



Authentic in Lao language only

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No: 09/NA

Vientiane Capital, date: 21 December 2011

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 businesses, telecommunication resources, technical standards, supply and usage of telecommunication services to ensure quality, accessibility for all, convenience, fairness, continuity of development and modernization aiming at ensuring national security and safety, as well as generating revenue to the State budget contributing to the protection and development of the nation.

Article 2 (new). Telecommunications

Telecommunication means the communication by transmission and reception of data, information, sound, pictures, numbers, letters, symbols by means of transmission lines, optical fibers, radio frequencies, electro-magnetic wave guides, any other mediums or a combination of mediums.

Article 3 (amended). Definitions

The terms used in this Law shall have the meaning as follows:

1. **Telecommunication network** means a system of telecommunications infrastructure consisting of wired and wireless systems or interconnection of both systems including equipment incorporated in one or several categories of telecommunication services.
2. **Telecommunication resources** mean frequencies, telephone numbers, internet numbers, internet domain names, positions of satellite orbits and telecommunication infrastructures.

3. **Internet** means a global system of interconnected computer networks through telecommunication networks for the transmission, reception and exchange of data and information.
4. **Telecommunication equipment** means telephone switches, telephone sets, radio transmitters and receivers, teletypewriters, facsimile machines, computers, electric generators, electricity supply including copper wires, admixture wires, fiber-optic cables, antenna or materials used to interconnect with the telecommunication network.
5. **Network interconnection** means the interconnection of telecommunication networks of service providers to enable service users to communicate with each other.

Article 4 (amended). State Policy on Telecommunications

The State encourages 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 terms of telecommunication business operations.

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

The State encourages telecommunication service providers to expand the necessary telecommunication infrastructure by appropriately using national transmission lines and national security facilities to enable people living in rural and remote areas to use telecommunication services with reasonable service charges.

The State encourages telecommunication service providers to be involved in the national defense and security nationwide, to react against and prevent all destructive trickeries of enemy to the country.

Article 5 (new). Telecommunication Principles

Telecommunications shall comply with the following principles:

1. Ensuring telecommunication development in line with the policy guidelines, the State socio-economic development plan and the sectoral development strategic plan;
2. Ensuring equality in front of the law, non-discrimination, independence of the telecommunication authority from telecommunication service providers in accordance with the laws;
3. Ensuring that the allocation and use of telecommunication resources are carried out in an objective, timely and transparent manner; make publicly available the current state of allocated frequency bands, except for detailed identification of frequencies allocated for specific government uses;

4. Ensuring the confidentiality of State, officials, individuals, legal entities or organizations, and ensuring transparency and justice;
5. Ensuring compliance with technical standards, interconnection with regional and international telecommunication networks, and ensuring convenient and quick services with quality;
6. Protecting lawful rights and benefits of telecommunication service providers and users;
- 7.

The frequency concession certificate is a specific right of the relevant concessionaire; the transfer of a frequency or sharing the same with others shall be approved by the

Chapter 3

Position of Satellite Orbit and Telecommunication Infrastructure

Article 14 (new). Position of Satellite Orbit

The position of a satellite orbit is a location where a satellite is placed and circulates along the orbit in the aerospace and is important for telecommunications, meteorology, natural resource surveying and others.

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

Article 15 (new). Telecommunication Infrastructure

Telecommunication Infrastructure means buildings and structures, including equipment and transmission lines to support the telecommunication network services such as: ducts, poles, masts, antennas, optic fibers, copper wires, mixture wires, transformers.

Part III

Technical Standards and Quality

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

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

Article 17 (new). Certification and Approval

The Ministry of Post and Telecommunication defines the types of telecommunication equipment that requires supervision.

Telephone sets and computers shall have a menu and be able to use content in Lao language.

Part IV

Network Interconnection and Use of Telecommunication Infrastructure

Article 19 (new). Network Interconnection

The telecommunication service providers shall have the right to request to interconnect their networks with telecommunication networks or services of others; while they are also obliged to others to interconnect with their own networks or services on equal

Types and Terms of Telecommunication Service Operations

Article 22 (new). Types of Telecommunication Service Operations

There are four types of telecommunication service operations in Lao PDR:

1. Type I: network services and telecommunication services;
2. Type II: telecommunication services of those who do not have their own networks, internet services, internet domain names, internet connection and value-added services;
3. Type III: consulting services, installation, repair services; export, import, manufacturing and distribution of telecommunication equipment;
4. Type IV: installation of private telecommunication networks.

