

Unofficial translation



**Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity**

The Government

**No.: 246/GOV
Vientiane Capital, dated 23 July 2014**

DECREE ON FILM

- Pursuant to the Law on the Government of the Lao People's Democratic Republic No. 02/NA, dated 06 May 2003;
- Pursuant to the Law on Media No. 01/NA, dated 25 July 2008;
- Pursuant to the Resolution of the Ordinary Session of the Government in March 2014 No. 03/G, dated 07 April 2014;
- Pursuant to the Request Letter of the Ministry of Information, Culture and Tourism No. 315/MICT, dated 05 June 2014.

The Government hereby issues a Decree:

**CHAPTER 1
General Provisions**

Article 1 Objectives

This Decree defines principles, regulations, and measures on the management, monitoring, and inspection of the organization and operation of films in order to ensure the rights and duties of organizations, legal entities, and individuals participating in the operation of the film business with the aim of ensuring the systematic and uniform management and inspection of films countrywide; thereby enabling films to be one of the tools contributing to the protection and promotion of the fine cultural heritage of the nation and its ethnic groups and ensuring its sustainability and existence within the Lao PDR for the future.

Article 2 Film

Film is a summarized art and an entertainment media that can be widely accessed and displays motion with voice and sound recorded on film, video cassette, CD, DVD, hard disk, or other recording media to be broadcast to the public electronically.

Article 3 Definitions

Terms used in this Decree shall have following meanings:

1. **Movie** refers to a completely produced film;
2. **Movie film** refers to a movie produced by a technical film production tool and recorded on film to be projected via a projector;

3. **Video film** refers to a film produced by a technical film production tool and recorded on video cassette, CD, DVD, hard disk, or other recording media to be projected via a video, CD, or DVD player or other means;
4. **Television series** refers to series broadcast via a television channel;
5. **Film cassette or disc** refers to a movie copied from a movie film onto a video cassette, CD, DVD, or other means;
6. **Film plot** refers to a documentary film plot showing the story and plot of the film;
7. **Film script** refers to a documentary script created by a producer using technical knowledge and showing each scene to be shot based upon the film contents;
8. **Film business operation** refers to the production, distribution, publication, and copying of films;
9. **Film production** refers to the processes of producing films based upon the film plots until their completion;
10. **Film distribution** refers to the bringing of films to the public by means of sale, rental, export, and import;
11. **Film publication** refers to the bringing of films to the public by cinema projection, broadcasting on television, an internet network, and other means;
12. **Film unit** refers to a unit established by an organization or an individual operating the film production, film distribution, or film publication business as stipulated in this Decree and applicable laws and regulations;
13. **Film production unit** refers to an organization or a business operator licensed to supply technical tools and workers for film production;
14. **Film owner** refers to an organization, legal entity, or individual that financially invests in a business to produce or buy ownership or has been assigned or inherited ownership over a film or by other means as provided for in applicable laws and regulations.

Article 4 Government Policies on the Promotion of Film

The Government has the following policies on the promotion of film:

1. To promote and develop films to be widespread, vigorous, and of good quality by training and recruiting personnel, providing budget, tools, technical equipment, and modern technology, and by other means;
2. To encourage and promote local and foreign organizations, legal entities, and individuals to participate in film business operations in accordance with laws and regulations in order to ensure an equal right of operation of film units;

3. To facilitate film units duly incorporated in accordance with laws and regulations to operate their businesses countrywide and internationally;
4. To protect the copyright of film owners and relevant rights in accordance with the Law on Intellectual Property and other applicable laws and regulations;
5. To promote film cooperation with foreign countries by encouraging technical operation, knowledge, information, scientific, and technological exchange.

Article 5 Scope of Application

This Decree applies to domestic and foreign individuals, legal entities, and organizations operating and conducting film production, distribution, and publication services, and film shooting businesses in the territory of the Lao PDR.

CHAPTER 2 Types of Film

Article 6 Types of Film

Films are classified into the following types:

1. Documentaries;
2. Scientific films;
3. Cartoons;
4. Narrative films.

Article 7 Documentary

A documentary is a program that explains or describes any subject in detail from the beginning till the end or clearly clarifies any matter with the purpose of providing audiences with news, evidence, and information in a systematic manner which includes two characteristics as follows:

1. Feature documentary: does not provide detailed and thought-provoking information but gives general ideas and entertainment to audiences. This includes: general features, national event features, tourism and historical features;
2. Documentary: provides detailed and realistic information to make the documentary reliable, mostly through interviewing, describing, location reports, interaction, and dubbed, actual, or recorded voices, and convinces audiences by using production technique with most dubbed voices. These documentaries include analytical and news documentaries.

