



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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Wildlife and Aquatic Law

Section I

General Provisions

Article 1. Objectives

The Wildlife and Aquatic law determines principles, regulations and measures on wildlife and aquatic life in nature to promote the sustainable regeneration and utilization of wildlife and aquatic, without any harmful impact on natural resources or habitats and to restrict anthropogenic pressure on decreasing species and the extinction of wildlife and aquatic, by encouraging people as a whole to understand and recognise the significance, with enhancing the conscientious love, care and treatment of animals. To engage in managing, monitoring, conserving, protecting, developing and utilizing wildlife and aquatic in sustainable manner. To guarantee plenteousness and richness of ecological natural equilibrium systems, to contribute in upgrading the condition of livelihoods for multi-ethnic people, which has the potential to develop and realise the national social-economic goals.

Article 2. Aquatic and Wildlife

Aquatic are species of any living creature which live in the water all or most of the time rely on aquatic ecosystems for regeneration and can be taken from the nature for breeding such as: Dolphin, Giant catfish, Catfish etc.

Wildlife are all species of wild animals that generate in the nature or are taken for captivity such as: Elephants, Tigers, Bears, Dears, Barking deer, Monkeys, Snakes, Birds etc.

Article 3. Term interpretation

The terms are applying in this law have meanings as follows:

1. Mammals are wildlife and aquatic, which have mammary glands such as: Dolphin, Elephant, Tiger, Monkey, Bat, Kha Ynou and etc.
2. Birds are animals which have wings, feathers and lay eggs such as: Peacock, Vulture, Crow, Greater Coucal, Peasant, Siamese fireback and the others birds.
3. Reptiles are vertebrate animals, which have, scales, hard shelled and lay eggs, such as: Crocodile, Snake, Turtle, Lizard, Monitor and etc.
4. Amphibians are animals which are cold-blooded animals that metamorphose from a juvenile, water-breathing form to an adult, air-breathing form and can live in terrestrial and aquatic ecosystems, lay eggs in water such as: frogs, toads and the others.
5. Insects are animals that have legs, wings, and possess segmented bodies supported by an exoskeleton, such as: Beetle insects, tree bucks, water bug and others.
6. Species is one of the basic units of biological classification and taxonomic rank of

animals whose members have the same main feature and characteristic that are able to breed with each other and generate their off spring in the nature.

7. Reproduction means increasing the number of animal's population in the way of natural breeding or with artificial breeding using technology.

8. Wildlife and aquatic species of first generation are born by breeding between breeders such as father and mother that are brought from the nature to keep for husbandry.

9. Wildlife and Aquatic species of the second generation means the animal that was reproduced from the first generation.

10. Wildlife and Aquatic species of the third generation means the animal that was reproduced from the second generation.

11. Parts of wildlife and aquatic life are body parts or organs of animals such as: Head, Leg, foot, Hide, Meat, Blood, Anther less, Horn, Ivory or Tusk, teeth, bone, Gale bladder, Bile, Oil, Fat, Scale, Shelled, Feather, Claw, Tail and the other parts.

12. Products of the wildlife and aquatic mean to extract parts of wildlife and aquatic life for producing like: Medicine for healing illness, ornamental and other utilization purposes.

13. Habitats of wildlife and aquatic are the places where animals live and breed in nature such as: Forest, grassland, cave, mineral lick area, river, stream, lake, water body and wetland.

14. Conservation means to preserve and utilize wildlife and aquatic in accordance with any regulations and to maintain it for sustainable use.

15. Protection means to strictly protect wildlife and aquatic from the devastation and extinction in the nature.

16. Conservation management means the management of forest and forestland, or water resources in which defines the habitats of wildlife and aquatic in accordance with regulations.

17. Farm means the place where the permission granted by government to an individual or organization to establish a farm for husbandry with large numbers of wildlife and aquatic to breed and to reproduce such animals for trade.

18. Convention is the International Convention on Trade in Endangered Species of wild Flora and Fauna (CITES) in which Laos became a signatory on 30th May 2004.

19. Registration means data and information collection of wildlife and aquatic are kept for husbandry such as: Name, Age, Sex, Colour, Weight, Identification number, native place, genus, species, individual defect, special character and the registration is also to be used as certification for the animal's property or ownership.

20. The importation means to bring the wildlife and aquatic, or a part of the animals into the Lao PDR legally.

21. The exportation means to export wildlife and aquatic or parts of wildlife and aquatic life from the Lao PDR in accordance with regulations.

22. Re-exportation means to re-export wildlife and aquatic or parts of wildlife from Lao PDR in accordance with regulations.

23. Transshipment means to consign wildlife and aquatic or parts of wildlife and aquatic life species via the Lao PDR to another country in accordance to regulations.

24. Rare Wildlife and aquatic life species mean the wildlife and aquatic that, are defined in the first (I) list, as rare and near extinct species.

25. Wildlife and aquatic in management category means the wild animals that require management and are defined in the second (II) list, if management is neglected for preservation in the future, they will become extinct.

26. Common wildlife and aquatic mean the animals that are defined in the third (III) list, which are not classified in to the rare and near extinct categories.

27. Hunting, catching of wildlife and aquatic means catching, shooting, killing,

hunting, chasing, trapping or other methods of hunting techniques.

28. Torment of animals' means using the labour of animals beyond healthy limits irresponsible care of animal health, insufficient feeding, hitting and abusing animals etc.

