

(Unofficial Translation)

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

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Law on the Chemicals

Part I

General Provisions

Article 1 Objectives

This law lays down the principles, regulations and measures regarding the management, monitoring, inspection, implementation and undertaking of chemical activities for the purpose of encouraging and promoting quality in order to maintain the business and use of chemicals in accordance with the technical terms, efficient, effective work and ensuring the safety to the health, life, property, environment and society, contributing to the national economic and social sustainable development.

Article 2 Chemicals management

Management of chemicals means the implementation of measures on the business operation and use of chemicals in accordance with the technical terms ensuring the safety to the health, life, property, environment and society.

Article 3 Definitions

Terms used in this law shall have the following meanings:

1. **Chemicals** mean any natural or man-made single Substance, compound and mixture substance, which are in liquid, solid or gas form.
2. **Single Substance** means pure and one substance which could not be extracted into other substance.
3. **Compound Substance** means substance comprising of at least two substances chemically compounded in the specific ratio to ensure its stability.
4. **Mixture Substance** means a mixture of at least two chemical substances which has no reaction in normal circumstance.
5. **Hazardous Chemicals** means one or many chemicals that have hazardous characteristics by physically, bodily and environmentally, as defined under the Globally Harmonized System of classification and labeling of chemicals: GHS.

6. **Toxic chemical** means any chemicals that have chemical reaction in it affecting life causing to death, injury, temporary or permanent handicap.

7. **Basic chemicals** means important and necessary chemicals using for the broad production and have a high benefits to the economic development such as potassium chloride, acid sulfuric, sodium hydroxide.

8. **Globally Harmonized System (GHS)** means system that determines hazardous characteristics of chemicals and globally harmonized system of classification and labeling of chemicals.

9. **Chemical Accident** means unforeseeable incidents caused by chemicals such as fire, explosion, leakage, airborne spreading and others.

10. **Chemical Waste** means the remains from chemical business activities, chemical use and unwanted or unusable chemical such as the container, deteriorated chemical, chemical residues and other hazardous wastes of chemicals.

11. **Treatment** means the treatment process to mitigate the pollution caused by the chemical business activity by using certain technics and various machine or equipment.

12. **Disposal** means burning, burying or recycling for other uses.

13. **Container** means any bucket, bag, bottle, box or other container used to contain the Chemicals.

14. **Encapsulation** means the use of material to encapsulate the chemical to avoid breakage or leakage such as the use of plastic rubber, paper, foam, sawdust and others.

15. **Chemical user** means individuals, juridical person or organization that use chemicals into their works such as using for the research, experiment, production, processing, planting, raising animals and health treatment.

Article 4 Public Policy Regarding Chemical Activities

The State invests in the research and study for the development technology on chemicals and equipment for monitoring and inspection of activities in relation to Chemicals.

The State supports and promotes domestic and foreign individual, legal entities or organizations to invest in the development of basic Chemicals with high value in socio-economic development, use of environmentally friendly technology and to invest in the business offering the services in Treatment and Disposal of Chemical Waste in order to ensure the safety of health, life, property and environment, and building public awareness in relation to Chemicals to the society.

The State encourages individuals, legal entities or organization to invest in establishing institute, training center and technical school for the training and upgrading technical knowledge and safety on chemicals.

Article 5 Fundamental Principles Regarding Chemical Activities

Chemical activities shall comply with the following fundamental principles:

1. Ensure the compliance with policy, strategy, national social and economic development plan and laws and regulations;
2. Ensure the centralized and harmonized management throughout the country;
3. Ensure the national security and social order;

4. Ensure the compliance with technical standards and international principles;
5. Ensure no harm to human health, life, property, environment and society in the chemical activities and use;
6. Ensure the consistency with international treaty and convention to which Lao PDR is a party.

Article 6 Participation of People and Society

In order to ensure the management of business operation and use of chemicals for safety of human health, life, property and environment, the society and people shall be able to participate as following:

1. Be aware of and disseminate data and information on the danger and safety of the chemicals;
2. Follow and notify on the data and information to the Industry and Commerce Sector and other relevant sectors of the risk and impact of the chemical business operation and use;
3. Protect, prevent the adverse impact of the chemical business operation and use.

Article 7 Scope of Implementation

This law shall apply to domestic and foreign individual, legal entity or organization undertaking chemical activities in Lao PDR.

This law shall not apply to activities relating to radioactive substances and atomic energy.

Article 8 International Cooperation

State supports the regional and international cooperation regarding chemical activities by exchanging knowledge, information, technics, technology, scientific research, study, human resource development in order to develop chemical activities for the purpose of progress and modernization, implementing as per the international treaty and convention to which Lao PDR is a party.

