

Unofficial translation



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

President

No.: 201/P
Vientiane Capital, dated 08 November 2016

Decree
of
THE PRESIDENT
of
THE LAO PEOPLE'S DEMOCRATIC REPUBLIC
on
the Promulgation of the Law on Lawyers

-
- Pursuant to Item 1, Article 67, Chapter VI of the Constitution of the Lao People's Democratic Republic (Revised 2015);
 - Pursuant to Resolution of the National Assembly No. 024/NA, dated 09 November 2016 on the Adoption of the Law on Lawyers (Revised);
 - Pursuant to Request Letter of the National Assembly Standing Committee No. 043/SC, dated 29 November 2016.

The President of
the Lao People's Democratic Republic hereby issues the Presidential Decree:

Article 1 The Law on Lawyers (Revised) is hereby promulgated.

Article 2 This Presidential Decree is effective from the date of signature.

President of the Lao PDR

[Signature and seal]

Bounhang Vorachith

Unofficial translation



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No.: 024/NA

Vientiane Capital, dated 09 November 2016

RESOLUTION
of
THE NATIONAL ASSEMBLY
on
the Adoption the Law on Lawyers (Revised)

Pursuant to Item 1, Article 53 of the Constitution and Item 1, Article 11 of the Law on the National Assembly of the Lao People's Democratic Republic (Revised 2015);

After the 2nd Ordinary National Assembly's Session of the VIII Legislature have considerably and thoroughly considered the contents of the Law on Lawyers in the afternoon session on 09 November 2016.

The Session hereby decides:

Article 1 To adopt the Law on Lawyers (Revised) by a majority vote.

Article 2 This Resolution is effective from date of signature.

President of the National Assembly

[Signature and seal]

Pany YATHOTOU

Unofficial translation



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

National Assembly

No.: 06/NA

Vientiane Capital, dated 09 November 2016

Law on Lawyers (Revised)

Part I
General Provisions

Article 1 Objectives

This Law defines principles, regulations, and measures concerning the organization and operation of lawyers in order to ensure righteousness, fairness and effectiveness aiming to protect legitimate rights and interests of clients and to ensure justice for parties, provide evidence for the resolution of court cases and strengthen juridical process, counter the infringement of the legitimate rights of people, create conditions for access to juridical process, build confidence among citizens and domestic and foreign investors, contribute to the national socio-economic development, enabling peace, order and justice for society.

Article 2 (Revised) Lawyers

Lawyers are individuals who are authorized by the Government 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 (Revised) Definitions

The meanings of the terms used in this Law are as follows:

1. **Lawyer Ethics** refers to the internal regulations of the Bar Association concerning the code of conduct and professional activities of lawyers;
2. **Clients** refers to individuals, legal entities or organizations which have a legal services contract with lawyers;
3. **Legal Services Contract** refers to a written agreement between a client and a lawyer to supply legal services;
4. **Supply of Legal Services** refers to activities of lawyers in the supply of legal consultancy services and to represent clients in case proceedings;
5. **Client Representation in Case Proceedings** refers to representation a case in court or litigation;
6. **Legal Enterprises** refers to legal services business operation of individuals or legal entities such as legal consultancy companies;

7. *Discipline Committee* refers to a Committee that considers and propose imposing discipline on lawyers who violates internal regulations of the Bar Association.

Article 4. Government Policy on Lawyers

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

The Government encourages and creates conditions facilitating lawyers to supply legal services and to compete for self-development in order to ensure the protection of legitimate rights and interests of clients through the issuance of laws and regulations, organization of 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 laws and regulations.

Article 5. (Revised) The Principles of Lawyers Activities

In conducting their activities, lawyers shall follow the following basic principles:

1. To respect and follow the Constitution, laws and lawyers ethics;
2. To supply legal services to clients with high responsibility and equity;
3. To be independent in supplying legal services to clients;
4. To keep client confidentiality;
5. To be liable before the law for any wrong action in supplying legal services to clients.

Article 6. Protection of Lawyers

By supplying legal services to clients, lawyers are protected from revenge, threats to life, health, freedom, prestige, personal or family assets in accordance with laws and regulations.

