



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No. 03/NA
Vientiane Capital, 09 July 2009

(UNOFFICIAL TRANSLATION)

Fisheries Law

Part I

General Provisions

Article 1. Purpose

The Fisheries Law specifies principles, regulations and measures governing the organization, implementation, management, and inspection of the work of fisheries, the promotion of aquaculture, conservation, protection, development and the sustainable exploitation of aquatic fauna, aiming to ensure the provision of fish and other aquatic fauna as a food source for all Lao people, the protection of the environment, contributing to the economic development of the nation.

Article 2. Fisheries

Fisheries means activities including aquaculture, conservation, protection, development, fishing and the use of aquatic fauna in various ways in a body of water.

Article 3. Definitions

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

1. **Aquatic fauna** means all kinds of animals which are born and grow in water naturally or are taken from nature for aquaculture;
2. **Fisheries activities** means all operations related to aquaculture, conservation, protection, development, fishing and the exploitation of aquatic fauna;
3. **Aquatic fauna products** means any processed products from fish and other aquatic fauna;
4. **Aquaculture area** means any land area, body of water including any facilities and various equipment for use in aquaculture;
5. **Bodies of water for fisheries** means any permanent or seasonal bodies of water, whether natural or man-made, including rice fields used for aquaculture and other bodies of water which share borders with neighbouring countries and which lie within the sovereign territory of the Lao PDR;
6. **Conservation zone** means deep water areas either in bodies of water or along the rivers as determined by Fisheries Management Committees or administered under village fisheries regulations and which the relevant department has designated as a year-round prohibited zone in order to serve

- as habitats and safe breeding areas for aquatic fauna;
7. **Fishing gear** means the different equipment used for catching fish or aquatic fauna;
 8. **Destructive fishing gear** means any equipment used for catching fish and other aquatic fauna and which is destructive such as poison, explosives, electrical devices, chemicals, noise-making devices, etc.;
 9. **Protected aquatic fauna** means aquatic fauna of great value and of special importance for socio-economic development, the environment and scientific study, and which are identified in List I of the Aquatic and Wildlife Law. Such aquatic fauna shall be managed, preserved, protected and developed. Government approval shall be sought for their exploitation;
 10. **Controlled aquatic fauna** means aquatic fauna of value for socio-economics, the environment, the livelihoods of all Lao peoples and scientific study and which are identified in List II of the Aquatic and Wildlife Law. Such aquatic fauna are in a limited number and are in danger of extinction and thus need to be preserved and protected, and controlled in their exploitation;
 11. **Common aquatic fauna** means aquatic fauna which are able to breed naturally in large numbers and are important for socio-economic development, the environment and scientific study and which are identified in List III of the Aquatic and Wildlife Law. These can be legally exploited while it shall be ensured that they do not become extinct and there is no impact on the environment and the ecosystems;
 12. **Ornamental fish** means types of fish which are of various and beautiful sizes, shapes and colors and which are raised for their beauty and decorative and exhibition purposes;
 13. **Fish shoals** means fish which gather in large numbers to breed in river mouths, streams, channels or other water bodies and prepare to spawn in streams or other standing pools of water;
 14. **Fisherman** means any individual who raises, develops or catches fish or other aquatic fauna as their main occupation;
 15. **Sustainable fisheries management** means the application of legal measures, plans and organization of the relevant authorities to develop, control and inspect fisheries, in order to ensure the development of such work to be sustainable, economical, effective, to ensure the environment, to be viable and socially acceptable as well as to satisfy the demands of the people of the present and future generations;
 16. **Fisheries resources** means biodiversity in bodies of water, vehicles, tools, techniques used in aquaculture, conservation, protection, development and the exploitation of aquatic fauna;
 17. **Operator** means any individual, family or organization that operates a business related to fisheries.

Article 4. The ownership of fish and other aquatic fauna

Fish and all other kinds of natural aquatic fauna, which are not the property of any individuals or organizations within the territory of the Lao PDR, shall be the property of the national community and shall be centrally governed by the State uniformly throughout the country. The State recognizes the use rights of individuals and organizations in accordance with laws and regulations.

Fish and other aquatic fauna which any individuals or organizations have brought for aquaculture in a certain area at their own labour or funds shall be the

property of individuals or organizations with the exception of the breeding stock and the first generation of protected aquatic fauna, and the breeding stock of controlled aquatic fauna for commercial aquaculture and fisheries which shall be approved by the agriculture and forestry authority.

Article 5. State policies on fisheries

The State promotes aquaculture, conservation, protection, development, expansion of aquatic fauna and the management of their exploitation according to the local potential by the issue of policies, regulations, provision of funds, promotion of technical expertise, research, the use of technology, information and various measures in order to have an ever-increasing number of aquatic fauna to meet the demands of all Lao peoples.

The State encourages individuals and organizations, domestic or foreign, to invest in aquaculture, conservation, protection, development, species expansion and the processing of fish and other aquatic fauna through the implementation of various policies such as credit policies and exemptions or reductions of taxes and duties in accordance with laws and regulations.

