

Chapter V The National Assembly

Written by Administrator

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There are no translations available.

Article 52. (New) □□□ The National Assembly is the representative of the rights, powers and interests of the multi-ethnic people. The National Assembly is also the legislative branch that has the right to make decisions on fundamental issues of the country, [and] to oversee the activities of the executive organs, the people's courts and the Office of the Public Prosecutor.

Article 53. (New) The National Assembly has the following rights and duties:

1. To prepare, adopt or amend the Constitution;
2. To consider, adopt, amend or abrogate the laws;
3. To consider and adopt the determination, amendment or abrogation of taxes and duties;
4. To consider and adopt strategic plans for socio-economic development and the State budget;
5. To elect or remove the President, the Vice-President and members of the National Assembly Standing Committee;
6. To elect or remove the President and Vice-President of the State based on the recommendation of the National Assembly Standing Committee;
7. To consider and approve the proposed appointment or removal of the Prime Minister based on the recommendation of the President of the State, and to consider and approve the organisational structure of the government and the appointment,

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transfer or removal of members of the government based on the recommendation

of the Prime Minister;

8. To elect or remove the President of the People's Supreme Court and the Supreme

Public Prosecutor^[1] based on the recommendation of the President of the State;

9. To decide on the establishment or dissolution of the ministries, ministry-equivalent

organisations, provincial authorities and city authorities^[2], and to determine the

boundaries of provinces and cities based on the recommendation of the Prime Minister;

10. To decide on granting amnesties;

11. To decide on the ratification of or [withdraw from] treaties and agreements signed with

foreign countries in accordance with the laws;

12. To decide on matters of war or peace;

13. To oversee the observance and implementation of the Constitution and laws; [and]

14. To exercise such other rights and perform such other duties as provided by the laws.

Article 54. (New) The term of office of each National Assembly legislature is five years.

Members of the National Assembly are elected by the Lao citizens in accordance with the

laws.

The election of a new National Assembly legislature must be completed no later than sixty days prior to the expiration of the term of office of the incumbent National Assembly [legislature].

In the case of war or any other circumstance that obstructs the election, an [incumbent] National Assembly [legislature] may extend its term of office but it must carry out the election of the new National Assembly no later than six months after the situation returns to normal.

If deemed necessary by the vote of at least two-thirds of all members of the National Assembly attending the session, such [incumbent] National Assembly [legislature] may carry out the election of [new] members prior to the expiration of its term.

Article 55. The National Assembly elects its own Standing Committee which consists of the President, the Vice-President and a number of members.

The President and Vice-President of the National Assembly are also the President and Vice-President of the National Assembly Standing Committee.

Article 56. (New) The National Assembly Standing Committee is the permanent body of the National Assembly, and is to carry out duties on behalf of the National Assembly during the recess of the National Assembly.

The National Assembly Standing Committee has the following rights and duties:

1. To prepare for the National Assembly sessions and to ensure that the National Assembly implements its work plan;
2. To interpret and explain the provisions of the Constitution and the laws;
3. To oversee the activities of the executive organs, the people's courts and the [Office of the] Public

Chapter V The National Assembly

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Prosecutor during the recess of the National Assembly;

4. To appoint, transfer or remove judges of the people's courts at all levels and of the military

courts;

5. To summon the National Assembly into session; [and]

6. To exercise such other rights and perform such other duties as provided by the laws.

Article 57. The National Assembly convenes its ordinary session twice a year at the summons of the National Assembly Standing Committee.

The National Assembly Standing Committee may convene an extraordinary session of the National Assembly if it deems it necessary.

Article 58. National Assembly sessions shall be convened only with the presence of more than one-half of the total number of the National Assembly members.

Resolutions of the National Assembly shall be valid only when they are voted for by more than one-half of the number of the National Assembly members present at the session, except as otherwise provided in Articles 54, 66 and 97 of this Constitution.

Article 59. (New) The organisations and persons that have the right to propose draft laws are as follows:

1. The President of the State;

2. The National Assembly Standing Committee;

3. The Government;

4. The People's Supreme Court;

5. The Office of the Supreme Public Prosecutor; [and]

6. The Lao Front for National Construction and the mass organisations at the central level.

Article 60. Laws already adopted by the National Assembly must be promulgated by the President of the State no later than thirty days after their adoption. During this period, the President of the State has the right to request the National Assembly to reconsider [such laws]. If the National Assembly affirms its previous decision after reconsidering such laws, the President of the State must promulgate them within fifteen days.

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Article 61. Questions relating to the destiny of the country and the vital interests of the people must be submitted [for the approval of] the National Assembly, or the National Assembly Standing Committee during the recess of the National Assembly.

Article 62. (New) The National Assembly establishes its own committees to consider draft laws and draft presidential edicts for submission to the National Assembly Standing Committee and the President of the State; and assists the National Assembly and the National Assembly Standing Committee in exercising oversight of the activities of the executive organs, the people's courts and the [Office of the] Public Prosecutor.

Article 63. (New) Members of the National Assembly have the right to interpellate the Prime Minister or [other] members of the government, the President of the People's Supreme Court and the Supreme Public Prosecutor. Persons interpellated must give oral or written answers at the National Assembly session.

Article 64. Members of the National Assembly shall not be prosecuted in court or detained without the approval of the National Assembly, or the National Assembly Standing Committee during the recess of the National Assembly.

In cases involving manifest or urgent offences, the organisation which has detained the member of the National Assembly must immediately report to the National Assembly or to the National Assembly Standing Committee during a recess of the National Assembly for consideration and decision [on further action concerning the member]. Investigations shall not [be conducted in such a manner as to] prevent a prosecuted member from attending National Assembly sessions.

[1] The term "Supreme Public Prosecutor" is used to refer to the role or title of the highest-ranked prosecutor in the country (akin to an Attorney-General). In Laos, sometimes, this title is translated as "Prosecutor General".

[2] The generic word "city" is often interchangeably translated as "Vientiane City" (e.g., "city authorities" is often translated as "Vientiane City authorities") because Vientiane is, as of 2005, the only city. The generic term has been used in this translation in anticipation that other cities may emerge.