Part II

Types and Nature of Chemicals

Article 9 Chemical Types

Chemicals can be divided into 4 classifications according to its characteristics and hazardous level as follows:

1. Hazardous Chemical Type I;
2. Hazardous Chemical Type II;
3. Hazardous Chemical Type III;
4. Hazardous Chemical Type IV.

The hazardous level of each type shall be defined under a specific regulation.

Article 10 Hazardous Chemical Type I

Hazardous Chemical Type I is a Chemical that is toxic and extremely dangerous to health, life, property or environment.

The Government prohibits the business activity using the Hazardous Chemical Type I, except for the activities relating to the research, technology development, protection and prevention of danger which may arise against health, life, property or environment and use in the national defense and public security activities, but must be approved by the Government.

Article 11 Hazardous Chemical Type II

Hazardous Chemical Type II is a Chemical that is toxic and very dangerous to health, life, property or environment.

Hazardous Chemical Type II may be manufactured, imported, exported or possessed and used but it shall be approved by the Industry and Commerce Ministry and shall be strictly under management of the relevant ministries, equivalent organizations.

Article 12 Hazardous Chemical Type III

Hazardous Chemical Type III is a Chemical that is toxic and moderately dangerous to persons, animals, vegetation, property or environment.

Hazardous Chemical Type III may be manufactured, imported, exported or possessed and used but it shall be approved by the industry and commerce Ministry and shall be strictly under the management of the relevant Ministries and equivalent organizations.

Article 13 Hazardous Chemical Type IV

Hazardous Chemical Type IV is a Chemical that is toxic and slightly dangerous to persons, animals, vegetation, property or environment.

Hazardous Chemical Type IV may be manufactured, imported, exported or possessed without any approval required, but it shall be notified to the provincial, capital industry and commerce authority and strictly complied with regulations issued by relevant sectors.

Article 14 Nature of Hazardous Chemicals

The nature of Hazardous Chemicals consists of chemicals which are toxic in physical, toxic to human health and to the environment provided in globally harmonized system as following:

1. **Physical hazard** comprises of 16 cases, primarily, explosives, flammable gases, flammable aerosols, oxidizing gases, gases under pressure, flammable liquids, flammable solids, self-reactive substances, pyrophoric liquids, pyrophoric solids, self-heating substances, substances which, in contact with water, emit flammable gases, oxidizing liquids, oxidizing solids, organic peroxides, corrosive to metals.

2. **Hazardous to human health** comprises of 10 cases, primarily, acute toxicity, skin corrosion /irritation, serious eye damage/eye irritation, respiratory or skin sensitization , germ cell mutagenicity, carcinogenicity, reproductive toxicology , target organ toxicity–single exposure, target organ toxicity–repeated exposure, aspiration toxicity.

3. **Hazardous to environment** comprises of 3 cases, primarily hazardous to the aquatic environment, hazardous to ozone layer atmosphere and cause to climate change.

Part III
Safety in Relation to Chemicals
Chapter 1
Safety Measures for Chemical Activities

Article 15 Safety Measures for Chemical Activities

Safety measures for Chemical activities involve determination of principles and measures for the following activities:

1. Providing safety data sheets ;
2. Container and packaging of chemicals;
3. Label and labeling;
4. Storage;
5. Hazardous Chemical Waste;
6. Transportation of Hazardous Chemical and its waste;
7. Transit of Hazardous Chemical and its waste;
8. Treatment and Disposal of Chemical Waste;
9. Laboratory Chemicals;
10. New Chemicals;
11. Discovery of the hazardous characteristics of Chemicals;
12. Fake Chemicals;
13. Unstandardized Chemicals;
14. Deteriorating Chemicals.

Article 16 Providing safety data sheets

Safety data sheets on the Chemicals, which shall be provided, is as follows:

1. Name, source of origin, manufacturing place of the Chemicals;
2. Components, chemical formula;
3. Physical and chemical characteristics, toxic level;
4. Stability and instability of the chemicals;
5. Hazardous level;
6. Level of risk to health;
7. Level of environmental risk;
8. Impact on human and requirement for equipment to protect health;
9. First aid procedures;
10. Prevention measure in case of fire;
11. Prevention measures from accidental risk;

12. Storage procedures;
13. Waste management;
14. Transportation information;
15. Date of manufacturing and expiration date;
16. Method of use; and
17. Other necessary information.

Article 17 Container and packaging of Chemical

Container and packaging of chemical shall be strong, secured and able to endure vibration.

In case the container is reused, such container shall be examined and certified by the Industry and Commerce Sector.

Article 18 Label and Labeling

Label is the information in letters or picture showing the danger of the Chemicals in order to ensure the safety in transporting, storage and utilization.

Labeling shall be directly attached to or printed on the Container of the Chemical and the label shall be strong, secure and can endure any scrubbing.

Contents of the label shall be written in Lao and foreign languages.

Article 19 Storage

The chemical storage shall be in compliance with the safety measures, for instance, Chemicals shall be kept separately, putting in specific storage, kept in the container and shall have specific warehouse in accordance to the technical standard.

