



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Industry and Commerce

No.:0471/MIOC
Vientiane Capital, date: 09 March 2011

Decision on the Notification Unit of Sanitary-Phytosanitary Measures and Technical Barriers to Trade

- Pursuant to Decree on the Organization and Activities of the Ministry of Industry and Commerce No.188/PM, dated 17 August 2006;
- Pursuant to Decree on the Notification and Enquiry of Trade Related Information No. 363/PM, dated 19 August 2010;
- Pursuant to Proposal Letter of the Foreign Trade Policy Department No. 0317/FTPD, dated 03 March 2011.

The Minister of the Ministry of Industry and Commerce issues a Decision as follows:

Chapter 1 General Provisions

Article 1. Objectives

This Decision sets out the organization and activities of the Notification Unit of Sanitary-Phytosanitary Measures and Technical Barriers to Trade (hereinafter referred to as “**Notification Unit**” or in English as SPS-TBT Notification Unit) to develop and implement the Decree on the Notification and Enquiry of Trade Related Information No.363/PM, dated 19 August 2010 (hereinafter referred to as “**Decree 363**”).

Article 2. Definitions

In this Decision, the following terms shall have the meanings as follows:

1. **Information on sanitary-phytosanitary measures and technical barriers to trade** or **information** means information on drafting, changing or introducing sanitary-

- phytosanitary measures (or SPS) or legal acts which are technical barriers to trade (or TBT) or information on the accession of Lao PDR into any agreement or treaty which are related to SPS or TBT;
2. **International organizations** means international organizations including the World Trade Organization, regional organization to which Lao PDR is obliged to notify the information;
 3. **Notification** means notification of information from international organizations to Lao PDR (incoming information) or notification of information from Lao PDR to international organizations (outgoing information);
 4. **Enquiry point** means point of providing information on SPS (located at the Ministry of Agriculture and Forestry) and TBT (located at the National Authority for Science and Technology) with a duty to provide information upon request of any individual or organization as provided for under Article 5 paragraph 1 and 2 of Decree 363;
 5. **Focal point** means coordination points established at the relevant authorities for coordination for the notification as provided for in this Decision; and
 6. **Relevant parties** mean international organizations, enquiry points and focal points.

Chapter 2

Location, Role and Personnel Structure

Article 3. Location and Role

Notification Unit shall be located at the Foreign Trade Policy Department, Ministry of Industry and Commerce with the role to implement the duty on behalf of Ministry of Industry and Commerce as provided for in Article 4 of Decree 363.

Article 4. Personnel Structure

Notification Unit shall include a certain number of personnel. The Foreign Trade Policy Department shall appoint the personnel and contact details of the Notification Unit and shall inform relevant parties of such contact details.

Chapter 3

Rights and Duties

Article 5. Rights

The Notification Unit shall have the following rights:

- 1) Directly notify outgoing information and receive incoming information;
- 2) Directly coordinate with relevant parties for the notification and for the monitoring on the change of information;
- 3) Attend or organize meetings, seminars and trainings related to notification; and
- 4) Exercise other rights as delegated by the higher authority.

Article 6. Duties

The Notification Unit shall have the following duties:

- 1) Monitor, collect and notify information in compliance with the basic principles as provided for in Article 3 of Decree 363;
- 2) Coordinate for comments from relevant parties on incoming and outgoing information;
- 3) Create and update database systematically;
- 4) Provide training for focal points on coordination of notification;
- 5) Research and propose the improvement of coordination mechanism and other aspects of Notification Unit to be more effective;
- 6) Report regularly to the Minister of Ministry of Industry and Commerce on the activities of Notification Unit; and
- 7) Perform other duties as assigned by the higher authority.

**Chapter 4
Working Method, Budget and Seal**

Article 7. Working method of Notification Unit

Notification Unit shall determine an appropriate working method in which the following shall be implemented:

1. Create and maintain electronic database to serve the notification;
2. Create a notification operational manual as the operation basis;
3. Determine training programs from time to time for focal points on coordination mechanism of notification; and
4. Have two meetings per year or upon focal point's request;

Article 8. Budget

The budget of the Notification Unit shall be included in the budget of the Foreign Trade Policy Department.

Article 9. Seal

The Notification Unit shall use the seal of the Foreign Trade Policy Department for carrying out its function.

**Chapter 5
Coordination**

Article 10. Focal points of Industry and Commerce Sector

The provincial or capital office of industry and commerce shall appoint their focal points for implementing the duties as provided for in second paragraph of this Article and notify in written form to the Notification Unit within thirty days (30) from the date of effectiveness of this Decision.

Focal points of industry and commerce sector shall have following duties:

1. Act as contact point between the Notification Unit and relevant stakeholders in the provincial level by distributing the information received from the Notification Unit to relevant stakeholders within the timeline required by Notification Unit;
2. Monitor the change of information within their jurisdiction and promptly report such change to the Notification Unit;
3. Provide other necessary facilitation for the Notification Unit in order to fulfill notification completely; and
4. Perform other rights and duties as assigned by the Notification Unit.

Article 11. Focal Points in Other Sectors/Authorities

Sectors which shall establish their focal points for receiving and providing SPS information from/to the Notification Unit consist of the following:

1. Agriculture and forestry sector;
2. Public health sector;
3. Water resource and environment sector;
4. Science and technology sector; and
5. Other relevant sectors.

Sectors which shall establish their focal points for receiving and providing TBT information from/to the Notification Unit consist of the following:

1. Science and technology sector;
2. Water resource and environment sector;
3. Agriculture and forestry sector;
4. Energy and mine sector;
5. Public work and transportation sector;
6. Post and telecommunication sector;
7. Information and culture sector;
8. Public health sector;
9. Security sector; and
10. Other relevant sectors.

For businesses, the Lao National Chamber of Commerce and Industry shall be focal point between the Notification Unit and businesses.

The Notification Unit shall coordinate with relevant sectors in order to establish such focal points as appropriate.

Article 12. Coordination on Notification of Incoming Information

In the case of receiving incoming information, the Notification Unit shall distribute such information to relevant focal points for comments no later than five (5)

official days of receipt of such information and specify the deadline for receiving comments from those focal points.

The Notification Unit shall follow up and summarize received comments and submit such summary to relevant international organizations in a timely manner.

Article 13. Coordination on Notification of Outgoing Information

The Notification Unit shall coordinate with relevant focal points in order to implement the notification of outgoing information in compliance with basic principles as provided for in Article 3 of Decree 363.

In the case of receiving comments from international organizations on outgoing information, the Notification Unit shall collect those comments and send to relevant focal points no later than five (5) working days from the receiving date.

Article 14. Coordination with Enquiry Points

The Notification Unit shall directly and regularly coordinate with the enquiry points for sharing information and avoiding duplicating coordination of the Notification Unit and enquiry points with other focal points.

**Chapter 9
Final Provisions**

Article 15. Implementation

The Foreign Trade Policy Department shall implement this Decision. All authorities within the industry and commerce sector shall facilitate the implementation of notification upon request of the Notification Unit.

Other sectors shall be informed of this Decision, appoint their respective focal points and to cooperate as appropriate and on the basis of Decree 363.

Article 16. Effectiveness

This Decision shall be effective from its date of signature.

Minister of the Ministry of Industry and Commerce