Article 7. Scope of Application of this Law

This Law applies to lawyers, bar association, legal enterprises, individuals, legal entities and other organizations involved in the supply and use of legal services in the land of Lao PDR.

Article 8. International Cooperation

The government promotes relation and cooperation with other countries, the region, and international on lawyers activities through exchange of lessons learned, building and upgrading knowledge, capability of lawyers, assistance and other issues, implementation of international agreements and conventions related to lawyers activities to which the Lao PDR is a Party.

**Part II
Lawyers**

Article 9. Criteria for Lawyers

An Individual who wishes to become a lawyer shall meet all the following criteria:

1. To be Lao citizens aged 23 years and above
2. To have good qualities, be virtuous and loyal towards the nation, the new regime and the legitimate rights and interests of people, impartiality and ethics;

3. To hold at least a Bachelor Degree in Law;
4. To attain professional lawyer training;
5. To complete a lawyer internship and have a certain level of experience in legal work;
6. To pass the lawyer examination;
7. To have never been disciplined with a removal from civil service or sentenced by a court to cease freedom because of an act of willful wrongdoing;
8. To not currently be a civil servant, soldier or police officer;
9. To have good health.

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

Article 10. Criteria for Alien and Foreign Lawyers

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

1. To receive an authorization to work in the Lao PDR or have a permanent residence in the Lao PDR;
2. To 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 receive a proper and complete professional lawyer training in accordance with the curriculum established by the Ministry of Justice.

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

Article 12. (Revised) Exception from undertaking Professional Lawyer Training

Individuals who are exempted from undertaking professional lawyer training are as follows:

1. Former Judges, public prosecutors having experience for 10 years and above;
2. Professors and Associate Professors on Law;
3. People who have a minimum of Bachelor Degree on Law and have engaged in legal and justice work for 10 years and above;
4. Teachers, instructors teaching law for at least 10 years.

Article 13. (Revised) Lawyer Internship

Individuals receive a certificate of completion of professional lawyer training shall complete at least one year lawyer internship.

The Bar Association is responsible for issuing a certificate to an individual who completes a lawyer internship.

Lawyer internship is stipulated in specific regulations issued by the Bar Association.

Article 14. (Revised) Exemption from or Duration Reduction on Lawyer Internship

Individuals provided in Article 12, Items 1, 2 and 3 of this Law are exempted from lawyer internship.

Individuals provided in Article 12, Items 4 and 5 of this Law are eligible for duration reduction of lawyer internship from one year to six months.

Article 15. (Revised) 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.

Article 16. (Revised) Appointment of Lawyers

Individuals who will become a lawyer shall be appointed by the Minister of Justice within thirty days from the date of requested by the Bar Association.

After being appointed, a lawyer 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.

Article 17. (Revised) End of a Lawyer Status

A Lawyer status will end in any of the following cases:

1. Death;
2. Resignation from the position of lawyer;
3. The Name as a Lawyer is deleted due to violation of laws and regulations.

Part III

Supply of Legal Services and Professional Activities

Chapter 1

Supply of Legal Services

Article 18. (New) Requirements to Supply of Legal Services

A lawyer to supply legal services shall meet the following requirements:

1. To be under a District, Municipality, City Bar Association Unit or an Office of Bar Association of a Province or Vientiane Capital;
2. To establish a legal enterprise or joint venture with others;
3. To be a lawyer in an enterprise.

Article 19. (Revised) Participation in Criminal Case Proceedings

A lawyer can participate in criminal case proceedings from the date being appointed or upon a written request from client or family member or its organization.

In order to transfer the rights of attorney for a lawyer on case proceedings, there is a need for a certification from a District, Municipality, City Bar Association Unit or an Office of Bar Association of a Province or Vientiane Capital that such lawyer resides.

