

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**

Peace Independence Democracy Unity Prosperity

National Assembly

No 010/NA

Vientiane Capital City, Date 21 Dec 2011

**LAW ON LAWYERS****Part I****GENERAL PROVISIONS****Article 1. Purpose**

This Law determines the principles, regulations and measures regarding the organization and the activities of lawyers to enable correctness, justness and effectiveness, with the aim of protecting the legitimate rights and interests of clients, provide evidence for the resolution of court cases and to strengthen the judicial process, counter the infringement of the legitimate rights of the people, facilitate access to the judicial process, build confidence among the population and domestic and foreign investors, contribute to the socio-economic development, enabling peace, social order and justice.

**Article 2. Lawyers**

Lawyers are who are authorized by the Government authorization to undertake a freelance profession and to provide legal services to individuals, legal entities or organizations and society in order to protect the legitimate rights and interests of clients as specified in this Law.

**Article 3. Definitions**

The terms used in this Law have the following meanings:

1. Bar Association means a social professional organization of lawyers which is independent in terms of organization and finances in accordance with this law;
2. Lawyer Ethics means the internal regulations of the Bar Association concerning the code of conduct and professional activities of lawyers;
3. Client means to individuals, legal entities or organizations which have a services agreement to provide legal or lawyer services;
4. Legal Services Agreement means a written agreement between a client and a lawyer to provide legal services;
5. Provision of Legal Services means the activities of lawyers in the provision of legal advice and to represent clients in case proceedings;
6. Client Representation in Case Proceedings means fighting court cases or conducting a case;
7. Legal Aid means the provision of legal services to clients who are poor or disadvantaged free of charge;
8. Prosecutor means staff appointed and assigned by the Head of the Public Prosecutor Authority to carry out the monitoring, [and] investigative] activities and to participate in court proceedings;

9. Legal Enterprise means the organization of legal based business of individuals or legal entities.

#### **Article 4. Policy of the State regarding Lawyers**

The state promotes and encourages the availability of lawyers and the establishment of quantitative and qualitative Legal Enterprises in order to provide legal services to all society.

The state encourages and sets conditions facilitating lawyers to provide legal services and competition for self-development in order to ensure the protection of clients' legitimate rights and interests through the formulation of laws and regulations, seminars, training upgrading the professional level of Lawyers to enable them to fully perform tasks in accordance with their roles, rights and duties as determined in the laws and regulations.

#### **Article 5. The Principles of Conducting Activities of Lawyers**

In conducting their activities, lawyers shall perform in accordance with the following basic principles:

1. To respect and act upon the Constitution, laws and lawyers ethics;
2. To provide legal services to clients with high responsibility and equity;
3. Be independent in providing legal services to clients;
4. To preserve client confidentiality;
5. Be liable before the law for any wrong action in providing legal services to clients.

#### **Article 6. Protection of Lawyers**

In the provision of legal services to clients, lawyers shall be protected from revenge, threats to life, health, freedom, prestige, personal or family assets in accordance with the laws and regulations.

#### **Article 7. Scope of Application of this Law**

This law shall be applied by lawyers, the Bar Association, legal enterprises, individuals, legal entities and other organizations involved in the provision and use of legal services in the Lao PDR.

#### **Article 8. International Cooperation**

The state promotes foreign, regional and international relationships and cooperation involving lawyer works through the exchange of lessons, building and upgrading the knowledge and capacity of lawyers, assistance and other matters, the performance of contracts and treaties relating to the lawyer works in which the Lao PDR is a party.

## **Part II LAWYERS**

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#### **Article 9. Qualifications of Lawyers**

Individual who wish to become lawyers shall meet the following conditions in full:

1. Lao citizens aged 23 years and older
2. Have good qualities, with virtuous and loyal toward the nation, the new regime and the legitimate rights and interests of the people, possess impartiality and ethics;
3. Hold at least a Bachelor Degree in Law;

4. Attained professional lawyer training;
5. Has completed a lawyer internship and possess a certain level of experience in legal works;
6. Passed the lawyer examination;
7. Never been disciplined with removal from government service or sentenced by a court to incarceration through an act of willful wrongdoing;
8. Not be a civil servant, soldier or police officer who are still in office;
9. Have good health.

