

LAO PEOPLE'S DEMOCRATIC REPUBLIC PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

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LAW ON POSTAL SERVICES

Chapter 1 General Provisions

Article 1. Objective

The Law on Postal Services defines the principles, regulations and measures to manage and monitor the establishment, operation, and promotion of domestic and international postal services, with the aim of providing the society with services of high quality, convenience, speed and safety [so that postal items] reach the addressees in person, and also to contribute to national construction and development.

Article 2. Postal Services

Postal services refers to[:] the acceptance, dispatch and delivery of letter post items and postal parcels by affixing postage stamps and by franking²; postal services for transmitting information by telegram, facsimile and electronic means; postal financial services; and sale of postage stamps and various postal products based on tariffs approved by the government.

Article 3. Definitions

The following terms used in this law shall have the following meanings:

 "Letter post item" refers to smaller postal items such as letters, postcards, documents, newspapers, magazines, printed matter, small packets and other items that do not exceed two kilograms of weight per envelope or packet, with the exception of books, that

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Article 6. International Relations and Cooperation

The State promotes international relations and cooperation with foreign countries and international organisations for the purposes of coordinating postal services, exchanging experience, and developing capacity regarding new technology, in order to advance and modernise the postal services.

Chapter 2 Categories and Scope of Postal Services in the Lao PDR

Article 7. Categories of Postal Services

Postal services in the Lao PDR comprise the following four main categories:

- 1. Services for the acceptance, dispatch and delivery of letter post items and postal parcels;
- 2. Services for transmitting information by telegram, facsimile and electronic means;
- 3. Postal financial services;
- 4. Sale of postage stamps and postal products.

5. Declared value service refers to the acceptance, dispatch and delivery of letter post items and postal parcels where the sender has to declare the type of item and value of the postal item. 6

Ordinary letters and postcards can be posted at the post office counters or by putting them, after affixing postage stamps, into a letter-box.

For the delivery of letter post items and postal parcels to subscribers of post office boxes, the postman will insert the letters, postcards, small printed matter or notices into their [respective] boxes.

Article 9. Postal Services for Transmitting Information by Telegram, Facsimile and Electronic Means

Postal services for transmitting information by telegram, facsimile and electronic means refers to the transmission of information through various telecommunication equipment installed in centres⁷

Article 12. Scope of Postal Services

The postal services of the Lao PDR provide both domestic and international services. Domestic services are required to follow this law while international services are not only required to follow this law but also conventions or international agreements concerning postal services to which the Lao PDR is a party.

Chapter 3
Fees and Tariffs on Postal Services

Article 13. Postal Fees

Chapter 4 Establishment of Postal Service Enterprises

Article 15. Application for Establishment of Postal Service Enterprises

Postal services that relate to postal financial services, or to national strategic defence, security and stability shall only be authorised by the State to Lao State postal enterprises. Furthermore, the State may authorise individuals and organisations that meet the [relevant] conditions to establish postal service enterprises to provide postal services in some of the categories indicated in Article 7 of this law. The application procedure for establishment of postal service enterprises shall be in accordance with the Business Law¹¹ and other relevant laws.

- 3. To protect and manage letter-boxes and post office boxes in accordance with the regulations issued by the Ministry of Communication, Transport, Post and Construction;
- 4. To retain for up to one year letter post items and postal parcels that cannot be delivered or returned to the sender for the following reasons:

Incomplete address of sender or recipient;

Unknown sender or recipient;

Refused by sender or recipient:

Unclaimed by sender or recipient;

Sender or recipient has moved from his address without giving notice of his new address;

Death of sender or recipient:

Force majeure.

For such items, postal service providers need to seek solutions to deliver the items to the addressees or to return them to the senders. The items will become State property when the retention period is exceeded:

- To study and propose the tariff of postal charges to the Ministry of Communication, Transport, Post and Construction in conformity with the socio-economic situation in each period;
- 6. To open and check all postal items in front of senders or addressees and concerned officials, in the event that the packets or envelopes are suspected to contain prohibited articles or illegal items:
- 7. To collect tariffs in accordance with the laws and regulations;
- 8. To make contracts or agreements with individuals or organisations to be their representatives to provide postal services to the public;
- 9. To refuse to accept any letter post item or postal parcel containing weapons, explosives, dangerous chemical or biological substances, narcotics, other prohibited articles or items not fulfilling the postal regulations, such as: items with unpaid, reused or cancelled postage stamps, with incomplete address of sender or recipient, without packaging, or containing items that may soil or damage other items;
- To retain or confiscate any letter post item or postal parcel that contains prohibited articles or illegal goods and to hand them over to the relevant authorities for further action;

Article 18. Rights and Duties of Postal Service Providers of Transmission of Information by Telegram, Facsimile and Electronic Means

Postal service providers of transmission of information by telegram, facsimile and electronic means have the following rights and duties:

1.

- 11. To receive services for the transmission of information with high quality, convenience, speed, accuracy, reliability and timeliness;
- 12. To receive services of deposit¹³, transfer and payment of money orders and postal checks, and to make money transfers and other payments through the post;
- 13. To receive services of postal savings deposits¹⁴ and loans in accordance with regulations;
- 14. To insure items:
- 15. To buy postage stamps to use as postal tariffs for letter post items and postal parcels, and for collecting;
- 16. To exercise such other rights and perform such other duties as defined in the laws.