Article 20. (Revised) Rights and Duties of Lawyers in Criminal Case Proceedings

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

1. To meet with client or prospective clients based on a request by the client after being detained, arrested or jailed;
2. To be informed of charges against the client and to participate in hearing;
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 judges, public prosecutors, investigating -interrogating officials or interpreters;
6. To provide opinions, question to other stakeholders during case investigation at the court meeting;
7. To propose an objection or petition against wrongdoings or inappropriate actions of relevant officials;
8. To appeal, annul orders from investigating-interrogating officials, public prosecutors or orders, directions, decisions or judgments of the People's Court;
9. To apply for bail, release of client in accordance with laws and regulations;
10. To cooperate in bringing client under preventive release to attend the People's Court or the Public Prosecutor Office;
11. To accept summons to client for case proceedings;
12. To be appointed as lawyer in the cases of offences in which the law imposes the death sentence and other offences as specified in laws;
13. To report criminal case proceedings activities to a District, Municipality, City Bar Association Unit or an Office of Bar Association of a Province or Vientiane Capital where the lawyer resides;
14. To exercise other rights and duties as provided by laws.

Article 21. Participation in Civil Case Proceedings

A lawyer can 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 such lawyer, such decision or judgment of the court shall be deemed as in the presence of the client.

Article 22. (Revised) 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 file a response, defense or request;
2. To advise clients to mediate with another party and request the court to mediate between the parties to the case;
3. To view dossiers, make copies or record the contents of document in case;
4. To seek and present evidence and witnesses;
5. To participate in the case investigation, provide opinions and question other stakeholders at the court meeting;
6. To object to judges, public prosecutors, court officials, experts of interpreters;
7. To propose an objection or petition against wrongdoings or inappropriate actions of relevant officials;
8. To appeal or annul orders, directions, decisions or judgments of the People's Court or orders from Implementing Authority of Court Decisions;
9. To report civil case proceedings activities to a District, Municipality, City Bar Association Unit or an Office of Bar Association of a Province or Vientiane Capital where the lawyer resides;
10. To exercise other rights and duties as provided by laws.

Article 23. 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 24. Legal Service Charges

Legal service charges are remuneration paid to a lawyer by a client for the provision of legal consultancy or litigation as agreed in a contract between a client and a lawyer.

Article 25. (Revised) Expenses for Lawyers Appointed

Expenses such as traveling costs, per diem, accommodation costs for a lawyer appointed as proposed by the People’s Court or other court proceedings authorities in order to provide legal services to offenders with death sentence and others as provided by laws, shall be the same as expenses for government officials performing work as provided by finance related laws and regulations.

Article 26. (Revised) Legal Aid

Legal aid is the supply of legal services to the poor and disadvantage people without charges given to the Bar Association and lawyers in order to promote the access to legal and judicial procedures.

**Chapter 2
Legal Professional Activities**

Article 27. Keeping Client Confidentiality

Lawyers and legal enterprises shall keep information communicated with clients as confidential including information communicated by lawyers to clients or potential clients.

Individuals and organizations shall respect the confidentiality provided in Paragraph 1 above and have no rights to force lawyers and legal enterprises to disclose such confidential information unless authorized by clients.

Article 28. Respect to Lawyer Ethics

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

Article 29. Independence of Lawyers

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

**Part IV
The Bar Association**

Article 30. (Revised) The Bar Association

The Bar Association is a social professional organization of lawyers in the Lao PDR established without expectation of profits in order to promote lawyer profession, gain solidarity and protect honour of lawyers aiming to ensure the supply of legal services to society with wide coverage, fairness and effectiveness contributing to a government governing by laws.

The Bar Association operates with freedom and independence in terms of organization and finance under laws and regulations of Lao PDR.

Article 31. (Revised) Organizational Structure of the Bar Association

Organizational structure of the Bar Association comprises of the following parts:

1. Members of the Bar Association;
 2. Lawyers General Meetings;
 3. Administrative Committee of the Bar Association;
 4. Standing Committee of the Bar Association;
 5. Audit Committee of the Bar Association;
 6. Office of the Bar Associations
 7. Office of the Bar Association in a Province, Vientiane Capital;
 8. Unit of Bar Association in a District, Municipality, City.
- The Bar Association has its own internal regulations.

Chapter 1

Members of the Bar Association

Article 32. (Revised) Members of the Bar Association

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

Members of the Bar Association who have term of lawyers more than 20 years and have an outstanding performance will be selected as honored lawyers as provided in internal regulations of the Bar Association.

