



[Authentic in Lao only]

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

№ 04/NA

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LAW ON JUDGMENT ENFORCEMENT (AMENDED)

Part I General Provisions

Article 1. Purposes of the Law

This Law on Judgment Enforcement sets out principles, rules, procedures, methods and measures on the enforcement of civil judgments; it defines the status, roles, rights and mandates of judgment enforcement organizations from central to grassroots levels, including the duties of the judgment enforcement officers in charge of enforcing judgments, for the purpose of ensuring the enforceability of judgment in a proper, strict, prompt and unified manner nation, wide; [it aims to] strengthen State authority and the rule of law, to protect the State and the collectives, [to protect] the legitimate rights and interests of the collectives and citizens, and to enhance social security, public order and justice.

Article 2. [The Meaning of] Enforcement of Judgments

The "Enforcement of Judgment" [refers to] the execution of final, legally effective and proper court instructions, orders, decisions at first instance, decisions on appeal decisions on cassation, and other juristic acts, as provided in Article 5 (New) of this Law, in order to rehabilitate the rights and interests of the State, collectives and citizens that have been violated or breached.

Article 3 (New). Terms Definition

Terms which are used in this Law have the meaning as follows:

1. **Order** refers to juristic acts that have an administrative characteristic such as: order to implement the mediation agreement of the court, attachment and seizure orders;
2. **Final Instruction** refers to justice acts that have a judicial characteristic of which the members of the courts have decided before making decision related to the case such as: final instruction on the expenses for the health care before to compensate the damages relating to the case, the final instruction to implement regarding the certification of documents of the Notary Office;

3. **Decision** refers to the decision of the court of the people's court of the province, city at appellate level, court appeal and supreme court at cassation level;
4. **Judgment** refers to the decision of the people's court of the province, city at appellate level, court appeal and supreme court at cassation level;
5. **Mediation agreement of the court** refers to documents certifying the settlement on the mediation of the court. The decision of this mediation is also binding as the final decision of the court;
6. **Mediation agreement of the arbitrators on the economic dispute resolution** refers to documents certifying the settlement on the mediation of the arbitrators on the economic dispute resolution;
7. **Award of the arbitrators on the economic dispute resolution** refers to the award of the panel of arbitrators to settle the economic dispute resolution;
8. **Appeal request** refers to the registration of appeal request in accordance with the duration of twenty days from the date that the court has decided in presence or at the day when the litigants have been informed of such decision onward in case that the litigants which are not participated on the day where the court has sentenced the case;
9. **Application to request for appeal** refers to the application of the litigants or third person who showed the reason to appeal;
10. **Cassation request** refers to the registration of the cassation request according the time limit court made the decision in presence or the date of which the litigants have been informed onward. In the event the litigants are not participated at the day the court had made a judgment;
11. **Application to request for cassation** refers to the application of litigants or third person who showed the reason to request for cassation;
12. **Objection submission** refers to application for cassation of the people's prosecutor;
13. **Litigants in the case** refers to the plaintiff and defendant;
 - **Plaintiff** refers to individual, organization or enterprises which submit the litigation to the court to request that their rights were violated by another person or were objected;
 - **Defendant** refers to individual, organization or enterprises which are seen that they have violated or objected the rights of other person;
14. **Third person** refers to the person who is involved with case but he/she is not a plaintiff or defendant of which the court has summoned to be in presence or the interested person has proposed to participate in the case proceeding in order to protect his rights and benefits;
15. **Seizure of assets** refers to the taking of movable assets of the litigants to keep under the management of officers in order to ensure the case proceedings and the compensation;
16. **Attachment of assets** refers to the issuance of order of the people's prosecutor, people's court and judgment enforcement organization concerning fixed assets, movable assets including the

account in order not to have a buying, selling, transfer, exchange, security, extension, destruction or alteration of such property;

17. **Confiscation of assets** refers to the taking of all property or a part of the property which are under the ownership of the wrong doer to become the State's property according to the decision of the court without any compensation. In the confiscation of assets there are some prohibitions according to the annexed list of the Penal Law;
18. **Confiscation of items** refers to the taking of assets, items that are related to the offense [and] used into the commission of the offense or are acquired from the offense to become the State's property according to the court decision;
19. **Suspension** refers to the temporary cessation of the court judgment enforcement when the suspension event is terminated, it shall continue to enforce;
20. **Change** refers to a part or a total change of the court judgment enforcement of officers who enforce the court judgment enforcement which is deemed not correct, not proper to the court decision or laws and regulations;
21. **Cancellation** refers to the cassation without any continuance of the court judgment enforcement;
22. **Dissolution** refers to the total cancellation of the past court judgment enforcement from the beginning to the end;
23. **Withdrawal** refers to the proposal of the judgment enforcement officer in order not to participate on same of case enforcement that one's has a relation;
24. **Refusal** refers to the proposal of litigants or the third person regarding the court judgment enforcement officer has a relation to the case in order not allow to participate in judgment enforcement or such case;
25. **Temporary duration** refers to the judgment enforcement of the court of first instance or a part appellate level which is deemed as necessary before the final decision or judgment;
26. **Selection on the enforcement** refers to the court judgment enforcement in favor of friends, clan and interest in order to enforce in advance or in favor of one of the parties which is not appropriate to laws and regulations;
27. **Summon** refers to the order of interrogation-investigation organization, people's prosecution, people's court and court judgment enforcement organization in order to let police officers to bring any person come to meet the organization which issues such order in accordance with laws and regulations.