The State supports the formation of fishermen's groups, associations and cooperatives to promote methods of production and processing of fish and other aquatic fauna to ensure the quality of the products. All individuals as owners of aquatic products shall engage in fisheries management to make it effective and operate fisheries activities in accordance with laws and regulations.

Article 6. Basic principles of fisheries

The basic principles of fisheries are as follows:

1. Engagement in aquaculture, conservation, protection, development and expansion of the species of fish and other aquatic fauna in a sustainable manner shall be work in which all people participate;
2. Engagement in aquaculture, conservation, protection, development and expansion of the species of fish and other aquatic fauna shall be the important tasks in the management of fisheries of fish and other aquatic fauna;
3. Exploitation of aquatic fauna shall be in accordance with laws and regulations, effective and sustainable without creating negative impact on environment, society or nature;
4. Establishment and protection of conservation zones for aquatic species and of their habitats, and food sources are to create the best conditions for their growth and proliferation and are aimed at maintaining the ecosystem balance;
5. Conservation, protection, development, exploitation of aquatic fauna, the management and inspection of fisheries shall be in conformity with international treaties to which the Lao PDR is a party.

Article 7. Obligations in the protection, development and exploitation of aquatic fauna

Any individual, juristic entity and organization has obligations in the conservation, protection, development and exploitation of aquatic fauna in accordance with laws and regulations and use necessary measures to limit any adverse impact,

whether natural or man-made, on aquatic fauna such as the discharge of pollutants into natural bodies of water, epidemics, destructive methods fisheries of fish and other aquatic fauna, illegal trading and destruction of habitats, spawning grounds and areas of food sources.

Article 8. International Cooperation

The State promotes cooperation with foreign countries, regions and international organizations in fisheries work through the exchange of lessons, information, science, technology and upgrading of the technical staff and in participation in and implementation of agreements and international conventions to which Lao PDR is a party.

Part II Fisheries

Chapter 1 Types of Fish and Other Aquatic Fauna

Article 9. Types of fish and other aquatic fauna

Fish and other aquatic fauna are divided into the following three types:

1. Protected;
2. Controlled; [and]
3. Common.

Article 10. Protected types of fish and other aquatic fauna

Protected fish and other aquatic fauna shall be conserved, protected, developed and shall not be exploited unless authorized by the Government.

The Government is the authority to authorize researches and changes in the list of protected aquatic fauna from time to time upon proposal from the Ministry of Agriculture and Forestry.

Article 11. Controlled types of fish and other aquatic fauna

The exploitation of controlled types of fish and other aquatic fauna shall be conserved, protected, developed, managed and inspected in accordance with laws and regulations.

The local administrative authorities shall issue a decision on the prohibition of exploitation of controlled aquatic fauna if such aquatic fauna are in danger of extinction in the bodies of water under their administration and shall inform the relevant agriculture and forestry sector.

The Ministry of Agriculture and Forestry shall issue a decision on the prohibition of exploitation of some types of controlled aquatic fauna based on a proposal from relevant local administrative authorities if these types are endangered species in the bodies of water covering two provinces or more.

Article 12. Common types of fish and other aquatic fauna

Common types of fish and other aquatic fauna shall be protected and developed. The exploitation of these types is permitted in accordance with laws and regulations to ensure that they do not become extinct and there is no impact on the environment and ecosystem.

Chapter 2 Fisheries Models

Article 13. Fisheries models

Fisheries include the following two models:

1. Family fisheries; [and]
2. Commercial fisheries.

Article 14. Family fisheries

The family fisheries are the aquaculture, conservation, protection, development, catching and exploitation of aquatic fauna in a specific body of water in conformity with laws and regulations primarily for use in the daily life of the family.

The family aquaculture of common fish and other aquatic fauna shall use an area of pond or body of water not exceeding 15,000 m² or in cages not exceeding 120 m² per family.

The aquaculture of common types, the second generation of protected types, and the first generation of controlled types do not require authorization from relevant authorities.

Families are not permitted to engage in the aquaculture of breeding stock and the first generation of protected aquatic fauna and the breeding stock of controlled types.

Fishermen shall register in the list of fishermen in accordance with regulations of the Fisheries Management Committee of relevant body of water.

Article 15. Commercial fisheries model

The commercial fisheries model includes the aquaculture, propagation, capture and processing of fish and other aquatic fauna for trading and distribution and includes the conservation and protection of aquatic fauna.

Part III Fisheries Protection and Activities

Chapter 1 Fisheries Activities

Article 16. Steps of fisheries activities

Aquaculture, conservation, protection, development, capture and the exploitation of aquatic fauna are fisheries activities and shall be conducted in the following steps:

1. Fisheries survey;
2. Fisheries strategic planning; [and]
3. Fisheries scientific study and research.

Article 17. Fisheries survey

A fisheries survey is the collection of statistical data on each type, species, subspecies of fish and other aquatic fauna based on their development in each period, in each body of water for the purpose of allocation, information for planning for their conservation, protection, development and management.

