

U n o f f i c i a l T r a n s l a t i o n

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

No. 164/Gov  
Vientiane Capital, Dated 21/03/2012

## **Decree on the Management and Use of Internet, and Domain Name of the Lao PDR**

- Pursuant to the Law on the Government of the Lao PDR No. 02/NA, dated 6 May 2003;
- Pursuant to the Law on Telecommunication No. 02/NA, dated 10 April 2001;
- Pursuant to a Letter of Proposal from the Ministry of Post, Telecommunication and Communication No. 316/PTM, dated 24/2/2012.

**The Government issues a Decree as follows:**

### **Chapter 1 Final Provision**

#### **Article 1. Objective**

This Decree determines the principles, regulations and measures in the management, inspection and use of internet and Domain Name of the Lao PDR to ensure its orderliness, safety and high quality which aiming to guarantee the service providing to the society in terms of communication or delivery and receiving of information through the internet with good quality, accuracy, quickness and convenience and fairness.

#### **Article 2. Internet**

The internet is the worldwide communication network through the internet which can be connected to each other through the telecommunication network.

#### **Article 3. Terms Definition**

The terms used in this Decree have the definitions as follows:

1. **Internet resources** refer to the names and digits in the same standard for connecting the computer network worldwide, the internet resources comprises of Internet Protocol: IP, Doman Name: DN, and Autonomous System Number: ASN;

2. **Internet Protocol (IP)** refers to the digits that specify the number and address of each computer that being connected with the internet network;

3. **Domain Name (DN)** refers to the name for use in place of the Internet Protocol for easy remember and use;

4. **Top Level Domain Name (TLD)** refers to the Domain Name that specify the number and address of the internet network, the Top Level Domain Name comprises of the country code Top Level Doman Name (ccTLD) and the generic Top Level Domain Name (gTLD);

5. **country code Top Level Domain Name (ccTLD)** refers to the Domain Name of each country. The country code Top Level Domain Name of the Lao PDR is “.la”;

6. **generic Top Level Domain Name (gTLD)** refers to the domain name ending by: .com, .net, .edu, .org, .int, .biz, .inf, .name, .pro, .per, .musuem, .coop etc.,;

7. **Second Level Domain Name (2LD), Third Level Domain Name (3LD) and the next level** refer to the Domain Name next to the Top Level Domain Name downward respectively. Any Domain Name must be from the Second Level Domain Name and lower;

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8. **Foreign Domain Name** refers to the Domain Name at the level lower the generic Top Level Domain Name or the Top Level Domain Name of any country which is not “.la” of the Lao PDR;

9. **Internationalized Domain Name (IDN)** refers to the Domain Name written in any languages other than Roman;

10. **Domain Name System (DNS)** refers to the data collection system of the Domain Name and Internet Protocol being used in the internet network. The Domain Name System is a system to change the Internet Protocol into the Domain Name for easy remember and use;

11. **Autonomous System Number (ASN)** refers to any code of computer network;

12. **Domain Name Registry (Registry)** refers to an authority in charge of the management of Domain Name registration. The National Internet Center performs its duties as the Domain Name Registry of the Lao PDR;

13. **Registrar** refers to an individual or legal entity both within the country and in abroad who is authorized to provide a service related to the registration of Domain Name and Internet Protocol under the Lao PDR Domain Name;

14. **Registrant** refers to any organization or individual in general applying for registration of Domain Name with the Registrar;

15. **Domain Name Registration** refers to a request for the right to properly use of Domain Name. The registration of Domain Name “.la” refers to the registration of any Domain Name under the “.la” Domain Name.

## **Article 4. Principles for Management and Use of Internet**

The Principles of management and use of internet of the Lao PDR are as follows:

1. Must connect with foreign country through one-door policy;
2. Must ensure confidentiality, safety and fairness of the service;
3. To serve both compulsory and general suppliers;
4. To respect and comply with the contract and treaty.

## **Article 5. Scope of Use of Decree**

This Decree is applied for individual, legal entity and organizations within the country and in abroad which provide and use the service related to the internet in the territory of the Lao PDR.

## **Chapter 2 Determination of Domain Name**

### **Article 6. Determination of Domain Name “.la”**

The Domain Name “.la” comprises of:

- a. Top Level Domain Name “.la”;
- b. Second Level Domain Name;
- c. Third Level Domain Name;
- d. Fourth Level Domain Name;
- e. Other Domain Name ending by “.la”.

The Domain Name in Lao language shall be included in the Domain Name “.la” which are written in the Lao language.