Article 33. (Revised) Rights and Duties of Members of the Bar Association

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

1. To attend Lawyers General Meetings;
2. To elect and apply as a candidate to be elected as an Administrative Committee or the Audit Committee of the Bar Association;
3. To provide opinions and question the activities of the Administrative Committee and the Audit Committee of the Bar Association;
4. To vote for adoption matters for consideration at the Lawyers General Meetings;
5. To increase level of knowledge and ability on Lawyer profession;
6. To participate in compulsory training organized by the Bar Association or other relevant stakeholders
7. To advertise, disseminate and educate people on laws and regulations;
8. To provide legal aid to the public in according to laws and regulations;
9. To pay lawyer membership fee in according to regulations;
10. To contribute to the budget of the Bar Association based on income from supply of legal services;
11. To participate in work, events or activities organized by the Bar Association;
12. To report on supply of legal services activities to the Bar Association;
13. To exercise other rights and duties as provided in laws, regulations and as assigned by the Administrative Committee of the Bar Association.

Article 34. The End of Bar Association Membership

Membership of the Bar Association will end at the same time as the end of lawyer status, as specified in Article 17 of this law.

Chapter 2

Lawyers General Meetings

Article 35. (Revised) Lawyers General Meetings

Lawyers General Meetings is the highest organization of lawyers with the rights to decide on important matters concerning the organization and operation of lawyers. The Lawyers General Meeting comprises of lawyers who are members, which 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 Administrative committee, Standing Committee, the Audit Committee or one quarter of the members of the Bar Association.

Lawyers General Meetings will be commenced only with participation of more than half of all members.

Article 36. (Revised) Rights and Duties of Lawyers General Meetings

Lawyers General Meetings have the following rights and duties:

1. To consider and adopt reports on operation, financial summaries and to adopt work and financial plans of the Bar Association;
2. To consider and adopt lawyer professional development plans, internal regulations and other regulations of the Bar Association;
3. To elect or discharge any or all members of the Administrative, Standing and Audit Committees of the Bar Association;
4. To consider, study the formulation and amend laws based on proposals of the relevant sectors;
5. To hear reports by a Unit of the Bar Association in a District, Municipality, City or an Office of the Bar Association in a Province, Vientiane Capital and Legal Enterprises that have an outstanding performance;
6. To determine meeting allowances or policies towards the Administrative and Audit Committees of the Bar Association;
7. To consider other important matters.

Article 37. (Revised) General Meeting Resolutions

Resolutions of the Lawyers General Meetings will be valid when receiving more than half of votes from members participating in the meetings.

Chapter 3

The Administrative Committee of the Bar Association

Article 38. (Revised) The Administrative Committee of the Bar Association

The Administrative Committee of the Bar Association represents and performs duties on behalf of the Lawyers General Meetings during the two Lawyers General Meeting, including the monitoring and inspection of the operation of the Standing Committee; Office of the Bar Association; Office of the Bar Association in a Province, Vientiane Capital; a Unit of the Bar Association in a District, Municipality, City and lawyers.

The Administrative Committee of the Bar Association comprises of a Chairman, a Vice-Chairman, and a number of members.

The Administrative Committee of the Bar Association has a term five years and is elected or removed by the Lawyers General Meetings.

The Administrative Committee of the Bar Association has at least a meeting per three months to study, consider and agree on important issues related to lawyer work.

Article 39. (Revised) Rights and Duties of the Administrative Committee of the Bar Association

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

1. To guide the preparation and convention of the Lawyers General Meeting;
2. To summarize and propose work and financial plans of the Bar Association, lawyer profession development plans, internal regulations and other regulations of the Bar Association to the Lawyers General Meeting;
3. To guide, lead, monitor and inspect the operation of lawyers;
4. To elect or discharge any or all members of the Standing Committees of the Bar Association;
5. To establish Discipline Committee;
6. To award or discipline lawyers as proposed by the Audit Committee or Discipline Committee;
7. To issue or revoke a lawyer card;
8. To coordinate and discuss lawyer work with relevant sectors;
9. To receive meeting allowances and other incentives in accordance with internal regulations of the Bar Association;
10. To report the operation of the Bar Association and lawyers to the Ministry of Justice on a regular basis;
11. To exercise other rights and duties as stipulated in laws and regulations.

