



Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

National Assembly

No. 03/NA  
Vientiane Capital, July, 09, 2009

## Fisheries Law

### Part I General Provisions

#### Article 1. Objectives

The fisheries law identified principles, regulations and measures governing organizations, implementation, management, fisheries inspection of aquaculture to promote conservation, protection, development and sustainable utilization of aquatic resources and to ensure of food security for Lao people. It is part of environment protection for national economic development.

#### Article 2. Fisheries

Fisheries are fishculture, conservation, protection, development, fishing, using aquatic organism in various ways in the water resources.

#### Article 3. Definitions

The words using in this Fisheries Law has the meaning as followed:

- 1. Aquatic organism** means any aquatic animals or plants, alive or dead, and includes their eggs, spawn, fingerlings and juveniles;
- 2. Fisheries activities** means all kinds of activities related to fishculture, conservation, protection, development, fishing and using aquatic organism;
- 3. Aquaculture products** means the aquatic organisms, whether alive or dead, which are being or have been farmed in an aquaculture site in Lao PDR;
- 4. Aquaculture site** means any area land or water or both in which aquaculture is conducted and includes any premises, equipment, ponds, tanks or cages;
- 5. Water resources for fisheries** means all permanent or seasonal water bodies, whether natural or man-made including rice fields, within the territory of Lao PSR, capable of supporting aquatic organisms and those parts of rivers and other water bodies shared with neighbouring states, and over which Lao PDR exercises sovereignty.
- 6. Fish Conservative zone** means deep water areas or along the rivers which are identified by fisheries management committee or according to fisheries regulations at village level, which designated as prohibited zone for the whole year to be habitats and safe breeding of aquatic organisms;
- 7. Fishing gears** means tools use for taking or catching aquatic organisms;
- 8. Harmful fishing gear** means tools use for taking or catching aquatic organisms which is destruction such as poison, explosive, electric device, or other noxious substance;
- 9. Protected aquatic organism** means valuable aquatic organism and having special important for socio-economic development, environment and scientific study which identified in the list I of Aquatic and Wildlife Law.

Those aquatic organisms have to manage, preserve, protect and develop. For utilization purpose have to be approved from the government;

- 10. Management aquatic organism** means aquatic organism which valuable for socio-economic, environment, livelihood of Lao people and scientific study which identified in the list II of Aquatic and Wildlife Law. Those aquatic organism number are limited and endangered that have to preserve, protect and control of utilization;
- 11. General aquatic organism** means aquatic organism which can breed a large numbers by nature, important to socio-economic development, environment and scientific study which identified in the list III of Aquatic and Wildlife Law. Those can be use according to the law by ensuring not to be extincted and no impacted on environment and ecosystems;
- 12. Ornamental Fish** means fish in various sizes, shapes and colours which raised for beauty, decoration and exhibition purpose;
- 13. Fish crowd** means fish herds are breeding at rivers, streams, channels, or somewhere else which prepared to spawn along the stream or flowed water;
- 14. Fisherman** means raiser, developer, fish or other aquatic organism catcher as main job;
- 15. Sustainable fisheries management** means using measures of regulations, planning and organizations by related organizations to develop, control and inspect fisheries to be expanded in the sustainable way, economical, effective, assurance environment, healthy life and accepted by people including supply for present and next generation;
- 16. Fisheries Resources** means water resources biodiversities, vehicles, tools, raising techniques, conservation, protection, development and aquatic utilization;
- 17. Fisheries Business** means person, family or organization who has operated business related to fisheries.

#### **Article 4. Rights on Fish and other Aquatic Organisms**

Fish and all kinds of others natural aquatic organisms which is not belonged to a person or organization in the land of Lao PDR are belonged to national property which is managed and unity by government in the whole country. Government approved the using rights of person and organization according to the laws.

Fish and other aquatic organisms which person or organization brought for raising in a certain area by their labor or fund are belonged to raiser except parents stock and first heir for protected aquatic organism and parents stock for management aquatic organism. In case of fisheries for commercial have to be approved from Agriculture and Forestry Division.

#### **Article 5. Government Policies on Fisheries**

Government promotes fishculture, conservation, protection, development, aquatic species expansion and aquatic organism management based on local potential by issuing policies, regulations, fund supply, technical extension, research, technology, information and measures to increase numbers of aquatic organism to supply all Lao people demands.

Government promotes individual in domestic and international organization to invest in fishculture, conservation, protection, development, species expansion and fish and aquatic organism processing by implemented policies such as credits, exempt or reduce tax according to the laws.

