



LAO PEOPLE'S DEMOCRATIC REPLUBIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY



Ministry of Commerce

No 0756/MOIC.DID
Vientiane Capital, dated 20 June 2001

Provision
on management the importation and distribution of cooking gas

- Pursuant to the Law on Government no.01/NA, dated 08 March 1995;
- Pursuant to the Law on Business no. 0394/NA, dated 18 July 1994; and
- Pursuant to other relevant laws of Lao PDR; and
- Pursuant to the Decree Structure and Activities of the Ministry of Commerce no.24/PM, dated 24 March 1999.

The Minister of Commerce issues the following provision:

Chapter 1
General Principles

Article 1. This provision is set out to manage and operate the cooking gas business, protect the rightful interest of businesses and consumers, strengthen the effectiveness of management of trade by the government and to support the growth and development of the national economy.

Article 2. Cooking gas is a kind of fuel suitable for utilization by the processing industry. Nonetheless, if the management or the use does not comply with technical standards, it may cause serious damage to health and property.

Article 3. Any activity concerning the cooking gas business shall be strictly implemented in accordance with the notification, provision and regulations of the responsible agency and this provision includes the import of gas and refill enterprises, gas refill factories and gas retail stores.

Chapter 2
Standards, conditions for importation of Cooking gas

Article 4. Enterprises or businesses related to the importation of cooking gas shall implements the following conditions:

- 4.1 Register their business with the Ministry of Commerce;
- 4.2 Obtain an authorized trademark from the competent agency present in Lao PDR;
- 4.3 Establish a gas refill factory and storage facilities belonging to an enterprise or business that is authorized by law;
- 4.4 Implement safety measures against fire that comply with the standards;
- 4.5 Have a gas retail store (distributor) or representative of the enterprise;
- 4.6 Have vehicles to carry dangerous products in compliance with the instructions of the Ministry of Public Work and Transport.

Article 5. Any enterprise that fulfills all the conditions mentioned in article 4 shall implement the following conditions and disciplines:

- 5.1 Have their annual importation plan approved by the Commerce sector periodically;
- 5.2 Declare imported goods according to the instructions of the Commerce and Finance sector;
- 5.3 Pay all relevant taxes according to the regulations;
- 5.4 Net content, tank weight and trade mark shall be clearly indicated on the tank;
- 5.5 All payments shall be made through a commercial bank of Lao PDR;
- 5.6 Must report the goods remaining in stock for each period to the department of commerce at Provincial, Capital and Special zone before the 15th of the next period.
- 5.7 Shall apply the price as approved by the Ministry of Commerce.

Article 6. Any individual or legal entity that is not included in articles 4 and 5 has no right to import gas and gas tanks. If there is an importation that is considered illegal it shall be strictly brought under prosecution as set out by laws and regulations.

Chapter 3

Distribution and management of gas retail stores

Article 7. Gas retail store that are allowed to exercise the business shall have:

- Were authorized to be a gas distributor by the import company
- Have an enterprise registration certificate from the commerce sector
- Have a tax registration from the financial sector

Article 8. Gas retail stores shall implement the following:

- 8.1 The location of the retail store must be at least 50 metres far from a place that can cause heat and the retail store's floor shall not be lower than the outside level or the road surface. If it is in a block or flat, it shall not store more than 700 kilograms of gas per retail store. If it is in a house or open space it shall not store more than 1500 kilograms of gas.
- 8.2 The tank shall be stored properly, it shall not be placed in a public place such as a road in a disorderly manner or so as to cause obstruction, the tank shall be placed in a specified place, have a pathway of at least 60 centimeters away from walls so as to easily walk around it, the placement shall not be stacked higher than 2 floors high, the tank shall not be stacked straight and the on-off vault should always be on top.
- 8.3 It is absolutely prohibited to transfer or move gas from tank to tank or from tank to another container and refill the gas in the retail store.
- 8.4 The retail store shall have a fire extinguisher to put out fires caused by gas, fuel, short circuits, and that can primarily prevent a fire in some points.

Article 9. Gas retail stores shall install the trademark of the import company and the selling price at the front of their shop. Gas retail stores shall sell only gas and equipment related to the gas that has the trademark of an import company. It is prohibited to import gas that is not registered to be sold in Lao PDR.

Article 10. The seller shall have basic knowledge about gas and how to sell gas, the import company must organize a training program for basic technical knowledge related to gas necessary for the retail store and the seller.

Chapter 4

Inspection and measures against violators

Article 11. Any responsible state agencies have the right to inspect the activities of companies and retail stores at any time with or without informing them of their task.

Article 12. The company or retail store shall cooperate and facilitate the officer.

Article 13. If there is a violation against this provision or any law and regulation, the officer has the right to warn or warn with fine in the amount of 500.000 to 3.000.000 kip. In case of serious violation which caused damage to the public, the officer has the right to suspend the business temporarily with an official report to the responsible authority to issue the order to permanently suspend the business and prosecute according to the laws.

Article 14. If inspected, goods (gas and its equipments) that were not registered in Lao PDR, shall be confiscated and become state property without any disclaim or tax payment and shall be fined according to the laws of Lao PDR.

Chapter 5 The implementation

Article 15. The Department of Domestic Trade, the Department of Commerce at Provincial, Capital level and the Special Zone shall strictly implement this provision according to their roles in their responsible territory.

Article 16. This Provision shall be effective from the date of signature. Any Provisions or instructions previously promulgated which conflict with this provision shall be voided.

Minister of the Ministry of Commerce,

[Signed and sealed]
Phoumy THIPPHAVONE