

# DEVELOPING THE STATISTICS LAW OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC 2020

Documentation of process  
and results



# DEVELOPING THE STATISTICS LAW OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC

## Documentation of process and results

This is a study documenting the context and process of reviewing and updating the Statistical Law of Lao PDR.

The study is one of a series of five on successful statistics development initiatives implemented as part of the Regional Programme on Economic Statistics (RPES) in Asia and Pacific. The studies are intended to inspire and support other countries that may wish to replicate the initiatives in their own national context.

The present study has been prepared by the Lao Statistics Bureau and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) with funding support by the United Kingdom Foreign, Commonwealth and Development Office (previously Department for International Development).

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Photo credit: Ms. Soudavone Phanthavilay,  
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1 Lao Statistics Bureau

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## Acronyms

ACSS	ASEAN Community Statistical System
DFID	United Kingdom Department for International Development
ESCAP	United Nations Economic and Social Commission of Asia and the Pacific
FPOS	Fundamental Principles of Official Statistics
Lao PDR	Lao People's Democratic Republic
LSB	Lao Statistics Bureau
MOJ	Ministry of Justice
MPI	Ministry of Planning and Investment
NA	National Assembly
NBS	National Bureau of Statistics
NSCC	National Statistical Coordination Committee
NSS	National Statistical System
PSC	Provincial Statistics Centre
RPES	Regional Programme on Economic Statistics
SDGs	Sustainable Development Goals
UNECE	United Nations Economic Commission for Europe
UNSD	Statistics Division of the Department of Economic and Social Affairs of the United Nation

# I. EXECUTIVE SUMMARY

The Lao People's Democratic Republic introduced its first Statistics Law in 2010, which gave the Lao Statistics Bureau (LSB) the mandate to produce the official statistics of the country. Within a few years, it became clear that adjustments were needed to modernise statistics production and improve alignment with international standards.

To identify priority changes to the statistics law and draft new legislation, the LSB initiated an assessment in 2016. The United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) provided technical advice to ensure the new law would consider good practices from around the world and adhere to the Fundamental Principles of Official Statistics. The assessment revealed the following challenges:

- a. lack of coordination of the National Statistics System (NSS)
- b. data collections across agencies were not systematic or harmonized thus complicating data integration and aggregation at the sectoral and provincial levels
- c. statistical products and services did not sufficiently meet the needs of the users
- d. vital statistics and statistics on the environment were absent or insufficient
- e. staff of the NSS lacked the required level of knowledge, ability, and experience to produce, use, or disseminate statistics
- f. staff of the NSS lacked skills and other capacity to use the available information and communications technology and infrastructure

- g. international statistical standards were not being followed
- h. the budget for statistical work was insufficient

Developing the law followed a carefully planned process and was supported by national stakeholders, ESCAP, and national and international consultants. The process involved seven steps:

Step 1. Planning

Step 2. Establishing a law review committee

Step 3. Assessment of existing law

Step 4. Drafting a law

Step 5. Review by the Ministry of Justice (MOJ) and the government

Step 6. Adoption of the new law by National Assembly

Step 7. Promulgation of the law by the President

The efforts resulted in a new statistics law, which came into force in 2017. The new law brought significant positive changes to the production of official statistics in the country. The impacts have been both direct and indirect. Key changes included:

- an increase in the number of LSB staff from 48 in 2010 to 149 in 2018, with continuing support for further increases,
- the establishment of a more formal structure and reporting system for the national statistical system,
- more statistics being produced from administrative sources,
- a shift from primarily donor-funded to primarily government-funded censuses and surveys, and
- a strengthening and improved implementation of the General Data Dissemination System by enforcing consequences on non-compliance among respondents and data producers.

The development of the new statistics law in Lao PDR was a successful undertaking which generated several lessons and recommendations for other countries considering changes to their statistics legislation:

- ensure stakeholders are engaged throughout the process with a highly participatory approach to drafting and disseminating the new law.
- allocate enough time and budget for sub-national offices to participate and provide critical inputs.

- ensure meetings with stakeholders are efficient by sharing documents with briefing instructions prior to the meeting so everyone can prepare.
- the ten fundamental principles of official statistics could have been incorporated, but, in the end, only five major principles were included.

The new law has strengthened the LSB by defining and cementing its role as the lead agency for statistical work and by outlining the support and responsibilities of relevant agencies and line agencies who also produce statistics. Between 2020 and 2022, the effectiveness of the new law will be evaluated. In addition, regular reviews of the functioning of the national statistical system will be conducted to inform future reviews and adjustments to the law.



## II. BACKGROUND AND CONTEXT

The Lao Statistics Bureau (LSB) has the mandate to produce national, official statistics. LSB leads the production, and coordination of official statistics in Lao PDR. It ensures the quality of statistics produced by other government entities, supports the monitoring and evaluation of national and international commitments (e.g. the National Socio-Economic Development Plan, Sustainable Development Goals, and Least Developed Country indicators), and provides official statistics to a wide range of users.