Government supports fisheries group formation, association, cooperative to promote production method, fish and aquatic organism processing aims at production

quality, aquatic production including be ownership of fisheries management effectively and adhere to fisheries law.

**Article 6. Basic Principles on Fisheries**

Basic principles on fisheries are as followed:

1. Fishculture, conservation, protection, development, sustainable fish and aquatic species expansion are duty of everybody;
2. Expansion of fishculture, conservation, protection, development, fish and aquatic species are as the main task and fishing and other aquatic organism management as an important;
3. To use aquatic organism according to the laws in the way of effectiveness, sustainability and no impact on social environment or nature;
4. To establish protect aquatic resources areas or fish conservative zones, habitats, and aquatic organism living resources for them to grow, breed aims at keeping balance of ecosystems;
5. Conservation, protection, development, use of aquatic organism, fisheries management and inspection should be in conformity with the International Convention which Lao PDR is a partner.

**Article 7. Obligation on Protection, Development and the use of Aquatic organisms**

Individual, juristic person and organization are obligated on conservation, protection, development and the use of aquatic organism according to the regulations and use necessary measure to prevent the impact on aquatic organism by natural or man-made such as disposal of pollution into natural water resources, epidemic, fishing and catching other aquatic organisms in a harmful methods, illegal trading, habitat destruction, spawning and living resources areas.

**Article 8. International Cooperations**

The government promotes international cooperation, regions and international organizations in fisheries activites by exchange lessons, informations, science, technologies, improvement of technicians, participation and implementaion of agreements and the International Convention which Lao PDR as a partner.

## **Part II Fisheries**

### **Chapter 1**

#### **Type of Fish and other Aquatic Organisms**

**Article 9. Type of Fish and other Aquatic Organisms Division**

Fish and other aquatic organisms are divided into three types as followed:

1. -Protected type;
2. Management type;
3. -General type;

**Article 10. Protected type of Fish and other Aquatic Organisms**

Protected fish and other aquatic organisms have to be conserved, protected, developed and not allowed to use these types, except the case approvement from the government.

The government will agree on changing list of protected aquatic organisms at any time according to a proposal from Ministry of Agriculture and Forestry.

**Article 11. Management Type of Fish and other Aquatic Organisms**

Management type of fish and other aquatic organisms have to be conserved, protected, developed, controlled and inspected on the use of these types according to the regulations.

Local authority issues the agreement on not allowed to use the management types if these types are endangered species in the management water resources area and inform the concerning Agriculture and Forestry sector.

Ministry of Agriculture and Forestry issues the agreement not allowed to use some of management types which informed by local authority if these types are endangered species in the water resources that covered at least over the boundaries of more than one province.

**Article 12. General Type of Fish and other Aquatic Organisms**

General type of fish and other aquatic organisms have to be protected, developed, and allowed to use according to the regulations and be sure not become extinction and no impact on environment and ecosystem.

## **Chapter 2 Kind of Fisheries**

**Article 13. Kind of Fisheries**

-Fisheries are consisted of two kinds as followed:

1. -Family subsistence fisheries;
2. Commercial fisheries;

**Article 14. Family Subsistence Fisheries**

Subsistence fisheries is fishculture, conservation, protection, development, fishing and the use of aquatic organisms in a certain area of water resources according to the regulations for daily life.

General fishculture and other aquaculture by families in the water resources areas or ponds are not over 15,000 m<sup>2</sup> or in the fishcage not over 120 m<sup>2</sup> per family.

Fishculture for general type, protected type second heir, management type first heir are not necessary need a license from concerning authority.

For parents stock and first heir of protected aquatic organism and parents stock of management type are not allowed for families.

Fishermen have to register in fisher's book list according to the regulation of Fisheries Management Committee at a certain water resources.

**Article 15. Commercial Fisheries**

Commercial fisheries is fishculture, fish finger expansion, fishing, fish processing and other aquatic organisms for trading and services, and support on conservation and protection of aquatic organisms.

## **Part III Aquaculture and Protection**

### **Chapter 1 Aquaculture**

**Article 16. Process of Aquaculture**

-Fishculture, conservation, protection, development, fishing and the use of aquatic organisms are services of fisheries which have to follow the process below:

1. Fisheries survey;
2. Fisheries strategic planning;
3. Scientific research of Fisheries.

**Article 17. Fisheries Survey**

Fisheries survey is a statistic data collection of fish and aquatic organisms about type and species based on each period of growing, water resources area for settlement, data planning for conservation, protection, development and management.