The safety standards for the chemical storage are prescribed in a specific regulation.

Article 20 Disposal of Hazardous Chemical Waste

Hazardous chemical waste is the remain from the contamination, manufacturing, utilization or other products containing of hazardous chemicals, which is no longer needed and that may have impact on health, life, property and environment.

Hazardous chemical waste shall be kept in accordance to the safety standard, for instance, separating the type of wastes, containing in special containers and kept in specific place.

Article 21 Transportation of Hazardous Chemical and Hazardous Chemical Waste

The transportation of Hazardous Chemical is the transportation of Chemical Type I, II and III as prescribed under Article 10, 11 and 12 of this law.

The transportation of Hazardous Chemical and hazardous Chemical Waste is subject to an approval by the Ministry of Industry and Commerce and other relevant Ministries and shall be strictly complied with the regulations regarding the transportation of Hazardous Chemical.

The regulations regarding the transportation of Hazardous Chemical and hazardous Chemical Waste are prescribed in a specific regulation.

Article 22 Transit of Hazardous Chemical and Hazardous Chemical Waste

Any individual, legal entity or any organization intending to transit Hazardous Chemical and **hazardous** Chemical Waste through Lao PDR shall comply with the bilateral or multilateral agreement that Lao PDR is a party thereunder and shall notify the organizations responsible for the management of chemicals activities 30 days in advance.

Article 23 Treatment and Disposal of Chemical Waste

Treatment and Disposal of Chemical Waste generated from the business operation or utilization shall be conducted immediately. In case that it is not possible for immediate Treatment or Disposal, the Chemical Waste can be kept for no longer than 90 days from the date that the waste has been generated and shall be notified to the Industry and Commerce Sector and the organizations responsible for the management of chemicals activities.

Treatment and Disposal of Chemical Waste shall be in compliance with the guideline of the manufacturer and shall use the appropriate technology and it shall also comply with Law on Environment Protection and other relevant laws as well as with the relevant regulations.

Article 24 Chemical Laboratory

A Chemical Laboratory is a place for research, analysis, test conducted to certify the physical or chemical qualification of the Chemicals. The Chemical Laboratory shall be operated in accordance with the safety standard.

The Ministry of Science and Technology is responsible for determining the safety standard in coordinating with the relevant ministries.

Article 25 New Chemicals

New Chemicals are the Chemicals discovered from nature or created from the scientific research by any individual, legal entity or organization that need to be registered with the Ministry of Industry and Commerce and notified to the relevant sectors and if the discover requires its patent, it shall file for the registration of intellectual property's right with the Ministry of Science and Technology.

Article 26 Discovery of Hazardous Characteristics of Chemicals

The discovery of hazardous characteristics of Chemicals shall be registered and such Chemicals shall be re-classified as new Chemical Type with the Industry and Commerce Sector and notified to relevant sector.

Article 27 Fake Chemicals

Fake Chemicals are the chemical product, which have names, marks or shapes are similar to the original chemicals already registered, yet have different characteristics or made by fake material or different composition.

In the event of finding any Fake Chemicals, its use shall be immediately suspended and reported to the relevant organizations managing such chemicals.

Article 28 Unstandardized Chemicals

Unstandardized Chemicals are the Chemicals with low quality, impure, contaminated or incorrect components that are not in compliance with the chemical characteristics as registered.

In the event of finding any unstandardized Chemicals, its use shall be immediately suspended and reported to the relevant organizations managing such chemicals.

Article 29 Deteriorated Chemicals

Deteriorated Chemicals are the expired Chemicals or the Chemicals that are deteriorated before the expiry date as defined on the label or certificate document due to storage that is not consistent with the relevant technics.

In the event of finding any deteriorated Chemicals, its use shall be immediately suspended and reported to the relevant organizations managing such chemicals.

Chapter 2

Prevention of Chemical Accident

Article 30 Prevention of Chemical Accident

The prevention of Chemical Accident comprises of:

1. Plan to prevent and resolve Chemical Accident;
2. Training of staff;
3. Installation of equipment;
4. Supply of information;
5. Dissemination of information relating to Chemical;
6. Use of technology.

Article 31 Planning to Prevent and Resolve Chemical Accident

The Chemical business operator shall set up an accident prevention and mitigation plan and submit such plan to the organizations responsible for the management of chemicals activities for consideration and approval with the following contents:

1. Information on the characteristic, quantity of the chemicals, manufacturing technology, utilization, special geographical characteristic, population and environment;
2. The risk of having accident and investigation plan to find the main cause of the accident;
3. Different types of accident and prevention measures;
4. Ability to handle the accident including equipment, worker, staff, coordination plan with local authority and plan for evacuation of people and property;

5. Accident mitigation plan in accordance with the Law on Industrial Processing and Law on Environment Protection and other relevant regulations.