Former members of the National Assembly may become lawyers but must receive professional lawyer training as provided in Article 14 of this Law.

#### **Article 10. Qualifications of being a Lawyer for Aliens and Foreigners**

Aliens and foreigners who wish to apply to be lawyers in the Lao PDR other than meeting the qualifications provided in Items 2 to 9 of Article 9 of this Law, shall also meet the following additional conditions:

1. Be lawfully authorized to work in the Lao PDR or have a permanent residence in the Lao PDR;
2. Have a good knowledge of the Lao language and culture and hold at least a Bachelor Degree in Lao Law.

#### **Article 11. Professional Lawyer Training**

Individuals who are to become lawyers shall have received proper and complete professional lawyer training in accordance with the curriculums established by the Ministry of Justice.

Individuals who have completed professional lawyer training will receive a certification from the Minister of Justice.

#### **Article 12. Exclusion from Professional Lawyer Training**

Individuals excluded from a professional lawyer training are as follows:

1. Former Judges, public prosecutors having 10 or more years' experience;
2. Law Professors and Associate Professors;
3. Person who possesses a Bachelor, Master or Doctorate Degree and have engaged in legal and justice works for 10 years or more;
4. Retired former members of the National Assembly;
5. Teachers, instructors entitled to teach law for at least 10 years.

#### **Article 13. Lawyer Internship**

Individuals being certified having completed professional lawyer training shall complete a lawyer internship for at least one year.

The Bar Association is responsible for issuing certification to persons who have completed a lawyer internship.

Lawyer internship is covered in specific regulations established by the Bar Association.

#### **Article 14. Exclusion or Reduction of Lawyer Internship**

Person excluded from lawyer internship are those provided in Article 12, Items 1, 2 and 3 of this Law.

Individuals stated in Article 12, Items 4 and 5 of this Law shall be allowed a reduction of lawyer internship from one year to six months.

#### **Article 15. Lawyer Examination**

Except for individuals as provided in Article 12 of this Law, Individuals who will become a Lawyer shall pass the examination.

The lawyer examination is specified in specific regulations issued by the Ministry of Justice in collaboration with the Bar Association.

#### **Article 16. Appointment of Lawyers**

Individuals who become a lawyer shall be appointed by the Minister of Justice within thirty days from the date of announcing the results of the examination or [offering]<sup>1</sup> the position of Lawyer.

After being appointed as a lawyer, [such person] shall be registered as a member of the Bar Association in order to receive a lawyer card and pay membership fees in accordance with the internal regulations of the Bar Association.

In the provision of legal services, all lawyers must establish their own or a joint legal enterprise or be employed as a lawyer in any legal enterprise.

#### **Article 17. Expiration of Lawyer Status**

Lawyer status shall expire in any of the following cases:

1. Death;
2. Resignation from the position of lawyer;
3. The Lawyer Card is revoked due to violation of the laws, regulations, ethics or internal regulations of the Bar Association.

### **Part III LAWYER OCCUPATION**

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#### **Chapter 1 Legal Services**

#### **Article 18. Participation in Criminal Case Proceedings**

Lawyers may participate in criminal case proceedings from the date being appointed or with the written proposal of its client or family member or organization.

#### **Article 19. Rights and Duties of Lawyers in Criminal Case Proceedings**

In criminal case proceedings lawyers shall have the following rights and duties:

1. To meet with prospective clients or client based on a request [by the client] after being detained, arrested or jailed;

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<sup>1</sup> The Lao is ambiguous, could also read 'applying'.