Article 4 (New). Final Court Judgment

Final court judgments are decisions of a court [in respect of which no one, whether] the litigants, any third person has requested an appeal, cancellation or the public prosecutor has lodged objection or the cassation of the supreme people's court.

The final court decisions are enforceable.

The final court instructions, decisions and judgment of each court level are as follows:

1. Preliminary instructions, orders and decisions at first instance of district or municipal people's court, [in respect of which no one whether] the litigants, any third person has requested an appeal or the public prosecutor has lodged an objection;
2. Preliminary instructions and decisions at first instance of the provincial or city people's court [in respect of which no one, whether] the litigants, any third person has requested an appeal or the public prosecutor has lodged an objection;
3. Appellate instruction and decisions of the provincial or city people's appellate court, [in respect of which no one, whether] the litigants, any third person or public prosecutor, has requested or [lodged] and appeal, cancellation or objection;
4. Instruction, orders and decisions on appeal or cassation of the Supreme People's Court.

Article 5 (New). Court Judgment and other Juristic Acts to be Enforced

Court judgments and other juristic acts to be enforced by the judgment enforcement officer include:

1. Final preliminary civil instructions and decisions at first instance of the district, municipal, provincial and city people's court;
2. Final preliminary criminal instructions and decisions at first instance of the district, municipal, provincial and city people's court compensation, fine, confiscation of property and items, and re-education without deprivation of liberty;
3. Final civil instructions, orders and decision at appellate level of the provincial and city people's court and of the Court of Appeal;
4. Final appellate criminal instructions, orders and decisions at appellate level of the provincial and city people's court and of the Court of Appeal, which impose [any of the following:] Civil compensation, fine, confiscation of property and items, and re-education without deprivation of liberty;
5. Civil instructions, order and decisions [on Appeal or cassation] of the supreme People's Court which are not sent the case to the low level court to retry;
6. Criminal instructions, orders and decisions [on appeal or cassations of the supreme People's Court which are not sent the case to the Low level court to retry, which impose [any of the following:] civil compensation, fine, confiscation of property and items, and re-education without deprivation of liberty;
7. Court decisions or judgment of temporary duration;
8. Orders to enforce the settlement agreements arising from [court-conducted] mediations which have been instructed to be enforced;
9. Final court instructions, orders and decisions of foreign countries, which are acknowledged and permitted to be enforced by the People's court of the Lao People's Democratic Republic;

10. Mediation settlement agreement and arbitration awards arising from mediations conducted by the office of Economic Dispute Resolution, or foreign arbitral awards which are certified by treaty or convention by which the Lao People's Democratic Republic is bound.

Article 6. Enforcement of Judgment

Court judgments and other juristic acts described in Article 5 (New) of this Law are binding on all concerned individuals and organizations that are required to strictly comply therewith.

All organizations of the Party and the government, the Lao Front for National Construction, mass organizations, social organization, enterprises and citizens must respect this Law and are obligated to cooperation with and provide necessary assistance to the judgment enforcement officers.

Article 7 (New). Principles of Judgment Enforcement

Principles of judgment enforcement are as follows:

1. Be proper in accordance with the court judgment;
2. Be Equally;
3. Be re-educated;
4. Be strict, prompt and equitable;
5. Be coordinated;
6. Be Transparent.

Article 8 (New). Withdrawal and Recusal

Where a judgment enforcement officer is related to a litigant by family ties or has an interest in the case, such judgment enforcement officer shall be required to withdraw from the enforcement process. In the absence of such withdrawal, any litigant may make a request to the head of provincial or city justice division, in case he/she is the court judgment enforcement officer, to the head of the district or municipal justice office in case he/she is the officer of the working unit of the court judgment enforcement for such officer's recusal from the enforcement of such judgment.

PART II

Judgment Enforcement Administration and Enforcing Agencies

Chapter 1

Administrative Agencies on Judgment Enforcement

Article 9. Organizational Structure of Administrative Agencies on Judgment Enforcement

The organizational system of court judgments supervising and enforcement agencies is divided into:

- The ministry of Justice;

- Provincial, [and] city justice divisions: [and];
- District and municipal justice offices.