Aquaculture survey is a statistic data collection of fish, areas and other aquatic species, fishculture methods is a basic data for fisheries planning development.

Survey on fishing, the use of aquatic organisms is a statistic data collection of water resources area, fishing methods, fishing gears, fishing techniques, and the use for management plan by identified suitable fishing zones, seasons and fishing gears.

Fisheries survey is the Agriculture and Forestry section responsibility by coordinated with other related sections and local authority for implementation.

**Article 18. Fisheries Strategic Planning**

Ministry of Agriculture and Forestry coordinates with other related sections and local authority to plan a completed strategy and long terms management, protection and development of fisheries for future programmes, projects and measures to become fishculture and industrial processing and up to date.

**Article 19. Scientific Research of Fisheries**

Scientific research of fisheries is a study, research, laboratory about new species, new techniques for fishculture, production of fish and other aquatic organism supplement food, processing technology, fish disease, treatment, ecosystem, etc. to expansion of fisheries ownership activities, limitation of imported fish fingerings, fish and other aquatic organism supplement food from abroad.

Agriculture and Forestry sector build and improve institute, research center for study, scientific laboratory. To ensure for research, production, fish fingering and other aquatic organisms supply concerning all sectors of government and private sectors have to be participated.

Import and export of fish and other aquatic organisms sample such as skeletons or parts for study, research purposes have to get licence from Ministry of Agriculture and Forestry. When study, research is completed submit result to Ministry of Agriculture and Forestry.

Scientific research for fisheries has to be approved by the government.

**Article 20. Conditions for Scientific Research of Fisheries**

Individual or organization has purpose of scientific research of fisheries have to follow these criterias:

1. Identify location or water resources area clearly to be project research;
2. Identify tools and methods, techniques to be used in the research;
3. Identify time to be used in the research on approved certificate;
4. The research project should have Lao technician be included.

When the research has completed the result and future development plan should be reported to Agriculture and Forestry section.

## **Chapter 2**

### **Protection and Development of Fisheries**

**Article 21. Fisheries Protection**

Fisheries protection consists of:

- Fish and other aquatic organisms protection;
- Habitats and ecosystems protection.

**Article 22. Protection of Fish and other Aquatic Organisms**

Protection of fish and other aquatic organisms is to protect fish and other aquatic organisms from destruction by natural or human such as the use of harmful fishing gears and destructive methods. This is to preserve fish and other aquatic organisms that can grow abundant in the future.

**Article 23. Protection of Habitats and Ecosystems**

Protection of habitats and ecosystems is to conserve, fish and other aquatic organisms' habitats and ecosystems of water resources including fish conservative zone, natural fish breeding, food resources and other protected areas for sustainable and abundant of biodiversity. At the same time, issuing protected measures is to prevent destruction from human or nature.

**Article 24. Fisheries Development**

Fisheries development is fishculture improvement, species expansion and fish and other aquatic organisms processing effectively by using new techniques and technologies.

Fishculture development is an improvement of fishculture up to date by supply enough fish fingerings and food for fish and other aquatic organisms, using suitable techniques and methods that have potential and local environment aims at increasing quality and quantity of fish and other aquatic organisms as per domestic demands and for export.

Fish fingerings and other aquatic organisms expansion is the production of new breeds and guarantee of aquatic organisms quality and quantity to supply for society and market demands.

Fish and other aquatic organisms processing is producing quality aquatic organisms by using up to date technology.

**Part IV**  
**The Use of Aquatic Organisms**  
**Chapter 1**  
**Type of using Aquatic Organisms**

**Article 25. Type of using Aquatic Organisms**

There are 4 types of using aquatic organisms as followed:

1. Using for family (family subsistence);
2. Using for public purpose;
3. Using for traditional, religious events;
4. Using for commercial.

**Article 26. Using for Family**

Using aquatic organisms for family is taking fish and aquatic organisms from fishculture, fishing to be food, decoration, or sell as family's income.

**Article 27. Using for Public Purpose**

Using for public purpose is taking fish and aquatic organisms which benefit for public such as exhibition at museum, zoo, etc. for observation and scientific research, but the use have to be sustainable, no impact on social environment or nature.

**Article 28. Using for Traditional, Religious Events**

Using for traditional event is taking fish and aquatic organisms for culture event or believes and village ceremony such as fish release, snail release, eel release, fishing in the pond, etc.