### The 2010 Statistics Law

The first ever Statistics Law in Lao People's Democratic Republic was passed in 2010. The Law provided the legal framework for producing national statistics. It defined the rules, regulations, and measures for the organization, management, and inspection of statistical activities. It set out the responsibility of the LSB to coordinate statistical tasks and integrate data into a national database as well as to support data monitoring and participate in the quarterly and annual meetings for evaluation of national, sectoral, and local operational plans.

The 2010 Statistics Law upgraded the status of the then National Statistics Centre from a department under the Ministry of Planning and Investment (MPI), to a ministry-equivalent

organization with four departments and 13 divisions.<sup>3</sup> With the 2010 law, the budget for LSB was made independent which means budget for each statistical activity is allocated and approved directly by the government as opposed to being integrated in the general budget of the MPI. The 2010 Statistics Law also provided the legal basis for the implementation of the National Strategy for the Development of Statistics, 2010-2020.

### Rationale for the new law

The revision of the 2010 Statistics Law was initiated to ensure alignment to the changed national constitution, the new national development strategy<sup>4</sup> and the global 2030 Agenda for Sustainable Development. Taking the opportunity, LSB leveraged the process to align the law more closely to the Fundamental Principles of Official Statistics and with Lao PDR's commitments as a member the ASEAN Community Statistical System (ACSS). Moreover, provisions were introduced or strengthened to ensure data security (confidentiality); support the generation of statistics from new data sources for better informed decisions at the sub-national and national levels; and ensure adherence to international standards and practices.

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3 See Annex 1

4 National Economics and Social Development Plan VIII, (2016-2020) and Vision 2030)



# III. PREPARING A NEW STATISTICS LAW: THE PROCESS

The Lao Statistics Bureau (LSB) led the development of the new statistics law. As the LSB had a limited number of staff to work on this huge undertaking, they hired a national consultant to conduct in-depth research and coordination work. ESCAP supported the translation of the new statistics law from Lao to English and hired an international consultant to guide, review the drafts and advise LSB in the drafting of the law. The advice included good practices and recommendations to ensure the alignment of the new law with the Fundamental Principles of Official Statistics.

## Assessment findings

A thorough assessment of the old law revealed the challenges and radical changes needed for a new law to define and govern a national statistical system that could effectively produce statistics on all sections of the society, economy and environment. The assessment revealed the following shortcomings:

- a. lack of coordination of the National Statistics System (NSS)
- b. data collections across agencies were not systematic or harmonized thus, complicating data integration and aggregation at the sectoral and provincial levels

- c. statistical products and services did not sufficiently meet the needs of the users
- d. vital statistics and statistics on the environment were absent or insufficient
- e. staff of the NSS lacked the required level of knowledge, ability, and experience to produce, use, or disseminate statistics
- f. staff of the NSS lacked skills and other capacity to use the available information and communications technology and infrastructure
- g. international statistical standards were not being followed
- h. the budget for statistical work was insufficient

With this knowledge and background information, the LSB embarked on developing the new statistics law.

## Steps in developing the new Statistics Law

Development of any new law or amendment to existing laws in Lao PDR undergo the same process.<sup>5</sup> Figure 1 provides the basic steps in the law-making process in Lao PDR.

Some intermediary steps were added in developing the new Statistics Law in Lao PDR, resulting in a 7-step process (see Figure 2 for an overview):

**Step 1. Planning, April 2016:** The national regulations on writing legislation was checked which served as vital input to the planning process. Article 2, Number 19 of the National Assembly (NA) of 12 July 2012 sets out the required process for planning the approach; information collation and writing; adoption and promulgation; and for implementing the new law.

**Step 2. Establishing a law review committee, June 2016:** A law review committee, led by representatives from LSB and supported by the MOJ and national law experts was established. The committee was established under agreement number 285 between MPI and LSB dated 16 June 2016.

**Step 3. Assessment of existing law, September 2016:** Using the tool and guideline developed by MOJ (the Impact Assessment Note Training Manual),<sup>6</sup> an assessment of the existing law was conducted. The process was again led by LSB in coordination with MOJ, other line ministries and provincial/regional authorities. Aside from

