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CONSTITUTION OF THE KINGDOM OF LAOS

May 11, 1947

Text revised and adopted by the National Congress
during its session of August 30, 1957

PREAMBLE

Laos, conscious of the role which its history assures it, persuaded that its future can be based only on the reunion of all the provinces of the country solemnly proclaims its UNITY and its INDEPENDENCE.

The people of Laos affirm their loyalty to the monarchy and to the dynasty of HIS MAJESTY SISAVANG VONG, King of Laos,

They declare that they wish to be governed by a democratic government.

They present Constitution recognizes as fundamental principles the rights of the Lao, especially equality before the law, legal protection of the means of existence, the freedom of conscience and other democratic liberties, subject to the conditions defined by the law; it imposes as obligations the service of the country, the respect of conscience, the practice of solidarity, the fulfillment of family obligations, application to work and to instruction, integrity and observance of the law.

TITLE I - GENERAL PRINCIPLES

Article 1

Laos is a united kingdom, indivisible and democratic.

Its capital is Vientiane.

Article 2

The emblem of the Lao nation is the red flag bearing in its center the traditional white three-headed elephant resting on a pedestal of five steps and surmounted by the white umbrella of seven levels.

The national hymn is the "XAT LAO" whose music and words are established by law.

Article 3

The national sovereignty emanates entirely from the Lao people. The King exercises this sovereignty in conformity with the provisions of the present Constitution.

Article 4

All individuals belonging to races definitely settled on Lao territory are Lao citizens, so long as they do not already have another nationality. The conditions for acquisition and loss of Lao nationality are established by law.

Article 5

All nationals of both sexes, having reached their majority and enjoying their civil and political rights, are voters, subject to conditions determined by law.

Article 6

The official language is the Lao language.

Article 7

Buddhism is the State religion. The King is its High Protector.

TITLE II - THE KING

Article 8

The throne of Laos is the heritage of the Crown Prince or of the male descendants of King SISAVANG VONG, in accordance with the dynastic rules of devolution of the crown and the customary law of succession to the throne.

The King is the supreme head of the State.

His person is sacred and inviolable. He must be a fervent Buddhist.

Article 9

The King has the authority to designate an heir to the throne as well as to revoke this decision.

This designation will be made according to the dynastic rules of devolution of the crown and the customary law of succession to the throne.

In the event of a vacancy of the throne, an heir not having been designated by the King, the new sovereign will be proclaimed King of Laos by the National Congress on the proposal of the King's Council.

Article 10

In the event of legal or physical incapacity of the King, determined by the King's Council on the advice of competent medical authority, his power will be exercised by a Regent.

The Regent will be the Crown Prince, if one has been designated and if he has reached his majority.

In the absence of a Crown Prince or in the event of his legal or physical incapacity determined in the same manner as above, the Regent will be a member of the royal family designated by the King's Council with the concurrence of the National Assembly.

The rules prescribed in the three preceding paragraphs will apply when the King is a minor.

Article 11

The Regent will enter upon his duties only after having taken, at the principal pagoda of Vientiane in the presence of the members of the National Assembly and of the King's Council, the following oath:

"I swear to be loyal to the King, to the Constitution, to the laws of the Kingdom and to devote myself to the interests of the country."

Article 12

While awaiting the designation of the Regent, the King's Council will assume the direction of the affairs of the Kingdom. The same will apply in the case of the temporary absence of the King from Laos. In this event, the King's Council will be convened permanently.

Article 13

The King sanctions and promulgates by Royal Decree the laws voted by the National Assembly in conformity with the conditions established in Article 30. He enacts by Royal Decree the statutory provisions proposed by the Government and countersigned by the responsible Ministers.

In case of the impossibility of convening the Deputies because of exceptional circumstances, the King, with the agreement of the Standing Committee of the National Assembly, is authorized to take legal measures by Royal Decree subject to subsequent ratification by the National Assembly.

Article 14

The King is the Supreme Commander of the Armed Forces.

He cannot declare war without the concurrence of the National Assembly, voted by two thirds of its entire membership.

Article 15

The King creates and confers, pursuant to the law, the civil and military ranks.

Article 16

The King has the right of pardon and commutation of sentence.

Article 17

The King exercises his authority through the intermediary of the Ministers designated by him when they have received the confidence of the National Assembly.

He presides over the Council of Ministers. Whenever he is prevented from presiding, he may delegate the Presidency.

Article 18

The King, besides his private property, enjoys the use of the real and personal property belonging to the State and grouped under the name of "Crown Property". This property includes:

- a. Real property: palaces, mansions, villas, parks, forests, royal sepulchers.
- b. Personal property: crown jewels, museums, furniture.