An aquacultural survey of aquatic fauna is the collection of statistical data on the aquacultural areas, the species of fish and other aquatic animals and the techniques to formulate the implementation plan for fisheries work.

A survey on capture and the exploitation of aquatic fauna is the collection of statistical data on the bodies of water, the methods of capture, the equipment, the capture techniques, and the exploitation in order to formulate management plans that include the identification of appropriate capture zones, seasons and equipment.

Fisheries surveys shall be the responsibility of the agriculture and forestry sector in coordination with other relevant sectors and local administrative authorities.

Article 18. Strategic planning of fisheries

The Ministry of Agriculture and Forestry shall coordinate with other relevant sectors and local administrative authorities to formulate an inclusive long term strategy for the management, protection and development of fisheries in order to provide the direction for changes in long-term workplans, projects and present day measures to be included in modern aquaculture and industrial processing.

Article 19. Scientific research in fisheries

Scientific research in fisheries is the study and laboratory research into new species and techniques for new aquacultural models, food products for fish and other aquatic fauna, processing technology, fish diseases and their treatment, and ecosystems, etc. in order to promote responsibility in fisheries, to limit the import of breeds, foods for fish and other aquatic fauna from abroad.

The Agriculture and forestry sector shall pay attention to the building and improvement of institutes and centres for laboratory research to undertake studies and laboratory scientific research in order to ensure the provision of laboratory research on the products and the widespread propagation of fish and other aquatic fauna. All state sectors and the private sector shall participate in this work.

The import and export of specimens of fish and other aquatic fauna such as dead bodies or parts thereof for study or research purposes shall be authorized by the Ministry of Agriculture and Forestry. After the study or research is completed the results shall be submitted to the Ministry of Agriculture and Forestry.

Scientific research studies in fisheries shall be authorized by the Government.

Article 20. Terms and conditions for scientific research in fisheries

Any individual or organization that intends to engage in scientific research in fisheries shall satisfy the following terms and conditions:

1. clearly determine project research site or area of the body of water;
2. determine tools and methods, and the techniques to be used in the research;
3. indicate the desired term of research authorization;
4. have Lao technical staff in the research project.

After the completion of the research project, the results and plans for any future development shall be reported to the agriculture and forestry sector.

Chapter 2

Protection and Development of Fisheries

Article 21. Fisheries protection

Fisheries protection consists of:

- the protection of fish and other aquatic fauna; [and]
- the protection of habitats and ecosystems.

Article 22. Protection of fish and other aquatic fauna

There shall be no damage either natural or man-made through the catching of fish and other aquatic fauna by the use of equipment and fishing methods which are destructive. This is to allow fish and other aquatic fauna to propagate to ensure their forever abundance.

Article 23. Protection of habitats and ecosystems

The protection of habitats and ecosystems means the conservation and protection of the habitats of fish and other aquatic fauna, and of the ecosystems of the bodies of water including the conservation of natural fish breeding areas, the food sources and other protected areas to ensure the sustainability and abundance of biodiversity. At the same time, protection measures against any man-made or natural destruction or attack shall be issued.

Article 24. Fisheries development

Fisheries development is the improvement of aquaculture, the propagation and processing of fish and other aquatic fauna in an effective manner by the use of new techniques and technologies.

The development of aquaculture is the improvement of aquacultural models through following modern models and by the provision of varieties and sufficient food for fish and other aquatic fauna, the use of aquacultural techniques and methods appropriate for each species and that are appropriate in terms of the potential and the local environment focussing on increasing the quality of the products of fish and other aquatic fauna so as to be able to meet both the domestic and export demands.

The development of the propagation of fish and other aquatic fauna is the production of good, new varieties of aquatic fauna and to ensure both the quality and quantity of aquatic fauna to meet the demands of society and market.

The development of the processing of fish and other aquatic fauna is the use of modern scientific techniques and technology in the production of quality products.

Part IV Exploitation of Aquatic Fauna

Chapter 1 Types of the Exploitation of Aquatic Fauna

Article 25. Types of the exploitation of aquatic fauna

There are four types of the exploitation of aquatic fauna as follow:

1. Family exploitation;
2. Use for the benefit of the public;
3. Exploitation for traditional events;
4. Commercial exploitation.

Article 26. Family exploitation

The exploitation of aquatic fauna by families is the capture of fish and other aquatic fauna. These aquatic fauna may result from aquaculture or from fishing in natural waters for use in feeding the family, for ornamentation or sale to generate family income.

Article 27. Use for public benefit

The use for public benefit is the capture of fish and other aquatic fauna for use in exhibitions in museums, zoos, etc. for observation and scientific research, but such use shall be sustainable and shall have no impact on the social or natural environment.

Article 28. Exploitation for traditional events

The exploitation of aquatic fauna for traditional and religious events is the capture of fish and other aquatic fauna for cultural purposes or beliefs and for use in village ceremonies such as the release of fish, molluscs and eels, and the capture and release of fish into ponds, etc.

Article 29. Commercial exploitation

The commercial exploitation of aquatic fauna is the processing, propagation of different varieties, distribution, import, export, re-export and transit of fish and other aquatic fauna as licensed in accordance with the regulations and the laws.