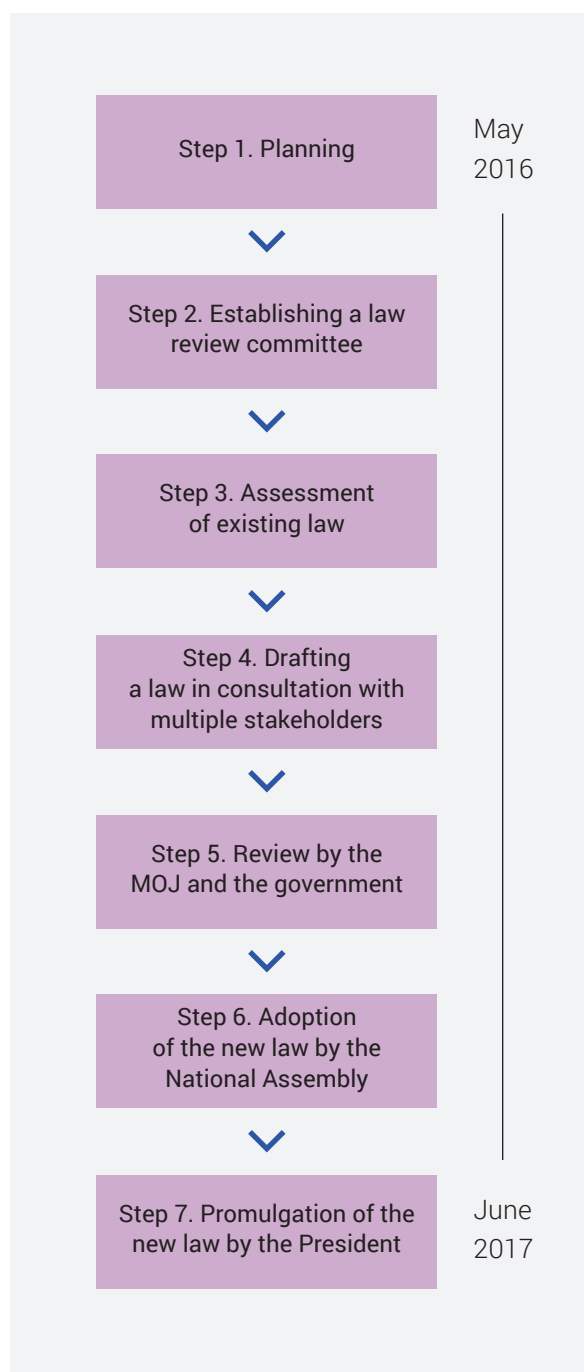
Figure 1. Law-making process in Lao PDR



<sup>5</sup> [https://www.la.undp.org/content/lao\\_pdr/en/home/library/democratic\\_governance/law-making-process-baseline-study.html](https://www.la.undp.org/content/lao_pdr/en/home/library/democratic_governance/law-making-process-baseline-study.html)

<sup>6</sup> [www.moj.gov.la/riacentre](http://www.moj.gov.la/riacentre)

**Figure 2. Steps involved in developing the new Statistics Law of Lao PDR**



self-completed questionnaires,<sup>7</sup> the assessment involved meetings with each line ministry, central government, and regional location from June to September 2016.

**Step 4. Drafting the law in consultation with multiple stakeholders, October 2016.** The LSB drafted the new statistics law to reflect the results of the assessment conducted as step 3. It benefited substantially from cooperation and consultation with relevant data producers, users and key stakeholders within Lao PDR's NSS. The draft was submitted to MOJ for review.

**Step 5. Review by the MOJ and the government, January 2017:** The draft statistics law was reviewed by the MOJ and discussed at the government's monthly meeting. The assessment findings were presented together with suggested revisions and updates to the 2010 Statistics Law.

**Step 6. Adoption of the new law by the National Assembly. May 2017:** During the Third Ordinary Session of the National Assembly (NA) on 11 May 2017, the proposed new Statistics Law was adopted. The event was attended not only by members of the National Assembly's 8<sup>th</sup> Legislature but also by senior officials of the Party, government cabinet members, retired officials, representatives of business community, students, and academics.

**Step 7. Promulgation of the new law by the President, June 2017:** After the National Assembly adopted the new law, the Standing Committee of the National Assembly recommended its approval to the President. In

<sup>7</sup> Questions focused on perception of current statistics law which included: dissemination of the law; whether the law was implemented in that department or office; how the law has helped or support work; the data collection; institutional setup; co-ordination mechanisms such as the Statistics Council and Association of Statistics; the established regional statistics offices; feedback on data reporting system; the role and duties of the LSB; and which articles should be revised.

accordance with Article 51 of the 2010 Law on Making Legislation of the MOJ, the new Statistics Law was officially approved by the President under Presidential Decree Number 116/ Presidential Order dated 22 June 2017.

Throughout the development of the new statistics law, transparency was observed via active engagement of multiple stakeholders from government, public, civil society and the private sectors.<sup>8</sup> The LSB brought together all the involved line ministries, authorities - from

central down to local authorities. Their inputs and comments on the drafts at each stage were solicited and integrated to the extent possible. Progress and concerns during each stage were reported to and by the LSB and relevant agencies were periodically consulted. The transparency in process guaranteed acceptability of the new statistics law resulting in more than 90% of the members of the National Assembly supported its adoption in May 2017.