29. Civil servant means staffs that are in charge of inspecting and monitoring wildlife and aquatic life.

30. Customary use means the utilization of wildlife and aquatic in the way of believing which has been traditionally practiced for long time.

Article 4. Property on wildlife and Aquatic

Wildlife and aquatic living in the nature on the territory of the Lao People's Democratic Republic are the property of the nation. The state represents the nation and manages such issues with central unity throughout the country.

Wildlife and aquatic that is in legal possession of an individual or organization and held in captivity for breeding belong to the respective individual or organisation as their own property in accordance with the respective laws and regulations.

Article 5. Policies on Wildlife and Aquatic

The government encourages and promotes the conservation, protection, development, and sustainable regeneration of wildlife and aquatic by issuing policies, regulations, funds, technical assistance, technology and measures aiming at increasing the population of wildlife and aquatic in order to meet social-economic supply requirements while considering the environment and improving livelihoods.

The Government promotes individuals and organizations within the country and abroad, to invest in the conservation, protection, captivity and regeneration, of wildlife and aquatic animals by receiving policy support such as: getting credits, tax exemptions, tax reductions and general tax incentives in accordance with regulations.

Article 6. Principles on the Protection, Development and Use of Wildlife and Aquatic

The basic principles on protection, development and use of wildlife and aquatic are as follows:

1. The protection of wildlife and aquatic life is the task of the people as the whole.
2. The management, inspection, development and regeneration of wildlife and aquatic for sustainable use are the significant tasks, with relevancy to biodiversity protection and the balance of the nature ecological system.
3. Sustainable use of wildlife and aquatic, so as not to harmfully impact the natural environment and society.
4. To protect and manage conservation zones for animal species and their habitats and feeding sources so as to maintain the equilibrium of ecological systems.
5. To guarantee the interest of the nation, collectives, household families and individuals in accordance with the laws and regulations.

6. To manage, inspect, protect and use of wildlife and aquatic life in accordance with the international conventions that Lao PDR is a signatory.

Article 7. Obligations in Protection, Development and Use of Wildlife and Aquatic

Individuals and organizations are obligated to partake in conservation, protection, development activities of wildlife and aquatic in accordance with the laws and regulations, and take any necessary measures to prevent adverse impacts on wildlife and aquatic occurring in nature or man made such as: pandemic diseases, hunting, illegal trade, habitat destruction and compromising the feeding resources of animals.

Article 8: Scope of the Law

This law is applicable for individuals, organizations and international organizations in the Lao People's Democratic Republic engaged in management, conservation, protection, development and use of wildlife and aquatic life in the nature or wild life and aquatic which are taken from nature and held in captivity.

Article 9: International Cooperation

The government promotes the cooperation with foreign countries and international organizations in the conservation, protection, research, and reproduction of wildlife and aquatic by sharing experiences, information, science, and technology for enhancing technical skills in order to meet the obligations to the international conventions that Lao PDR is a signatory.

Section II Categories of Wildlife and Aquatic

Article 10. Categories of Wildlife and Aquatic

Wildlife and aquatic life in the Lao People's Democratic Republic comprises of Mammals, Birds, Reptiles, Amphibians, and Insects.

The Wildlife and Aquatic life regulations are divided into three categories:

1. Prohibition category wildlife and aquatic
2. Management category wildlife and aquatic
3. Common or general category wildlife and aquatic

Article 11. Wildlife and Aquatic Prohibition Category

Wildlife and aquatic Prohibition category are defined in the first (I) category list as rare, near extinct, high value and are of special importance in the development of social-economic, environmental, educational, scientific research.

The animals in this category as stated above shall be managed, inspected, preserved. The utilization of these animals shall be permitted by the government.

Article 12. Wildlife and Aquatic Management Category

The wildlife and aquatic management category are defined in the second (II) category list and are considered as beneficial in terms of national economic, social, environmental interests, and in addition are important for livelihoods of multi ethnic people and educational scientific research.

The animals in this category as stated above shall be managed, inspected, preserved, protected and use will be controlled.

Article 13. Wildlife and Aquatic General category

The wildlife and aquatic general category are defined in the third (III) category list as wildlife and aquatic that are able to reproduce widely nature, and are very important for social - economic development, and educational scientific research.

The animals in this category can be used in accordance with the law and shall guarantee the use not threaten specie numbers or adversely impact the ecological environment system.

Section III The Activities on the Protection and Development Of Wildlife and Aquatic

Chapter 1

The Activities on Wildlife and Aquatic

Article 14. Types of activities of Wildlife and Aquatic

The activities on wildlife and aquatic are all activities directly concerned to wildlife and aquatic such as: surveying, formulating a strategy plan in the management, protection, identification of habitats and conservation zones of wildlife and aquatic, education and scientific research, establishing museum exhibitions, reproduction, husbandry classification, listing, registration and declaring a list of wildlife and aquatic life species for hunting purposes and other uses.

Article 15. Survey on Wildlife and Aquatic

The survey is to collect the species population information and assess and maintain stable specie population numbers, ensure the continuing reproduction of species and maintain the habitats of wildlife and aquatic. These tasks are assigned to the agriculture and forestry sectors that are required to collaborate and coordinate activities with the concerned organizations and local authorities throughout of the country.