**Article 29. Using for Commercial**

Using aquatic organisms for commercial is the processing, breeding expansion, service, import, export, re-export, transit of fish and other aquatic organisms which had registered according to the regulations.

## **Chapter 2 Fisheries Businesses**

**Article 30. Fishculture and other Aquatic Organisms Businesses**

Fishculture and other aquatic organisms for commercial and services have to be approved and registered according to the investment promotion laws.

Fishculture for general type using ponds or water resources from 15,000 to 50,000 m<sup>2</sup> or fishculture in the cages from 120 to 250 m<sup>2</sup> have to be approved from district Agriculture and Forestry office. In the case of using pond areas more than 50,000 m<sup>2</sup> or in the cages more than 250 m<sup>2</sup> have to be approved from capital, provincial Agriculture and Forestry Department.

For protected fishculture have to be approved from the government, for management fishculture have to be approved from Ministry of Agriculture and Forestry based on the ponds or water resources areas which identified in the specific regulations.

**Article 31. Ornamental Fish Businesses**

Individual or organization would like to do business of ornamental fish such as fishculture, breeding, species expansion, export and import have to be approved from concerning sector according to the investment promotion laws.

**Article 32. Fishery Businesses for other services**

The processing business, breeding expansion, service, import, export, re-export, transition of fish and other aquatic organisms has identified in the specific regulations.

**Article 33. Conditions of Fisheries Business**

Fisheries business has to follow the main conditions below:

- Economic and technical analysis;
- Report of Environment Impact Assessment depend on cases;
- Location, area, technician, fisheries technique, convenient access, transportation, etc. approved by Livestock and Fisheries Division;
- Approvement from Fisheries Management Committee for aquaculture at a certain water resources.

**Article 34. Productions and Aquatic Organisms Products**

Productions and fish and other aquatic organism products from business and processing shall be the right of producers.

Fish and other aquatic organisms which escaped from producer's area, remain the exclusive property of the license holder if can prove their identity.

**Article 35. Suspension or Revocation of Business License**

Agriculture and Forestry section informs the license holder to cancel or suspend a business license concerning guilty on aquatic organisms after warning and re-educated.

Business license cancellation cases are as followed:

1. The license holder has failed to comply with any condition of the license;
2. The license holder has failed to report of disease or dangerous virus that may infect to other aquatic organism or human which no protected measures and solutions;
3. Impact on environment, social or nature over the identified standard;

4. Destruction to the neighboring property;
5. The license holder has ceased to conduct aquaculture operations at the site.

Business license revocation cases are as followed:

1. The license holder has failed to operate on the time identified in the investment promotion laws which already have license;
2. The license holder has failed to comply the principle of technical standard which identified by concerning organizations;
3. The license holder has ceased operation of business by not inform concerning organizations;
4. No tax payment according to the law;
5. Request by business owner.

### **Chapter 3**

#### **Rights and Obligations of Business Owners**

##### **Article 36. Rights of Business Owners**

Business owners of fisheries have the right to own, to use, to develop, to benefit, to transfer, to buy-sell and to transfer fisheries business to another person including right to study, research, scientific laboratory about fish and other aquatic organisms by oneself or cooperation according to the license and other rights by laws.

##### **Article 37. Obligations of Business Owners**

The fisheries business owners have the obligations as followed:

1. Operation of fisheries business strictly according to the laws and the International Convention which Lao PDR be a partner;
2. No impact over the identified standard on environment, social or nature of fisheries business operation;
3. Support the prevention of illegal catching and destroy aquatic organisms, habitats of fish and other aquatic organisms;
4. Conservation, protection of fish and other aquatic organisms, especially protected type, management type and ecosystems;
5. Support and mobilize fund from domestic and international for fisheries development;
6. Paying fee and other taxes related to fisheries business;
7. Inspection, follow up fish and other aquatic organism disease outbreak and find out solution on time if there is a case;
8. Cooperation and report fisheries information mainly fishculture, the use of aquatic organisms to Agriculture and Forestry section and local authority.