Article 32 Training of Human Resources

The Industry and Commerce Sector in collaboration with other relevant sectors promotes training of human resource relating to chemical activities to ensure appropriate quality and quantity in different forms such as training, upgrading the knowledge in technics and chemicals for the purpose of chemical activities.

Persons carrying out business relating to Chemicals shall pay attention to the creation and upgrading of the knowledge and capacity by providing training in relation to technics to staff and workers and in relation to chemical safety at least once a year.

Article 33 Installation of Equipment

All relevant State's organizations shall be responsible for the coordination in the training of the Chemical business operator's worker and staff and installing sufficient prevention equipment for the handling of possible accident.

The chemical business operator shall install sufficient preventive equipment for the handling of possible accident according to the nature of the business and the characteristics of the Chemicals.

Article 34 Provision and Dissemination of Information

The Industry and Commerce sector shall provide information relating to Chemicals such as laws and regulations, technics and technology relating to the transportation, use, storage, treatment, disposal to ensure that the information is widely disseminated throughout society.

Persons conducting business shall set up a database regarding the use and production of Chemicals in order to provide to the relevant authority and provide information, give advice on technical standards, technology, safety, hygiene and environment relating to chemicals to society.

Article 35 Advertisement

Any individual, legal entity or organization desiring to advertise the information relating to Chemicals shall apply for the approval from the information, culture and tourism sector.

The content of the advertisement relating to Chemicals shall be approved by the industry and commerce and other relevant sectors.

The advertisement shall be consistent with the Chemical quality and in compliance with the content, forms and in the venue as approved.

The content and form of the Chemical advertisement shall include:

1. clear and accurate of the true classification, type, characteristic, quality of Chemicals, trademark and service mark;
2. It can be disseminated in any forms such as self-advertisement or through mass-media.

Article 36 Use of Technology

The Chemical business operations shall use appropriate machines and technology to ensure the efficient productivity and to ensure safety, reduction of raw material use, chemicals, power usage and to mitigate environmental impacts.

Chapter 3

Resolution of Chemical Accident

Article 37 Resolution of Chemical Accident

The resolution of chemical accident consists of:

1. Coordination in case of a chemical accident;
2. Resolving measures.

Article 38 Coordination in Case of a Chemical Accident

In case of a Chemicals accident occurs, business operators and users of Chemicals shall report to the Industry and Commerce sector and other relevant sectors and undertake immediate measures to resolve. For the accident occurs in an industrial zone or special economic zone, the accident must be reported to the Chemical management authority in such zone.

When the resolution is beyond its capacity, it shall coordinate with the National Defense, Public Security and other relevant authorities in order to urgently take immediate measures.

Article 39 Resolving Measures in Relation to Chemicals Accident

The Chemical Accident shall be resolved in compliance with the following actions:

1. Implementing prevention plan and the plan and resolving the Accident immediately;
2. The relevant authorities shall determine the scope and define the dangerous zone and in case that the accident causes severe impacts that cannot be resolved, such relevant authorities shall propose to the higher ranking authorities to declare such area as a chemical dangerous zone;
3. The relevant local administration shall provide all of the vehicles, equipment, human resources and medical team to immediately resolve the accident and to evacuate people and assets from the dangerous zone.

Part IV

Undertaking of Chemical Business Activities

Chapter 1

Undertaking of Chemical Business Activities and Use

Article 40 Undertaking of Chemical Business Activities

The undertaking of chemical business activities means the business of manufacturing, containment, encapsulation, sale-purchase, protection, research, test, supplying, transportation, importation, exportation, storage, possession, disposal and treatment of hazardous chemical or dangerous chemical waste.

Individual, legal entity or organization desiring to undertake chemical business shall submit an application for a chemical business license with the Industry and Commerce Sector and to coordinate with other relevant sectors.

Article 41 Conditions for Undertaking Chemicals Business Activities

Individual, legal entity or organization desiring to undertake chemical business shall meet the following conditions:

1. Having a specialist with knowledge and experience in Chemical work;
2. Ensuring the sufficient funds, technics, equipment and facilities and ensuring the preparation of the plan for conducting chemical business operation and resolving procedure to handle emergency situation;
3. Having suitable location with standardized facilities, warehouse and standard transportation vehicles;
4. Having the safety and environmental protection measure.

Article 42 Application for the Chemical Business Operation License

Individual, legal entity or organization desiring to undertake chemical business shall submit an application for the business operation license to the Industry and Commerce Sector.

The application shall consist of:

1. Copy of Enterprise Registration Certificate;
2. Risk assessment report;
3. Chemical safety information;
4. Accident prevention and resolving plan.