## Key challenges

**The lack of awareness of the existing statistics law at the district, provincial and national levels, in the private sector, and by the general public made it difficult to solicit views and suggestions for the new statistics law.**

**Coordination mechanisms for statistical activities in Lao were also lacking which resulted in differences and conflicting views on priorities between LSB and other ministries and agencies. This meant several meetings were needed to discuss and resolve quite a number of issues.**

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<sup>8</sup> See the timeline in Annex 3

# IV. THE NEW STATISTICS LAW: CONTENTS AND IMPACT

After the promulgation of the new statistics law, the next challenge for LSB was to explain the changes made and their impact. Likewise, LSB needed to ensure support, appreciation, and adherence to the new law by every stakeholder. The changes instated by the new statistics law, its impact on the functioning of the national statistical system, and the dissemination strategy employed by LSB, are described in this section.

## Changes in the new law

The new statistics law includes a new section on definition of terms. Another addition is the provisions on the roles and responsibilities of the entities in the NSS. The law allows line ministries and associated statistics units to collect, produce, and disseminate statistics for internal use and to provide data to the LSB for use in the production of official statistics. Table 1 provides an overview on the major differences between the old and new laws. Both documents are publicly available in Lao and English languages.<sup>9</sup>

## Impact of the new statistics law

The new law has brought significant direct and indirect changes to the national statistical system in Lao PDR including:

- the continuing support to increase the number of staff in LSB;
- a shift from primarily donor-funded to government funded censuses and surveys;
- having more statistics produced from administrative sources; and
- the establishment of a structure and reporting system for the national statistical system.

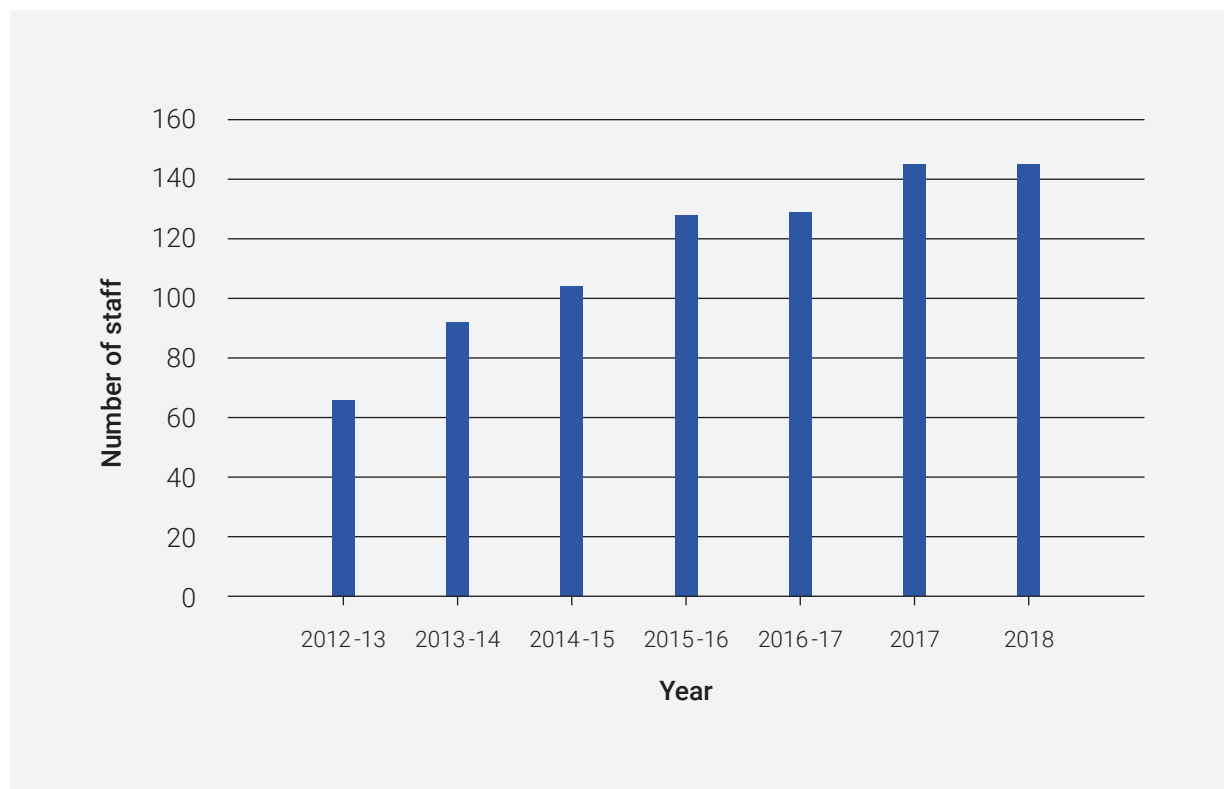
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<sup>9</sup> [https://www.lsb.gov.la/wp-content/uploads/2020/06/Statistics-Law-Improved\\_English.pdf](https://www.lsb.gov.la/wp-content/uploads/2020/06/Statistics-Law-Improved_English.pdf)

