the Provincial and Capital Post, Telecommunication and Communications;
6. Coordinate with the District and Municipal authorities on the management of telecommunication activities;
7. Summarize and report on the implementation of its activities to the Provincial and Capital Departments of Post, Telecommunication and Communications, District and Municipal authorities on a regular basis;
8. Implement other rights and duties as defined in the regulations and laws.

**Chapter 2**  
**Inspection of Telecommunications**

**Article 49 (new). Telecommunication Inspection Authority**

The Telecommunication Inspection Authority consists of:

1. Internal Inspection Authority which is the same authority as the Telecommunication Management Authority as defined in Article 44 of this Law;
2. External Inspection Authorities are the National Assembly, Government and Anti-Corruption Inspection Authority and State Audit Authority.

**Article 50 (amended). The Content of an Inspection**

The inspection of telecommunications has the following content:

1. Inspection of planning, licensing, surveying, designs of construction and installations of telecommunication networks;



2. Inspection of safety standards and environmental protection in the construction and installation of telecommunication networks;
3. Inspection of technical standards according to the technology of telecommunication equipment;
4. Inspection of the use of telecommunication resources and importation of telecommunication equipment;
5. Coordination with the Ministry of Finance to inspect accounting and financial systems;
6. Inspection of bidding and of construction and installation of telecommunication network contracts, and the implementation of other contracts;
7. Inspection of the implementation of this Law and other related laws of Lao PDR.

#### **Article 51. Kinds of Inspection**

There are three kinds of telecommunication inspections:

- Regular inspection;
- Inspection upon advance notification;
- Inspection without advance notification.

A regular inspection is an inspection which is performed according to plans on a regular basis and at a specified time.

An inspection upon advance notification is an inspection out of the plans when deemed necessary and of which the entity to be inspected is notified in advance.

An inspection without advance notification is an emergency inspection of which the entity to be inspected is not notified in advance.

In performing telecommunication inspections, personnel of the inspection authority shall strictly comply with the laws and regulations.

## **Part XII**

### **Telecommunications Day, Logo, Uniform and Seal**

#### **Article 52 (new). Telecommunications Day**

Lao PDR defines the 13<sup>th</sup> of March as the National Telecommunication Day. Every year, at the central and local levels, this day shall be celebrated in an appropriate manner.

#### **Article 53 (new). Logo, Uniform and Seal**

The Ministry of Post, Telecommunications and Communications has its logo, uniform and seal authorized by the government to be used for the official activities.

## **Part XIII**

### **Policies towards Good Performers and Measures against Violators**

#### **Article 54. Policies towards Good Performers**

Individuals, legal entities or organizations who have outstanding performance in implementing this Law particularly for investment in the construction and development of telecommunications, expansion of networks, production of telecommunication equipment and the supply of telecommunication services efficiently, in an advanced and modern way and with high quality, shall be rewarded and appropriate policies shall be applied.

#### **Article 55. Measures against Violators**

Any individual, legal entity or organization violating any provisions of this Law shall be educated, fined or subject to criminal measures depending on the gravity of the violation and shall pay compensation for the damage caused.

#### **Article 56. Re-Education**

Any individual, legal entity or organization violating any provision of this Law in a minor way will be subject to re-education:

1. Service providers fail to solve technical deficiencies in the installation, repair or provision of different types of telecommunication services in a timely manner and consistent with technical standards;
2. Service users fail to pay fees and service charges on a regular basis and others.

#### **Article 57. Fines**

Any individual, legal entity or organization violating any provisions of this Law shall be fined as follows:

1. Operating telecommunication businesses without permission;
2. Operating telecommunication services beyond the items and scope permitted;
3. Lending, leasing or transferring a license to others;
4. Using telecommunication resources and importing telecommunication equipment without permission;
5. Destroy telecommunication equipment such as telephone cables, telephone booths, air cables, cable poles, antenna poles.

Rates of the fines are defined in separate regulations.

## **Article 58. Civil Measures**

Any individual, legal entity or organization violating this Law which caused damages to the State, collective or other persons shall pay for the damages made by that person.

## **Article 59. Criminal Measures**

Any person violating any provisions that are criminal offences of this Law shall be subject to criminal punishment.

Any person adjusting the radio frequency spectrum or using their telecommunication equipment and networks to [hack into] other networks to block, disrupt, invade, destroy, change, delete, steal connection, spy and scrutinize information of others shall be imprisoned from three to six months and shall be fined from 500,000 kip to 5,000,000 kip.

The offences defined in paragraph two of this Article that are repeated or are an organized crime shall be subject to imprisonment of one to three years and a fine of 1,000,000 to 10,000,000 kip.

## **Part XIII Final Provisions**

## **Article 60. Implementation**

The Government of the Lao People's Democratic Republic shall implement this Law.

## **Article 61. Effectiveness**

This Law becomes effective after thirty days from the date the President of the Lao People's Democratic Republic issues a Presidential Promulgation Decree.

This Law replaces the Law on Telecommunications No. 02/NA, dated 10 April 2001.

Any regulations and provisions conflicting with this Law shall be cancelled.

**President of the National Assembly**