2. To be informed of charges against the client and to participate in hearing the giving of evidence by the client;
3. To view case dossiers, make copies or record the contents of documents;
4. To present evidence and witnesses;
5. To propose an objection to the judge, public prosecutor, investigating-interrogating officials or interpreters;
6. To provide opinions, raise questions to other participants during case investigation at the court meeting;
7. Object to or petition against wrongdoings or inappropriate actions of concerned officials;
8. Appeal, annulment of orders from investigating-interrogating officials, public prosecutors or orders, decisions, judgments of the People's Court;
9. Apply for bail, release of client in accordance with laws and regulations;
10. To provide cooperation in bringing client under preventive release to attend the People's Court or the Public Prosecutor Office;
11. To be appointed as lawyer in the cases of offences in which the law imposes the death sentence and other offences as specified in the law;
12. To accept summons' instructing the client to take part in case proceedings;
13. To exercise other rights and duties as provided by law.

#### **Article 20. Participation in Civil Case Proceedings**

Lawyers are able to participate in all stages of civil case proceedings as a client representative. If the court reaches a decision or judgment on a civil case in the presence of a lawyer, such decision or judgment of the court shall be deemed as given in the presence of the client.

#### **Article 21. Rights and Duties of Lawyers in Civil Case Proceedings**

In civil case proceedings lawyers have the following rights and duties:

1. To file a complaint or request;
2. To advise clients to mediate and propose that the court mediate between the parties to the case;
3. To view documents, make copies or record the contents of document in case dossiers;
4. To seek and present evidence and witnesses;
5. To participate in the case investigation, provide opinions and raise questions to other participants at the court meeting;
6. To object to the judge public prosecutor, court official, experts of interpreters;
7. Object to or petition wrongdoings or inappropriate actions of concerned officials;
8. Appeal, request annulment of court orders, decisions or judgments of the People's Court or orders from Court Decision Implementing Authority;
9. To exercise other rights and duties as provided by law.

#### **Article 22. Legal Consultancy**

Legal consultancy is the provision of legal opinions, advice, and explanations verbally or in written form to clients or to assist clients in drafting agreements, wills, and other documents.

**Article 23. Legal Aid**

Legal aid is the provision of free legal services to the poor and disadvantaged through the Bar Association and lawyers in order to promote the access to law and judicial procedures.

**Article 24. Legal Service Charges**

Legal service charges is compensation paid by a client to a lawyer for the provision of legal advice or litigation as agreed in the contract between the client and the lawyer.

**Article 25. Lawyer Expenses for Lawyers Appointed by the People's Court**

Lawyer expenses for lawyers appointed by the People's Court to provide legal services to offenders sentenced to death under law and other persons as provided by law, such as travel expenses, meals, accommodation shall be performed in accordance with the regulations issued by Ministry of Justice.

**Chapter 2****Regulations on Lawyer Operations****Article 26. Preserving of Client Confidentiality**

Lawyer and legal enterprises shall keep information communicated by the client confidential, including information communicated by the lawyer to the client or potential client.

Individuals and organizations shall respect the confidentiality provided in Paragraph 1 above and are not entitled to force a lawyer and legal enterprise to disclose such confidential information unless authorized by the client only.

**Article 27. Respect of Lawyer Ethics**

All lawyers shall strictly respect and perform under lawyer ethics in the provision of legal services, including the living within society.

**Article 28. Independence of Lawyers**

Lawyers are independent in the provision of legal services to clients based on the laws, regulations and the lawyer ethics free of intervention, obstruction from organizations, clients, or other individuals.

**Part VI****THE BAR ASSOCIATION****Article 29. The Bar Association**

The Bar Association is a social organization of lawyers in the Lao PDR established to promote the lawyer profession, gain solidarity and protect the prestige of the lawyers aimed at guaranteeing the provision of legal services to society in a just, broad, and effective manner and to contribute to the establishment a [State of law]<sup>2</sup>.