Article 16. Strategy plan for the Management and Protection of Wildlife and Aquatic

The Ministry of Agriculture and Forestry collaborates and cooperates with other concerned organizations and local authorities to formulate the management, protection, and development strategy plan for wildlife and aquatic as in line with the general direction plan, projects and specified measures in the long run term. This is to encourage all parties to participate in management, inspection, conservation, protection, development and use of wildlife and aquatic aiming to guarantee the sustainable economic and social development of the country, as well as contributing to poverty eradication efforts and improving livelihoods of the people.

Article 17. Identification of Habitats and Conservation zones for Wildlife and Aquatic

The agriculture and forestry sector collaborates and coordinates with concerned organizations and local authorities to conduct a survey, to identify the habitats, conservation zones, and feeding zones for wildlife and aquatic by participatory inclusion of local people in issuing regulations and guidelines under their responsibility.

Article 18. Educational Scientific Research

The government encourages and promotes individuals and organizations to conduct scientific studies on wildlife and aquatic including studies on investment to establish research centres in accordance with the laws and regulations of the Lao People's Democratic Republic and international conventions.

The specimens and carcasses of wildlife and aquatic parts that are taken for scientific research purposes abroad shall have permission from the Ministry of Agriculture and Forestry. After the completion of such research, the results from the research and associated specimens are to be returned to the Ministry of Agriculture and Forestry.

Article 19: Establishment of the Museum

The government encourages and promotes individuals and organizations to invest in establishing the museum of wildlife and aquatic. Its function would be the central place for the collection of specimens, carcasses or other parts of animals for education and research whilst promoting tourism aimed at creating public awareness on wildlife and aquatic.

Article 20. Reproduction of Wildlife and Aquatic

The government encourages and promotes individuals and organizations to reproduce wildlife and aquatic in the nature or by using technology for increasing population numbers of wildlife and aquatic. This would aim at providing support to social-economic development and maintaining the environment as well as improving livelihoods of the people.

Article 21. Capture of Wildlife and Aquatic

Wildlife and aquatic which are taken from the natural environment or from the other places of regeneration or from abroad are held in captivity in the farms, zoos, stations and the other place for captivity purposes, and for family use in accordance with the laws and regulations.

Captivity areas are considered as aquariums, lakes, ponds, cages, confinements, gardens or other places which are of appropriate condition, sufficient of food, and can responsibly provide care to animals, without any suffering to the or impact on their ability to reproduce so as to guarantee their environmental and society.

Article 22. Classification and Listing of Wildlife and Aquatic.

Classification and listing of wildlife and aquatic is to divide the animals into different categories and different species with the reference to the situation and trend of animal population such as: Endangered species, rare species, and threatened species for their habitats and reproduction.

The government considers and approves on changing the prohibition and management category lists of animals by recommendation of the Ministry of Agriculture and Forestry. For the common or general category list of animals, the Ministry of Agriculture and Forestry is also authorized to change the list.

Article 23. Registration and Declaration List of the Wildlife and Aquatic

The prohibition and management category of wildlife and aquatic that are in captivity shall be registered and declared as follows:

1. To captive wildlife and aquatic for business purposes shall register with the district or the Municipality at the agriculture and forestry office and then report to the agriculture and forestry office of the province or capital city.
2. To captive wildlife and aquatic not for business purposes shall not register, however, they are required to declare such category list of animals in their capture to the village forestry unit and then report to the district agriculture and forestry office and municipality.

Article 24. Hunting Wildlife and Aquatic

Hunting and catching wildlife and aquatic shall be practiced as follow:

1. The prohibition category of wildlife and aquatic are defined in the first (I) category list is tally not permit for hunting except the following necessary cases such as: for educational research and breeding purposes, but shall require the permission from the government. If the animals capture caused damage to the individual's properties or an organization's properties, the captor shall report the incident to the district authority or municipality to consider and resolve the issue. If an animal is destroying and endangering to human life, such an issue shall be resolved immediately, hereby report to the concerned authorities.
2. Wildlife and aquatic are defined on the category (II) list incur restrictions and prohibitions on hunting, except selected animals species in some areas and some seasons as customary hunt or catch will be allowed by using the tools and equipment not cause any harm to the population of animals. The catching or hunting of animals for business purposes can be caught only with the permission from the Ministry of Agriculture and Forestry.
3. Wildlife and aquatic are defined in the common or general category (III) list are allowable for hunting in only specified seasons and by using tools and equipments not harmful to the animals' population. The catching and hunting animals for business purposes require the permission from the agriculture and forestry division of the province or Capital city.

Chapter 2

Protection and Development of Wildlife and Aquatic

Article 25. Protection of wildlife and aquatic

The protection is to preserve the prohibited, managed and common general categories of wildlife and aquatic in sustainable abundance, it is the protection of the animal's habitats, preservation reservoir, animal's species conservation zone without any devastated. In simultaneously to take any measures in protecting, preventing any devastation from man made and from nature disaster.

Article 26. Development of Wildlife and Aquatic

The development is breeding or generating the prohibited, managed and common or general wildlife and aquatic categories in the nature for increasing the number of animals' species by applying technology and science, it is also the rehabilitation of habitats feeding resources and generating zones to ensure such animals living in the natural range. The local people are encouraged to participate in the development of wildlife and aquatic.