Table 1. Major differences between the 2010 and 2017 statistics laws of Lao PDR

PROVISION	STATISTICS LAW	
	OLD (2010)	NEW (2017)
1. Number of staff	48	149
2. Budget	Census and survey relied heavily on development partners	Census and surveys are included in the five-year government commitment and supplemented by development partners through technical assistance or short-term projects
3. Fundamental Principles of Statistics (FPOS)	FPOS was only partially integrated	5 of the 10 FPOS are fully integrated, with some adjustments to reflect the national context
4. Definition of terms	16 terms defined	30 terms defined (14 terms added)
5. Production of official statistics	Irregular conduct of surveys; minimal support for use of administrative data	Regular surveys enhanced use of administrative data and listings from registers; registration (civil and business)
6. LSB authority	Data dissemination and access required Prime Minister's Order as per in Articles 22 and 23 of the 2010 Statistics Law	Official data dissemination integrated as additional provision to the law under Articles 24, 25, and 26; articles 22 and 23 amended to empower LSB as main office for disseminating statistics and access data from other entities for statistical purposes
7. Head of LSB	Equivalent to Vice-Minister Ranking	Vice-Minister Ranking
8. Rights and Duties	General	Specific to functions, roles, and geographic subdivision (from central to local)
9. Organization of national statistical system	Not included	Prime Minister issues an order to ministries to be the authorities in providing the agreements on the organization and function related to production and dissemination of statistics
10. Those Who Violate	Provided general measures against violation to the law	Provides specific measures and sanctions for violations to the law, ranging from education, disciplinary, fine, civil and/or criminal
11. National Statistics Day	None	30 June

**Figure 3.1. Number of staff, Lao Statistics Bureau, 2011/12 to 2018**



**Source:** Department of Administration, LSB (2019)

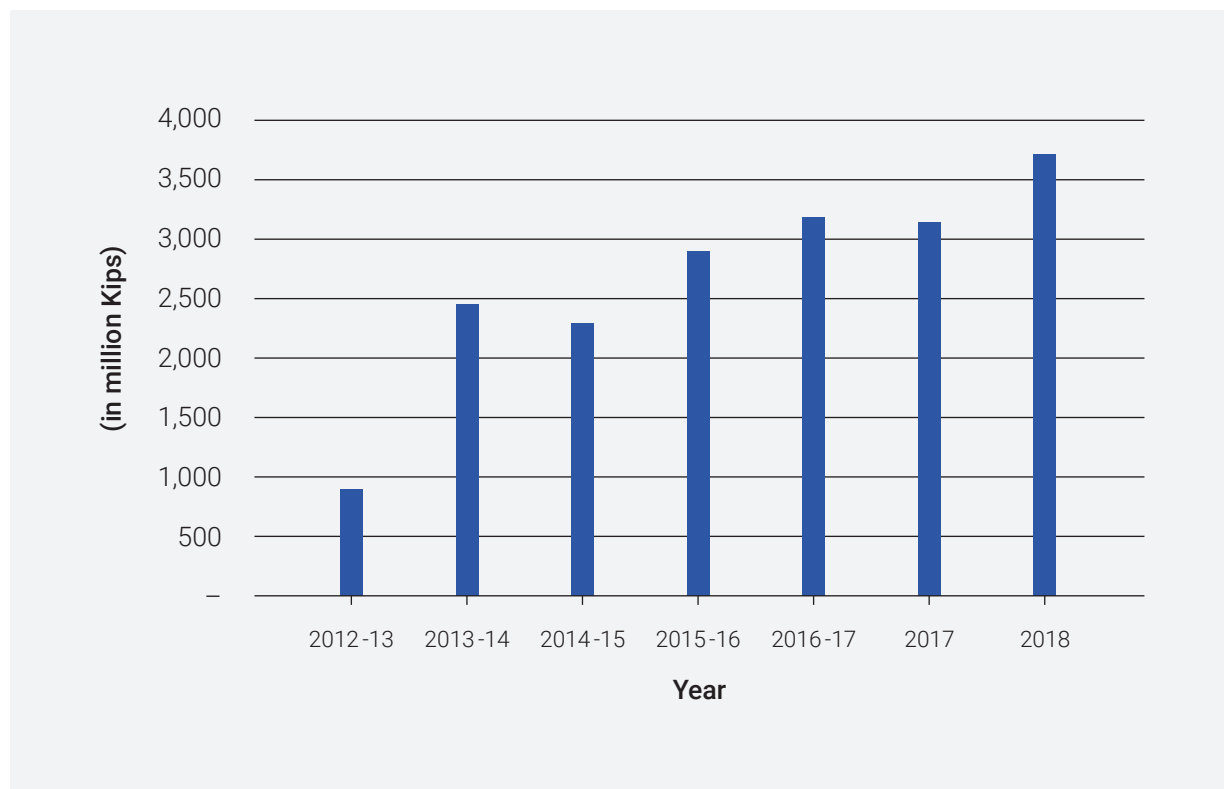
### **Improved authority and size of the LSB**