Article 43 Timing for Consideration and Approval of the Business Operation

The Industry and Commerce Sector shall consider the issuance of a license to the applicant within 30 working days from the date of the receipt of the application. If the application and supporting documents are inaccurate or incomplete, the industry and commerce authority shall notify the applicant in writing within 10 working days from the date of the receipt of the application.

In case of an application is rejected, the industry and commerce authority shall notify the reason for the rejection in writing to the applicant within 5 working days.

Article 44 Chemical Registration

The Chemical business operator shall register the Chemicals with the Industry and Commerce Sector, except for Hazardous Chemical Type I as defined in Article 10 of this Law.

Article 45 Import and Export Chemicals

Individual, legal entity or organization intending to import and export Chemicals shall compliance with following procedures:

1. For Hazardous Type I Chemicals shall submit application to Ministry of Industry and Commerce for proposal to the Government's approval;
2. For Hazardous Type II and III Chemicals shall submit application to Ministry of Industry and Commerce for approval of import and export, and if the Chemicals is under management of other sector, prior confirmations are required from that relevant sector;
3. For Hazardous Type IV Chemicals, the import and export are not subject to approval, but must be notified to the Industry and Commerce Sector at the Province, Capital City, where import is taking place.

Detail regulations and procedures for import and export Chemicals are separately issued.

Article 46 Sale and Purchase of Chemicals

The sale and purchase of Chemicals shall have a sale and purchase contract, which provides clear name of the Chemicals, the quantity and purposes of the use and others. The contract shall be made in 3 copies: one for the purchaser, one for seller and one for the organizations responsible for the management of chemicals activities. The sale and purchase agreement for Chemical Type IV shall be kept for 2 years, the sale and purchase of Chemical Type II and Chemical Type III shall be kept for at least a term of 5 years.

Article 47 Possession

Any individual, legal entity or organization possessing Chemicals of his own or of another's for any specific purpose shall notify the Industry and Commerce Sector for the purpose of safety control.

Article 48 Utilization

Any individual, legal entity or organization using Chemicals shall comply with the chemical safety standard, safety information, the manual and other document relating to chemical safety.

Chapter 2

Rights and Obligations of Business Operators and Persons Using Chemicals

Article 49 Rights of Chemical Business Operators

Chemicals Business Operators involved in chemical activities have the following rights:

1. Operate in accordance with the business license;
2. Have protection of legitimate rights and interests in accordance with laws and regulations;
3. Receive information relating to Chemicals;

4. Complain against a violation of rights in business operations;
5. Exercise other rights as stipulated in relevant laws and regulations.

Article 50 Obligations of Chemical Business Operators

Chemical Business Operators have the following obligations:

1. Strictly observe and follow laws and regulations relating to Chemical activities;
2. Pay customs and duties and other obligations to the State as prescribed by laws and regulations;
3. Set up a unit responsible for management of Chemicals activities;
4. Provide professional training on safety of Chemicals for staff and workers within their business unit;
5. Create annual plan for chemical use;
6. Establish and develop accident prevention plan and resolution's measure;
7. Maintain and set up a database for chemical information;
8. Provide information and instructions relating to chemical safety;
9. Treatment, disposal of waste generated from business activities;
10. Repossess chemical products which do not conform with the standards;
11. Be liable for all damages arising out of business activities;
12. Facilitate the tasks of government officers in the performance of their duties;
13. Report on the chemical activities to the relevant authority at regular basis;
14. Perform other obligations as stipulated in the laws and regulations.

Article 51 Rights of Persons Using Chemicals

Persons using Chemicals have the following rights:

1. Receive accurate information relating to the safety of chemical activities;
2. Have protection of legitimate rights and interests in accordance with laws and regulations;
3. Return unstandardized, deteriorated chemical products and receive compensation for damages;
4. Exercise other rights as stipulated in the laws and regulations.

Article 52 Obligations of Persons Using Chemicals

Persons using Chemicals have the following obligations:

1. Strictly observe and follow laws and regulations relating to chemical activities;
2. Treatment and disposal of chemical waste that they used;
3. Report on the danger from the use of Chemicals to the Industry and Commerce Sector and to the relevant bodies where Chemicals are used;
4. Participate in health and environment protection activities;

5. Be liable for damages occurred as a result of their use of Chemicals;
6. Perform other obligations as stipulated in the laws and regulations.

Part V

Prohibitions

Article 53 General Prohibitions

It is prohibited for individuals, legal entities and organizations to act as follows:

1. Carry out chemical business without a license from the relevant authority;
2. Obstruct the authority's performance of duties in relation to chemical activities;
3. Burn, bury, throw away and discharge Chemicals or hazardous chemical waste into the environment and society in a way not consistent to the technic;
4. Use fake, unstandardized, deteriorated or unregistered Chemicals;
5. Produce, import, export, possess and use highly dangerous Chemical Type I as described in article 10 of this Law;
6. Send or receive hazardous Chemicals without name or unclear name;
7. Make propaganda or give untrue information;
8. Store hazardous Chemicals without authorization;
9. Give bribes to relevant chemicals officers and staff responsible for related Chemicals for its own interest;
10. Commit other acts that violate the laws and regulations.