## **Chapter 3 Connection of Internet Network**

### **Article 7. Connection of Internet Network**

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The National Internet Center (hereinafter referred to as NIC) is the sole connecting point of the internet network within the country and in abroad.

The NIC is a technical unit with a status equivalent to department and is under the leadership of the Ministry of Post, Telecommunication and Communication.

## **Article 8. Connection Requirement**

The network connection with NIC of the Domain Name service provider must comply with the following requirement:

1. The service provider must be inspected and scrutinized for the accuracy in accordance with the technical standard of the NIC;
2. The service provider must guarantee that the two system can be connected to each other and cause no harm to the system of NIC;
3. The service provider must prepare technical graphs and other documents related to the specification of the technical equipment.

## **Chapter 4 Registration of Domain Name**

### **Article 9. Registration of Domain Name**

The National Internet Center is the body who authorizes individual, legal entity and organization both within the country and in abroad to be a sole service provider related to Domain Name in the Lao PDR. Individual, legal entity and organization who wish to provide the service and use internet under the Domain Name “.la” shall be registered with the National Internet Center.

### **Article 10. Registration of Domain Name “.la”**

The registration of Domain Name “.la” shall be conducted as follow:

- a. Individual, legal entity and organization existed within the country and in abroad engaging in internet related business can register and use the system of Domain Name “.la”;
- b. The Party and government organizations having its own website must use the Domain Name “.la” and must store the information in the land system computer which uses the Internet Protocol of the National Internet Center and locates in the Lao PDR;
- c. Domain Name which is the name of the party and government organization shall be preserved for such organizations;
- d. Individual, legal entity and organization who are authorized to use the Domain Name “.la” shall be able to provide the Third Level Domain Name which is underneath such Domain Name for each internal unit which they belong to only;
- e. There shall be only a Registrar who is authorized to provide the Third Level Domain Name which is underneath his Domain Name to other organizations and individuals for use.
- f. The registration of the International Domain Name is being implemented directly with organizations that provide International Domain Name in foreign countries or through the registration broker of International Domain Name who represents the organizations that provide the International Domain Name in foreign countries. Organizations and individuals who register the International Domain Name must inform the Ministry of Post, Telecommunication and Communication. The registration broker of the International Domain Name who represents organizations in providing the International Domain Name in foreign countries must declare its registration activities as required by the Ministry of Post, Telecommunication, Communication;
- g. The Domain Name is not allowed to include any expression which violate the benefits of the nation or which is improper, such as: the activities related to the society or the fine tradition of the

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nation and the ethnic people, shall avoid complexity or misrepresented nature due to verbal language can be used in multiple sound or without accent mark.

## **Article 11. Registration Method of Domain Name “.la”**

The registration of Domain Name “.la” comprises of two methods as follows:

1. Through a service provider or a registrar who is authorized from the National Internet Center;
2. Through the electronic system which can show determination of the registration applicant via the service provider or the registrar who obtain authorization from the National Internet Center;

## **Article 12. Adjustment of Registration Data for Domain Name “.la”**

To change the Domain Name, it is required to cancel the previous registration to enable the new registration and put new Domain Name. The change of the ownership of the registrant must be notified the service provider or the registrar in advance with the consent of the former registrant.

## **Article 13. Termination on the Use of Registration with Domain Name “.la”**

The termination on the use of registration with the Domain Name “.la” refers to the permanent cessation of using Domain Name permanently and voluntarily by the service provider, in the following cases:

- a. Expiration of the Domain Name;
- b. Failing to pay for maintenance;

## **Article 14. Suspension the Use of Domain Name “.la” Registration**

The suspension on the use of Domain Name registration refers to a temporary suspension of the service user in the following cases:

- a. Violation of this Decree or other relevant laws;
- b. Failure to pay any renewal fees within 30 days prior to the expiration date.
- c. Infringement in the application of lower level Domain Name which fails to meet the objective.

## **Article 15. Withdrawal of Domain Name Registry “.la”**

Withdrawal of Domain Name refers to the permanent cessation of Domain Name application in the following cases:

- a. Through the orders, decisions or judgment of the people’s court;
- b. Service user’s failure to improve and remedy after the suspension of Domain Name in accordance with Article 14 of this Decree.

## **Chapter 5**

### **Rights and Duties of Service Providers and Internet Service Users**

## **Article 16. Rights of Internet Service Provider (ISP)**

The internet service provider shall have the following rights:

1. Provide the services in the field of internet;
2. Inspect the activities of its own internet service user;
3. Warning, stopping, imposing discipline and measures.