The new law defines the national statistics system and clarifies the authority, status and role of the LSB in the system of government.

The LSB has grown from about 60 staff between FY 2012-2013 to over 149 staff in 2018. The provinces and districts have had proportional increases in staff as well. These increases in the workforce reflect the government's policy to allocate more civil servants at the central and local levels to match the growing demand for statistics for better-informed policy and decision-making.

The government has also raised LSB's budget to directly fund national census and surveys rather than relying on donor support; and to build a new statistics office as part of enhancing the image and infrastructure of the NSS. Nevertheless, development partners, including ESCAP, continue to support LSB in upgrading its information and communication technology and strengthening the capacity of its staff.



**Figure 3.2. Budget for Statistical Activities, Lao Statistics Bureau, 2011/12 to 2018**

**Source:** Department of Administration, LSB (2019)

**Note:** Kip is the national currency of Lao PDR; as of 7 November 2020, 1 US\$ = 9,275 Kip.

With the new law, the LSB has been identified as the lead national agency for monitoring Sustainable Development Goal (SDG) indicators. The LSB led a gap analysis on SDG indicators and will be leading the work on preparing the Voluntary National Review report as part of the National Steering Committee for SDG implementation chaired by the Prime Minister.

### Increased compliance with the Fundamental Principles of Official Statistics

The new statistics law was developed in line with the 2014 Fundamental Principles of Official Statistics. Likewise, it was aligned with other international benchmarks and recommendations specially that of the ASEAN Community Statistical System (ACSS).

## **Institutionalized National Statistics Day**

The new law approved 'National Statistics Day' to be celebrated on 30 June each year. This enables LSB to organize activities to promote and raise awareness of official statistics. National Statistics Day provides a valuable opportunity to bring the users and producers of statistics and data at different levels together.

## **Strengthened data production across the national statistical system**

The new law gives LSB the mandate to coordinate data production and dissemination. It also gives LSB the authority to access administrative data sources (e.g. private sector; customs authority; banks; and tax data from Ministry of Finance) for statistical purposes. The new law also clarifies the major data collections that LSB undertakes through surveys and censuses (population, household and business), the agricultural census, and requires LSB to set an annual statistical programme.

## **Improved data dissemination**

In line with the new statistics law, efforts have been made to improve dissemination of economic and social statistics. A new statistics website with support from Statistics Korea (<https://laosis.lsb.gov.la/>) is now available and is serving as the main data portal for official statistics in Lao. The LSB has also adopted the International Monetary Fund (IMF) General Data Dissemination System (GDDS) since 2018 and now regularly publishes the consumer price index and inflation rates online.

## **Dissemination of the new law**

The LSB established a team for advocacy and dissemination of the new statistics law as soon as it was approved. The main task was to ensure the new law is known and enforced throughout the country. The first dissemination activity was conducted on 20 October 2017 on World Statistics Day. The event, aimed to raise awareness of the new law, was attended by line ministries, provincial authorities, and other stakeholders.

In addition to a nationwide campaign, the new law was disseminated at the local level in cooperation with Provincial Statistics Centres across the country. In this series of activities, the management, and staff of LSB from Central Office were assigned to different locations to support their local counterparts in conducting the new statistical law dissemination forum.

# V. LESSONS LEARNED AND RECOMMENDATIONS

Development of a new statistics law has been a major milestone for the statistical system of Lao PDR. Key lessons learned and recommendations for other countries are:

- ensure stakeholders are engaged throughout the process with a highly participatory approach to drafting and disseminating the new law.
- allocate enough time and budget for sub-national offices to participate and provide critical inputs.
- ensure meetings with stakeholders are efficient by sharing documents with briefing instructions prior to the meeting so everyone can prepare in advance.
- strike a balance between what is ideal and what is feasible and be prepared to compromise to move things forward. Having five of the 10 Fundamental Principles of Official Statistics (FPOS) incorporated fully in the new statistics law for example, is a definite improvement from having only four partially integrated in the old law.

## Follow international guidelines and recommendations

The FPOS, and the Generic Law on Official Statistics play an important role in supporting countries to strengthen their legislation. They must be adapted to the national context to provide the framework for a strong and well-functioning statistical system.