Chapter 3

Funds for Preservation and Protection of Wildlife and Aquatic

Article 27. Fund sources for Preservation and Protection of Wildlife and Aquatic

Funds for preservation and protection of wildlife and aquatic is the same thing as the funds for developing forestry and forestry resources, which is contributed from the national budget, from individuals, collectives, enterprises, organizations and from international organizations etc.

Article 28. Management and Use of Fund

Funds for conservation and protection of wildlife and aquatic is to be used for the activities for wildlife and aquatic purposes such as: surveying, classification of wildlife and aquatic, the protection and preservation of the habitats zone, for generating animals species and disseminating the government's policies, laws, regulations and other activities related to wildlife and aquatic.

Section IV

Use of Wildlife and Aquatic

Chapter 1

Types of Use of wildlife and aquatic

Article 29. Types of use Wildlife and Aquatic

The use of wildlife and aquatic divided into four types as follows:

1. Use for public benefit
2. Use for household family purposes
3. Use for customary purposes
4. Use for business

Article 30. Use for Public Benefit

The use of wildlife and aquatic for public benefit is to take the wildlife and aquatic to utilize, for example: tourism purposes, zoos, sports, circus, and museums etc, but shall follow the laws and

regulations to guarantee sustainable use without any adverse impacts to natural environment and the society.

The use of the prohibited wildlife and aquatic category list for public benefit requires permission from the government.

The use of the managed wildlife and aquatic category list for public benefit requires permission from the Ministry of Agriculture and Forestry.

The use general wildlife and aquatic category list for public benefit requires the permission from the province and Capital city division of agriculture and forestry.

Article 31. Use for Household purposes

The use of animals for household purposes is to use wildlife and aquatic for medicinal purposes for healing illness, trophy items, and ornamental features etc.

Households in the village are able to use wildlife and aquatic in the common and general category list only in a particularly season or in the permitted areas by using tools and equipment which not compromise species populations or adverse impact on natural habitats.

The use of wildlife and aquatic in management category list shall follow the regulations from the Ministry of Agriculture and Forestry.

Article 32. Customary Use

The customary use of wildlife and aquatic is to use animals for necessary cultural beliefs such as: Birds releasing, Turtle releasing, Fish releasing etc.

The customary uses of wildlife and aquatic in common or general category list shall be practiced within the village in accordance with the rules and regulations.

Article 33. Use for Business

The government allows to wildlife and aquatic for business purpose such as: zoo, farming, import, export, re-export, transshipment, and tourism in the conservation areas and in accordance with the regulations.

Chapter 2 Business from Wildlife and Aquatic

Article 34. Operation of businesses from Wildlife and Aquatic

Business from wildlife and aquatic is comprised of these activities: Establishment of zoos, farms, clinics or animal care centres, trade, transit, import, export, re-export and transshipment, circus and documentary film production.

Businesses operation as stated above shall function in accordance with the law of the Lao People's Democratic Republic and international conventions that Lao PDR is a signatory.

Article 35. Permission to operate Businesses from Wildlife and Aquatic

Individuals and organizations intend to operate businesses from wildlife and aquatic are required an approval from the agriculture and forestry sector and are required to register such enterprise as prescribed in the enterprise law and the other related laws and are required to practice as following:

1. Use of wildlife and aquatic in the prohibition category list require the permission from the government.
2. Use of wildlife and aquatic in the management category list require the permission from the Ministry of Agriculture and Forestry.
3. Use of wildlife and aquatic from the common or general category list requires the permission from provincial and Capital city agriculture and forestry Divisions.

Article 36. Permission for Captive Wildlife and Aquatic

The permission to hold captive wildlife and aquatic requires the following considerations:

1. The wildlife and aquatic in the first (I) category of prohibition list, the government authorizes and permits individuals or organizations to hold wildlife and aquatic for breeding and for business purposes.
2. The wildlife and aquatic in the (second (II) category of management list the Ministry of agriculture and Forestry's authorizes permits individuals or organizations to hold wildlife or aquatic for captive for breeding and business purposes.
3. The wildlife and aquatic in the third (III) category list of common or general the provincials and Capital city's agriculture and forestry division to authorize and to permit individuals or organizations to hold wildlife or aquatic for captive for breeding and for business purposes. The common or general aquatic is allowed to hold in captivity for business purposes in accordance with the law.

Article 37. Establishment of a Zoo

Individuals or organizations intend to establish a zoo for wildlife and aquatic for business purposes including tourism, education, scientific research purposes, are required to seek authorisation from the agriculture and forestry authorities and are required to follow the enterprise law and other related laws.

Establishment of a zoo is important for creating public awareness of conservation, protection and development in stability manner.

Article 38. Establishment of farms

Individuals or organizations intend to establish wildlife and aquatic farms by taking animals from the management or common and general category list to captive for breeding comedies to supply domestic requirement and for export the agricultural and forestry authorizes.

Establishment farm of prohibition category the government authorizes by the proposal made by the Ministry of Agriculture and Forestry.

Operating businesses on establishment farms shall follow the enterprise law and other related laws.

Article 39. Animal Clinics

Individuals or organizations operating businesses in holding wildlife and aquatic or legally possession shall pay attention to take care and treatment of those animals, especially when animals are receiving treatment for injuries or infectious diseases. Zoo and farm businesses are required to have a veterinarian unit to treat prevent and control of breaking out diseases.