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<sup>2</sup> The Lao meaning is ambiguous.

**Article 30. Organizational Structure of the Bar Association**

The Bar Association is comprised of:

1. Members of the Bar Association;
2. General Meeting of Lawyers;
3. Executive Committee of the Bar Association;
4. Auditing Committee of the Bar Association;
5. Office of the Bar Association.

**Chapter 1**  
**Members of the Bar Association****Article 31. Members of the Bar Association**

Members of the Bar Association are all Lawyers registered with the Bar Association.

**Article 32. Rights and Duties of Members of the Bar Association**

Members of the Bar Association have the following rights and duties:

1. To attend the General Meeting of Lawyers;
2. To elect and apply as a candidate to be elected to the Executive Committee or the Audit Committee of the Bar Association;
3. Provide opinions and question the activities of the Executive Committee and the Audit Committee of the Bar Association;
4. To vote on and adopt matters for consideration at the General Meeting of Lawyers;
5. To raise the level of knowledge and ability in the Lawyer profession;
6. To publicize and educate laws and regulations to the people
7. To provide legal aid to the public pursuant to regulations;
8. To pay Lawyer membership fee;
9. To Exercise other rights and duties as provided in the internal regulations of the Bar Association and in other laws and regulations.

**Article 33. Expiration of Bar Association Membership**

Membership of the Bar Association shall expire at the same time of expiry of Lawyer status, as specified in Article 17 of this law.

**Chapter 2**  
**General Meeting of Lawyers****Article 34. General Meeting of Lawyers**

The General Meeting of Lawyers is the highest organization of Lawyers having the right to decide on important matters concerning the organizations and activities of Lawyers. The General Meeting of Lawyers is comprised of lawyers who are members of the Bar Association or their representatives, and is convened at least once a year.



In cases of necessity and urgency an extraordinary general meeting may be convened at any time as proposed by the Executive Committee, the Audit Committee of the Bar Association or one quarter of the members of the Bar Association.

Detailed regulations on the General Meeting of Lawyers are provided in the internal regulations of the Bar Association.

#### **Article 35. Rights and Duties of the General Meeting of Lawyers**

The General Meeting of Lawyers has the following rights and duties:

1. Consider and adopt summary reports on activities, financial summaries and to adopt work plans and financial plans of the Bar Association;
2. Consider and adopt lawyer professional development plans, internal regulations and various regulations of the Bar Association;
3. Elect or discharge any or all members of the Executive and the Audit Committees of the Bar Association;
4. Consider, study the formulation and amendment of laws based on proposals of the concerned sectors;
5. Hear reports by Legal Enterprise representatives who have outstanding performance;
6. Determine meeting allowances or policies towards the Executive and Audit Committees of the Bar Association;
7. To consider other important matters.

#### **Article 36. General Meeting Resolutions**

Resolutions of the General Meeting of Lawyers shall be valid when they have received votes of more than half of the number of members or representatives participating in the meeting.

One member or representative is entitled to one vote.

### **Chapter 3** **Executive Committee of the Bar Association**

#### **Article 37. Executive Committee of the Bar Association**

The Executive Committee of the Bar Association represents and performs duties on behalf of the General Meeting of Lawyers between two sessions of the General Meeting of Lawyers, including the monitoring and inspection of working activities of the Office of the Bar Association.

The Executive Committee of the Bar Association is comprised of a Chairman, a Vice-Chairman, and a number of members.

The Executive Committee of the Bar Association has a term of office of three years and is elected or removed by the General Meeting of Lawyers.

The conditions of the members, organization and working activities of the Executive Committee of the Bar Association are provided in the internal regulations of the Bar Association.