Article 54 Prohibitions for Business Operators

Business Operators are prohibited from acting as follows:

1. Operate chemical business in violation of the licenses and certificates;
2. Operate chemical business, which adversely affect health, life, assets and environment beyond the prescribed standards;
3. Operate the chemical business for the activities against public policy and social order;
4. Displaying sale of chemical products mix with other consumer goods;
5. Make counterfeit document;
6. Falsify documents, provide untrue information;
7. Advertise with the intention to harm or defy the production and services of others;
8. Give a bribe;
9. Other acts that violate laws and regulations.

Article 55 Prohibitions for Persons Using Chemicals

Persons using Chemicals are prohibited from acting as follows:

1. Use Chemicals, which is inconsistent with their purposes and that cause an adverse impact on the environment and society;
2. Use Chemical Type I as prescribed in article 10 of this Law;
3. Disseminate slanderous information or commit other acts in order to harm the supplier;
4. Other acts that violate laws and regulations.

Article 56 Prohibitions for Staff and Officers Relating to Chemical Activities

Staff and Officers relating to chemical activities are prohibited from acting as follows:

1. Abuse of power, position and duties in relation to chemical activity for their own interests;
2. Receive or request bribes;
3. Omit to perform certain duties, obstruct and delay the consideration of documents relating to Chemicals;
4. Falsify documents or use falsified documents, disclose State secrets, destroy documents relating to Chemicals;
5. Conceal documents on chemical safety;
6. Other acts that violate laws and regulations.

Part VI

Dispute Resolution

Article 57 Forms of Dispute Resolution

Dispute resolution in relation to chemical activities comprise of the following forms:

1. Mediation or conciliation;
2. Administrative proceeding;
3. Arbitration by the Economic Dispute Resolution Office;
4. Court judgment;
5. International dispute resolution.

Article 58 Mediation or Conciliation

In case of dispute in relation to chemical activity the parties may mediate or conciliate to resolve such dispute.

Article 59 Administrative Measures

In case the dispute in relation to Chemicals is not severe and does not involve a high value, the parties may ask the Industry and Commerce Sector and other relevant sector where the parties have obtained their license to resolve such dispute pursuant to the laws and regulations.

Article 60 Arbitration by the Economic Dispute Resolution Office

In case of any dispute in relation to Chemicals, the parties may submit such dispute to the Economic Dispute Resolution Office to resolve the dispute pursuant to the laws and regulations.

Article 61 Court Judgment

In case of any dispute in relation to Chemicals, the parties may file a complaint to the People's Court in order to obtain a judgment pursuant to the laws and regulations.

Article 62 International Dispute Resolution

In case the dispute in relation to Chemicals has an international character, the relevant laws and regulations, international treaties and international conventions to which Lao PDR shall applied.

Part VII

Management and Control

Chapter 1

Management

Article 63 Organizations Responsible for the Management of Chemicals Activities

The Government manages chemical activities in a centralized way and uniformly throughout the country by assigning the Ministry of Industry and Commerce to be directly responsible and to allocate responsibilities to the relevant ministries and coordinate with other sectors and local authorities in the management of Chemicals.

The Organizations responsible for the management of chemical activities consist of the following:

1. The Ministry of Industry and Commerce;
2. The Industry and Commerce Division at Provinces and Capital City;
3. The Industry and Commerce Offices at Districts, Municipality and City.

Article 64 Rights and Duties of the Ministry of Industry and Commerce

The Ministry of Industry and Commerce shall be entitled to and shall perform their duties relating to Chemical activities as followings:

1. Study, draft policies, strategic plan, presenting draft laws and regulations in relation Chemicals activities;
2. Extend and implement policies, strategic plans, laws into programs, projects and regulations in relation to Chemical activities;
3. Disseminate the laws and regulations relating to Chemicals activities widely to the public;
4. Register Chemicals;
5. Create list of industrial Chemicals and summary list of Chemicals from other sectors in order to create general list of classify Hazardous Chemicals Types;

6. Create and approve standards, technical manuals and regulations regarding safety of Chemicals activities;
7. Approve, manage, monitor the import and export Chemicals and chemical waste in coordination with relevant sectors;
8. Manage, monitor and inspect business activities, utilization of Chemicals, treatment and disposal of chemical waste under its responsibility;
9. Instruct on the use of each Type of Chemicals for public awareness and understand to maintain safety;
10. Consider the issue, suspension, withdrawal, termination of Chemical business licenses;
11. Receive request and complaint from the public and other relevant sectors including resolving disputes in relation to chemical activities falling under its responsibility;
12. Educate, train and upgrade technical staff in relation to chemicals activities;
13. Coordinate with other relevant ministries and other State's Agencies in creation and develop National Chemical Data and implementation of Chemical activities;
14. Propose to establish the Department or Agency responsible for chemical activities;
15. Cooperate and maintain international relation on chemical activities;
16. Summarize, assess and report the implementation of chemical activities to the Government at regular basis;
17. Perform other rights and duties as prescribed in the laws and regulations.

