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Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Government No.234/GoL
..... Vientiane Capital, date 06 June 2012

Decree on the Implementation of the Law on Standardization

- Pursuant to the Law on the Government of Lao People's Democratic Republic No. 02/NA, dated 06 May 2003.
- Pursuant to the Law on Standardization of the Lao People's Democratic Republic No. 13/NA, dated 26 December 2007.
- Pursuant to the proposed letter of the Ministry of Science and Technology No. 0250/MoST, dated 31 May 2012.

The Government decrees:

Chapter I
General Provisions

Article 1. Objectives

This Decree is laid out to interpret, explain and instruct provisions of certain articles of the Law on Standardization to ensure the accuracy, clarity, correctness and uniform understanding throughout the country, aiming to implement the Law on Standardization effectively and in line with international and regional agreements and treaties to which Lao PDR is a party.

Article 2. International, Regional and Foreign Standards

International, regional and foreign standards as defined in Article 19, item 1 of the Law on Standardization shall have the following meaning:

International standard means a standard that is adopted by an international standards organization and made available to the public.

Regional standard means a standard that is adopted by a regional standards organization and made available to the public.

Foreign Standard means a standard that is adopted by a host country and made available to the public.

Article 3. Participation between Public and Private Sectors

The participation between the public and private sectors as defined in the last paragraph of Article 5 of the Law on Standardization includes the promotion by the government and local administration on public awareness regarding the benefits generated from standardization activities and the encouragement of private sector to participate in the development of standards and conformity assessment procedures.

Chapter II Standards

Article 4. Principles for the Preparation, Adoption and Application of National and Local Standards

The preparation, adoption and application of national and local standards as

7. Wherever appropriate, standards shall be based on product requirements in terms of performance rather than design or descriptive characteristics.

Article 5. Procedures for the Preparation, Adoption and Application of National Standards

The development of national standards as defined in Article 21 of the Law on Standardization shall be implemented according to the following procedures:

1. Proposing the development of a National Standard

A proposal to develop a national standard can be made by an individual or organization to MoST, or can be self initiated by the National Standards Council.

MoST shall review all proposals to develop national standards based on the principles stated in Article 6 of the Law on

Local standards shall be implemented by the same rules as for national standards. Every effort shall be made to avoid duplication and overlap of promulgated national standards. If a local standard conflicts with a national standard, the national standard shall be applied.

Procedures for developing a local standard are as follows:

- 1. Proposing the development of a Local**

Detailed procedures for the preparation, adoption, publication, application and review of a national technical regulation as stipulated in the Articles 27 and 31 of the Law on Standardization shall be implemented according to the Code of Practice for Technical Regulations developed by the MoST and shall comply with the ASEAN Good Regulatory Practice Guide and ASEAN Policy Guideline on Standards and Conformance and shall comply with the WTO Agreement on Technical Barriers to Trade.

Detailed procedures on the preparation, adoption, publication, application and amendment of national technical regulations shall be applied on a uniform basis among all relevant authorities and sectors throughout the country.

Provincial and Capital authorities may develop a technical regulation that applies only to the jurisdiction of their authority. Local standards shall comply with national technical regulations and be developed based on specificity and appropriateness of local conditions. Where a local technical regulation conflicts with a national technical regulation, the national technical regulation shall apply.

The creation, adoption and application of technical regulations shall be based on the following principles:

1. The creation of a technical regulation shall have legitimate objectives to protect the life and health of humans, animals and plants, to protect the environment, to prevent deceptive practices, to protect national security and to ensure the quality of its exports.
2. Technical regulations shall be mandatory;
3. Technical regulations shall not create unnecessary obstacles to trade;
4. An imported product shall be provided with no less favorable treatment than accorded to like domestic products or among imported products regardless of origin;
5. The creation and application of technical regulations shall be applied in practical ways to achieve legitimate objectives a /TT31Tf1.41390T.0180asi/TT41Tf.349600103T41Tf.23140TD-0006

9. Determining compliance with technical regulations shall be carried out by conformity assessment procedures, as specified in Articles 11, 12 and 13 in this Decree.

Article 8. Procedures for the

3. Coordinate with concerned sectors to ensure compliance with requirements in the Law on Standardization and this Decree, and with international and regional treaties and agreements to which the Lao PDR is a party;
4. Coordinate with relevant sectors to promote public awareness and understanding of the objectives and procedures for applying technical regulations.