Chapter 2 Commercial Fisheries

Article 30. Commercial aquaculture of fish and other aquatic fauna

Commercial aquaculture of fish and other aquatic fauna for trade and distribution shall be licensed and registered in accordance with the Investment Promotion Law.

Aquaculture of common fish types by the use of ponds or bodies of water of more than 15,000 to 50,000 m² or aquaculture in cages of more than 120 to 250 m² shall be approved by the relevant municipal or district Agriculture and Forestry Office.

If the areas of the ponds used are greater than 50,000 m² or of the cages greater than 250 m² then the approval from the relevant capital or provincial Agriculture and Forestry Department shall be required.

Aquaculture of protected types of fish shall be approved by the Government and that of controlled types shall be approved by the Ministry of Agriculture and Forestry in accordance with areas of pond or bodies of water set out in specific regulations.

Article 31. Commercial ornamental fisheries

Any individual or organization with the aim of engaging in commercial ornamental fisheries such as aquaculture, breeding, propagation, and import shall be approved by the relevant sector in accordance with the Investment Promotion Law.

Article 32. Other commercial fisheries enterprises

Commercial processing, propagation, distribution, import, export, re-export and transit of fish and other aquatic fauna are set out in specific regulations.

Article 33. Requirements for a commercial fisheries operation

Any commercial fisheries operation shall satisfy the main requirements as follow:

- Have conducted an economic and technical analysis;
- In certain cases, be in possession of a report on the environmental impact assessment;
- Have a site, an area, a technician, fisheries techniques, convenient access and egress, transportation, etc. approved by the livestock and fisheries authority;
- Have obtained an approval from the Committee for the Management of Fisheries in charge of that specific body of water for aquaculture.

Article 34. Products and produce from aquatic fauna

The products and produce from fish and other aquatic fauna from commercial aquaculture and processing shall be property of the operators.

Any fish and other aquatic fauna that escape from an aquacultural area belonging to an operator remain the property of that operator subject to proper evidence.

Article 35. Suspension or cancellation of commercial operations

The agriculture and forestry sector shall propose the suspension or cancellation of any commercial operation related to aquatic fauna that contravenes the law and regulations after having been warned and re-educated.

Commercial operations shall be suspended in the following cases:

1. Non-compliance with the terms and conditions of the approval for a commercial operation;
2. Failure to report an outbreak of a disease or microbial infection that presents a danger to aquatic fauna or the lives of people without having taken any protective measures and solutions;

3. Any impact on the environment/nature or society in excess of the specified standards;
4. Causing any extensive damage to any neighbouring property;
5. As a result of the operator having sufficient reason to request permission to cease aquaculture operations at the site.

Commercial operations shall be cancelled in the following cases:

1. Failure to commence the operation within the timeframe as specified in the Investment Promotion Law after having received license;
2. Non-compliance with the technical standards and principles as specified by the relevant organizations;
3. Ceasing business operations without prior notice to the relevant organizations;
4. Failure to pay taxes as required by law;
5. At the request of the operator.

Chapter 3

Rights and Obligations of Operators

Article 36. Rights of operators

Any fisheries operator has the right to own, to exploit, to develop, to benefit from, to transfer, to buy or sell and to transfer the fisheries operation to another individual and has the right to study and to undertake scientific laboratory research into fish and other aquatic fauna independently or in cooperation with other individuals in accordance with the policy and other rights specified in laws and regulations.

Article 37. Obligations of operators

Fisheries operators shall have the following obligations:

1. To implement the work of fisheries in strict accordance with laws and regulations, and the international conventions to which the Lao PDR is a party;
2. To ensure that any natural, social or environmental impact of the operation of commercial fisheries is within that of the specified standards;
3. To take part in the prevention of the smuggling and destruction of aquatic fauna and of the habitats of fish and other aquatic fauna;
4. To conserve and protect of fish and other aquatic fauna, and in particular which are protected and controlled, and ecosystems;
5. To take part in the search for and mobilization of both domestic and foreign funding for fisheries development;
6. To pay any fees and other taxes related to commercial fisheries operations;
7. To inspect and monitor the circumstances of epidemics of fish and other aquatic fauna diseases and identify timely solutions to the occurrence of any disease;
8. To cooperate with and report on fisheries information particularly that relating to aquaculture and the exploitation of aquatic fauna to the Agriculture and forestry sector and the local authorities.

Part V

Prohibitions

Article 38. General prohibitions

It is prohibited for any individual or organization whether domestic or foreign in the Lao PDR to engage in the following activities:

1. To use poison, explosives, weapons, electrical devices, bright lights, noise-making devices or others in order to fish for or catch aquatic fauna; to dispose of waste or discharge waste water or chemicals into the bodies of water;
2. To accept, trade, own or transport aquatic organisms as prohibited by the law;
3. To produce, import or sell any kind of prohibited fishing gear;
4. To use any fishing gear which unduly obstructs the passage of aquatic fauna such as nets, drag nets, traps made of bamboo and nets;
5. To trap fish in any natural body of water either by blocking a stream, a marsh, a channel or by digging a pond or by draining a permanent natural pond or by fishing in the spawning season;
6. To damage fish conservation zones and to catch aquatic fauna in fish breeding areas and places which form the habitat of many species of fish and natural spawning grounds as identified by the Management Committee for Fisheries in a Body of Water or the village fisheries management regulations;
7. To catch the immature offspring of fish or other aquatic fauna that are protected or controlled.