Article 65 Right and Duties of the Industry and Commerce Division at Provinces and Capital City

In the management of chemical activities, the Industry and Commerce Division at Provinces and Capital City shall be entitled to and shall perform their duties relating to Chemical activities as following:

1. Extend and implement policies, strategic plans, laws into programs, projects and regulations in relation to Chemical activities;
2. Disseminate the laws and regulations relating to Chemicals activities widely to the public;
3. Adopt annual plan, manage, monitor and inspect the import and export of Chemicals and chemical waste;
4. Manage, monitor and inspect business activities, utilization of Chemicals, treatment and disposal of chemical waste under its responsibility;
5. Instruct on the use of each Type of Chemicals for public awareness and understand to maintain safety;
6. Propose for issue, suspense, withdraw, terminate of Chemical business licenses;
7. Receive request and complaint from the public and other relevant sectors including resolving disputes in relation to chemical activities;
8. Educate, train and upgrade technical staff in relation to chemicals activities;
9. Coordinate with other relevant ministries and other local agencies for the implementation of chemical activities;
10. Cooperate and maintain international relation on chemical activities as assigned by higher authorities;

11. Summarize, assess and report the implementation of chemical activities to the Ministry of Industry and Commerce and Provincial Administration at regular basis;
12. Perform other rights and duties as prescribed in the laws and regulations.

Article 66 Right and Duties of the Industry and Commerce Offices at District, Municipality and City

In the management of chemical activities, the Industry and Commerce Offices at District, Municipality and City shall be entitled to and shall perform their duties relating to Chemical activities as following:

1. Extend and implement policies, strategic plans, into programs, projects and implementation of chemical activities;
2. Disseminate the laws and regulations relating to Chemicals activities widely to the public;
3. Monitor and inspect the import and export of Chemicals and chemical waste including business operation, use of Chemicals, treatment and disposal of chemical waste;
4. Instruct on the use of each Type of Chemicals for public awareness and understand to maintain safety;
5. Propose for issue, suspense, withdraw, terminate of Chemical business licenses;
6. Receive request and complaint from the public and other relevant sectors including resolving disputes in relation to chemical activities;
7. Coordinate with other relevant agencies for the implementation of chemical activities;
8. Proposal to educate, train and upgrade technical staff in relation to chemicals activities;
9. Summarize, assess and report the implementation of chemical activities to the Industry and Commerce Division at Provinces and Capital City and the District Administration at regular basis;
10. Perform other rights and duties as prescribed in the laws and regulations.

Article 67 General Rights and Duties of other Sectors and Local Administration

The Other Sectors and Local Administration shall have general rights and duties in the management, monitoring and inspection of the chemical activities within scope of their responsibilities as followings:

1. Study, create policies, strategic plan, presenting draft laws and regulations in relation Chemicals activities;
2. Extend policies, strategic into plans, laws into programs, projects and implementation chemical activities;
3. Disseminate the laws and regulations relating to Chemicals activities widely to the public;
4. Create and approve technical manuals and regulations regarding safety of Chemicals activities;
5. Manage, monitor and inspect business activities, utilization of Chemicals, treatment and disposal of chemical waste;
6. Instruct on the use of each Type of Chemicals for public awareness and understand to maintain safety;

7. Receive request and complaint from the public and other relevant sectors including resolving disputes in relation to chemical activities;
8. Propose to establish the Department responsible for chemical activities;
9. Educate, train and upgrade technical staff in relation to chemicals activities;
10. Cooperate and maintain international relation on chemical activities;
11. Summarize, assess and report the implementation of chemical activities to the Government at regular basis;
12. Perform other rights and duties as prescribed in the laws and regulations.

For the specific rights and obligation of the local administration shall be defined in separate regulations.

Article 68 Specific Rights and Duties of other Sectors and Local Administration

The other Sectors have specific rights and duties in the management, monitoring and inspection of chemical activities by coordinating with the Industry and Commerce Sector falling under their responsibilities as following:

1. The Public Health Sector manages and monitors the use of chemicals and chemical waste particularly chemicals used for pharmaceutical products, cosmetic, medical equipment, treatment and health care, beauty transplant, sterilizing and chemicals for food processing and create list of hazardous chemicals for its sector;

2. The Agriculture and Forestry Sector manages and monitors the use of Chemicals and waste particularly Chemicals used in plantation, seedling, livestock, fishery, veterinary, storage of agricultural products, Chemicals used in pesticides and create list of hazardous chemicals for its sector.