Article 40. Trade in Wildlife and Aquatic

Trade in wildlife and aquatic from husbandry activities shall be practiced as follow:

1. The prohibited category of wildlife and aquatic can be traded from the second generation and next generation, the breeding as father and mother from the first generation not allow to trade, they shall be preserved for breeding or released into the nature.
2. The managed category of wildlife and aquatic can be traded since from the first generation and subsequent following generations. The breeding of father and mothers not allow to trade. They shall be preserved for breeding purposes or released back into the nature.
3. The wildlife and aquatic in the common or general category can be traded as prescribed in the laws and regulations.

Article 41. Transportation of Wildlife and Aquatic

The transportation of wildlife and aquatic in the prohibition and management categories from one place to another within the country is permissible for transportation on the defined roads and shall declare the documents to officials at the checkpoint which is comprising of transportation permission issued by the agriculture and forestry authorities, this also includes information and documentation such as health certification, origin of such wildlife and aquatic, and a completed registration sheet. In the case of trade and transferring or granted the property the involved parties shall obtain the certification as prescribed in the laws and regulations.

The transportation of wildlife and aquatic prohibition and management category shall require to operate as follows:

1. Transportation between villages shall require the permission from the village administration authority by the proposal made by the village forestry unit.
2. Transportation between districts require the permission from the district and municipality agriculture and forestry office by the proposal made by the village administrative authority.
3. Transportation between provinces require the permission from the provincial or Capital city agriculture and forestry division by the proposal made by the district, municipality agriculture and forestry office.
4. Transportation as stated above shall pay obliged fees in accordance with regulations.

Article 42. Import, Export, Re-export and Transshipment

The Import, export, re-export and transshipment of wildlife and aquatic or parts of them shall follow Article 40 of this law and shall be implemented as follows:

1. Import of wildlife and aquatic are required to obtain export permission from the concerned agency of the original country, origin of animals and free of disease certification, the contract between the importer and exporter, list and number of animal category that will be imported, and certification of import from the agriculture and forestry authorities.
2. Export of wildlife and aquatic are required to obtain breeding certification, of breeding or feed the origin of the animal, free of disease certification, contract between the importer and exporter, the animal category list and number will be exported, the permission of export from the Ministry of Agriculture and Forestry and the permission from the import the concerned agency of the destination country.
3. Re-export of wildlife and aquatic except the documents as stated in No. 1 of this article, are required to obtain a completed registration sheet, certification of breeding or feed, health certification, list and number of animals that will be re-exported from the Ministry of Agriculture and Forestry, as well as the re-imported, permission from the concerned agency of the destination country.
4. The transshipment of wildlife and aquatic shall declare documents such as: export document and import document from the concerned agency of the original country and destination country, native place certification, health certification, lists category and number of transshipment animals. Transshipment of wildlife and aquatic shall be inspected.
5. Import, export, re-export and transshipment of wildlife and aquatic as stated above shall pay obligated fees in accordance with regulations.

Article 43. The circus

The circus show of wildlife and aquatic from the prohibition category are required to have the permission from the government. Wildlife and aquatic listed in the management and common or general categories are required to have permission from the Ministry of Agriculture and Forestry.

The operator of circus show is required to have certification of property or rent, or the security

contract between the operator and the government or the Ministry of Agriculture and Forestry. A temporary export permission in compliance with the international convention on the trade of endangered species (CITES) of the Ministry of Agriculture and Forestry and certification of animals' health.

The rental of wildlife and aquatic life for circus shows abroad, are required to deliver the animals accordance with the contract.

In case of the animals are generated such animals are required to be returned along with their mother, father, first generation and successive generations including the parts of animals if they are dead.

Article 44. The Production of documentary films

The production of documentary films is to support policies of the government on the protection, and development of wildlife and aquatic. This is to promote ecotourism and culture of the nation the information and culture authority authorized to individuals, organizations and enterprises or local operators and foreign operators to produce documentary films on the wildlife and aquatic in the permitted zone by the approval made by the agriculture and forestry authorities.

Chapter 3 Rights and Obligations of the Users of Wildlife and Aquatic

Article 45. Acquisition of Rights to use Wildlife and Aquatic

The right to use the wildlife and aquatic is obtained as follow:

The government granted;

Transferred;

Inherited.

Article 46. Granting Rights to use Wildlife and Aquatic

Granting rights to use the wildlife and aquatic is the decision of the authorized organization concerned in taking the wildlife and aquatic to grant individuals or organizations to use in long term manner in accordance with the contract laws and regulations.

Article 47. Transferring Rights of using Wildlife and Aquatic

Transferring rights of using the wildlife and aquatic is to grant the right to use wildlife and aquatic that are developed by himself or herself to another person by sale, grant or changed.

The transferring process shall be conducted as prescribed in the laws and regulations, and then declared to the concerned authorities, re-registration including pay fees in accordance to regulations.

Article 48. Inheritance the Right to Use of Wildlife and Aquatic

Inheritance right to use wildlife and aquatic is to heritage such rights to the children, or husband or wife, father, mother, niece or nephew or relatives thereafter the holder of the right to use wildlife deceased.

Inheritance rights shall follow the laws on inheritance and the basic customs of inheritance and to declare to the authorities concerned and re-registration including pay fee in accordance with the regulations.

Article 49. Right of the users and operators of business

The users and operators of business from wildlife and aquatic have the right to protect, develop, use, benefit, and to inherit wildlife and aquatic and have the rights to study, research and scientifically experiment.