Article 39. Prohibitions on fisheries management officials

It is prohibited for fisheries management officials to engage in the following activities:

1. To abuse their rights, duties or position or to use force, threats or bribery for their private benefit;
2. To forge documents, to demonstrate a lack of responsibility in their assigned duties.

Part VI Resolution of Disputes

Article 40. Resolution of disputes related to fisheries administration

The resolution of disputes related to fisheries administration such as involving fishing in prohibited areas, the use of prohibited tools, the non-payment of fees or other taxes in accordance with the regulations shall be resolved by the relevant Management Committee for Fisheries of a Body of Water.

In the event that neither party is satisfied with the settlement proposed by the Committee for the Management of Fisheries of that particular body of water, the parties shall have the right to present their case to a higher organization to find a solution.

Article 41. Resolution of civil disputes related to fisheries

The resolution of civil disputes in fisheries such as related the buying-selling, transfer, inheritance or contracts shall be resolved by the Fisheries Management organization or the Committee for the Resolution of Economic Disputes or the People's Court in accordance with the law.

Article 42. Resolution of international disputes related to fisheries

The resolution of international disputes shall comply with any agreements or international treaties to which the Lao PDR is a party.

Part VII Management and Inspection of Fisheries

Chapter 1 Management of Fisheries

Article 43. Fisheries management organizations

The Government shall be the centre for the management of fisheries and in order to ensure a united approach throughout the country, the Government designates the Ministry of Agriculture and Forestry as the centre for management in coordination with other relevant sectors and local administrative authorities.

The organizations for the management of fisheries shall comprise the following:

1. The Ministry of Agriculture and Forestry;
2. The Provincial and Capital Agriculture and Forestry Departments;
3. The Municipal, District Agriculture and Forestry Offices;
4. The Committees for the Management of Fisheries in Bodies of Water.

Article 44. Rights and duties of the Ministry of Agriculture and Forestry

The Ministry of Agriculture and Forestry shall have the following main rights and duties in the management of fisheries:

1. To formulate the national strategy, policies and legal framework for fisheries for submission to the Government for its consideration and for future elaboration for inclusion in national programmes and projects for the country-wide management of fisheries;
2. To disseminate and to provide country-wide training in the policies and the regulations and the laws related to the work of fisheries in order to raise public awareness and their admiration of and respect for and preservation of aquatic fauna resources;
3. To provide guidance, monitoring and evaluation of the implementation of the fisheries work under its supervision throughout the country;
4. To develop, train and upgrade the personnel involved in the management of fisheries;
5. To consider commercial fisheries operations in terms of managing the varieties of aquatic fauna in order to submit proposals to the Government regarding the varieties which require protection;
6. To create and improve information systems, the recording of the documents and licences of commercial fishery operations, and the various documents related to the Committees for the Management of Fisheries in Bodies of Water;
7. To coordinate with other sectors and local authorities in respect of the work related to fisheries, including publicity campaigns and the active search for domestic and international funding for the conservation, protection, development and the use of aquatic fauna;
8. To liaise and cooperate with other regional and international organizations on matters relating to fisheries;

9. To provide regular summaries and reports on the outcomes of fisheries activities to the Government.

Article 45. Rights and duties of the Capital, Provincial Agriculture and Forestry Departments

The Capital, Provincial Agriculture and Forestry Departments shall have the following rights and duties in the management of fisheries:

1. To disseminate strategic plans, policies, orders and legal framework related to fisheries first as detailed workplans and projects, and then the details of their implementation;
2. To disseminate and to provide training in the policies and legal framework of fisheries for the people in order to improve their understanding of, commitment to and participation in the strict implementation;
3. To provide guidance, monitoring and evaluation of the work related to fisheries operations of the municipal, district Agriculture and Forestry Offices;
4. To provide comments on the cancellation or suspension of commercial fisheries operations within their areas of authority;
5. To provide technical guidance and support to the Committees for the Management of Fisheries in Bodies of Water, fishermen groups and individuals engaged in fisheries activities within their responsibility;
6. To coordinate with other relevant sectors on fisheries operations within their areas of authority;
7. To create and improve information systems, the recording of the operating licences of commercial fisheries, and the various documents related to Committees for the Management of Fisheries in Bodies of Water within their responsibility;
8. To mount publicity campaigns and to actively search for domestic and international funding for fisheries related work;
9. To liaise and cooperate with regional and international organizations on fisheries in keeping with the objectives as identified by senior management;
10. To provide regular summaries and reports on the outcomes of the implementation of fisheries activities to the Ministry of Agriculture and Forestry and the capital, provincial administrative authorities.