### **Part V**

#### **Prohibitions**

##### **Article 38. General Prohibitions**

Individuals, organizations domestic and international dwelling in Lao PDR are not allowed to undertake the following activities:

1. Use of poison, explosive, weapons, electric devices, or other noxious substances for fishing or catching aquatic organisms; waste disposal, waste water or chemical to the water resources.
2. Accept, trade, own or remove illegal aquatic organisms;
3. Produce, import or sell all type of prohibited fishing gears;
4. Using fishing gears which unduly obstructs the passage of aquatic organisms such as fish net, dragnet, bagnet, pot trap;

5. Erect any structure, dig any trap pond or pump any water near a recession area of wetland a permanently inundated area, fishing in the closed season;
6. Destroy fish conservative zones, catching aquatic organisms in fish breeding areas, fish crowd or fish herd and natural fish spawning, according to the identification of fisheries management committee at a certain water resources or fisheries management regulations at village level;
7. Fishing or other aquatic organisms of protected type and management type including fish fingerings and other aquatic organisms fingerings.

**Article 39. Prohibition of Fisheries Management Officers**

Fisheries management officers are not allowed to undertake the following activities:

1. Using their role, position, force, or bribery for private benefits;
2. Produce artificial documents, lack of responsibility on duty assigned.

## **Part VI Solutions of Disputes**

**Article 40. Solution of disputes on fisheries administration**

Solution of disputes on fisheries administration such as fishing in prohibited areas, using prohibited tools, no fee payment or other taxes in accordance with the regulations is solved by fisheries management committee at that water resources.

In case both sides are not satisfied with the solution by fisheries management committee at that water resources can be requested to higher organization to find the solution.

**Article 41. Solution of Disputes on Civil Fisheries**

Solution of disputes on civil fisheries such as buy-sell, transfer, inherit or civil contract can be solved by fisheries management organization or solution of dispute committee on economic or people court according to the laws.

**Article 42. Solution of disputes on International Fisheries**

Resolution of disputes on international fisheries is followed the convention or International Convention which Lao PDR is a partner.

## **Part VII Fisheries Management and Inspections**

### **Chapter 1 Fisheries Management**

**Article 43. Fisheries Management Organizations**

Government is a centralized management of fisheries activities and unity of all over the country and has assigned Ministry of Agriculture and Forestry as a core management by coordinated with other sections and concerning local authorities.

Fisheries management organization consisted of:

1. Ministry of Agriculture and Forestry;
2. Provincial, Capital Agriculture and Forestry Department;
3. District Agriculture and Forestry Office;
4. Fisheries Management Committee.

**Article 44. Roles and Functions of the Ministry of Agriculture and Forestry**

Ministry of Agriculture and Forestry has their main roles and functions on fisheries management as followed:

1. Develop, implement strategic plans, policies, legal frameworks on fisheries then submit to government for consideration, expansion the programmes and projects for national fisheries management throughout the country;
2. Dissemination, re-educated, legal framework concerning fisheries activities to the public aims at mobilization, awareness and preservation of aquatic organism resources;
3. Advice, monitor and evaluate on fisheries activities of national vertical line throughout the country;
4. Training, and improving concerning fisheries personnels;
5. Consideration of fisheries business for management type of aquatic organisms, then inform the government considering of protected type of aquatic organisms;
6. Improving information systems, keeping records of business license of fisheries and documents on assignment of fisheries management committee;
7. Coordinate of other sectors and local authorities of fisheries activities, mobilization, fund finding in deomestic and international for conservation, protection, development and the use of aquatic organisms;
8. Liaise with and cooperation with other region and international organizations on matters relating to fisheries;
9. Conclusion and report fisheries activities to government regularly.

**Article 45. Roles and Functions of the Provincial, Capital Agriculture and Forestry Department**

Department of Agriculture and Forestry of provinces, capital has the roles and functions of fisheries management as followed:

1. Dissemination of strategic plans, policies, orders and legal frameworks of fisheries on detail programmes and projects, then operation;
2. Disseminate re-educated polocies, legal framework of fisheries for people to understand, absorb and participate in an operated process strictly;
3. Provide advice, monitor and evaluate fisheries activities operation of district Agriculture and Forestry offices;
4. Comment on cancellation or revocation of fisheries business within their area of jurisdiction;
5. Provide advice on technical, support fisheries management committee, fishermen groups and individuals carry out fisheries activities within their area of jurisdiction;
6. Coordinate with other concerning sectors on the fisheries operation within their area of jurisdiction;
7. Improve information systems, keeping records of business license of fisheries and documents on assignment of fisheries management committee within their area of jurisdiction;
8. Mobilization, fund finding from domestic and international for fisheries activities;
9. Liaise and cooperation with regions and international organizations on fisheries as assigned by higher level;
10. Conclusion and report fisheries activities in the provinces, capital to the Ministry of Agriculture and Forestry and provincial authority regularly.