The new statistics law for example, has given the LSB the mandate for coordination and has established LSB as an independent institution. It has clarified LSB's role in ensuring the quality of official statistics that comply with international standards.

## Gaps in the new law

During the process of developing the new law, LSB could not implement all the recommendations by international experts, such as adopting all 10 FPOS.

One key gap is that the new law still does not require establishment of a Statistical Council as main advisory body to the government and the Chief Statistician. The new law attempts to address this gap, however, by including a provision for establishing a council but only if the government deems it necessary in the future.

## Involvement of stakeholders was crucial

Relevant stakeholders were involved throughout the process to ensure political support for the new statistics law. The new law was revised based on comments and advice from the MOJ and the government monthly meeting. Of the 112 members of the National Assembly, about 91% supported the approval of the new law and provided feedback to shape the final bill presented to the President. Some examples of the important suggestions made during deliberations were:

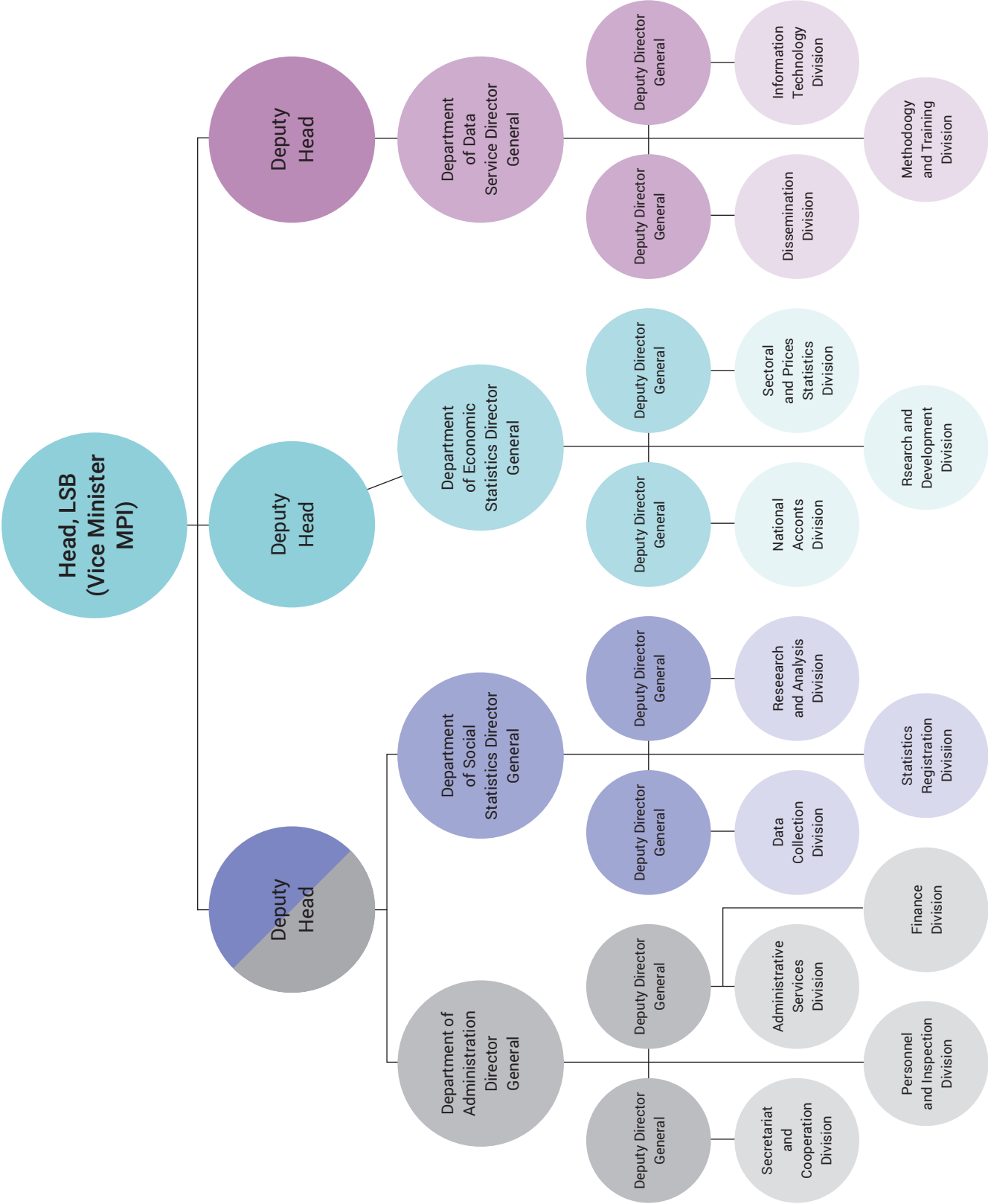
- to define the concepts of 'family and household', 'analysis', 'disaggregation', 'gender statistics' and define statistical terms under Article 3 of the proposed amendments;
- to retain articles 46, 47, 48 about the head of LSB, the duties of LSB, and its organization structure (the Districts Statistics Centre reports to Provincial Statistics Centre (PSC) and then PSC reports to the head of LSB; and
- for line ministries and agencies to maintain or create statistical units responsible to produce their statistics and support the statistical system in accordance with orders issued by the Office of the Prime Minister.