Article 8 Scientific Films

Scientific films refers to a summary of current advanced techniques to clarify and explain matters for the knowledge of audiences.

Article 9 Cartoon Film

A cartoon film refers to an animation made through technical and electronic shooting processes which causes the cartoon to be animated.

Article 10 Narrative Film

A narrative film refers to an art performance which is made based on actuality. The film includes the following characteristics:

1. A life story film is about family and encouraging people how to live their lives;
2. A comedy film is a depiction, sometimes sarcastic, of people's social lifestyles;
3. An action film is about the use of force and violence to overcome obstacles;
4. A romantic film is about the love and companionship of youngsters which requires special emotion to cast the film;
5. A horror film thrills and scares audiences;
6. An investigative film is about secrets or clues which require legal knowledge and the capability to resolve them;
7. A ghost film is about creating a film about an unaccountable belief that convinces audiences to watch in order to confirm and reveal people's secret beliefs;
8. Other narrative films.

CHAPTER 3 Film Business

Article 11 Types of Film Business

Film businesses consist of the following types:

1. Film production;
2. Film export and import;
3. Film services;
4. Film publication;
5. Form of film publication;
6. Film projection in cinemas and outdoors;
7. Organization of and participation in film festivals, weeks, and exhibitions;
8. Other types of film-related businesses.

Article 12 Film Production

Local and foreign Government organizations, mass organizations, social organizations, legal entities, and individuals living or located in the Lao PDR that wish to produce a film must submit the film contents to the Ministry of Information, Culture and Tourism (MICT) for approval prior to shooting and producing the film.

Foreign organizations, legal entities, and individuals wishing to shoot a film in the Lao PDR must submit an application and the film contents, scripts, and other relevant documents to the MICT for permission. All documents must be in Lao.

Foreign organizations, legal entities, and individuals wishing to produce a narrative film regarding the Lao PDR must submit the film contents to the Embassy of the Lao PDR in the country where they are living or located prior to shooting and producing the film.

Article 13 Personnel for Film Production

Personnel for film production are as follows:

1. A producer;
2. A director;

3. Camera persons;
4. Technical responsible persons;
5. Editors;
6. Performers;
7. Dubbers;
8. Others.

Personnel for film production operating a film production business must have a film operation permit in accordance with applicable laws and regulations which has been duly issued by the MICT.

Article 14 Film Export and Import

Individuals, legal entities, or organizations wishing to export and import films for distribution and providing services in the Lao PDR must obtain permission from the MICT prior to exporting or importing.

Article 15 Conditions for Film Export and Import

Films to be imported into the Lao PDR for distribution and service must have appropriate and useful contents which give knowledge to and entertain audiences; are not contradictory to Government policies, the administrative regime, or national culture and traditions; and does not affect any other countries across the globe.

Films to be exported to foreign countries for distribution and service must have appropriate contents and promote the national culture and traditions.

Article 16 Film Services

Individuals, legal entities, or organizations wishing to show foreign films in the Lao PDR must obtain approval of the film contents from the MICT or the provincial or capital Division of Information, Culture and Tourism of the locality prior to the service provision. All films must be dubbed into the Lao language except for scientific/technical films and foreign language lessons but the act of projecting the film without the permission of the relevant authorities is prohibited.

Article 17 Film Publication

For publication of Lao films and foreign films imported for distribution and projection in the Lao PDR, an applicant must submit an application and required documents to the MICT.

The required documents for film publication consist of:

1. An application for permission;
2. A certificate of ownership over the film;
3. Other relevant documents.

Within 10 working days from the date of receiving a correct, complete application and required documents and after inspection of the film contents, the MICT must consider and issue permission for film publication. Where permission is not given, a response clearly indicating the reasons must be sent to the applicant.

Article 18 Form of Film Publication

Film publication has the following forms:

1. Films projected in theaters and outdoors;
2. Films broadcast on television and internet networks;
3. Films exhibited in a film week or international film festival;
4. Films distributed in the form of video cassette, CD, VCD, DVD, hard disk, or other means;
5. Other means of publication.

Article 19 Broadcasting Films on Television

Films to be broadcast on television must have been permitted by a Government film authority or a managing director of Lao National Television.

Article 20 Films Projected in Theaters and Outdoors

Films projected in a theater or outdoors shall comply with the following:

1. Local and foreign individuals, legal entities, or organizations wishing to project films in a theater and outdoors must obtain permission from the MICT or provincial or capital Division of Information, Culture and Tourism for the locality;
2. Film contents must be approved by the MICT or the provincial or capital Division of Information, Culture and Tourism;
3. Films to be shown must be appropriate, not contradictory to the national culture, traditions, or social order and do not affect any other countries across the globe;
4. Foreign films must be dubbed into the Lao language or can be in the original language with Lao subtitles.