Article 10 (New). Right and Duties of the Ministry of Justice

In supervising judgment enforcement, the Ministry of justice, as the secretariat to the government, has the following rights and duties:

1. To study policies, Laws and regulations relating to judgment enforcement then submit to the government to consider for approval;
2. To disseminate and educate Law on judgment enforcement and other relevant Laws and regulations to the people, different strata to understand and be aroused to implement including to provide opinion regarding judgment enforcement activities with different methods;
3. To direct, manage and technical control on the judgment enforcement in the entire country;
4. To study and analyze the cause why there is a failure to enforce then submit to the relevant parties in order to seek for solution;
5. To modify, suspend, terminate or cancel the instructions of the enforcement offices and units or to request the rescission of juristic acts, which are legally inconsistent with the judgment, and legal acts of other sectoral authorities with responsibility for judgment enforcement including to provide advice on the proper enforcement of judgment;
6. To appoint, transfer or remove the head and deputy heads of the judgment enforcement offices, in coordination with concerned parties, base on the recommendations of the provincial or Vientiane Municipality justice divisions;
7. To provide training for, and upgrading of the qualification to the personnel who take responsibility of the court judgment enforcement, political ideology, ethics and professional standards;
8. To coordinate with local administrative authority and other relevant parties in judgment enforcement administration;
9. To liaise and cooperate with foreign countries concerning the judgment enforcement administration;
10. To regularly report the situation on the judgment enforcement in the entire country to the government;
11. To exercise right and other duties on the court judgment enforcement as provided for in the Laws.

Article 11 (New). Rights and Duties of Provincial and City Justice Divisions

In supervising judgment enforcement, provincial and city justice divisions have the following rights and duties:

1. To direct the proper and uniform implementation of Law on judgment enforcement in their localities;
2. To supervise the organizational activities and budget, and control the implementation of the tasks of the judgment enforcement offices;
3. To make proposals to the Ministry of Justice on the establishment and reform of the judgment enforcement offices, and on the appointment, transfer or removal of heads and deputy heads of provincial and city authorities;
4. To make proposals to the governors of the provincial and city authorities on the appointment, transfer or removal of heads and deputy heads of the judgment enforcement units and judgment enforcement officers based on the proposals of the district and municipal justice offices;
5. To disseminate and educate the Law on judgment enforcement and other relevant laws and regulations to the people, different strata to understand and be aroused to implement including to provide opinion regarding judgment enforcement activities with different methods;
6. To coordinate with other relevant parties in the court judgment enforcement;
7. To liaise and cooperate with foreign countries concerning the judgment enforcement administration according to the assignment of the Ministry of Justice;
8. To control the revenue – expenditure on the judgment enforcement;
9. To make a report on judgment enforcement to the Ministry of Justice and administrative authorities of the province, city;
10. To exercise such other rights and perform such other duties relating to judgment enforcement as provided by laws.

Article 12 (New). Rights and Duties of District and Municipality Justice Offices

In supervising judgment enforcement, district and municipal justice offices have the following rights and duties:

1. To supervise the organizational activities and budget, and control the implementation of the task of the judgment enforcement units;
2. To make proposals to the provincial and city justice divisions in order to submit to the governor of the province, city on the establishment and reform of the judgment enforcement units and on the appointment, transfer or removal of heads, deputy heads of the judgment enforcement officers with the consent of the district [and] municipal authorities;
3. To disseminate and educate the Law on judgment enforcement and other relevant Laws and regulations to the people, different strata to understand and be aroused to implement including to provide opinion regarding judgment enforcement activities with different methods;

4. To upgrade personnel who are responsible the judgment enforcement activities on politic ideology, qualifications, ethics, knowledge and ability;
5. To coordinate with other relevant parties in the judgment enforcement;
6. To control the revenue – expenditure on the judgment enforcement;
7. To make a report on judgment enforcement to justice divisions and the district, municipal authorities;
8. To exercise such other right and perform such other duties relevant to judgment enforcement as are provided by the Law.

Chapter 2

Judgment Enforcement Agencies

Article 13 . Organizational structure of Judgment Enforcement Agencies

The organization structure of Judgment enforcement agencies consists of:

- Judgment enforcement offices; [and]
- Judgment enforcement units.

Article 14. Status and Mandate of Judgment Enforcement Offices

The judgment enforcement offices are organizations belonging to the provincial and city justice departments and have the mandate and role to enforce the judgments and other juridical acts within the scope of their functions as provided in Articles 5 (New) of this Law.

Article 15. Organizational Structure of Judgment Enforcement Offices

A judgment enforcement office is composed of:

- A head;
- A deputy head;
- Judgment enforcement offices a number of technical staff and administrative personnel;
- The head of Judgment Enforcement office is the deputy head of provincial, city justice division by office.