Article 10. Development of the Code of Practice for Technical Regulations

MoST, in coordination with relevant sectors, shall develop a Code of Practice for Technical Regulations as defined in Article 28 of the Law on Standardization to provide uniform procedures for the preparation, adoption, publication, application and review of technical regulations at the central and local levels in line with international and regional treaties and agreements to which the Lao PDR is a party, and complying with the WTO Agreement on Technical Barriers to Trade, the ASEAN Good Regulatory Practice Guide and ASEAN Policy Guideline on Standards and Conformance and shall be applied uniformly throughout the country.

Chapter IV Conformity Assessment Procedures

Article 11. Conformity Assessment Procedures

Conformity assessment procedures as defined in Articles 44, 47, 48 and 49 of the Law on Standardization shall include all activities concerned with determining directly or indirectly that relevant requirements for standards or technical regulations are fulfilled.

Conformity assessment includes testing, inspection, market surveillance, product certification, quality management system certification, and accreditation. A specific conformity assessment procedure may include one or more of these conformity assessment activities.

Article 12. Rules for Conformity Assessment Procedures

Conformity assessment procedures shall be carried out according to international standards, procedures and guidelines and to requirements in international, regional and bilateral agreements and treaties to which Lao PDR is a party.

Conformity assessment procedures shall be implemented according to the following rules:

1. The preparation, adoption and application of conformity assessment procedures shall be applied at least equally between imported products and domestic products and between imported products originating in any other country;
2. Conformity assessment procedures shall not

3. In cases where a positive assurance is required that products conform with technical regulations and standards, and relevant guides or recommendations issued by international standardizing bodies exist or completion are imminent, Lao PDR shall use them, or relevant parts of them, as a basis for developing conformity assessment procedures, unless such procedures are inappropriate for application in the Lao PDR relative to the development level and financial capabilities of the Lao PDR;
4. There shall be applied with the minimum number of licenses, certifications and approvals needed to achieve objectives of technical regulations;
5. Information required shall be limited to what is necessary to assess conformity and to determine fees and charges;
6. Shall maintain confidentiality related to conformity assessment to protect legitimate commercial interests;
7. With a view to harmonizing conformity assessment procedures on as wide a basis as possible, relevant sectors shall play a full part, based on the appropriateness and within resource limitations, in the preparation by appropriate international standardizing bodies of guides and recommendations for conformity assessment procedures;
8. Shall ensure that all conformity assessment procedures that have been adopted are published promptly or otherwise made available to interested parties in the Lao PDR and other WTO and ASEAN members;
9. If a relevant international or regional conformity assessment procedure does not exist, a national conformity assessment procedure shall be developed in accordance with the Lao PDR's Code of Practice for Technical Regulations and this Decree;

4. Assessment of conformity for standards is performed on a voluntary basis;''
5. Assessment of conformity for a technical regulation shall be applied on a compulsory basis under the direction of the relevant Government authority using accredited laboratories where required; if [the parties] are not satisfied, the determination related to conformity assessment can be appealed to MoST for consideration, and if unresolved, this may be submitted to the court;''
6. Conformity assessment shall comply with Mutual Recognition Agreements (MRAs) and multilateral and international recognition agreements to which Lao PDR is a party. ''

Chapter V

Accreditation and Certification

Article 14. Lao PDR National Accreditation Bureau

The relevant authority as referred to in Article 60 of the Law on Standardization shall mean the Lao National Accreditation Bureau (LNAB) which is established by Ministry of Sciences and Technology, with the responsibilities to grant, maintain, extend, suspend and withdraw accreditation to laboratory and conformity assessment bodies. ''

Article 15. Rights and Duties of the National Accreditation Bureau (LNAB)

The LNAB

9. Organize and coordinate inter comparison activities among laboratories within the country;
10. Maintain a published State Register of accredited laboratories and certification bodies;
11. Provide technical assistance on conformity assessment procedures to the relevant Government authorities at the central and local levels and promote public awareness of conformity assessment.

Article 16. Certification Body

A certification body is an organization established within relevant sectors and shall be approved by the [Lao] National Accreditation Bureau or Recognized Regional or International Accreditation Bodies.

Organization, activities, rights and duties of the certification body are defined in a separate regulation.

Article 17. Certification

Certification as specified in Articles 63 and 64 of the Law on Standardization shall be carried out by testing and calibration laboratories. Quality management certification, and inspector and proficiency certification, shall

Departments of Science and Technology in cooperation with the Local Technical Committees shall review and determine to modify or cancel local standards