TITLE III - THE COUNCIL OF MINISTERS

Article 19

The King designates the President of the Council, who forms the Government with the approval of the National Assembly.

The President of the Council and the Ministers can be appointed only after a vote of confidence of the National Assembly by a majority of the members present, not including Deputies who are candidate members of the Government, who do not have the right to vote.

The members of the Government must, after their appointment and before taking office, take the following oath at the principal pagoda of Vientiane in the presence of the President and members of the National Assembly: "I swear to be loyal to the King, to the Constitution and to defend it, to serve the country and the Lao people with conscience and integrity."

In case of a vacancy through death or any other cause, the King will designate a new President of the Council chosen from the Ministers, who will present himself as soon as possible for the approval of the National Assembly.

Article 20

The Ministers may be selected from the members of the National Assembly or from elsewhere.

There is no incompatibility between the office of member of the Government and the mandate of Deputy. However, Deputies serving as members of the Government or being candidates for such office may not participate in a vote of confidence or in votes on motions of censure.

Article 21

The President of the Council and each of the Ministers direct one or more Ministerial departments and can initiate laws.

Secretaries of State may be appointed under the same forms and conditions as Ministers.

The President of the Council and the Ministers are responsible before the National Assembly collectively for the general policy and individually for their personal acts.

The President of the Council may be assisted in exceptional circumstances by a Vice-President of the Council, who must have well defined functions. He will be appointed under the same forms and conditions as the Ministers. He cannot be appointed from Ministers of State.

The members of the Government receive salary and allowances which are fixed by law.

Article 22

The refusal by the National Assembly to accord its confidence to the Government, or the vote of a motion of censure, involves the resignation of the entire Government.

This denial of confidence or this motion of censure may take place no sooner than twenty-four hours after it has been moved, and will be adopted only by a majority of the Deputies present in the National Assembly, not including the Deputy members of the Government.

Votes with respect to persons will always be conducted by secret ballot, but votes of confidence or on motions of censure may be conducted by either secret or public ballot.

The resigning Government will assume the conduct of current affairs until the installation of the new Government.

Article 23

The members of the Government are legally responsible for crimes and offenses committed in the exercise of their functions.

They may be indicted by the National Assembly and tried by the King's Council acting as a High Court of Justice within the conditions fixed by law. The National Assembly acts by means of secret ballot and by a two-thirds majority of its entire membership.

TITLE IV - THE NATIONAL ASSEMBLY

Article 24

The National Assembly is composed of Deputies elected every five years by universal suffrage, under conditions fixed by the electoral law.

Deputies are representatives of the entire nation and not only of their constituents. They cannot be bound by a peremptory mandate.

Article 25

The duration of authority of the National Assembly is fixed at five years.

The National Assembly convenes on May 11, upon convocation by the King, in an annual session of five months. The King may extend the duration of the session or proclaim its cloture during those five months.

The King may also convoke the National Assembly in extraordinary session, either on his own authority, or on the proposal of the Council of Ministers, or on a request made by the Standing Committee of the National Assembly or by at least half the Deputies.

Sessions will be solemnly inaugurated and closed by the King or his representative.

Article 26

The National Assembly is the judge of the eligibility of its members and the regularity of their election, taking into consideration the report of the special commission established by law. The Assembly alone may accept their resignation and declare them deprived of their mandate.

Article 27

Before taking office, the members of the National Assembly whose mandates are valid will take the following oath in the Assembly Hall: "I swear to be loyal to the King, to the Constitution and to defend it, to represent the people with independence and to work with all my strength for the welfare of the country."

Article 28

The National Assembly votes laws, particularly those concerning

- the budget
- public loans
- administrative accounts
- personal status
- the revision of Lao laws
- the organization of the Kingdom
- amnesty
- ratification of treaties.

In addition, it studies in committee all bills and proposals of law presented to it.

Article 29

The Deputies initiate the laws.

They may also constitute special committees to handle all inquiries and investigations in the various administrations and public services.

Article 30

Laws voted by the National Assembly are presented to the King's Council to be submitted for His Majesty's sanction. These laws must be promulgated within a period of two months. During this period, the King's Council may request new deliberations by the National Assembly. In case the original bill is upheld by an absolute majority of the Deputies present, its promulgation will be obligatory. If this is not effected within a period of fifteen days commencing with the date of notification of confirmation to the King's Council, the law will be promulgated by the President of the National Assembly.