## **Article 17. Functions of Internet Service Provider (ISP)**

Internet Service Providers shall have the functions as follows:

1. Manage and train the users to act in comply with the relevant policies, decrees and regulations;

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2. Be liable before the law for any purposes of using, the accuracy of the given information, not to breach the legitimate rights and benefits of organizations and other persons;

3. Be liable for the management and preservation of the rights to use Domain Name and be liable to all breaches arising from the use of its own Domain Name;

4. Exercise obligations as specified in the relevant regulations;

5. Prepare report on its own service activities on a regular basis.

## **Article 18. Rights of Service Provider**

The Service Provider shall have the rights as follows:

1. Use the service in according to the authorized objectives;

2. Use the service in according to the authorized rights;

3. Be able to immediately move the use of service from one service provider to the other based on the transfer request, but all debts must be paid first.

## **Article 19. Responsibilities of Service Users**

The service provider has the following responsibilities:

1. To comply with the rules and regulations of the National Internet Center and the Service User;

2. To protect the confidentiality of the nation;

3. To report on the sources of information which are not in accordance with the regulation of related officials on time;

4. To take responsibility before the law, for the purpose of use, the accuracy of the information presented, not violate the legitimate rights and interest of organizations and other individuals;

5. To be responsible for the management, maintenance of the right to use Domain Name and to be responsible to all violation incurred from they own Domain;

6. To perform other obligations as specified in relevant regulations.

## **Chapter 6 Rights and Duties of Registrar**

### **Article 20. Registrar**

The registrar is the person who provides service related to registration of Domain Name and the maintenance of the registry “.ccTLD.la” which obtain authorization from the National Internet Center based on the following conditions:

1. Being individual, legal entity and organizations within the countries and in abroad that has been legally registered;

2. Have secure financial status, possess personnel with technical capacity, internet network and the service system for registration and maintenance “.la”.

### **Article 21. Rights of Registrar**

The registrar shall have the rights as follows:

1. Provide the service for Domain Name registration in the country and in abroad;

2. Collect service charge for the registration and maintenance of Domain Name “.la” in accordance with the National Internet Center in each period;

3. Stop providing the service to any service user who violates this Decree;

4. Cease providing the service to any service user who fails to pay the service charge and the fee for Domain Name as provided.

### **Article 22. Responsibilities of Registrar**

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The registrar shall have the following responsibilities:

1. Be responsible for the registration of Domain Name, maintain and guarantee the security of Domain Name and his own database;
2. Provide the information related to the registration based on the request from the relevant Government agencies;
3. For a registrar who has office located in the Lao PDR must use Primary Domain Name System (Primary DNS) of the National Internet Center;
4. Provide service for the registration of Domain Name “.la” to individual, legal entity and organizations within the country and in abroad in accordance with the Laws of the Lao PDR;
5. For any registrar who has office located in oversea can provide service for registration of Domain Name “.la” to individual, legal entity and organizations in accordance with the Laws of the Lao PDR;
6. Coordinate with the National Internet Center and the government agencies to solve disputes related to the use Domain Name;
7. Report his own activities to the National Internet Center on a regular basis;
8. Develop registration form, method of management and procedure of registration, and manage Domain Name in accordance with the regulations of the National Internet Center;
9. Inform other information such as: address, telephone no., fax no., e-mail address or ID card if there is any changes to such information;
10. Perform in accordance with this Decree and any commitments under the Agreement jointly signed between the service provider, National Internet Center and relevant laws of the Lao PDR.

## **Chapter 7** **Management of Internet**

### **Article 23. Internet Management Authority**

The Authority in charge of internet management comprises of:

- Ministry of Post, Telecommunications and Communication;
- Division of Post, Telecommunications and Communication at provincial, capital city level;
- Office of Post, Telecommunications and Communication at district, municipality level.

The Internet Management Authority is under the direct supervision of the National Internet Management Committee.