#### **Article 38. Rights and Duties of the Executive Committee of the Bar Association**

The Executive Committee of the Bar Association has the following rights and duties:



1. To guide the preparation and convention of the General Meeting of Lawyers;
2. To summarize and propose work and financial plans of the Bar Association to the General Meeting of Lawyers.
3. To establish and improve lawyer development plans, the internal regulations of the Bar Association for proposal to the General Meeting of Lawyers;
4. Guide, lead, monitor and inspect the work of lawyers;
5. Discipline lawyers as proposed by the Audit Committee of the Bar Association;
6. To issue or revoke Bar Association membership cards;
7. To coordinate and discuss lawyer works with relevant authorities;
8. Receive meeting allowances and other incentives under the internal regulations of the Bar Association;
9. Report on the operations of the Bar Association and Lawyers to the Ministry of Justice on a regular basis;
10. To exercise other rights and duties as stipulated in the internal regulations of the Bar Association and other laws and regulations.

#### **Article 39. Chairman and Vice-Chairman of the Bar Association Executive Committee**

The Chairman of the Executive Committee of the Bar Association directs, monitors, supports and remedies the daily operations of the Bar Association.

The Vice-Chairman of the Executive Committee of the Bar Association has the duty to assist the Chairman in performing specific tasks and responsibilities as assigned by the Chairman.

Details of the rights and duties of the Chairman, Vice-Chairman and members are provided in the internal regulations of the Bar Association.

### **Chapter 4**

#### **Audit Committee of the Bar Association**

#### **Article 40. The Audit Committee of the Bar Association**

The Audit Committee of the Bar Association is the representative in the audit of operations of the Executive Committee of Bar Association, the Office of Bar Association and the Lawyers.

The Audit Committee of the Bar Association is comprised of the Chairman, a Vice-Chairman and a number of members. The Audit Committee has a term of office of 3 years and is elected or removed by the General Meeting of Lawyers.

The Audit Committee of the Bar Association must meet at least once every three months to summarize the results of their inspections and operations.

The Audit Committee of the Bar Association shall not [comprise of] the same persons appointed to the Executive Committee of the Bar Association.

Details of the organization and operations of the Audit Committee of the Bar Association are provided in the internal regulations of the Bar Association.

#### **Article 41. Rights and Duties of the Audit Committee of the Bar Association**

The Audit Committee of the Bar Association has the following rights and duties:

1. Establish its plans of operation periodically;

2. Monitor and inspect the operations of the Executive Committee of the Bar Association, the Office of the Bar Association and lawyers, including the finance works of the Bar Association;
3. Accept and consider complaints about the performance of duties of the Executive Committee of the Bar Association, the Office of the Bar Association, and lawyers in order to propose measures and remedies;
4. Receive meeting allowances and other incentives as agreed by the General Meeting of Lawyers;
5. Report results of inspection to the General Meeting of Lawyers, including proposals for improving and redressing any occurring matters;
6. Exercise other rights and duties as provided in the internal regulations of the Bar Association and other laws and regulations.

## **Chapter 5**

### **Office of the Bar Association**

#### **Article 42. Office of the Bar Association**

The Office of the Bar Association is the organizational mechanism of the Bar Association which assists with the works of the Executive Committee of the Bar Association, with the role of the daily management and administration of the operations of the Bar Association and lawyers nationwide.

The Office of the Bar Association is comprised of a head, deputy head and staff members.

#### **Article 43. Rights, Duties and Organizational Structure of the Office of the Bar Association**

The rights, duties and organizational structure of the Bar Association are provided in the internal regulations of the Bar Association.

## **Part V**

### **LEGAL ENTERPRISES**

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#### **Chapter 1**

##### **Establishment of Legal Enterprise**

#### **Article 44. Establishment of Legal Enterprise**

Individual and legal entities entitled to apply to establish a Legal Enterprise must be lawyers or must have a Lawyer as a partner or shareholder in such enterprise, the application shall be submitted to the Industry and Trade Division and must obtain authorization to operate a legal enterprise from the Ministry of Justice.

Legal Enterprises are authorized to be established in the form of private enterprise, a partnership enterprise and limited company.