Article 16 (New). Rights and Duties of Judgment Enforcement Offices

Judgment Enforcement offices have the following rights and duties:

1. To study the judgments and other judicial acts in order to prepare for the enforcement, [and], to seek legal exhibits including the seizure, attachment note of such case files that they have not yet received [such documents] from the relevant parties in order to enforce;

2. To request the court that has issued any final judgment to give a written explanation on any unclear issue;
3. To propose to the police that the police take measures against person subject to enforcement who intentionally avoid compliance with the judgments by not allowing such persons to go a broad;
4. To summon litigants for the enforcement of the judgments;
5. To issue orders to seize, escort, fine, move and attach assets and [to issue] other instructions relating to judgment enforcement;
6. To coordinate with relevant parties to enforce the judgments;
7. To propose opinion to its high level in the event that there is a difficulty in the judgment enforcement;
8. To provide constant guidance and supervision of the judgment enforcement units for which they are responsible;
9. To modify, suspend, terminate or cancel the instructions of the enforcement units or to request the recession of juridical acts, which are legally inconsistent with the judgments and juridical acts of other sectoral authorities with responsibility for judgment enforcement, including to provide advice on the proper enforcement of judgments;
10. To regularly report on the enforcement of judgments to the public prosecutors at their level or according to the proposal;
11. To regularly report on the enforcement of judgments to the provincial and city justice divisions;
12. To exercise such other rights and perform such other duties relating to the judgment enforcement as are provided by the Laws.

Article 17 (New). Rights and Roles of Judgment Enforcement Units

A judgment enforcement unit is an organization belonging to the district, [or] municipal justice office and its function is to enforce the judgments and other juridical acts described in Article 5 (New) of this Law within the scope of its responsibility.

Article 18 (New). Organization Structures of Judgment Enforcement Units

A judgment enforcement unit is composed of:

- A head;
- One deputy head; [and]
- Judgment enforcement officers, technical staff and number of administrative personnel.

The head of the judgment enforcement unit is the deputy head of the district, municipal justice office by office.

Article 19 (New). Rights and Duties of Judgment Enforcement Units

Judgment enforcement units have the following rights and duties:

1. To study the final judgments and other juridical acts in order to prepare for the enforcement; [and], in the event they have not get received; seek legal exhibits relating to such final judgments;
2. To request the court that has issued any final judgment to give a written explanation on any unclear issue;
3. To propose to the police that the police take measures against persons subject to enforcement who intentionally avoid compliance with judgments by not allowing such persons to go abroad;
4. To summon litigants for the enforcement of the judgments;
5. To issue orders to seize, escort, fine, move and attach assets and to [issue] other instructions relating to judgment enforcement;
6. To coordinate with relevant parties especially the mediation units of the village level to assist in the enforcement of the judgments;
7. To propose opinions to its high level in the event that there is a difficulty in the judgment enforcement;
8. To regularly report on the enforcement of judgments to the public prosecutors their level or according to the proposal;
9. To regularly report on the enforcement of judgments to the district, municipal justice office and the judgment enforcement office;
10. To exercise such other rights and perform such other duties relating to the judgments enforcement as one provided by the Laws.

Article 20. Rights and Duties of the Heads and Deputy Heads of Judgment Enforcement Offices and Units

The head of a judgment enforcement office or unit has the rights and duties to supervise, guide and monitor the operation of such judgment enforcement office or unit. In addition, as provided in Articles 16 (New) and 19 (New) of this Law, the head is responsible, in the enforcement of judgments, to the provincial [and] city justice divisions or the district, [and] municipal justice offices.

The deputy heads of a judgment enforcement office or unit assist the head [of such office or unit] and are responsible for any task assigned by the head. In the event that the head is unable to perform his duties for any reason, the deputy heads may be assigned to act on behalf of the head.

Article 21 (New). Rights and Duties of Judgment Enforcement Officers

The judgment enforcement officers have the following rights and duties:

1. To study the final judgments and other juridical acts in order to prepare for enforcement. The judgment enforcement officers shall enforce the judgment properly in accordance with the terms of the judgments, [and with] regulations and procedures provided in the Law;

2. To propose that the heads of judgment enforcement offices or final judgment to give a written explanation on any unclear issue;
3. To summon the litigants, to notify them of the terms of the judgments and to advise educate and encourage them to observe [such terms];
4. To gather information on the assets and other conditions of persons subject to enforcement in order to enforce the judgments;
5. To coordinate with concerned parties to enforce the judgments;
6. To propose that the heads of judgment enforcement offices or units issue orders to seize, escort, fine, move and attach assets or to propose that the police take measures against persons subject to enforcement who intentionally avoid compliance with the judgments by not allowing such persons to go abroad, and to issue other instructions relating to judgment enforcement;
7. In respect of each judgment assigned to them, to report on the enforcement of such judgments to the head of the judgment enforcement office or unit; [and]
8. To exercise such other right and perform such other duties relating to judgment enforcement as are provided by the Laws.

Article 22 (New). Criteria and Qualifications of Judgment Enforcement Officers

A judgment enforcement officer shall meet the following criteria and possess the following qualifications:

1. Be a Lao citizen and at least 25 years of age;
2. Have proletariat characteristic and strong political commitment;
3. Have a qualification, ethic, a responsibility to duties be honest and loyal to the nation, the interest of the state, collectives and citizens [and] have a good public relation;
4. Have knowledge, courage, patience, ability to persuade to enforce the judgment;
5. In terms of education, have obtained at least an intermediate level degree or be trained in law or in judgment enforcement;
6. Have an experience in judgment enforcement work for at least two years;
7. Be in good mental and physical health.