**Article 46. Roles and Functions of District Agriculture and Forestry Office**

District Agriculture and Forestry office has the roles and functions of fisheries management as followed:

1. Operation of the programmes, projects, agreements, orders, declarations and advisory of Ministry of Agriculture and Forestry and provincial Agriculture and Forestry Department;
2. Disseminate policies, legal frameworks on fisheries activities for people to understand, absorb and participate in an operated process strictly;
3. Provide advice, support, follow up and facilitate for the fisheries management committee in forming fisheries regulations within their area of jurisdiction;
4. Comment on cancellation or revocation of fisheries business within their area of jurisdiction;
5. Provide advice on technical, support fisheries management committee, fishermen groups and individuals carry out fisheries activities within their area of jurisdiction;
6. Conclusion and report fisheries activities in the district to provincial Agriculture and Forestry department and district Governor regularly.

**Article 47. Fisheries Management Committee**

Establishments, structures, roles and functions of fisheries management committee has identified in Chapter 2 of Part VII of this law.

**Article 48. Fishermen Association**

Fishermen association is social volunteer organization established by fishermen based on agreement and under management of concerning Agriculture and Forestry sectors.

Fishermen cooperative can also be established in accordance with agreement of concerning sectors.

Organizations, operations, roles and functions of fisheries association, cooperative has identified in specific regulations.

**Article 49. Roles and Functions of Other Related Organizations**

Others fisheries related organizations has the roles and functions in coordinate with fisheries management and inspection organization to manage fisheries activities according to their roles.

## **Chapter 2**

### **Fisheries Management**

**Article 50. Establishment of Fisheries Management Committee**

For the effectiveness of fisheries management, it is necessary to establish fisheries management committee by participation of fishermen as followed:

- District governor, head of municipality to assign concerning village authority in accordance with the proposal requested;
- Provincial, capital governor to assign where the body of water concerned stretches over the boundaries of more than one district, in accordance with the requested from concerning district, provincial Governor.
- Minister of Agriculture and Forestry to assign where the body of water concerned stretches over the boundaries of more than one province in accordance with the requested from province, capital Governor.

An agreement of district, provincial, capital Governor to assign the fisheries management committee have to send the copy and concerning documents to the Agriculture and Forestry sectors for management and inspection.

**Article 51. Structure of Fisheries Management Committee**

Fisheries management committee consisted of representative members from various organizations as followed:

1. Representatives of village authority or district;
2. Representatives of fishermen;
3. Representatives of social organizations at village or district levels;
4. Village defence officers, village security officers or districts, municipalities;
5. Representatives of concerning sectors in case necessary.

**Article 52. Roles and Functions of Fisheries Management Committee**

Roles and functions of fisheries management committee are as followed:

1. Prepare fisheries management and development plans within their area of jurisdiction such as protected area, fish conservative zone, fish spawning area, fish domestication, etc;
2. Propose fisheries management plans and regulations including the use of tools and fishing methods, seasons and protected aquatic organisms to district, municipality governor for consideration, approval and the use of declaration.
3. Disseminate, publicize of fisheries management plans and regulations.
4. Represent fishers' interests including dispute solution in water body concerned management of areas;
5. Supervise, monitor, inspect fisheries management operated regulations within their area of jurisdiction;
6. Fund finding to support fisheries management and development within their area of jurisdiction;
7. Collecting fisheries statistic data annually such as productions, number of fishermen, fish conservative zone and conclusion, report to local authority, concerning sectors;
8. Perform others roles and functions assigned by concerning sectors.

**Article 53. Village Fisheries Regulations**

At the village level, fisheries regulations shall be managed in a certain fisheries area for conservation, protection, development and the use of fisheries resources which established by village authority in consultation with the fisheries management committee, villagers, neighboring communities and coordination with village Agriculture and Forestry unit or DAFO in case the body of water concerned stretches over the boundaries of more than one village in a district.

Fisheries regulations will be effectuated after endorsement of district governor.

**Article 54. Descriptions of Regulations**

Fisheries regulations at village level identified as followed:

1. Purpose;
2. Fish conservative zones or protected areas;
3. Fish species and other aquatic organism resources;
4. Fishing gears and fishing methodologies;
5. Rewards and sanctions;
6. Implementations;
7. Other descriptions if necessary.

**Chapter 3  
Fisheries Inspection**

**Article 55. Objectives**

Fisheries inspection is the follow up activities by organizations, employees, officers, and people for conservation, protection, development and the use of aquatic organisms including the operation of fisheries activities to adhere to fisheries legal frameworks, related law, convention and International Convention which Lao PDR be a partner.