Government organizations have the right to manage, protect, develop and use.

The right of customary use shall follow the Article 32 of this Law.

Article 50. Obligations of the Users

The users of wildlife and aquatic have the main obligations as follow:

1. To implement and abide by the policies, laws and regulations relating to the wildlife and aquatic.
2. Sustainable use of wildlife and aquatic without causing any harm to the environment as prescribed in the laws, regulations and international convention (CITES).
3. Taking measures to prevent illegal catching or hunting, trading and destruction of the animal's habitats.
4. To conserve and protect wildlife and aquatic and natural environment.
5. To participate in encouraging the capital flow contribution from internal and external to the forestry development fund.
6. To pay for fees, rental, and other obligations related to wildlife and aquatic in accordance with the laws and regulations.
7. To report on information regarding with the development and utilization of wildlife and aquatic and collaborating with the agriculture and forestry authorities as well as with the local authorities.
8. To regularly check animal health and take precautions in the monitoring of an outbreak of disease as advised by the concerned authorities. In such cases, animals infected with a disease shall receive treatment immediately.

Article 51. Obligations of the Business Operator.

The business operators in wildlife and aquatic have the main obligations as following:

1. To operate their business as prescribed in the laws and regulations strictly.
2. To pay for fees and other obligations in accordance with regulations.
3. Dissemination on conservation and protection of wildlife and aquatic.
4. To contribute the fund or labour in participating, protecting and developing wildlife and aquatic and the natural environment.
5. Taking measures for preventing of any harm or destruction of the habitats, to protect against forest fires, to combat illegal hunting, and trading in wildlife and aquatic.
6. To collaborate and provide information and facilitate such information to the authorities concerned.
7. Encouraging the capital within the country and from abroad for the purpose of protection and development of the wildlife and aquatic.
8. To check animal health and taking precautions in monitoring outbreaks of diseases by the relevant authorities. In the cases of infected animals diseases shall be treated immediately.

Section V Prohibition

Article 52. General prohibition

To prohibit individuals, local organizations and international organizations are in the Lao PDR taking any of the following actions:

1. Taking wildlife and aquatic life in the prohibition category list including carcasses, parts and organs of such animals from its habitats or to have it in the possession.
2. Any torment on wildlife and aquatic.
3. Illegal catching, hunting, trading and possession of the wildlife and/or aquatic life without the required permission.
4. Catching aquatic and hunting wildlife in the conservation zones, and in breeding

season, or when pregnant or with small calves.

5. To produce, import, sell or use tools or weapons which lead to increased depletion of wildlife and aquatic including: All hunting guns and rifles, explosive devices, chemicals, poisons, electricity, rays or sound wave, etc.

6. Devastation of wildlife conservation zones, reservoir conservation areas, habitats and feeding zones of wildlife and aquatic directly or indirectly such as: Clearing, resettlements, slash and burn, felling, over prescribed using of pesticide or herbicides, and other activities which violated the laws and regulations.

7. Occupation resettlement shifted, changed or damaged the boundary signs of reservoir conservation areas, animal species conservation zones and habitats.

8. Husbandry wildlife and aquatic for business purposes in city and community which leading to pollute and contaminate the environment.

9. Import, export, re-export, transshipment, or transit of wildlife and aquatic life with infected diseases, or endangering to animal's health, or import animals in a period of restriction or prohibition confined to the permission granted and laws and regulations.

10. To bribe to staff and officers, and to fake documents and or fake stamps.

11. Threatening, pulling back or obstructing the civil servants in carrying out their tasks dealing with wildlife and aquatic.

12. Any other actions that are in violation of laws and regulations on wildlife and aquatic.

Article 53. Prohibitions on Staff and Authorities of Forestry

In addition to the prohibition as described in the Article 52 of this Law, staff and forestry authorities are prohibited from taking any of the following actions:

1. Abusing authority and positions of trust for receiving bribery for self-benefit, or affecting the benefit of the state, collectives and individuals.

2. Reveal official confidential documents of the government, fake documents, or irresponsible behaviour to the assigned duties.

3. To operate businesses in wildlife and aquatic or taking a share in such a business.

Section VI

Management and Inspection of Wildlife and Aquatic

Chapter 1

Management of Wildlife and Aquatic

Article 54. Wildlife and Aquatic Management and Conservation Organisations

The government manages the wildlife and aquatic activities in according to the principles of centralization and unity throughout the country by assigned the Ministry of Agriculture and Forestry to be as the central agency in collaborating and coordinating with other concerned agencies and local authority to study on policies formulation, strategies, regulations, and other measures for protecting and developing wildlife and aquatic life in a sustainable manner.