The procedures and conditions for the establishment of the Legal Enterprise shall be performed in accordance with the Enterprise Law, this Law and other relevant laws and regulations.

#### **Article 45. Authorization to Operate a Legal Enterprise**

Authorization to operate a Legal Enterprise is a professional agreement given by the Ministry of Justice to the applicant for enterprise establishment and provision of legal services.

The Ministry of Justice shall consider and authorize the operation of a legal enterprise within ten business days from the date of receiving an application when it is deemed that all conditions specified in the laws and regulations are met. The authorization for the operation of a legal enterprise is a supporting condition for the issue of an Enterprise Registration Certificate by the Ministry of Industry and Commerce.

In the event that no authorization will be given, the Ministry of Justice shall provide a written notification stating the reason to the applicant within the timeframe specified in Paragraph 2 above.

The provision of legal services shall commence from the date of receipt of the Enterprise Registration and shall be effective forever until cessation of such enterprise.

#### **Article 46. Revocation of Legal Enterprise Registration**

The Legal Enterprise Registration may be revoked from the enterprise owner by the Industry and Commerce Division as proposed by of Ministry of Justice in any of the following events:

1. A withdrawal of Lawyer license;
2. Legal services are not provided in line with the authorized purposes;
3. Sale, assignment, transfer or allow the use of the Legal Enterprise Registration by other persons;
4. Breach of this law or other relevant laws and regulations.

#### **Article 47. Business Operations of Legal Enterprises**

Legal enterprises have the right and duty to provide legal services on its own behalf, including litigation in court, as provided in Articles 18, 19, 20, 21, and 22 of this law and other relevant laws.

### **Chapter 2**

#### **Professional Activities of Foreign Lawyers**

#### **Article 48. Foreign Lawyers**

Foreign Lawyers are Lawyers who are authorized to practice the profession of lawyer by the authorities of any country and such authorization is still effective.

Foreign Lawyers who work under contract with a Legal Enterprises in the Lao PDR must obtain authorization from the Ministry of Justice and be registered first with the Bar Association in order to be entitled to provide advice on foreign and international laws, but shall not be entitled to provide advice on Lao law and litigate cases in the courts of the Lao PDR.

Foreign Lawyers registered with the Bar Association shall have the rights and duties as specified in Article 32 of this law, except clause 2 and 4 of such article.

#### **Article 49. Foreign Legal Enterprises**

A foreign legal enterprise registered in the Lao PDR are entitled provide consultancy/advice regarding foreign laws and international laws.

Foreign legal enterprises which have (a) Lao Lawyer(s) as joint investor(s) or employ Lao lawyers are entitled to provide consultancy/advice on Lao law and to litigate cases in the courts of the Lao PDR through such Lao Lawyer.

**Article 50. Establishment of Foreign Legal Enterprise Branch**

Foreign Legal Enterprises have the right to establish their branches in the Lao PDR as provided in the Law on Enterprises, this law and other relevant laws.

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**Part VI**  
**LEGAL SUPPORT FUND**

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**Article 51. Legal Supporting Fund**

The Legal Support Fund is a State fund under the management and audit of the Ministry of Justice, established to provide legal aid to the poor and disadvantaged who are involve in legal cases or who are in need of legal assistance or offenders who have been sentenced to death by law and other persons as provided under law to ensure access to legal services.

**Article 52. Sources of Funds**

The Legal Supporting Fund is acquired from:

1. The state budget;
2. Contributions from individuals, legal entities and domestic and foreign organizations;
3. Social activities and other sources acquired through a legitimate manner.

**Article 53. Management and Use**

The Legal Support Fund is to be used in the provision of legal services, such as travel expenses, food, accommodation, and other costs to an appointed lawyer and relevant officers in accordance with the law in order to assist persons stated in Article 51 of this law.

The management and use of such fund is stipulated in specific regulations.