**Article 56. Type of Fisheries Inspections**

There are two types of fisheries inspections as followed:

1. Interior inspection is performed by fisheries management and inspection organization;
2. Exterior inspection is performed by National Assembly, Government Inspection, National State Inspection and people.

**Article 57. Fisheries Inspected Organization**

Fisheries inspected organization is the fisheries management organization which has identified in the Article 43 of this law. Department of Livestocks and Fisheries is a secretariat for Ministry of Agriculture and Forestry which is fisheries officers operated the inspections.

Beside the fisheries management committee, there are also specific inspection officers which organized, performing, roles and functions are identified in separated regulations.

**Article 58. Roles and Functions of Fisheries Inspected Organization**

Fisheries inspected organization roles and functions are as followed:

1. To inspect fisheries legal frameworks implementation;
2. To inspect fisheries business and service operation;
3. To consider or order the cancellation, revocation of fisheries activities or disassigned fisheries employees and officers according to the role if found their guilty;
4. Liaise, coordinate with others concerning sectors at central and local level to perform inspection as roles and functions assigned;
5. Conclusion and report of inspection regularly to higher level.

**Article 59. Roles and Functions of Fisheries Officers**

Roles and functions of fisheries officers are as followed:

1. To inspect fisheries legal frameworks implementation;
2. To inspect fisheries related documents such as fisheries license;
3. To inspect aquatic organisms and fishing gears or others aquatic organisms which is related to illegal activities;
4. To inspect the area that operate aquaculture including buildings, production materials, tanks, cages and ponds, aquatic organisms productions;
5. To order to inspect and check land and river transportations which used to transport fish and others aquatic organisms and aquatic productions if there is guilty or evident proved that lead to illegal activities;
6. Seize fish and others aquatic organisms, fishing gears, fishing boats, car or vehicles using for illegal activities;
7. Undertake investigation offenders and submit documents to people court for law suit.

**Article 60. Inspection from Exterior Organizations**

Inspection from exterior aims at checking the performance of fisheries management and inspection organization for effectiveness, transparency and justice.

Inspection from exterior are as followed:

1. Inspection from National Assembly as identified in the law on monitoring and inspection of National Assembly;
2. Inspection from government inspection as identified in the law on government inspection;
3. Inspection from national state inspection as identified in the law on national state inspection;
4. Monitoring and inspection from people and local organizations, offices, organizations, technical units and state enterprises are also have the rights to inspect the performance of fisheries officers if there is a case of guilty, then request for related organizations to investigate.

**Article 61. Kinds of Fisheries Inspection**

There are three kinds of fisheries inspections as followed:

- Regular inspection system;
- Inspection by informing in advance;
- Urgent inspection.

Regular inspection system is to follow the plan and a certain time at least inspect once a year.

Inspection by informing in advance is outside the plan when necessary by inform the inspected target in advance at least 24 hours.

Urgent inspection when necessary and urgent by not informing the inspected target in advance.

Inspection including checking documents and site visit. Inspectors have to follow the legal framework strictly.

## **Part VIII Rewards and Sanctions**

**Article 62. Rewards**

Individuals or organizations are adhered to this law such as conservation, protection of aquatic organisms and fisheries development will be rewarded felicitation and others incentives in accordance with this law.

**Article 63. Sanctions**

Individuals or organizations are offended to this law will be re-educated, penalty, fined, refund or under criminal punishment according to the seriousness of the cases.

**Article 64. Re-educated Measures**

Individuals or organizations are found guilty not in serious case and not related to criminal case and the impacted value less than 200,000 kip, but report their guilty truly will be re-educated and warning.

**Article 65. Penalties Measures**

Staffs and officers are found guilty of fisheries legal framework such as not serious case which is not related to criminal case and the impacted value less than 200,000 kip, but not report their guilty truly and try to escape will be penaltied according to the case as followed:

1. Report of their guilty and record the bibliography;
2. Cancellation to promote position and salary;
3. Degradation and remove duty to lower position;
4. Withdraw from government official without any incentives.

Guilty officers must return all illegal assets to the organization.

**Article 66. Fined Measures**

Individuals or organizations are found guilty of this law and the impacted value is more than 200,000 kip will be fined double of loss value. If found guilty in the second time or more will be fined triple of loss value of fish and others aquatic organisms of protected type, double for management type and one for general type, including seize all illegal assets to be state owned property.

