Decree
on Export of Lao Workers Working Abroad

Based on the Law on Government of the Lao PDR, No 01/95, dated 08 March 1995;
Based on the Lao on Labour, No 002/NA, dated 14 December 1994;
Based on the proposal of the Minister of Labour and Social Welfares.

The Prime Minister issues the decree:

Chapter I
General Provisions

Article 1. This decree defines the regulation for administration and facilitates the services on exporting Lao workers to work abroad, aims to encourage to workplaces and upgrade the work skills of Lao citizens, maximize the opportunities to obtain and seek the knowledge and building capacity in technical-professional, creates the favorable condition to international cooperation in order to develop the skills of the Lao labour.

Article 2. State protects the legitimate rights and benefits of person and legal entity licensing to export the Lao workers to work abroad and [state protects also] the Lao workers who are sent to work in foreign countries properly under this decree.

Chapter II
Conditions, Rights and Obligations of Lao Workers Working in Foreign Countries

Article 3. A Lao worker intending to work in foreign countries shall have following conditions:
- is Laotian;
- has age over 18 years old;
- has completed in primarily school education;
- has good health;
- being good citizen.
Article 4. The Lao workers working in foreign countries shall have the following rights:
- to receive the salary or wage and other benefits based on the [employment] contracts;
- to be protected rights and obligations under contracts and laws;
- to conclude the [employment] contracts with the labour recruitment company.

Article 5. The Lao workers working in foreign countries shall have the following duties:
- to obey and respect the labour disciplines of the hosting countries strictly;
- to perform the employment contracts which they have concluded;
- to obey and respect the regulations, laws and traditions of the Lao PDR and hosting countries, which they are working;
- to perform their [taxation] obligations to the State properly.

Chapter III
Conditions, Rights and Obligations of Labour Recruitment Service Company

Article 6. The labour recruitment service company shall have the following conditions:
- shall be the company licensing to conduct business in export of Lao workers to work abroad;
- shall be the trustworthy company, have the monetary deposits for export of Lao workers to work abroad;
- shall be the company that organizes in systematic manner, has personnel with knowledge-capacity.

Article 7. The labour recruitment service company has the following rights:
- to carry out its activities to seek the labour markets in foreign countries and conclude the contracts with foreign companies;
- to export the Lao workers to work in foreign countries as provide in contracts;
- to receive the fees of services as stipulates in article 12 of this decree;
- to be protected its rights and benefits in accordance with laws.

Article 8. The labour recruitment service company shall have the following duties:
- to provide the protection to Lao workers that exported to work abroad in accordance with the employment contracts;
- to obey and respect the traditions and laws and regulations of the country and the hosting countries that import the Lao workers;
- to provide the information to the Ministry of Labour and Social Welfares;
- to be responsible for the benefits of the Lao workers working abroad that sent by the company;
- to organize the training for Lao workers before exporting under supervision by the Ministry of Labour and Social Welfares;
- to perform its obligations to the State as provide by the laws.
Article 9. The labour recruitment service company intending to conduct the business on exports of Lao worker abroad, shall produce and submit the following documents:
- a proposal to export the Lao workers working abroad to the Ministry of Labour and Social Welfares;
- a license on the Lao workers export abroad;
- the recruitment contracts between the Lao workers and the labour recruitment company;
- the labour supplied contracts between the labour recruitment service company and the company that will hire the Lao workers in foreign countries.

Chapter IV
Conditions, Rights and Obligations of the State organizations on administration of Lao workers provider

Article 10. The Ministry of Labour and Social Welfares has the following rights and obligations:
- to consider the application for license on Lao workers export abroad;
- to define the detailed regulation on administration of Lao workers exporters and Lao workers working abroad;
- to define type of restricted occupations, and fields that prohibit the Lao workers to work abroad;
- to conduct the monitor, follow up the labour export;
- to coordinate and cooperate with concerned organization in order to solve any occurred issue;
- to formulate the labour export plans in line with the [National Socio-Economic Development] 5 years plan and annual plan.

Article 11. The Ministry of Foreign Affairs, Ministry of Interior, Ministry of Finance, The committee on State planning and Cooperation, and other relevant ministries have rights and duties to coordinate with the Ministry of Labour and Social Welfares to issue regulations, and instructions on issues that relates to the Lao workers export to work abroad under their authorities.

Chapter V
Collection of Charges and Fees on labour recruitment abroad

Article 12. The charge for the labour recruitment abroad shall be charged in accordance with regulations and laws. No State organizations are allowed to charge that is not regulated in the law or regulation. The fee of services of the labour recruitment abroad company shall be collected under administration of the Ministry of Labour and Social Welfares.
Article 13. The labour recruitment service companies, persons or legal entities have contributed to the implementation this decree properly, and effectively shall be awarded as appropriate.

Article 14. The workers, labour recruitment service companies, persons, legal entities, concerned organizations have violated this decree shall be fined, and brought action against in accordance with the laws.

Chapter VII
Final Provisions

Article 15. The Ministry of Labour and Social Welfares, all ministries, quasi-ministerial organizations, and all levels of the local administrative authorities have rights and duties to implement the provisions of this decree strictly.

Article 16. This decree shall enter into force from the day of its signature. All regulations, orders or resolutions issued before this decree on the administration and export of Lao workers abroad if contradict with the provision of this decree are superseded.

Vientiane, date 28 May 2002

The Prime Minister

[Seal and signature]

Bounnhang Vorachith