Article 40. Chairman and Vice-Chairman Administrative Committee of the Bar Association

The Chairman of the Administrative Committee of the Bar Association directs, monitors, supports and remedies daily operation of the Bar Association.

The Vice-Chairman of the Administrative Committee of the Bar Association has the duty to assist the Chairman in operation and is responsible for specific tasks as assigned by the Chairman.

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

Chapter 4

The Standing Committee of the Bar Association

Article 41. (New) The Standing Committee of the Bar Association

The Standing Committee of the Bar Association administers daily work of the Bar Association according to the plans adopted by the Lawyers General Meetings and Administrative Committee.

The Standing Committee of the Bar Association that is elected or discharge by the Administrative Committee, has the term same as the Administrative Committee.

The Standing Committee of the Bar Association comprises of a Chairman, a Vice-Chairman, and a number of members who are selected by The Administrative Committee of the Bar Association.

The Administrative Committee of the Bar Association has a term five years and is elected or removed by the Lawyers General Meetings.

The Administrative Committee of the Bar Association has at least a meeting per three months to study, consider and agree on important issues related to lawyer work.

Article 42. (New) Rights and Duties of the Standing Committee of the Bar Association

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

1. To guide, monitor and supervise the operation of lawyers
2. To prepare and convene the Lawyers General Meeting;
3. To create or propose improvement to work and financial plans of the Bar Association, lawyer profession development plans, lawyers ethics, internal regulations and other regulations of the Bar Association and then propose to the Administrative Committee;
4. To elect or discharge a head, deputy head and staff working in an Office of the Bar Association, Office of the Bar Association in a Province, Vientiane Capital and a Unit of the Bar Association in a District, Municipality, City;
5. To receive allowances and other incentives in accordance with internal regulations of the Bar Association;
6. To coordinate and discuss lawyer work with relevant sectors;
7. To report its operation and lawyers to the Administrative on a regular basis;
8. To exercise other rights and duties as stipulated in laws and regulations.

Article 43. (New) Rights and Duties of Chairman, Vice-Chairman and Members of Standing Committee of the Bar Association

The rights and duties of Chairman, Vice-Chairman and Members of Standing Committee of the Bar Association are provided in the internal regulations of the Bar Association.

Chapter 5

Audit Committee of the Bar Association

Article 44. (Revised) Audit Committee of the Bar Association

The Audit Committee of the Bar Association represents audit operation of the Administrative Committee, Standing Committee, other organizations of the Bar Association and lawyers.

The Audit Committee of the Bar Association comprises of a Chairman, a Vice-Chairman and a number of members. The Audit Committee has a term of five years and is elected or removed by the Lawyers General Meetings.

The Audit Committee of the Bar Association has at least one meeting per three months to summarize the results of their inspection and operation.

Members of the Audit Committee of the Bar Association are not the same persons appointed to the Administrative 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 45. (Revised) 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. To establish its operation plans periodically;
2. To monitor and inspect the operation of the Administrative Committee, Standing Committee, Office of the Bar Association, Office of the Bar Association in a Province, Vientiane Capital and a Unit of the Bar Association in a District,

- Municipality, City and lawyers including money and assets of the Bar Association;
3. To propose the Administrative Committee considering to award, implement other incentives or discipline lawyer organizations and lawyers;
 4. To accept and consider complaints or request on specific operation of the Bar Association and lawyers in order to propose to the Administrative Committee of the Bar Association considering remedies;
 5. To receive meeting allowances and other incentives in accordance with internal regulations of the Bar Association s;
 6. To report results of inspection to the Lawyers General Meetings including proposals for improving and addressing occurred issues;
 7. To exercise other rights and duties as provided in laws and regulations.

Article 46. (New) Rights and Duties of Chairman, Vice-Chairman and Members of the Audit Committee of the Bar Association

The rights and duties of Chairman, Vice-Chairman and Members of Audit Committee of the Bar Association are provided in the internal regulations of the Bar Association.

Chapter 6

Office of the Bar Association

Article 47. (Revised) Office of the Bar Association

The Office of the Bar Association is the organizational mechanism of the Bar Association which assists with the work of the Standing Committee of the Bar Association, with the role of the daily management and administration of the operation of the Bar Association and lawyers across country.