Article 46. Rights and duties of the municipal, district Agriculture and Forestry Offices

The municipal, district Agriculture and Forestry Offices shall have the following rights and duties in respect of fisheries management:

1. To manage the implementation of the workplans, projects, agreements, orders, declarations and advisories of the Ministry of Agriculture and Forestry and the capital, provincial Agriculture and Forestry Departments;
2. To disseminate the policies and the legal framework related to fisheries activities to the people in order to improve their understanding of, commitment to and participation in their strict implementation;
3. To provide guidance, encouragement, follow up and facilitation to the Committees for the Management of Fisheries in Bodies of Water in the formulation of fisheries regulations within their areas of jurisdiction;
4. To provide comments on the cancellation or suspension of commercial fisheries operations within their areas of jurisdiction;
5. To provide technical guidance and support to the Committees for the

Management of Fisheries in Bodies of Water, fishermen groups and individuals engaged in fisheries activities within their areas of jurisdiction;

6. To provide regular summaries and reports on the outcomes of the implementation of fisheries activities in the district to the Municipal, provincial Agriculture and Forestry Departments and the municipal, district administrative authorities.

Article 47. Committees for the Management of Fisheries in Bodies of Water

The establishment, structure, and the rights and duties of the Committees for the Management of Fisheries in Bodies of Water are defined in Chapter 2, Part VII of this Law.

Article 48. Fishermen's associations

A Fishermen's Association is a social organization, voluntarily established by and with the agreement of members involved in fisheries and is under the management of the relevant Agriculture and forestry sectors.

Fishermen's cooperatives may also be established provided that the relevant sectors are in agreement.

The management, operations, rights and responsibilities of these associations and cooperative are defined in specific regulations.

Article 49. Rights and duties of relevant authorities

Other relevant authorities which are involved in work related to fisheries shall have the rights and duties to coordinate with organizations responsible for fisheries management and inspection as appropriate to their roles.

Chapter 2 The Management of Fisheries in Bodies of Water

Article 50. Establishment of Committees for the Management of Fisheries in Bodies of Water

The Committees for the Management of Fisheries in Bodies of Water, which shall include the participation of fishermen, shall be established in order to ensure the effective management of fisheries resources. Details are given below:

- The District Governor, the Municipal Head shall approve the request and appoint the committee as proposed by the village authority;
- The Provincial Governor, the Capital Mayor shall approve the request and the appointment of the Committee. In the event that the boundaries of the fisheries resource area are in two districts or municipals in the the province upon the proposal from the relevant District Governors or the Municipal Head;
- The Minister of Agriculture and Forestry shall approve and appoint the Committee, in the event that the boundaries of the fisheries resource area are in two provinces, capitals or more upon the proposal of the relevant Provincial Governors or the Capital Mayor;

The decision of the District Governor, the Municipal Head and the Provincial

Governor, Capital Mayor to the appointment of a Committee for the Management of Fisheries shall be kept and transmitted to the relevant agriculture and forestry sectors for control and inspection.

Article 51. Structure of Committees for the Management of Fisheries in Bodies of Water

Committees for the Management of Fisheries in Bodies of Water shall comprise representatives from the various organizations as identified below:

1. Representatives of the village, district or provincial fisheries organizations;
2. Representatives of the fishermen;
3. Representatives of village or district social organizations;
4. Village, District or Municipal Security Officers;
5. Representatives of other relevant sectors as deemed necessary.

Article 52. Rights and duties of Committees for the Management of Fisheries in Bodies of Water

The rights and duties of the Committees for the Management of Fisheries shall be as follow:

1. To prepare plans for the management and development of fisheries within their own water resource areas, namely: identified fisheries areas, conservation zones, protected areas, fish spawning grounds, areas for the expansion of fish species, fish release areas and others;
2. To propose plans and regulations for the management of fisheries including the use of fishing gear and methods, seasons and prohibitions related to the catching or trapping of certain protected aquatic animals and submit these to the municipal, district administration authorities for their consideration, approval and adoption;
3. To disseminate and publicize the fisheries management plans and regulations by means of posters and announcement in the mass media;
4. To protect the rights and benefits of the fishermen including the settlement of disputes arising in the management of the water resources areas under their control;
5. To guide, follow up, and inspect the implementation of fisheries management regulations in the areas under their control;
6. To seek funding for the support to fisheries management and development in the water resources areas under their control;
7. To collect annual statistics related to fisheries, including the production, details of the fishermen, fish conservation zones and summaries and reports and submit these to the local authorities and the relevant sectors;
8. To exercise other rights and duties as assigned by the relevant sectors.

Article 53. Village fisheries regulations

At the village level, the management of fisheries operations shall be regulated through the issue of regulations governing fishing in certain designated areas, namely set aside as conservation, protection and development areas, and the use of fisheries resources as established by the village authority in consultation with the Committee for the Management of Fisheries in Bodies of Water, villagers, neighbouring communities and in coordination with the Village Agriculture and Forestry Unit or the district, municipal Agriculture Forestry Offices in the event that the regulations apply to many villages within a single district.