Chapter 6 Prohibitions

Article 23. General Prohibitions

Individuals or organisations are prohibited to act as follows:

- 1. To obstruct, detain or prevent any postman or vehicle from transporting mailbags; to confiscate, seize, inspect or open mailbags, letter post items or postal parcels during the course of transport, unless there is solid evidence that there are illegal items contained in the mailbags or vehicles. The inspection must only be done at the nearest post office, except in the case where there is information to prove that the mailbag or the vehicle transporting the mailbag contains dangerous materials that may cause harm to the public, [in which case,] the inspection must be done immediately at the location where such [mailbag or vehicle] is found[;] and such inspection must be done by relevant competent officials;
- 2. To falsify or counterfeit postage stamps, postal products or franks;
- 3. To produce or distribute postage stamps or ¹⁵ postal products without authorisation;
- 4. To destroy or damage vehicles, equipment or other postal facilities;
- 5. To offer postal services without authorisation.

Here, the money order or postal check is given to the postal service for deposit to one's account, for negotiation, transfer or payment.

See footnote 8. In this point 13, the word deposit is used in the Lao original, rather than postal savings service.

The literal translation is "and" but the meaning is "or".

Article 24. Prohibitions on Postal Service Providers

Postal service providers are pr

Chapter 7 Management and Monitoring of Postal Services

Article 26. Objectives of the Management and Monitoring of Postal Services

The objectives of the management and monitoring of postal services are to ensure that the establishment and operation of postal services are conducted in conformity with this Law on Postal Services, relevant laws and regulations of the Lao PDR and regulations of the Universal Postal Union, and to prevent all acts aiming to harm stability, security, public order, the society, the economy, and the fine national culture.

Article 27. The Management and Monitoring Organisation

The management and monitoring organisation comprises three levels, as follows:

The Ministry of Communication, Transport, Post and Construction;

The communication, transport, post and construction division in each province and city;

The communication, transport, post and construction office in each district and municipality.

Article 28. Rights and Duties of the Ministry of Communication, Transport, Post and Construction

In the management and monitoring of postal services, the Ministry of Communication, Transport, Post and Construction has the following main rights and duties:

1.

- 8. To summarise and evaluate the implementation of programmes, action plans and projects relating to postal services and to report to the government;
- 9. To liaise and cooperate with foreign countries and international

Chapter 8 Policies Towards Persons with Outstanding Achievement and Measures Against Violators¹⁸

Article 33. Policies Towards Persons with Outstanding Achievement

Postal service providers who have performed and provided high quality services and who conform to the laws and regulations will be rewarded or will receive other policies as appropriate.

A person or an organisation that has cooperated with postal officers, customs officers, and policemen by informing them of the sending of smuggled, prohibited or illegal items shall be considered [for reward] and may be given remuneration according to the case, once the items are seized and confiscated.

A person or an organisation that has assisted mailbag carriers or postmen during the occurrence of an obstacle, such as: road flooding, problems occurring to vehicles that transport mailbags, accidents or other difficulties, or that has assisted mailbag carriers in completing their tasks shall be considered [for reward] and may be given remuneration, as appropriate.

Article 34. Measures Against Violators

A person or an organisation that has violated any provision of this law shall be re-educated, fined or subject to criminal sanction depending on the degree of the violation, including being required to pay compensation for damage caused.

Article 35. Re-Education 19 Measures

A person or an organisation that has violated provisions of this law shall be re-educated, such as²⁰:

Postal officers who cause inconvenience or who delay in the

Article 36. Fines

A person or an organisation that has violated provisions of this law shall be fined, such as:

Postal officers who collect tariffs higher than the authorised rates; Postal service providers that provide services beyond the scope of their authorisation; or that give their business license to another person to use or lease, or to transfer to another person. In addition to being fined, [such persons] may be subject to suspension of service or withdrawal of license;

Postal service users who send illegal items that violate regulations on postal services; or who illegally send valuable items in boxes, packets, letter post items or postal parcels as provided in articles 17 and 22 of this law;

[Persons] who have committed violations and undergone reeducation but who violate again.

In the case of any violation that causes damage to the property of an individual or organisation, compensation shall be made for such damage.

The Ministry of Communication, Transport, Post and Construction, in coordination with concerned sectors, studies detailed measures and rates of fines for violations and submits them to the government for consideration and approval.

Article 37. Criminal Sanctions

A person who has violated provisions of this law shall be subject to criminal sanction, such as:

To obstruct a postman or vehicle that transports mailbags or to prevent such transport; to illegally confiscate, seize, inspect or open mailbags during the course of transport;

To falsify or counterfeit postage stamps, postal products, or franks; to produce, or distribute postage stamps or other products without authorisation;

To damage or cause loss to vehicles, equipment or other postal service facilities:

To send prohibited or illegal items;

To illegally open letters, boxes, small packets or postal parcels or to steal items sent through the post;

To accept, dispatch or deliver prohibited or illegal items;

Other offences involving postal services.

Chapter 9 Final Provisions

Article 38. Implementation

The government of the Lao People's Democratic Republic is to implement this law.

Article 39. Effectiveness

The law shall enter into force 90 days after the date of the promulgating decree issued by the President of the Lao People's Democratic Republic.

Provisions or regulations that contradict this law shall be null and void.

Vientiane, 17 May 2004 President of the National Assembly

[Seal and Signature]

Samane VIGNAKET