If an absolute majority is not attained, the remarks and observations of the King's Council will be considered as adopted and the text of the law will subsequently be cancelled or modified, and the promulgation of the modified text will take place in the manner already stated.

With respect to emergency laws, the period for promulgation will be reduced to one month.

Article 31

After the closing of a session, the Standing Committee of the National Assembly will continue to function. It is authorized to control the Government operations and, should the occasion arise, to assume the confirmative powers of the National Assembly set forth in Article 30, subject to subsequent ratification by the National Assembly.

It will also be charged with the study of bills and proposals of law which are received after the closing of the session, as well as all duties specifically entrusted to it by the National Assembly.

Article 32

The National Assembly imposes internal regulations upon itself which it may freely modify.

At the beginning of each ordinary session it elects its annual Standing Committee.

Article 33

The King may dissolve the National Assembly upon the proposal of the Council of Ministers with the agreement of the King's Council. In this event, new elections will take place within a period of ninety days.

The new National Assembly must convene thirty days after its election.

Article 34

During the course of a session, no member of the National Assembly may, except in the case of flagrant criminal offense, be accused or arrested without authorization granted by a two-thirds majority of the Deputies present.

In the case of arrest while committing a criminal offense, the National Assembly must be advised immediately. In no case may the investigation of the case prevent the member involved from taking his seat in the National Assembly.

Article 35

No member of the Assembly may be persecuted or investigated because of opinions expressed or votes cast by him in the exercise of his functions.

This parliamentary immunity is also extended to all persons who print or publish the reports of sessions when these are not secret.

Article 36

The members of the National Assembly receive a salary fixed by law.

TITLE V - THE KING'S COUNCIL

Article 37

The King's Council is composed of twelve members, constituted as follows:

- a. six members are appointed directly by the King.
- b. six members are appointed by the King after having been designated by the National Assembly.

The members of the King's Council assume office only after having taken in the presence of the Council the oath prescribed in Article 11 above.

The provisions of Article 25 with respect to the duration of the mandate, convocation and sessions are applicable to the King's Council except in the cases prescribed in Article 12.

The King's Council imposes internal regulations on itself which it may freely modify.

The members of the King's Council enjoy the same rights and privileges as are granted to Deputies under Articles 34 and 35.

The members of the King's Council receive the same emoluments and enjoy the same advantages as Deputies.

The mandate of King's Councilor is compatible neither with that of Deputy nor with the office of Minister.

Article 38

The King's Council examines, pursuant to the provisions of Article 30, laws voted at the first reading by the National Assembly.

It gives its advice on all bills and proposals of law and on all questions submitted to it either by the King or by the Government.

The members of the King's Council may initiate laws and submit their proposals to the National Assembly.

The King's Council may in exceptional cases be constituted as a High Court of Justice.

After the closing of each session, its Standing Committee will continue to function.

TITLE VI - ADMINISTRATIVE AND JUDICIARY ORGANIZATION

Article 39

The provinces form territorial units. Their extent and organization will be determined by law.

Certain important urban centers may have a special organization.

Article 40

Provinces will be administered by a Chaokhouong, or Chief of Province, who will be assisted by a Provincial Council elected on a territorial basis.

Article 41

Provinces may be granted an autonomous budget, whose receipts, expenditures, administration and control will be determined by law.

Article 42

The organization, the authority and the competence of the judiciary and administrative tribunals as well as conflicts of jurisdiction will be determined by law. In addition, the law guarantees the independence of the judicial authority in relation to the legislative and executive authority.

A Superior Council of Magistrates will be established by law to ensure discipline of the Magistrates who are not in the Public Prosecutor's department, and to determine the rights and obligations of the Magistrates.

TITLE VII - FINAL PROVISIONS

Article 43

The revision of the present Constitution will be accomplished as follows:

The resolution of revision may emanate either from the King's Council, the Council of Ministers, or an absolute majority of the members present in the National Assembly.

Every resolution of revision must be accompanied by a bill for revision or amendment.

The National Assembly and the King's Council will solemnly convene in National Congress upon convocation by the King to consider the proposals for revision or amendment. The bills for revision or amendment can be adopted only by a two-thirds majority of the members present.

The President of the King's Council is President of the Temporary Committee of the National Congress charged with the opening of the session and the election of the Permanent Committee.

Provisions relating to the monarchic, unitary and indivisible form of the State, to the representative character of the Government, and to the principles of liberty and equality guaranteed by the present Constitution cannot be the subject of any proposal for revision.

Article 44

The present Constitution will come into effect fifteen days after its promulgation.

The National Assembly will be the final interpreter of the text.

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