A head of a judgment enforcement office shall, in addition to possessing the qualification above, be equipped with adequate working methods, possess at least five years' experience in judgment enforcement, and have obtained at least a high degree in Law. [A] Head of a judgment enforcement unit shall [in addition to possessing the qualifications above] possess at least three years' experience in judgment enforcement and have attained at least an intermediate level degree in law.

PART III
Enforcement of Judgments

Chapter 1
Procedures on Enforcement of Civil Judgments

Article 23 (New). Sending of Judgments to Enforce and Judgment

Final instructions, orders, decisions and judgment shall send to the relevant parties to enforce at least not exceeding thirty days from the date the final instructions, orders, decision are enforceable or the date where the litigants are informed onward final instructions, orders, decisions and judgments shall send to the public prosecutors to monitor the enforcement to be effective.

Article 24 (New). Places where the Judgments be Enforced

The places where the judgment be enforced are as follows:

- Judgment enforcement office for the decisions of provincial, city people's court at first instance;
- Judgment enforcement unit for the decisions of the district, municipal people's court and judgments of provincial, city people's court at appellate level;

The judgment enforcement office may enforce the decisions of the district, municipal people' court in the event there is absence of the judgment enforcement unit or from the proposal of a judgment enforcement unit.

Article 25. Judgment Enforcement Procedures

The steps [taken by judgment enforcement officers] to enforce judgment shall be in four stages as follows:

1. Study the final judgments and other juridical acts in order to prepare for the enforcement;
2. Summon litigants to notify them of the terms of the judgments and to advise and encourage them to comply therewith;
3. Take actual steps to enforce the judgments and;
4. Certify that the enforcement of judgments is complete.

Article 26. Study of the Judgments and other Juridical Acts

After receiving the final judgments or other juridical acts, the judgment enforcement officers shall study them in detail, shall understand them, and shall prepare what is needed for the enforcement.

Article 27 (New). Summoning Litigants

Within thirty days after receiving the final judgment and after preparing what is needed for the enforcement, the judgment enforcement officers shall summon the litigants to the judgment enforcement offices or unit in order to notify the litigants of the judgment enforcement and to advise and encourage them to comply with it within sixty days.

Within that time limit, the judgment enforcement officers shall follow up to determine whether the person subject to enforcement is observing such judgment, if it seems necessary (if, for instance the person subject to enforcement intentionally avoids compliance with the judgment), the judgment enforcement officers may set up an inventory of the assets not yet attached or confiscated by the court and then propose that the [relevant] head of the judgment enforcement offices and units issue orders to attach or confiscate those assets.

Article 28 (New). Judgment Enforcement

In the event that the person subject to enforcement completely complies with the judgment within sixty days, this can be regarded as the completion of judgment enforcement.

In the event that the judgment is not, or is not really, complied with within such time limit, the judgment enforcement office or unit shall inspect, set up an inventory of, [and] issue orders to attach or confiscate the assets on a case by case basis. [Additionally,] if the court has not previously applied such measures, the judgment enforcement office or unit shall, at the same time, evict, [and] fine the person subject to enforcement, on a case by case basis.

Inspecting, attaching or confiscating the assets and evicting the person subject to enforcement should be carried out in coordination with the local authorities and other concerned parties. The custodian must be present when assets are confiscated, in case that the confiscation of the assets it shall immediately inform the owner of the assets. The attached or confiscated assets must be evaluated and announce for sale to repay the dept. Before the sale announcement, a committee shall be appointed by the provincial [or] city governors or by the district, [or] municipal mayors to evaluate the attached or confiscated assets which have a high value in different arisen cases; after the evaluation it should announce widely an open auction consistent with the finance regulations.

In the event that a person subject to enforcement move to another location prior to judgment enforcement [or its completion], the judgment enforcement office or unit concerned is entitled to transfer the enforcement of such judgment to the judgment enforcement office or unit in charge of that [other] location.

In the event that a person subject to enforcement owns assets in several districts or provinces the office or unit in charge of such judgment enforcement shall request the other judgment enforcement offices or units which are in charge of the areas where such assets are located to enforce such judgment of debts according to the court judgment.

Article 29 (New). Termination of Judgment Enforcement

Enforcement shall be terminated in the following cases:

1. The person subject to enforcement has complied with the judgment in full;
2. The oblige renounces his right. [for the purpose of this clause] if an oblige is summoned three times but fails without any reason, to present himself to the judgment enforcement officers, his right is (deemed to be) renounced;
3. The person subject to enforcement dies without leaving any asset, right or obligation to legal heirs;
4. The decision or judgment is modified cancelled or terminated to the effect that the litigants no longer have any obligations.

When any judgment enforcement terminates, the judgment enforcement officers shall propose to judgment enforcement office or unit issue an order to close the case file and inform to litigants, public prosecutor, constituency's national Assembly office and local administrative authority.