3. The Energy and Mines Sector manages and monitors the use of Chemical particularly Chemicals used in mining exploration and processing, and Chemicals found in nature or surrounding the mining areas.

4. The Natural Resource and Environment Sector manages and monitors the use of Chemicals particularly Chemicals used in the treatment, disposal of chemical waste, Chemicals remaining in nature and Chemicals seized and approves list of toxic Chemicals;

5. The Science and Technology Sector manages and monitor the use of technic-technology on the use of Chemicals and waste particularly Chemicals used in laboratories and analysis for technological development and approves chemical standard and determine safety standard of laboratories and use of chemicals in laboratories in coordination with ministries and organizations concerned.

6. The Public Work and Transport Sector manages and monitors the transportation of Chemicals and chemical waste.

7. The Public Security Sector manages and monitors the use of Chemicals and chemical waste and in coordination with other sectors to solve chemical accident particularly the explosives, toxic chemicals, chemicals use in fire extinguishment and bring proceeding against individuals, legal entities or organizations that violate laws and regulation relating to chemical management.

8. The National Defense Sector manages and monitors the use and transport of chemical waste particularly explosives, toxic Chemicals, Chemicals use in fire extinguishment and waste from wartime to resolve chemical accidents.

9. The Education and Sports Sector manages and monitors the use of Chemicals particularly Chemicals used in education teaching, research, laboratory and analysis.

Chapter 2

Monitoring of Chemicals Activities

Article 69 Organizations Responsible for the Monitoring of Chemicals Activities

Organizations responsible for the monitoring of Chemicals activities consist of:

1. Internal monitoring means the same organization responsible for the management of Chemical activities as prescribed in article 63 of this law;
2. External monitoring includes the National Assembly, The Government Inspection and Anti-Corruption Authority, and State Audit Authority, the Lao National Front for Construction, Mass organizations and social organizations.

Article 70 Scope of Monitoring

The monitoring of Chemicals activities has the following scope:

1. Monitoring of the implementation of policies, laws and regulations in relation to Chemicals activities;
2. The establishment and operation of the organization responsible for Chemicals activities;
3. Responsibilities, conducts and the work methodology of the staff and officers in relation to Chemicals activities;
4. Activities relating to the chemical business.

Article 71 Monitoring Forms

Monitoring of Chemical activities has the following forms:

1. Routine monitoring;
2. Monitoring with advance notice;
3. Emergency monitoring;

Routine monitoring is a monitoring according to plans that has a fixed timing.

Monitoring with advance notice is monitoring outside of the plan when it is deemed necessary whereby the advanced notice shall be submitted.

Emergency monitoring is monitoring when it is deemed necessary and urgent whereby no advance notice will be sent.

The monitoring may be conducted by the review of documents and visit to the location where the Chemicals activities are taking place, provided that such monitoring shall strictly follow the laws and regulations.

Part VIII

Awards to Those Who Have Made Achievement and Measures Against Violators

Article 72 Awards to those who have made achievements

Individuals, legal entities or organizations which have made outstanding achievement in the implementation of this law will be praised or obtain other awards in accordance with laws and regulations.

Article 73 Measures against Violators

Individuals, legal entities or organizations that violate this law will be educated, warned, subject to disciplinary measures, fined, pay compensation or subject to criminal sanctions and additional measures depending on the seriousness of the offense in accordance with laws and regulations.

Article 74 Educational Measures

Individuals, legal entities or organizations that violate this law in simple matter first time, will be warned or educated on case by case basis.

Article 75 Disciplinary Measures

Authorities or officers, who violate this law particularly in violation of prohibitions that have previously been warned or educated and do not have criminal elements shall be sanctioned in accordance to laws and regulations.

Article 76 Fine Measures

Individuals, legal entities or organizations that violate this law particularly in violation of prohibitions that have do not have criminal elements shall be fine in accordance to laws and regulations.

Article 77 Civil Measures

Individuals, legal entities or organizations that violate this law and cause damages to State, collective and other individual shall restore, rehabilitate and pay compensation as they have created.

Article 78 Criminal Measures

Individuals, who violate this law that have criminal element and cause damage to health and life of other person will be punished in accordance to criminal law and other laws that provide criminal punishment.

Article 79 Additional measures

In addition to punishment defined in article 78 of this law, the wrongdoer will be punished in addition such as: suspension, withdrawal or termination of business on a case-by-case basis.

Part IX

Final Provisions

Article 80 Implementation

The Government of the Lao People's Democratic Republic is the implementer of this law.

Article 81 Effectiveness

This law shall become effective from the date that the President of the Lao PDR issues a Presidential Decree promulgating the law and 15 days after it has been posted in the Official Gazette.

Any regulations or any of its provisions that contradict this law should be repealed.

President of the National Assembly

(Sign and seal)

Pany Yathortou