**Article 67. Civil Measures**

Individuals or organizations are found guilty of this law which caused losses to the state, social and others individual will be recompensed all the losses.

**Article 68. Criminal Measures**

Beside the guilty which has identified in the criminal law, individual was found guilty as followed will be criminal guilty:

1. Destroy fish habitats, spawning areas and food resources of fish and others aquatic organisms;
2. Fishing, catching or taking living fish and others aquatic organisms of protected type, skeletons or parts illegally;
3. Import, export, transit and remove fish and others aquatic organisms of protected type illegally.

Offenders will be undertake criminal law and punishment of imprisonment from three months to one year and will be fined according to Article 66 of this law.

## **Part IX Fish Release Day, Symbols and Stamps**

**Article 69. National Fish Release Day**

Government has designated the 13th of July every year as a national fish releasing day for conservation, protection and development abundant aquatic organisms.

**Article 70. Symbols and Stamps**

Fisheries management and inspection organization has its own symbol and stamp for using in the official activities, for the fisheries officers also have their specific uniforms which designed by Ministry of Agriculture and Forestry.

## **Part X Final Provisions**

**Article 71. Implementation**

The Government of Lao People's Democratic Republic is the authority to operate of this law.

**Article 72. Effectiveness**

This fisheries law become effective after 60 days from the date of President of National Assembly of Lao People's Democratic Republic has issued the decree onwards. Regulations, Provisions are in conflict with this law are annulled.

**President of National Assembly**

## List I, II, III of Protected, Management, General Aquatic Organisms

### List I of Protected Aquatic Organisms are:

#### Mammals

- 3/4 Ç È 3/4

Irrawaddy Dolphin

#### Reptiles

- 3/4 ± 3/4 Ä ì

Dasyatis laosensis

#### Aquatic Organisms

- 3/4 ® Ò ì

Pangasianodon gigas

- 3/4 Ä ì 1 Ä 33 È 3/4

Agiulla marmorata

- 3/4 ì 3/4 ð

Boesemani microlepis

- 3/4 Ä ì ó

Pangasius sanitwongsei

- 3/4 Ä ì õ

Systemus partipentazona

- 3/4 Ä ì

Setipinna melanochir

#### Amphibians

- 3/4 á ó-

Paramesotriton laoensis

### List II of Management Aquatic Organisms are:

- 3/4 Ä £ ò ð

Mystus microphthalmus

- 3/4 § 3/4 Ä Ç È

Pangasianodon hypophthalmus

- 3/4 Ä ò - Ç 3/4

Probarbus labeamajor

- 3/4 £ ø-

Wallgo leeri

- 3/4 Ä © ð

Tor sp.

- 3/4 - 3/4 ð Ä © ð

Hemisilurus mekongensis

- 3/4 ì 3/4 ì 1 3/4

Luciosoma bleekert

- 3/4 ì 1/2 Ä 1

Catlocarpio siamensis

#### Reptiles

- 3/4 ± 3/4 ð ð ê ÷ ì § 1/2 - ò ©

Amyda sp.

### List III of General Aquatic Organisms are:

- 3/4 Ä Ç È

Bagarius yarrelli

- 3/4 - 3/4 Ä ð ò-

Micronema bleekeri

- 3/4 ð ð ì 3/4

Chitala blanci

- 3/4 ð ð - 3/4

Notopterus notopterus

- 3/4 Ä ©

Channa striata

- 3/4 ¥ 3/4 ©

Poropuntius sp.

- 3/4 Ä ¥ ì

Cyclocheilichthys enoplos

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 $j\frac{1}{2}\text{Ø}\text{Á}\text{©}\text{α}$   
 $^{10''} \hat{e}\text{÷}j\text{§}\frac{1}{2}-\text{ò}\text{©}$

Barbodes schwanefeldi  
 Hypsibarbus wetmorei  
 Gyrinocheilus pennocki  
 Hermibagrus wycki  
 Pangasius larnaudiei  
 Oxyeleotris mos morata  
 Cirrhinus microlepis  
 Cirrhinus molitorella  
 All Shrimp Species  
 Red Crab  
 All Snail Species

**Amphibians**

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 $\text{£}\tilde{\text{n}}-\text{£}\frac{3}{4}j$

Kaloua mediolineeata  
 Rana rugulosa  
 Bufo melanostictus

**Remarks:**

1. Cirrhinus microlepis and Cirrhinus molitorella is removed from List II to List III
2. Catlocarpio siamensis is removed to List II