The village fisheries regulations shall come into force after endorsement by the District Governor and the Municipal Head.

Article 54. Contents of the Regulations

At the village level, the fisheries regulations shall include the following:

1. The purpose;
2. Any fish conservation zones or prohibited fishing areas;
3. The species of fish and other aquatic animals;
4. The fishing gear and methods;
5. The policy for rewards for good work and penalties;
6. The implementation;
7. Other information as deemed necessary.

Chapter 3 Fisheries Inspection

Article 55. Purpose of fisheries inspection

Fisheries inspection is the monitoring of the activities of organizations, staff, officials, and people in the conservation, protection, development and the exploitation of aquatic fauna including commercial fisheries operations in order to ensure compliance with fisheries related laws and regulations, relevant laws, agreements and international treaties to which the Lao PDR is a party.

Article 56. Types of fisheries inspections

There are two types of fisheries inspections as follow:

1. Internal inspections performed by the organizations for fisheries management and inspection; [and]
2. External inspections performed by the National Assembly, the Government Inspection Organization, State Inspection Organization and the people.

Article 57. Fisheries inspection organizations

The fisheries inspection organizations and fisheries management organizations as defined in Article 43 of this Law are one and the same organization with the Department of Livestock and Fisheries as the Secretariat for the Ministry of Agriculture and Forestry which means that the fisheries officials are authorized to carry out the inspections.

In addition to the Fisheries Management Committees for Bodies of Water, there are also specific fisheries inspection officials who manage, carry out various activities and have the rights and duties as identified in other separate regulations.

Article 58. Rights and duties of fisheries inspection authorities

The fisheries inspection authorities have the following rights and duties:

1. To inspect the implementation of the regulations and the laws on fisheries;
2. To inspect the operations of commercial fisheries;
3. To consider or order the suspension or cancellation of fisheries operations or

- to suspend fisheries officials for their legal acts;
4. To liaise and coordinate with other relevant central and local sectors in the implementation of their rights and duties in carrying out inspections.
 5. To summarize and provide timely and regular reports of the results of any inspection regularly to superiors.

Article 59. Rights and duties of fisheries officials

The rights and duties of fisheries officials are as follow:

1. To inspect the management of the implementation of the regulations and laws on fisheries;
2. To inspect the documents related to fisheries such as the permission to operate commercial fisheries enterprise;
3. To inspect the kinds of aquatic fauna and equipment for catching fish or other aquatic fauna for any which are in contravention of the regulations and the laws;
4. To inspect all aquacultural sites including the buildings, the production equipment, the tanks, the cages and the ponds used in the production of aquatic fauna.
5. To order the cessation of operations in order to inspect and check the land and river vehicles used to transport the fish or other aquatic animals and their products when there is any wrong-doing or information leading to the suspicion of wrong-doing;
6. To confiscate fish and other aquatic fauna, fishing gear, fishing boats, cars or vehicles used for illegal activities;
7. To investigate and question suspects and submit the case for prosecution to the Public Prosecutor for presentation to the Court.

Article 60. External inspections

External inspections have the objective of inspecting the implementation of duties of organizations for the management and inspection of fisheries to ensure that the work of fisheries is effective, transparency and just.

External inspections are as follow:

1. Inspections by the National Assembly as specified in the Law on Monitoring and Inspection by the National Assembly;
2. Inspections by State Inspection Authority as provided in the Law on State Inspection;
3. Inspections by the State Audit Authority as provided in the Law on State Auditing;
4. It is the right of the people and local organizations, offices, organizations, technical expert units and state enterprises to monitor and inspect the performance of fisheries staff and officials when a breach of the law has occurred and they shall also have the right to request the relevant organization to perform an inspection of any violations of laws or regulations.

Article 61. Types of fisheries inspection

There are three types of fisheries inspections as follow:

- Regular inspections;
- Inspections with advance notice;
- Sudden inspections.

Regular inspections are planned inspections at specific times and carried out at least once a year.

Inspections with advance notice are out-of-plan inspections and where it is necessary by informing the target of the inspection at least 24 hours in advance.

Sudden inspections are inspections seen as necessary and urgent and where no advance notice is given to the target of the inspection.

Inspections include the checking of documents and of the actual activities being implemented at the workplace. Inspectors shall strictly observe laws and regulations.

Part VIII

Policy for Good Performers and Measures against Offenders

Article 62. Policy for good performers

Any individual or organization that, by implementing this Law, has achieved outstanding performance in the conservation and protection of aquatic fauna, and the development of fisheries shall be rewarded with commendations and other incentives in keeping with the identified procedures.

Article 63. Measures against offenders

Any individual or organization contravening this Law shall be re-educated, disciplined, fined, penalized or prosecuted according to the severity of the offence.

Article 64. Measures for re-education

Any individual or organization that commits any minor offence that is not deemed criminal, and which has resulted in damages of less than 200,000 kip but who admit their guilt shall be re-educated and warned.