The Organisation of Wildlife and Aquatic Management is the same thing with the Forest and Forest Resource Conservation which is comprised of:

1. The Ministry of Agriculture and Forestry, the Department of Forestry is authorized as a secretariat.

2. The Division of Agriculture and Forestry of the Provinces and Vientiane Capital city.

3. The Office of Agriculture and Forestry of the Districts and Municipality.
4. Village Forest Units.

Article 55. Rights and Duties of the Ministry of Agriculture and Forestry

The management of wildlife and aquatic the Ministry of Agriculture and Forestry has the following rights and duties:

1. To act as secretariat to the Government in terms of research in elaborating the strategic policies, and formulating policies into projects and programs and laws for managing the activities on wildlife and aquatic throughout of the country;
2. Disseminate laws and regulations on wildlife and aquatic activities to the people as a whole focusing on the creation of awareness and education to love and care animals, to against combating the propagation of eating wildlife and aquatic meat;
3. Guideline, monitoring and making an assessment on the implementation of wildlife and aquatic activities of relevant organizations throughout the country.
4. Establish a research institute for wildlife and aquatic, to train and enhancing technical skills in wildlife and aquatic;
5. Study and recommend on the investment in wildlife and aquatic activities;
6. Encouraging the management of funds and capital within the Lao PDR and from abroad, for protecting, conserving and developing wildlife and aquatic;
7. Collaborate with other organizations and locals concerned in implementing the tasks dealing with wildlife and aquatic life such as: surveys, data collection about wildlife and aquatic life, natural potential for defining the biodiversity, wildlife and aquatic life' conservation zones;
8. Cooperate with International organisations on wildlife and aquatic conservation activities;
9. Make summarize and report regularly on the outcome of the implementation activities on wildlife and aquatic to the government.

Article 56. Rights and duties of the Provincial and Capital city Agriculture and Forestry

Divisions

The provincial and Capital city Agriculture and Forestry Divisions have the main rights and duties as follows:

1. Elaborating the policies, strategies, decisions, ordinances, laws and regulations on wildlife and aquatic supporting their competent implementation;
2. Disseminating the laws and regulations on wildlife and aquatic to the people to understand and to engage strictly in the implementation;
3. Guideline, monitoring and making an assessment on the implementation of activities on wildlife and aquatic in district and municipality agriculture and forestry offices;
4. Study and recommend on the investment in wildlife and aquatic activities and then submit to the Ministry of agriculture and Forest for approval;
5. Encouraging and managing funds and capital within the Lao PDR and from abroad for protecting, conserving and developing wildlife and aquatic;
6. Collaborate with other concerned agencies in implementing wildlife and aquatic activities such as: surveys on the potential pointing at the arrangement of protection zones, and the arrangement of conservation of wildlife and aquatic life, and also the protection of forestry resources and the natural environment dealing with the wildlife and aquatic in their scope of responsibilities;
7. Making a summarize report regularly on outcome of the implementation activities on wildlife and aquatic life within the province and Capital city to the Ministry of Agriculture and Forestry and to the provincial and Capital city authorities.

Article 57. Rights and Duties of District and Urban Agriculture and Forestry Offices

District and municipality forestry offices have the main rights and duties as following:

1. To implement, plan, support projects, decisions, ordinances, notifications, and guidelines from the Ministry of Agriculture and Forestry and from the respective provincial agriculture and forestry office and Capital city;
2. To disseminate laws and regulations on wildlife and aquatic to the people to understand and to engage strictly in the implementation of such laws;
3. To manage, register and list wildlife and aquatic that are taken for husbandry as well as fishing and hunting tools in accordance with the regulations;
4. Gathering people within the village strictly doing the management, conservation, protection and development of wildlife and aquatic;
5. Guideline and monitoring the implementation activities on the wildlife and aquatic of the village forestry unit;
6. Making a summarize report strictly on outcome of the management, conservation protection, development and utilization of wildlife and aquatic within the district municipality to the province and Capital city and to the district and urban authorities;

As for the rights and duties in management wildlife and aquatic of the village forest unit are described in the specific regulation.

Chapter 2 Inspection of Wildlife and Aquatic

Article 58. The Objective of Inspection of Wildlife and Aquatic

The inspection of wildlife and aquatic is to monitoring of the movement activities in the management, protection, development and utilization of wildlife and aquatic of the organizations, civil servants, authorities and the people, including the businesses operations using wildlife and aquatic in accordance with the provision of the laws and other related laws, and international convention that the Laos's People Democratic Republic is a signatory.

Article 59. The Organization of Wildlife and Aquatic Inspection

The organization of inspection on wildlife and aquatic is consistent with the organization of forest and land inspection as prescribed in Article 111 of the forestry law, which is administered under the department of forest inspection, which also acts as secretariat.

Article 60. The Rights and Duties of the Wildlife and Aquatic Inspection Organ

The wildlife and aquatic inspection organ has the following rights and duties as following:

1. To monitor the implementation of wildlife and aquatic laws and regulations.
2. To inspect the activities on wildlife and aquatic including businesses operations using wildlife and aquatic.
3. To investigate cases on wildlife and aquatic and taking any measures of investigation and prevent measures as prescribed in the criminal procedure law.
4. To propose to the concerned agencies, to issue the suspension of activities on the wildlife and aquatic and disqualify or suspend civil servants and related authorities if any unlawful actions are found.
5. To cooperate and collaborate with other concerned organizations at the central level and local level in implementing its rights and duties.
6. To provide a summary report on the implementation results of inspection to the upper authorities regularly.
7. To conduct other rights and duties as prescribed in the laws and regulations.

Article 61. The Authority of Wildlife and Aquatic

The authority of the wildlife and aquatic is the civil servant of the department of forestry inspection, whose has the role to inspect, manage, conserve, protect, develop and use of wildlife and aquatic, and to investigate wildlife and aquatic' cases as prescribed in the laws and regulations.

The qualification of rights and duties of the authorities in charge of wildlife and aquatic are stipulated in the special regulation.