Chapter 2

Measures in Enforcement of Civil Decisions

Article 30 (New). Right to Issue Order of Judgment Enforcement Agencies

To ensure the successful enforcement of judgments enforcement offices or units area entitled to issue orders to bring, seize, escort, move, fine or attach assets and to issue other instructions as are provided by the Laws and regulations and as they deem necessary, but shall not order detention or imprisonment to accelerate the repayment of debts.

In the event that the seized or attached objects under dispute require urgent supervision or remedial action to avoid such objects' degradation or loss of quality, the judgment enforcement offices or units shall manage, protect safe-keep or sell such objects and apply the proceeds to the enforcement of the judgment.

In enforcing judgment relating to the handing over or return fixed assets, the judgment enforcement offices or units shall instruct the occupants to vacate the premises or housing facilities under dispute within 90 days from the receipt of such instruction.

The provisions of the third paragraph above are also applicable when enforcing security documents.

Article 31. Effectiveness of Orders of Judgment Enforcement Agencies

Orders of the judgment enforcement agencies which are legally issued within their rights and duties to enforce judgments and other juridical acts as provided in Article 5 (New) of this Law have the same power as court instructions and are binding on all individuals and organizations as provide in Article 6 of this Law.

International non-compliance with such instructions or using threats, violence or other forms (of force) to hinder the operation of the judgment enforcement officers or other persons involved in the enforcement shall be regarded as criminal offences and punished under Articles 158,173 and other Articles of the Penal Law.

Article 32. Assets that cannot be Attached or Confiscated

The following assets shall not be attached or confiscated to repay debts:

1. Objects of veneration of the debtor;
2. Daily food and medicines of the debtor;
3. Objects like clothes, sleepwear, Kitchen utensils and children's toys regularly used by the debtor and the debtor's dependents;
4. Necessary tools for the debtor to undertake minor occupations.

Article 33. Sanctions against Persons Resisting Enforcement

If the judgment enforcement offices or units have issued orders to attach, seize or move assets, and the debtor has the capacity to repay his debt but intentionally refuses to comply with the judgment for more than sixty days after the date of the notice of enforcement the judgment enforcement officers shall impose a fine of one percent (1%) of the outstanding debt, and [if such refusal lasts] for more than 90 days, three percent (3%) of the outstanding debt.

If [the judgment is for a claim that] is not in a form of a loan [or debt], [for instance, where the claim relates to eviction from premises, the reparation of inheritance and marital property, [or a claim for] alimony] and [where the assets in question] have a value of less than five hundred million kip, a fine of five hundred thousand kip shall be imposed for the first refusal and two million kip for the second refusal; [where the assets in question] have a value of more than five hundred million kip, a fine of two million kip shall be imposed for the first refusal and five million kip for the second refusal.

For claims relating to [rights] whose value cannot be evaluated, such as claims for the return or custody of documents [or] children, a fine of five hundred thousand kip shall be imposed for the first refusal and one million kip for the second refusal.

Fines relating to judgment enforcement shall become state assets upon collection.

In the event that the above measures fail to yield results and to ensure the effectiveness of the enforcement, the judgment enforcement officers shall be required to request the application of Article 173 of the Penal Law. In addition [to any such charge brought under the Penal Law], the person subject to enforcement shall still have to comply with the judgments and measures issued previously.

Article 34. Measures against Legal Entities or Companies

The measures described in Articles 30, 31 and 33 of this Law, except the last paragraph of Article 33, shall apply to active or dissolved legal entities or debtor companies. In the case of companies declared bankrupt by the court, the law on Enterprise Bankruptcy shall apply.

Article 35 (New). Expenses of Judgment Enforcement

The Expenses of Judgment enforcement are any expenses incurred in the enforcement of judgment such as: dismantlement costs, transportation from the place, maintenance of assets. A litigant who loses the incurred in the enforcement of judgment and shall comply with the Law on Court Fees.

Chapter 3

Procedure and Measures in enforcing criminal Court Judgments Relating to Civil Compensation, Fine, Confiscation of Property and items, [and] Re-education without Deprivation of liberty

Article 36. Execution of Civil Compensation and Fine

The procedure and measures for enforcing criminal judgment [imposing] civil compensation and fines shall be implemented as provided in Articles 25 to 34 of this Law.

Judgments [imposing] civil compensation and fines are enforceable against a person, [even if] he is serving his sentence, or has received a pardon or liberation.

Article 37. Confiscation of Property and Items

The enforcement of criminal judgments [imposing] the confiscation of property and Items shall be executed as provided in the relevant judgment; [and shall be enforceable even though] the sentenced person is still serving his sentence, or has received a pardon or liberation.

Article 38. Enforcement of Re-education without Deprivation of Liberty

The enforcement of criminal judgments [imposing] re-education without deprivation of liberty shall be applied only against employees and persons who have income.

The judgment enforcement officers shall give notice of the judgments to the administrative authority or the place where the sentenced person is working in order to deduct his wage and transfer it to the state budget [such deduction shall be] in addition to the payment of any civil compensation imposed by the relevant court judgment.