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**Part VII**  
**PROHIBITIONS**

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**Article 54. Prohibition for Lawyers or Legal Enterprises**

Lawyers or Legal Enterprises are prohibited from any of the following behavior:

1. Untrue advertising;
2. Litigating for both the plaintiff and the defendant in the same case;
3. Litigating a case under its responsibility while serving as a Judge, Public Prosecutor or investigating-interrogating official;
4. Unreasonably terminating legal service agreement on its own;
5. Unclear determination of service charges in the legal service agreement;
6. Claiming service charges which are not provided in the agreement;
7. Promising to win the case;
8. Disclosing client confidentiality;
9. Seeking for negative information of the opposite party which is not related to the case under litigation to which it is participating in order to fight the case;

10. Using impolite expressions, make threats, use of force, insult other persons or organizations, including the statement given by other persons, provision of the laws of the Lao PDR;
11. Make use of its Lawyer license in wrongful way or allow use by other persons;
12. Avoid litigating in cases under its responsibility;
13. Other behavior deemed as breaching the Lawyer ethics and laws and regulations.

**Article 55. Prohibition for Clients**

Clients are prohibited from any of the following behavior:

1. Refusing to pay service charges to the Lawyer or Legal Enterprise as provided in the signed agreement;
2. Force, induce Lawyers or legal enterprises to act in a way which violates laws and regulations;
3. Unreasonable termination of legal service agreement on its own;
4. Using impolite expressions, making threats, using force, insulting lawyers or legal enterprises and the Bar Association;
5. Other behaviors which breach laws and regulations.

**Article 56. Prohibition for Individuals or other Organizations**

Individuals or other organizations are prohibited from any of the following behavior:

1. Refusing to cooperate or obstructing the performance of duties of lawyers or legal enterprises;
2. Inciting other persons to use the legal service of a lawyer or legal enterprise;
3. Providing inaccurate information to a lawyer or a legal enterprise;
4. Claim to be a lawyer of falsifying the Bar Association Membership Card;
5. Other behavior which breaches laws and regulations.

**Part VIII****MANAGEMENT OF LAWYER ACTIVITIES**

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**Article 57. Lawyer Activity Management Authority**

The Government manages the operations of lawyers centrally and uniformly throughout the country by assigning the justice sector to be the centre of coordination with other sectors and concerned local administrations.

Lawyer Activity Management Authority is comprised of:

1. The Ministry of Justice;
2. The Department of Justice at provincial, city levels;
3. The Justice Office at district, municipal levels.

**Article 58. Rights and Duties of the Ministry of Justice**

In the management of lawyer activities, the Ministry of Justice has the following rights and duties:

1. To study and develop strategic plans, policies, laws and regulations relating to lawyers in collaboration with the Bar Association in order to submit to higher authorities for consideration;
2. To expand and implement strategic plans, policies pertaining to lawyers;
3. To publicize and disseminate laws and regulations pertaining to lawyers;

4. To determine curriculum for building and training of the profession of lawyer in collaboration with concerned agencies;
5. To prepare and organize lawyer examinations;
6. To appoint lawyers;
7. To erase the name from being a lawyer according to proposals from the Bar Association;
8. To authorize or revoke an authorization allowing foreign lawyers to undertake the lawyer profession in the Lao PDR;
9. To adopt lawyer etiquette as proposed by the Bar Association;
10. To monitor and inspect the operations of the Bar Association and legal enterprises;
11. To monitor, inspect, and remedy conflicts between lawyers and the Bar Association;
12. To develop relations and cooperation with foreign countries, with regional and international levels regarding the operations of lawyers;
13. To summarize and report on the operations of the Bar Association to the Government;
14. To exercise other rights and duties as provided in the laws and regulations.