Article 62. Types of Inspection of Wildlife and Aquatic

There are three types of inspection of wildlife and aquatic:

- Regular system inspection
 - Advance notified inspection
 - Emergency inspection
1. Regular systematic inspection is the necessary inspection that is carried out in a certain time frame at least once a year.
 2. Advance notified inspection is the inspection when found necessary by informing the parties concerned who is responsible for protecting and developing or operating activities on the wildlife and aquatic and are given twenty four hours notice in advance.
 3. Emergency inspection is the inspection when found urgent or necessary such inspection will take place without advance notice to the parties responsible for protecting, developing, and operating activities on wildlife and aquatic.

Inspection shall examine any documents and inspect the place of operation.

Article 63. External inspection

The objective of external inspection is to examine the management and inspection organization of wildlife and aquatic in order to strengthening the capacity, transparency and justice.

The external inspections as following:

1. The oversight of the National Assembly as prescribed in the law on oversight function of the National Assembly;
2. Inspection of the State Inspection Organ as prescribed in the law on State Inspection;
3. Inspection of the citizens, organizations and individuals at the grass roots level, offices, technical units, and state enterprises on the activities of civil servants while found or occurrence of the violation of laws and regulations, they have the right to raise the issues to the concerned agency to proceed the inspection on these matters.

Section VII

National Fish Releasing and Conservation of Aquatic Wildlife's Day

Uniform, Sign and Stamp

Article 64. National Fish Releasing and Conservation of Aquatic and Wildlife Day

To conserve and develop aquatic and wildlife in plentifully richness condition, the State determined on 13th July as the National day on Fish releasing and Conservation of Aquatic and Wildlife.

Article 65. Uniform, Sign and Stamp

The management and inspection organ of aquatic and wildlife have their own uniform, sign and stamp which designed and issued by the Ministry of Agriculture and Forestry for using in the official tasks.

Section VIII

Polices on rewarding persons with high achievement and Measures against Violators

Article 66. Polices towards Persons with high achievement

Individuals, organizations or enterprises with outstanding achievement in the implementing this law, and mainly in the protecting, developing, and sustainable use of wildlife and aquatic preventing the encroachment or harm to the habitats and conservation zones of species wildlife and aquatic will receive the relevant incentives such as flattery and rewards accordingly with regulations.

Article 67. Measures against Violators

Individuals, organizations or enterprises that violated this law shall be educated, disciplined, fined or shall be punished in accordance with the law depending on the degree of the offence - minor offences or major offences.

Article 68. Education Measures

Individuals, organizations or enterprises violated the law on wildlife and aquatic and its prohibitions which are not constituted as criminal, damaged the worth under 200.000 Kip, are liable to port their offences and completely returned the illegal assets shall be warned and educated.

Article 69. Penalty Measures

Civil servant and authorities violated the law on wildlife and aquatic and its prohibitions with minor offences which are not constituted as criminal offences, damaged the worth under 200.000 Kip, but not liable to report their offences, escaped from their guilt shall be punished as following:

1. Reproach, warn the guilt and inform the offences by recording such offences in their personal profile;
2. Suspension from promotions, suspension of increasing salary, incentives or rewards;
3. Remove from the position, resignation of the post or demote.
4. Resign without any compromises;

A person who is disciplined shall return unlawful earning property completely to the organization.

Article 70. Fine Measures

Individuals, organizations or enterprises violated the law on wildlife and aquatic and its prohibitions, damaged the worth 200.000 Kip and over, and shall be fined double of the damage committed against wildlife and aquatic.

In the case that the violation is a second times or many times of committed offences shall be fined triple of the caused damage to wildlife and aquatic in the prohibition category; double fines for the wildlife and aquatic in the management category, and once time fine for wildlife and aquatic in the

common or general category, unlawful earning properties shall be seized to the State.

Article 71. Penalties Measures

Committed criminal offences on aquatic and wildlife are following:

1. To catch aquatic and to hunt natural wildlife of the prohibition category, which include rare and near extinct animals such as the dolphin, elephant, tiger, rhinoceros, pseudoryx nghe tinhensis, bear, gaur, and kouprey;
2. To use tools or methods of fishing and hunting animals in which cause depletion of aquatic and wildlife;
3. To encroach the habitats and feeding zones of aquatic and wildlife;
4. To steal aquatic a life and wildlife of the prohibited category, carcasses or parts and organs of such animals for trade or to have in possession.
5. To import, export, re-export, tranship and transit aquatic and wildlife unlawfully with regulations;
6. To bribe, falsify or forge documents and stamps.

The offenders will be prosecuted and shall be punished by deprivation of liberty for three months to five years of imprisonment it depends on the characteristic of the criminal offences major or minor offences shall be fined according to the article 70 of this law including damages compensation.

Article 72. Additional Penalties Measures

In addition of the principle penalties stipulated in the article 71 above, the offenders shall be punished for additional penalties such as: suspension, a revoke of the license, or to revoke the rights of using aquatic life and wildlife.

Section IX

Final Provisions

Article 73. Implementation

The government of Lao People's Democratic Republic is implementing this law.

Article 74. Effective

This law shall come into force after 90 days since the date of the President of the Lao Peoples' Democratic Republic issued the promulgation.

The provisions and decision that contradict this law are annulated.

President of the National Assembly

Thongsing THAMMAVONG

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