Article 65. Disciplinary measures

Any staff member and official who commits any minor offence under the Fisheries Law and provided that such an offence is not deemed serious and resulted in damages of less than 200,000 kip, but who do not admit their guilt and try to evade blame shall be disciplined as follows:

1. Record their offence in writing and in their personal biography;
2. Face the deferment of promotion and salary increase;
3. Face demotion or be transferred to other lower level duties;
4. Resign from the Government without any incentives.

Any individual so disciplined shall return all illegal assets to the organization.

Article 66. Measures for fines

Any individual or organization found guilty of contravening this Law [and where the value of the loss] amounts to more than 200,000 kip shall be fined double the amount of the loss. In the event that the offender commits a second offence or many more offences the fine shall amount to triple the value of the loss of protected fish and other aquatic fauna, double the value for controlled types and equal to the value for common types of fish together with the seizure any illegal assets which shall become the property of the state.

Article 67. Civil measures

Any individual or organization found guilty of contravening this Law and causing losses to the state, society and other individual shall fully compensate for the loss incurred.

Article 68. Criminal measures

In addition to offences as specified in the Criminal Law, any individual guilty of the following offences shall be guilty of a criminal activity:

1. The destruction of habitats, spawning areas and food sources of fish and other aquatic fauna;
2. The illegal fishing, capture or taking possession of protected fish and other aquatic fauna, whether alive or dead, their skeletons or other parts thereof;
3. The import, export, transit and removal of protected fish and other aquatic fauna contravenes the law.

Offenders shall be prosecuted under the Criminal Law and shall face sentences of imprisonment of three months to one year and shall be fined in accordance with Article 66 of this Law.

**Part IX
Fish Release Day, Logo and Stamp**

Article 69. National Fish Release Day

The Government designates the 13th of July every year as National Fish Release Day to conserve, protect and develop aquatic fauna in order for them to flourish.

Article 70. Logo and stamp

The fisheries management and inspection authority shall have its own logo and stamp for use in its official work activities and the fisheries officials shall have their own particular uniforms as authorized by the Ministry of Agriculture and Forestry.

**Part X
Final Provisions**

Article 71. Implementation

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

Article 72. Effectiveness

This Law shall enter into force 60 days after the date the President of Lao People's Democratic Republic issues the promulgating decree.

All regulations and provisions that contravene this Law shall be null and void.

President of the National Assembly

Lists I, II and III of Protected, Controlled and Common Aquatic Fauna

The protected aquatic fauna in List I are:

Mammals

ປາຂ່າ Irawaddy Dolphin

Reptiles

ປາຝາໄລ Dasyatis laosensis

Aquatic Organisms

ປາບຶກ Pangasianodon gigas

ປາໄຫລໄຟຟ້າ Agiulla marmorata

ປາກວາງ Boesemani microlepis

ປາເລີມ Pangasius sanitwongsei

ປາເສືອ Systemus partipentazona

ປາແມວ Setipinna melanochir

Amphibians

ປາຕີ Paramesotriton laoensis

The controlled aquatic fauna in List II are:

ປາເຄິງ Mystus microphthalmus

ປາຊວາຍແຂ້ວ Pangasianodon hypophthalmus

ປາເອີ ຂາວ Probarbus labeamajor

ປາຣູ Wallgo leeri

ປາແດງ Tor sp.

ປາ າງແດງ Hemisilurus mekongensis

ປາໝາກຫວາຍ Luciosoma bleekert

ປາກະໂຫ Catlocarpio siamensis

Reptiles

ປາຝາອອງ ທຸກຊະນິດ Amyda sp.

List III of Common Aquatic Organisms are:

ປາແຂ້ Bagarius Yarrelli

ປາ າເງິ Micronema bleekeri

ປາຕອງກາຍ Chitala blanci

ປາຕອງ າ Notopterus notopterus

ປາໂດ Channa striata

ປາຈາດ Poropuntius sp.

ປາໂຈກ Cyclocheilichthys enoplos

ປາວຽ ໄຟ Barbodes schwanefeldi

ປາປາກຄຳ	<i>Hypsibarbus wetmorei</i>
ປາເກະ	<i>Gyrinocheilus pennocki</i>
ປາກິດໝີ່	<i>Hermibagrus wycki</i>
ປາປັ່ງ	<i>Pangasius larnaudiei</i>
ປາບູ່	<i>Oxyeleotris mos morata</i>
ປາພອ	<i>Cirrhinus microlepis</i>
ປາແກງ	<i>Cirrhinus molitorella</i>
ກຸ້ງ ທຸກຊະນິດ	All species of shrimp
ກະບູ່ແດງ	Red Crab
ຫອຍ ທຸກຊະນິດ	All species of Snail Species

Amphibians

ອີງ	<i>Kaloua mediolineeata</i>
ກົບ-ຂຽດ	<i>Rana rugulosa</i>
ຄໍ້ ຄາກ	<i>Bufo melanostictus</i>

Remarks:

1. *Cirrhinus microlepis* and *Cirrhinus molitorella* have been moved from List II to List III
2. *Catlocarpio siamensis* has been moved to List II