Article 39. Priority among Civil compensation, Fine and confiscation of Property or Items

In the event that a criminal judgment (impose) civil compensation and fine as well as the confiscation of property or items, and the person sentenced by the court is unable to [meet all of these requirements] at the same time, the civil compensation shall be paid first, then the fine, and the confiscation of property or items [may be enforced] later.

Article 40. Enforcement of Criminal Judgments [imposing] Deprivation of Liberty

Principles, regulations, procedures and measures for the enforcement of criminal judgments [imposing] deprivation of liberty are defined separately in another law.

**Chapter 4
Suspension Modification Termination and
Cancellation of Judgment Enforcement**

Article 41 (New). Causes for the suspension of Judgment Enforcement

Enforcement of Judgment by judgment enforcement officers shall be temporarily suspended in any of the following cases:

1. The person subject to enforcement is mentally ill or is in a situation where it is necessary to suspend enforcement [(for instance, if such person becomes) critically ill as evidenced by a medical certificate issued by a public health centre of at least district level];
2. The case is re-opened according to the time frame provided by law as proposed by the supreme Public Prosecutor;
3. The person subject to enforcement has left the enforcement location as evidenced by a certificate [of the relevant village head];
4. The person subject to enforcement dies but still has heirs;
5. The public prosecutor requests suspension under point 4 of Article 49 (New) of this Law;
6. Final court decision which is not proper to the actuality [and] is unable to enforce.

When causes for suspension of judgment enforcement as above mentioned are concluded it shall continue to enforce.

Article 42. Causes for the Modification, cancellation or termination of Judgment enforcement

The causes for the Modification, cancellation or termination of judgment enforcement include:

1. Improper enforcement of the Judgment;
2. Violation of procedures and measures relating to judgment enforcement or [violation] of other regulations and Laws, as provided in this Law;

In the event that enforcement is modified, cancelled or terminated, whatever has been [seized or] performed must be returned, rehabilitated, compensated for or repaired in order to store things to their actual condition prior to enforcement.

Article 43 (New). Procedure for suspension, Modification, Cancellation or Termination of Judgment Enforcement

When the Ministry of Justice or Judgment enforcement office has received the request for suspension, modification, cancellation or termination of Judgment enforcement it shall consider and examine; if it is deemed reasonable as provided in Article 41 (New) and 42 of this Law; The Ministry of Justice or the judgment enforcement office shall issue an order for suspension, modification, cancellation or termination of judgment enforcement their instruct the judgment enforcement units under in supervision, inform the public prosecutor and the date of the receipt of the request onward.

In the event that the request has no reasons as provided in Article 41 (New) and 42 of this Law, the Ministry of Justice or the judgment enforcement office shall give notice to the judgment enforcement units under its supervision, public prosecutor and litigants within thirty days (do) to continue to enforce.

Other Party and State organization, Lao National Front for construction, mass organizations or individuals are not entitled to instruct the modification, suspension, cancellation, termination or obstruct to the judgment enforcement.

Article 44. Keeping of Case Files

Case files that have been completely enforced shall be kept for twenty years from the date of the instruction to close such case files and thereafter may be destroyed.

**PART IV
Supervision on Judgment Enforcement**

**Chapter 1
Internal Supervision Organization**

Article 45 (New). Internal Supervision Organization

The Internal supervision organizations are as follows:

- The Ministry of Justice;

- Provincial, city's Justice divisions;
- District, Municipal's Justice offices.

Article 46 (New). Rights and Duties of Internal Supervision Organization

The Rights and duties of the internal supervision organization include:

1. Supervise the organization and activities of the judgment enforcement officers;
2. Supervise the responsibility, behavior and working method of the judgment enforcement officers;
3. Supervise the management and the use of the revenue-expenditure relating of the enforcement of judgment.

**Chapter 2
External Supervision Organization**

Article 47 (New). External Supervision Organization

The External supervision organizations are as follows:

- The National Assembly with the participation of the population;
- Public prosecutor office.

Article 48 (New). Rights and Duties of the National Assembly in the Supervision

The National Assembly inspects the judgment enforcement as provided in the Law on the oversight of the National Assembly.

Article 49 (New). Rights and Duties of Public Prosecutor office in the Supervision

In the supervision of the judgment enforcement, the Public Prosecutor office has the main rights and duties as follows:

1. To propose that judgment enforcement organization of the court decision of one's level to report on the state of judgment enforcement;
2. To propose that judgment enforcement of the court decision of one's level to enforce (specified) final decisions and judgments and execute (specified) judgment in respect of which enforcement has been unduly delayed or remain pending in order to enforce and mutually coordinate to settle;
3. To supervise the correctness of the judgment enforcement especially the adherence to Laws, civil compensation, collection and remittance of court fees, taxes and fines into the budget, the confiscation of assets to the State;
4. To request the Ministry of Justice or Judgment enforcement offices to suspend, modify, terminate or cancel a judgment enforcement as provided in Article 43 (New) of this Law;

5. To [after the judgment enforcement agencies have submitted their report to the public prosecutor] prosecute any person subject to enforcement who has violated any Law relating to judgment enforcement [such prosecution shall be brought whether to apply the criminal measures described in Article 173 and other article of the Penal Law.