Article 21 Organization of and Participation in Film Weeks, Film Festivals, and Film Exhibitions in the Country

The MICT is in charge of organizing film weeks and national and international film festivals in the Lao PDR from time to time.

Ministries, ministry-equivalent bodies, international organizations, and provincial and capital administrative authorities are in charge of organizing film weeks and film competition festivals with a specific technical knowledge, subject to the written approval of the MICT. Films to be shown in festivals must have been approved and permission granted by the MICT.

Local and foreign organizations and legal entities may show foreign films subject to the written approval of the MICT.

A request letter to hold a film festival, a film competition based on specific knowledge and subject matter, or a request for showing a foreign film in the Lao PDR must indicate the purpose, scope, timeframe, venue, film name, and objective of participants; within ten working days from the date of receiving the request, the MICT must consider and respond in writing whether it approves or not. If not, the MICT must issue and send a response indicating the reasons to the requester.

Article 22 Participation in Film Festivals, Film Competitions, International Film Exhibitions, and the Organization of Film Weeks in Foreign Countries

Film production, distribution, and publication businesses and television units at each level of the Lao PDR may participate in film festivals, film competitions, and international film exhibitions and may organize Lao film weeks in foreign countries subject to the written approval of the MICT;

Organizations, legal entities, and individuals in foreign countries wishing to organize film festivals, film competitions, international film exhibitions, and film weeks regarding the Lao PDR must obtain permission from the Embassy of the Lao PDR located in such countries;

Films submitted to film festivals, film competitions, international film exhibitions, and Lao film weeks in foreign countries must have been granted permission for publication by the MICT prior to the submission.

CHAPTER 4

Copies of Films

Article 23 Copies of Films

Local and foreign individuals, legal entities, or organizations shooting documentaries, narrative films, animation, or other films in the Lao PDR must send one original of the film to the MICT within twelve months to be kept in its archive. Films produced in any form shall be sent to the MICT in such form such as: 16 mm film, 35 mm film, video cassette, CD, DVD, hard disk, or other means of record.

Article 24 National Film Archive

The MICT acts as a national film archive to manage the storage of films, preserve and protect films in accordance with technical standards, and monitor the inspection and resolution of film quality to ensure it lasts for an appropriate period of time.

CHAPTER 5

Film Management and Inspection

Article 25 Film Management and Inspection

The government manages films on a centralized and uniform basis countrywide by assigning the MICT to be directly in charge of liaising with relevant authorities and local administrative authorities to implement the management of films.

Film management and inspection authorities consist of:

- The MICT;
- The provincial or capital Divisions of Information, Culture and Tourism;
- The district or municipal Offices of Information, Culture and Tourism.

Article 26 Rights and Duties of the MICT

In the management of films, the MICT has the following rights and duties:

1. To review draft policies, strategic plans, laws and regulations, programs, and film development plans in order to make proposals to the government for consideration;

2. To expand policies and strategic plans to become programs, plans, and film development projects and implement them;
3. To publish and study policies, laws, and regulations on films;
4. To organize, manage, and supervise the operation of film units under its supervision;
5. To supervise, encourage, monitor, and inspect the operation of the provincial and capital Divisions of Information, Culture and Tourism in complying with laws and regulations, plans, and projects regarding films;
6. To develop, train, and develop film personnel politically and technically;
7. To review, consider, permit, suspend, cancel, or withdraw construction permits and film operation licenses;
8. To issue and withdraw film operation permits for personnel of local and foreign film units not operating their businesses in accordance with the laws and regulations of the Lao PDR;
9. To collect and destroy improper films;
10. To keep films as a national heritage storage;
11. To amend a request letter and prevent illegal film operations;
12. To liaise and cooperate with foreign countries and international organizations regarding films;
13. To summarize, assess, and report on the implementation of film work to the government on a regular basis;
14. To perform other rights and duties in accordance with laws, regulations, and assignments.

Article 27 Rights and Duties of Provincial and Capital Divisions of Information, Culture and Tourism

In the management of films, the provincial and capital Divisions of Information, Culture and Tourism have the following rights and duties:

1. To publish and study policies, laws, and regulations on films;
2. To implement laws and regulations, plans, programs, and projects;
3. To survey and collect information on films;
4. To monitor and supervise film operations;
5. To manage local and foreign film producers operating within a province or the capital;
6. To manage the import and export of film cassettes or discs;
7. To issue, withdraw, and cancel licenses for the distribution of film cassettes or discs, to collect and destroy illegal films;
8. To supervise and encourage district and municipal Offices of Information, Culture and Tourism in the implementation of film work;
9. To amend a request letter and prevent illegal film operations;
10. To liaise and cooperate on films with foreign countries based on the assignments from relevant competent authorities;
11. To summarize, assess, and report on the implementation of film work to higher authorities;
12. To perform other rights and duties in accordance with laws, regulations, and assignments.