Article 23 (new). Term of Each Type

The term of each type of telecommunication service operations is:

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

The concessionaire of each type of operations shall pay annual license fee and may apply to extend the term of telecommunication service operations from the Ministry of Post and Telecommunication six months before its expiry date.

Chapter 2

Establishment of Telecommunication Enterprises

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 apply for establishment and registration to the concerned authority as set out in (1) c Tiout II: nv.6(ase((i)-u.7(y)-8.3 nv.6(.o.6(i)-2.3(sout1p2(d)5mt6.6(o)-18.1()--4.5(t

2. telecommunication services of those who do not have their own networks;
3. installation of private telecommunication networks.

The telecommunication business operations that require authorization from the Provincial Post and Telecommunication Departments are as follows:

1. internet services, internet domain name services, internet connection services and value-added services;

Fees and Services Charges

Article 33 (amended). Fees

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

Individuals, legal entities and other organizations are prohibited from:

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, antenna, poles, antenna tower and others;
4. Rampage, menace and obstruct the function of telecommunication personnel or telecommunication service providers.

Part X

Resolution (Settlement) of Disputes

Article 39 (new). Forms of Dispute Resolution (Settlement)

Telecommunication dispute resolution (settlement) may be carried out in the following forms:

1. Settlement by compromise;
2. Settlement by administrative procedures;
3. Settlement by the Economic Dispute Resolution Committee;
4. Lawsuit.

Article 40 (new). Settlement by Compromise

In case a dispute occurs, the parties concerned shall try to resolve such dispute by negotiation and compromise for mutual benefit.

Article 41 (amended). Settlement by Administrative Procedures

In case the dispute could not be terminated or resolved, the parties may request to the Post and Telecommunications organizations to resolve the dispute by administrative procedures in accordance with the regulations.

Article 42 (new). Settlement by the Ec

Article 43 (new). Lawsuit

If any party is unsatisfied with the dispute settlement decision made by the relevant

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2. Supervise the District and Municipality of Post and Telecommunication Offices regarding telecommunications;
3. Approve, extend, suspend, withdraw and cancel telecommunication businesses under their jurisdiction in coordination with relevant organizations;

7. Summarize and report on its own activities to the Provincial and Capital Departments of Post and Telecommunication and the District and Municipality authorities on a regular basis;
8. Exercise 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 Authority as defined in Article 44 of this Law;
2. External Inspection Authorities are the National Assembly, Government and Anti-

1. Regular inspection;
2. Inspection with up front notification;
3. Immediate Inspection.

A regular inspection is conducted under a regular plan and within a specified time.

An inspection with up front notification is conducted beyond the plans when deemed necessary of which the entity to be inspected has been notified.

An Immediate Inspection is directly conducted without upfront notification to the inspected person.

equipment and provide telecommunication services efficiently, progressively, up-to-date, high quality shall be rewarded appropriately.

Article 55. Measures against Violators

Any individual, legal entity or organization that has violated any provisions of this Law shall be educated, fined or penalized depending on the degree of violation, including compensation for the damage caused.

Article 56. Education Measures

Any individual, legal entity or organization that has slightly violated any provision of this Law shall be educated in such instances as:

1. A service providers deny to fix technical

Any person who has adjusted the radio frequency to other radio stations or use their telecommunication equipment or networks to interconnect to other networks to block, interfere, hack , destroy, change, delete, wire tap, eavesdrop or detect information of others shall be imprisoned from three to six months and shall be fined from 500,000 kip up to 5,000,000 kip.

In case of offences against paragraph two of this Article occurs repeatedly, or collectively offence, the offenders shall be imprisoned from one to three years and shall be fined from 1,000,000 up to 10,000,000 kip.

Part XIII

Final Provisions

Article 60. Implementation of the Law

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

Article 61. Effectiveness of the Law

This Law becomes effective after thirty days from the date the President of the Lao People's Democratic Republic has issued 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

[Signed and sealed]

Pany Yathortou