## VI. CONCLUSION

Implementing a law is a gradual process and must be done in a way that is responsive to changing needs. For example, supporting the monitoring and development of the National Development Plan may involve adapting agreed indicators or data production processes every five to ten years to respond to national priorities.

The new law has strengthened the LSB considerably. Its provisions are deemed to be responsive to the current needs of the government and the public. However, its implementation needs to be carefully monitored. The effectiveness of the law will have to be evaluated every 3-5 years and regular reviews of the functioning of the national statistical system will also be conducted.

Annex 1. Lao Statistics Bureau, Organizational Chart (2017 Statistics Law)



## **Annex 2. Structure of the 2010 Statistics Law**

(10 Parts, 6 Chapters, and 63 Articles)

- Part I. General Provisions
- Part II. Type of Statistics
- Part III. Statistics Production:
  - a) Chapter 1. Statistical Surveys
  - b) Chapter 2. Administrative report
- Part IV. Dissemination and Use of Statistics Data
- Part V. The National Statistics Organization:
  - a) Chapter 1. The Organization of Vertical Statistics System
  - b) Chapter 2. The Organization of Horizontal Statistics System
- Part VI. Restrictions
- Part VII. Statistics Management and Inspection:
  - a) Chapter 1. Statistics Management Organization
  - b) Chapter 2. Inspection
- Part VIII. Budget, Logo, Uniform and Stamp
- Part IX. Policies to Wards Those Who Have Outstanding Achievements and Measures Against Violator
- Part X. Final Provisions



### **Annex 3. Structure of the New (2017) Statistics Law**

(10 Parts, 8 Chapters, and 81 Articles)

- Part I. General Provisions
- Part II. Type of Statistics
- Part III. Statistics Production:
  - a) Chapter 1. Survey
  - b) Chapter 2. Administrative Report
  - c) Chapter 3. Statistics Production by Listing
  - d) Chapter 4. Statistics Production by Registration
- Part IV. Dissemination and Use of Statistics Data
- Part V. The National Statistics Organization:
  - a) Chapter 1. Vertical Statistics Organization
  - b) Chapter 2. Horizontal Statistics Organization
- Part VI. Restrictions
- Part VII. Statistics Management and Inspection:
  - a) Chapter 1. Statistics Management
  - b) Chapter 2. Statistics Inspection
- Part VIII. Budget, Logo, Uniform and Stamp
- Part IX. Policies to Wards Those Who Have Outstanding Achievements and Measures Against Violator
- Part X. Final Provisions

## Annex 4. Key activities and timeline for the development of the new statistics law (2015-2017)

KEY ACTIVITIES	TIMELINE
Early Statistics Law revision draft by LSB and provide the key element required to revise its law	End 2015 – May 2016
The Review Committee for the proposed new statistics law was established	16 June 2016
Consultation Meeting with line ministries	27 – 30 June 2016
The working group responsible for the consultation meeting with local government was established	27 July 2016
Consultation and Evaluation meeting take place at the local authority (18 Provinces)	2 August – 13 September 2016
Second draft and summary of result of consultation meeting and evaluation	16 – 26 September 2016
The committee consultation meeting on draft	3 October 2016
High level (Minister level) consultation meeting with MPI and other ministries	9 November 2016
Committee consultation meetings on final draft and bilateral meeting on LSB organization structure	22 November – 16 December 2016
Submission the final draft to MPI	5 – 27 December 2016
Submission to MOJ	28 December 2016 – 13 January 2017
Submission to Government and unofficial (Inform) to NA	16 January – 17 February 2017
The final draft presented at the government monthly meeting	25 January 2017
Revised the draft base on the government comment and submission to NA Session and last edit	February 2017 – May 2017
The new law was approved in by national assembly constancy VIII session	11 May 2017
President issued the Decree on effectiveness	22 June 2017
Announcement of Statistical Law (Amended), by Minister of Ministry of Planning and Investment	20 October 2017, in connection with World Statistics Day
Dissemination of new law	20 October 2017 onward
Evaluation of law	Every 2.5 to 3 years after implementing the law

For anyone who wants further detailed information regarding the New Lao Statistics Law, please contact the Lao Statistics Bureau. Their contact details are below:

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