PART V **Prohibitions**

Article 50 (New). Prohibition for judgment enforcement officers

It is prohibited to judgment enforcement officers to act as follows:

1. To unduly delay, be partial, chose to implement orders, final decisions and judgments;
2. To neglect, breach duty court and lack of responsibility in exercising duties;
3. To use improper attitude in the implementation of the function;
4. To abuse of power, use title, position to look for personal interest;
5. To accept the bribe.

Article 51 (New). Prohibition for Litigants

It is prohibited to Litigants to act as follows:

1. Non-compliance with orders final court decisions and judgments;
2. Conceal, transfer of assets for avoiding the judgment enforcement;
3. Allude some person who has the power to threat, to delay the judgment enforcement;
4. Give bribe to judgment enforcement officials;
5. Threat, obstruct to judgment enforcement;
6. Break in, break up and destroy attached or seized assets;
7. Assault, calumnies the judgment enforcement officers.

Article 52 (New). Prohibition for Individuals and other organizations

It is prohibited to individuals and organizations to act as follows:

1. To exhort litigants not to implement orders, instructions, final court decisions and judgments;
2. To obstruct to the implementation of orders instructions, final court decisions and judgments;
3. Be the intermediary in accepting offering bribe to the judgment enforcement officers;
4. Accept the transfer of assets of which one's has known or must acknowledge such shall be used in the judgment enforcement.

PART VI
Privileges to Productive and Measures against violators

Article 53 (New). Privileges to Productive Persons

Judgment enforcement officers who have good deeds in the implementation of this Law including individuals and organizations cooperating and participating in judgment enforcement will receive commendations and other privileges as provided by regulations.

Article 54 (New). Measures against Violators

Judgment enforcement officers, litigants, individuals or other organizations who violates prohibitions as provided in Article 50 (New), 51 (New) and 52 (New) of this Law will be educated, subject to disciplinary, civil and criminal measures based on the severity of the case.

Article 55 (New). Educational Measures

Judgment enforcement officers, litigants, individuals or other organizations who violate the Law on Judgment enforcement that has a minor nature will be admonished or educated.

Article 56 (New). Disciplinary Measures

Judgment enforcement officers who violate the Law on judgment enforcement that is not a criminal offense and not incur a loss which has the value less than 500,000 kip but has no the honesty, escaped for its guilty will be imposed disciplinary measures according to the following cases:

1. Be criticized, admonished by recording the wrongdoing in the documents files of his biography;
2. Be suspended of his promotion of the rank, salary level, commendation;
3. Be dismissed from position or transfer to take in charge of another duty which is lower than the former position;
4. Remove from office without receiving any privileges.

The person subject to the disciplinary measures shall return fully misappropriated assets.

Article 57 (New). Civil Measures

Judgment enforcement officers, litigants, other individual who violate the Law on judgment enforcement that cause damages to other persons due to their improper act regarding the judgment enforcement will compensate the damages as regards to one's has incurred.

Article 58 (New). Criminal Measures

Judgment enforcement officers, litigants, and other individuals who violate the Law on Judgment enforcement that is a criminal offense such as: opportunistic use of power, accepting bribe and giving bribe, obstruction against the performance of duties of officers, and the non-compliance with court decisions orders will be criminally premised in accordance with Articles 153, 157, 158, 173 and other concerned Articles of the Penal Law.

PART VII
Budget, Uniform, Insignias and Seal

Article 59 (New). Budget

The budget of Judgment administration and enforcement agencies course from State budget for ensuring the performance of activities of the judgment enforcement, the State shall provide reasonable budget.

Article 60 (New). Administration and use of Budget

The budget of judgment administration and enforcement agencies is to use into the activities to direct, encourage, control and implement the judgment enforcement.

The Administration and the use of budget shall be in compliance with Law and regulations on State Budget.

Article 61. Uniform and Insignia

The Ministry of Justice may propose the uniform and insignia of the judgment enforcement officers and submit such proposal to the Government for consideration and approval.

Article 62. Seal

All judgment enforcement agencies have a seal for their operations. The description of such seal of the judgment enforcement offices and units is defined in a special regulation.

PART VIII
Final Provisions

Article 63. Implementation

The Government of the Lao People’s Democratic Republic implements this Law.

Article 64 (New). Effectiveness

This Law is effective from the date of the president of the Lao People’s Democratic Republic has issued a decree to promulgate it.

All Articles which are improved in this Law are effective after thirty days from the date of the President of the Lao People’s Democratic Republic has issued a decree to promulgate it.

All regulations and provisions that contravene this Law are null and void.

The President of the National Assembly

(Signed and sealed)

Thongsing THAMMAVONG