### **Article 24. Rights and Duties of the Ministry of Post, Telecommunications and Communication**

The Ministry of Post, Telecommunications and Communication has the rights and duties as follows:

1. Study and determine the strategic plan regarding the national highest level of Domain Name service, manage the internet service provider and service users.
2. Propagate, disseminate policy, strategic plan, laws and regulations related to internet activities, direct and monitor the implementation;
3. Study and determine technical standard, selection of technology related to internet equipment;
4. Issue detail instruction as well as scrutinize representative agency, individual and legal entity who operate internet related business;
5. Organize, manage and inspect the use of internet to be effective, ensure its orderliness and conformity with the party's polity, the state law and the regulations related to the use of internet in the Lao PDR;

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6. Issue of withdraw license of organizations, legal entity and individual in general who are in need of using and providing service on internet;
7. Coordinate with organizations involved in internet activities within the country and in abroad in order to cooperate and seek support in building personnel, fund, and technique;
8. Consider to exempt fee for internet use to international organizations, embassies and other organizations;
9. Collaborate with relevant sectors to study and propose the adjustment of fee rate and internet service charge;
10. Inspect the internet connection throughout the country and with foreign countries;
11. Propose the method and measures to the higher authority in order to set condition to improve the management and inspection of internet usage of the Lao PDR;
12. Warn and impose disciplinary sanction to individual, legal entity or organizations who provide internet service improperly and cannot guarantee orderliness, not in conformity with the party's policy and direction, the law of the state and other internet regulations of the Lao PDR;
13. Exercise other rights and perform other duties as specified in the Laws and regulations.

## **Article 25. Rights and Duties of the Division of Post, Telecommunication, and Communication at provincial and capital city level**

The Division of Post, Telecommunication and Communication at provincial and capital city level has the rights and duties as follows:

1. Expand policy, plan and decision of Ministry of Post, Telecommunication and Communication regarding the internet service into its own detailed plan, program and project and to implement;
2. Implement the laws and regulations related to internet activities;
3. Supervise the Office of Post, Telecommunication and Communication of district, municipality concerning the internet activities;
4. Collect statistic data of user and the demand for the use of internet service at its locality;
5. Accept application and provide the information on the application for use and provide internet service in its locality, to submit to the higher authority to issue license in according to the regulations;
6. Monitor the business operation of the internet service provider within its locality;
7. Monitor the use of internet in its locality;
8. Consider solving the request of service user regarding the quality, standard of the internet service;
9. Coordinate with administrative authority at province and capital city in order to manage the internet activities;
10. Exercise other rights and perform such other duties as specified in the laws and regulations.

## **Article 26. Rights and Duties of the Office of Post, Telecommunication, and Communication at district, municipality level**

The Office of Post, Telecommunication, Communication at district and municipality level has the rights and duties as follows:

1. Implement the policy, strategic plan, laws and regulations related to the internet activities;
2. Monitor the internet service within the district and municipality under its jurisdiction;
3. Accept application and provide the information related to an application to use and provide internet service within its locality in order to submit to the higher authority to issue License accordingly;
4. Consider solving the request of service user regarding the quality, standard of the internet service;

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5. Coordinate with district, municipal administrative authority in the management of internet activities;
6. Exercise such other rights and perform such other duties as specified in the law and regulations.

## **Chapter 8** **The National Internet Management Committee**

### **Article 27. Location and Role**

The National Internet Management Committee is abbreviated as “NIMC” appointed and directly supervised by the Prime Minister, has the role in leading the internet task macro management authority, coordinate with the ministries and authority in charge of internet activities with the aim to protect the right and interest of the society.

### **Article 28. Rights and Duties of the National Internet Management Committee**

The National Internet Management Committee has the rights and duties as follows:

1. Guide the Macro-Management Authority in the field of internet activities in order to determine the standard, condition, service and other tasks involved the internet in the Lao PDR;
2. Guide the task for opposing and lodge a claim to the court in case of having internal and external intervention through the internet system with the intension to destroy the political regime, economic, social-culture and the stability of the Lao PDR;
3. Study and set mechanism, policy, operation regulations and remedy measures related to the internet task in the Lao PDR;
4. Propose the Government to improve and amend policy or laws and regulations which deemed not in conformity with the actual situation of the Lao PDR;
5. Exercise such other rights and perform such other duties in accordance with the laws and regulations and the Government’s Decision.

## **Chapter 9** **Fees and Service Charges**

### **Article 29. Fees and Service Charges**

The collection of fees and service charges shall comply with the Executive Decree on Fees and Service Charges as promulgated periodically.

## **Chapter 10** **Final Provision**

### **Article 30. Implementation**

The Ministry of Post, Telecommunication, and Communication and the National Internet Management Committee are assigned to strictly implement this Decree.

Ministries, ministry-equivalent authority and local administrative authority at all levels shall acknowledge and implement this Decree.

### **Article 31. Effectiveness**

This Decree shall be effective from the date of the signature. All regulations, provisions which contradict with this Decree shall be annulled.



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Representative of the Government  
Prime Minister

[Signed and sealead]

Thongsing Thammavong

Unofficial Translation