



Lao People Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Industry and Commerce

No: 0089/MOIC.DOIH
Vientiane Capital, 24 January 2020

Decision
On Prohibitions for Civil Servants in the Industry and Commerce Sectors

- Pursuant to the Law on Anti-Corruption (amended version), No. 27/NA, dated 18 December 2012;
- Pursuant to the Strategy on Anti-Corruption 2012-2020, No. 02/PM dated 04 December 2012;
- Based on the letter of proposal of Department of Inspection, No. 16/MOIC.DOI, dated 22 January 2020.

**The Minister of Ministry of Industry and Commerce hereby issues the
Decision:**

Article 1 Objectives

This Decision determines the prohibitions and disciplinary measures against violation of civil servants in the industry and commerce sectors to enhance their political accountability, to be a model for raising legal conscience of the organizations and civil servants of the industry and commerce sectors to have discipline, strictness and transparency in performing their duties aiming to alleviate social inequality, restrict bureaucracy, increase the effectiveness of State management, and contribute to the protection of benefits of the State and collectives, including legitimate rights and benefits of citizens.

Article 2 Scope of Application

This Decision applies specifically to civil servants in the industry and commerce sectors from central down to the local levels throughout the country.

Article 3 Prohibitions for Civil Servants in the Industry and Commerce Sectors

All civil servants in the industry and commerce sectors working at both central and local levels, in addition to the prohibitions as provided for in the relevant laws and regulation, shall comply with the prohibitions connected with the activities of industry and commerce sectors as below:

1. Prohibited from abusing duty or position for personal benefit;
2. Prohibited from recruiting or appointing oneself husband or wife, or close relative to a position under oneself responsibility creating conditions for corruption, such as, activities relating to finance, accounting, procurement, personnel organization, inspection;

3. Prohibited from deciding or appointing staff or volunteers into any taskforce;
4. Prohibited from creating difficulty, holding back or delaying, requesting any additional document other than those that are required in the relevant regulations, such as, documents declaring for enterprise registration, factory activity operating certificate, business operation license and extension of domestic trade business operation license, application documents for import-export of goods of all types, issuance of license on national ODOP trademark, consideration on authorization to financing Small and Medium Enterprise Promotion Fund and other related documents;
5. Prohibited from being a broker of documents for a quota of employees, state investment projects and business operation licenses for any individuals or legal entities, import and export quota, and import-export license for personal benefit;
6. Prohibited from claiming, requesting or receiving bribes from any business operators;
7. Prohibited from using official seal for personal benefit inconsistent with the relevant laws and regulations;
8. Prohibited from falsifying documents or utilizing falsified documents, such as, documents relating to the management of incomes and expenditure of the State budget, technical incomes, procurement, state investment project bidding, allocation or modification of land under state management, construction or repair of buildings, vehicles, and other documents;
9. Prohibited from concealing or hiding the transfer of own assets to any other persons to avoid the reporting on declaration of assets and income of all types;
10. Prohibited from disclosing documents and confidential documents to any individuals, legal entities or organizations concerned before having authorization;
11. Prohibited from being advisor, corporate management or manager of any private companies or enterprises for which oneself is the signatory, such as, enterprise registration certificate, factory activity operating certificate, business operation license and extension of domestic trade business operation license, license of import-export of goods of all types and other related documents;
12. Prohibited from using the State budget inconsistently with the objectives or illegally use it in any other forms for generating incomes, such as, using for illegal currency exchange, lending, or opening bank deposit account outside Lao PDR;
13. Prohibited from taking or using State assets without authorization;
14. Inspectors and trade inspection officers are prohibited from carrying out inspection activities in any premises without authorization from the relevant organizations or to wear their uniforms and enter into

- inappropriate place or to give for use by any other persons their uniforms, signs and trade inspection identification cards;
15. Trade inspection officers are prohibited from colluding with or to facilitate illegal trade business operators, such as, business operation without license, opportunistically increase prices of goods, trade in illegal, expired or deteriorated goods;
 16. Inspectors are prohibited from abusing their powers and duties, or utilizing force or threats towards the inspected targets/persons;
 17. Prohibited from omitting duty performance, give misinformation, conceal, hide or protect the inspected targets or report false information on the results of inspection;
 18. Prohibited from giving promise or liaising with the inspected targets or other persons concerned for gaining any benefits;
 19. Prohibited from engaging in any other actions which contradict the law and regulations.

Article 4 Policies towards persons with outstanding performance

Any civil servants in the industry and commerce sectors who have perform their duties with high accountability in accordance with the relevant laws and regulations, or have strictly complied with the prohibitions provided for in this Decision, will receive rewards and other incentives in accordance with the relevant regulations.

Article 5 Disciplinary measures

Any civil servants in the industry and commerce sectors who have any behaviors or actions which contradict this Decision shall be subject to disciplinary measures depending on the severity of the case as below:

1. Form 1: reprimand with breach recoded as evidence;
2. Form 2: warning and writing a statement on oneself judgement;
3. Form 3: disciplinary committees at the ministry and local levels shall be assigned to investigate imposing measures in accordance with the relevant laws and regulations.

Article 6 Implementation

1. The Party committee and management committee at each level of the industry and commerce sectors from the central level down to the local levels shall be responsible to research and understand and disseminate this Decision to all Party members and civil servants under its own responsibility thoroughly, including to take lead and guidance on the implementation in conjunction with the lead on the Party and State's life;
2. All individuals, legal entities, organizations of all sectors and citizens shall have the duty to contribute in monitoring, inspecting and providing the management committee of each level with true information on breach by the civil servants in the industry and commerce sectors of any prohibitions through comment and proposition boxes, hotline telephones, posts and other online media channels;
3. Assign the inspection committee at each level to be the secretariat to the Party committee of its own level and to be the principal in monitoring, inspecting and

- imposing all measures to support and handle the results of inspection, including collaboration and report on the results of the implementation of this Decision;
4. Assign the Department of Inspection to be the central point of coordinating, monitoring, inspecting, summarizing, and drawing lessons and assessing the implantation results of this Decision.

Article 7 Effectiveness

This Decision is effective from the signing date.

Minister of Industry and Commerce

[Signature & Seal]

Mrs. Khemmany Pholsena