**Article 59. Rights and Duties of the Department of Justice at the Provincial, City Levels**

In the management of lawyer activities, the Department of Justice at the provincial and city levels has the following rights and duties:

1. To expand and implement strategic plans, policies pertaining to lawyers in accordance with their responsibilities;
2. To publicize and disseminate laws and regulations pertaining to lawyers within their areas of responsibilities;
3. To monitor and inspect the operations of the Bar Association and legal entities under their responsibilities;
4. To build relations and cooperation with foreign countries, with regional and international levels concerning the operations of lawyers as assigned;
5. To summarize and report on the activities of the Bar Association to the Ministry of Justice and the provincial, city administration;
6. To exercise other rights and duties as specified in the laws and regulations.

**Article 60. Rights and Duties of the Justice Office at District, Municipal Levels**

In the management of lawyer activities, the Justice Office at district and municipal levels has the following rights and duties:

1. To implement the strategic plans, policy pertaining to lawyers in accordance with their responsibilities;
2. To disseminate the laws and regulations pertaining to lawyers within their scope of responsibilities;
3. To monitor and inspect the operations of the Bar Association and legal enterprises within their scope of responsibilities;
4. To summarize and report on the activities of the Bar Association to the Justice Department at provincial and city level, and to the district, municipal administration;
5. To exercise other rights and duties as specified in the laws and regulations.

## **Part IX**

### **THE ESTABLISHMENT DATE, BUDGET, EMBLEM AND SEAL OF THE BAR ASSOCIATION**

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#### **Article 61. Establishment Date of the Bar Association**

The establishment date of the Bar Association is deemed 30 March 1989 which is the date of promulgating the Decree on the Organization and Operation of the Bar Association of the Lao PDR.

#### **Article 62. Budget of the Bar Association**

The Bar Association has its independent budget which is derived from the following sources:

1. Bar Association membership fees, including foreign lawyers who are registered with the Bar Association;
2. Fees from training course organized by the Bar Association and other service charges;
3. Assistance from the State and contributions from individuals, legal entities or domestic and international organizations;
4. Other income sources.

#### **Article 63. Management and Use of Budget**

The budget of the Bar Association shall be used in the following activities:

1. The management/administration of the Bar Association;
2. The activities of the Executive Committee and the Audit Committee of the Bar Association;
3. The organization of the General Meeting of Lawyers;
4. The development of the profession of lawyer;
5. The social welfare of members of the Bar Association and others.

Details of the management and use of budget of the Bar Association are provided in the internal regulations of the Bar Association.

#### **Article 64. Emblem of the Bar Association**

The emblem of the Bar Association is in a circle, with the scales in the center, written on the upper side “Bar Association”, written on the lower side “Lao Bar Association”, on both sides.

#### **Article 65. Seal of the Bar Association**

The Bar Association has its own seal to be used in the undertakings of works.

## **Part X**

### **REWARDS AND MEASURES AGAINST VIOLATORS**

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#### **Article 66. Rewards**

Lawyers, legal entities or the Bar Association who have outstanding performance in the implementation of this law, such as those who contribute to build consciousness in respecting and performing laws and regulations, and who provide legal aid shall be rewarded or commended in accordance with the regulations.



**Article 67. Measures Against Violators**

Lawyers and legal enterprises, individuals, legal entities or organizations who violate this law, such as violation of any prohibitions which bring losses to the State, society, individuals or other organizations, shall be subjected to re-education, cancellation of lawyer membership card, cancellation of enterprise registration certificate, fined or prosecuted under the law based on the severity of the case and shall compensate for any losses incurred.

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**Part XI**  
**FINAL PROVISIONS**

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**Article 68. Implementation**

The Government of the Lao People's Democratic Republic is responsible for the implementation of this law.

**Article 69. Effectiveness**

This law shall become effective from the date of the promulgating decree being signed by the President of the Lao People's Democratic Republic.

Authorizations granted to lawyers and legal entities prior to the promulgation of this law shall remaining enforced but the legal service must be provided in compliance with this law.

Any regulations, provisions that are in contradiction with this law are hereby annulled.

President of the National Assembly

Pany Yathotu