Article 28 Rights and Duties of District and Municipal Offices of Information, Culture and Tourism

In the management of film, the district and municipal Offices of Information, Culture and Tourism have the following rights and duties:

1. To publish and study policies, laws, and regulations on films;
2. To implement laws and regulations, plans, and projects regarding films;
3. To survey, collect information on, and register films;
4. To issue, withdraw, and cancel licenses for the distribution of film cassettes or discs, to collect and destroy illegal films;
5. To liaise with other relevant authorities to manage and implement film work;
6. To summarize, assess, and report on the implementation of film work to higher authorities;
7. To perform other rights and duties in accordance with laws, regulations, and assignments.

Article 29 Rights and Duties of Other Authorities and Parties

Other relevant authorities, organizations, and parties have obligations and duties to liaise with the Information, Culture and Tourism authority to manage, promote, and develop films based on their roles.

CHAPTER 6 Film Dispute Resolution

Article 30 Dispute Resolution

The resolution of disputes in general regarding the incorporation, operation, or conducting of film business shall be made by litigants through amicable reconciliation. If the dispute cannot be resolved by such amicable reconciliation, it must be submitted to the MICT or provincial or capital Division of Information, Culture and Tourism where litigants are registered for resolution in accordance with applicable laws and regulations.

Article 31 International Dispute Resolution

International dispute resolution regarding films shall comply with international contracts or conventions to which the Lao PDR is a party.

CHAPTER 7 Prohibitions

Article 32 Prohibitions for Film Operators

Film operators are prohibited from:

1. Publishing advertisements which oppose the Lao People's Democratic Republic;
2. Publishing advertisements affecting solidarity and causing discordance between Lao and foreign citizens;
3. Publishing advertisements that are negative, harmful to society, obscene, cruel, credulous, and harmful to the national culture and traditions;
4. Disclosing Government secrets, military secrets, national public security, matters of confidential economic and international relations, personal matters, and other confidential information as provided for in applicable laws and regulations;
5. Making up stories, distorting facts or history, or refusing revolutionary outcome;

6. Conducting other acts which violate laws and regulations.

Article 33 Prohibitions for Film Staff

Film staff and participants in festivals and exhibitions are prohibited from disseminating information that conflicts with the professional ethic of Lao film specialists, is vulgar, or conducting other acts as stipulated in Article 32 herein.

Article 34 Prohibitions for other Organizations and Individuals

Other organizations and individuals are prohibited from:

1. Obstructing the operation of film specialists or participants or intervening in film contents duly made in accordance with laws and regulations;
2. Obstructing any type of film production and publication being carried out duly in accordance with laws and regulations;
3. Producing, importing, or publishing films without permission;
4. Using violence, threats, intimidation, slander, or insults or behaving improperly toward film specialists;
5. Carrying out any other acts which violate laws and regulations.

CHAPTER 8

Official Fees and Service Charges

Article 35 Official Fees and Service Charges

Individuals, legal entities, and organizations operating film production businesses must pay official fees and service charges in accordance with the Presidential Edict on Fees issued from time to time.

Official fees must be contributed to the Government budget in full. The service charges shall be reported to the Ministry of Finance on a regular basis.

CHAPTER 9

Awards for Good Performance and Measures Against Violators

Article 36 Awards for Good Performance

Individuals, legal entities, and organizations with outstanding performance in contributing to film work shall be rewarded by medals of honor, complimentary medals, certificates, titles, and other appropriate policies.

Article 37 Measures against Violators

Individuals, legal entities, and organizations that violate this Decree and applicable laws and regulations shall be subject to measures depending on the severity of each case, such as disciplinary measures, fines, temporary suspension of business, withdrawal of film business licenses or film operation permits of film specialist, civil compensation, or penal sanctions.

CHAPTER 10

Final Provisions

Article 38 Implementation

The MICT is assigned to liaising with relevant authorities to effectively and strictly implement this Decree.

Ministries, ministry-equivalent bodies, local administrative authorities, legal entities, and individuals shall acknowledge and strictly implement with this Decree.

Article 39 Effectiveness

This Decree is effective from the date of the promulgation by the President of the Lao People's Democratic Republic and fifteen days after posting on the Lao Official Gazette.

Any regulations or provisions that conflict with this Decree shall be canceled.

The Prime Minister

[Signature and seal]

Thongsing THAMMAVONG