The Office of the Bar Association comprises of a head, deputy head and a number of staff members.

A head, deputy head and a number of staff members of the Office of the Bar Association are elected and discharged by the Standing Committee.

Article 48. 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.

Chapter 7

Office of the Bar Association in a Province, Vientiane Capital

Article 49. (New) Office of the Bar Association in a Province, Vientiane Capital

An Office of the Bar Association in a Province, Vientiane Capital is the organizational mechanism of the Bar Association established in a Province, Vientiane Capital and where with convenient conditions, with the role of the daily management and administration, supervising the operation of Units of the Bar Association and lawyers under its responsibility.

A head, deputy head of an Office of the Bar Association in a Province, Vientiane Capital are elected and discharged by the Standing Committee.

An Office of the Bar Association in a Province, Vientiane Capital comprises of a head, deputy head and a number of staff members.

Article 50. (New) Rights, Duties and Organizational Structure of an Office of the Bar Association in a Province, Vientiane Capital

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

Chapter 8

Unit of the Bar Association in a District, Municipality, City

Article 51. (New) Unit of the Bar Association in in a District, Municipality, City

A Unit of the Bar Association is the organizational root of the Bar Association established in a District, Municipality, City and where with convenient conditions, with the role of the daily management and administration, supervising the operation of lawyers under its responsibility.

A head, deputy head of an Office of the Bar Association in a Province, Vientiane Capital are elected and discharged by the Standing Committee.

An Office of the Bar Association in a Province, Vientiane Capital comprises of a head, deputy head and a number of staff members.

Article 52. (New) Rights, Duties and Organizational Structure of A Unit of the Bar Association

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

Part V

Legal Enterprises

Chapter 1

The Establishment of Legal Enterprises

Article 53. (Revised) The Establishment of Legal Enterprises

Individuals and legal entities wish to establish a legal enterprise shall submit an application form to the Industry and Commerce Sector and shall obtain technical authorization from the Ministry of Justice.

Legal Enterprises are allowed to be established in a 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.

An applicant applying to establish a legal enterprise shall be a lawyer or has a lawyer as a partner or shareholder in such enterprise and meet other criteria provided in the Law on Enterprise, this law, other relevant laws and regulations.

Article 54. Authorization to Operate a Legal Enterprise

Authorization to operate a legal enterprise is an agreement on technical aspect given by the Ministry of Justice to an applicant for enterprise establishment and supply of legal services.

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

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

The supply of legal services commences from the date of the Registration of an Enterprise and is effective until the end of such enterprise.

Article 55. (Revised) Business Operation of Legal Enterprises

Legal enterprises have the rights and duties to supply legal services on its own behalf, including litigation in the People’s Court, as provided in Articles 19, 20, 21, 22 and 23 of this law and other relevant laws.

Article 56. (Revised) Revocation of a Legal Enterprise Registration

A Legal Enterprise Registration may be revoked by the Ministry of Justice in any of the following cases:

1. Legal services supplied are not in line with the approved objectives;
2. To sell, assign, transfer or allow others to use the Legal Enterprise Registration;
3. To violate this law, other relevant laws and regulations.
4. A Lawyer license has been revoked;

After a legal enterprise operating license has been revoked by the Ministry of Justice, the Ministry of Industry and Commerce shall be informed for consideration according to laws and regulations.

Chapter 2

Legal Profession Operation of Foreign Lawyers

Article 57. (Revised) Foreign Lawyers

Foreign lawyers are lawyers who are authorized to practice the lawyer profession by the authorities of any countries and such authorization is still valid.

Foreign Lawyers who work under a contract with a Legal Enterprise in Lao PDR shall obtain authorization from the Ministry of Justice and to be registered with the Bar Association in order to be entitled to supply legal consultancy on foreign and international laws, but shall not be entitled to supply legal consultancy on Lao law and not to litigate cases in the People’s Court of the Lao PDR.

Foreign Lawyers registered with the Bar Association shall have the rights and duties as specified in Article 33 of this law, except item 2 and 4 of such Article.

Article 58. Foreign Legal Enterprises

Foreign legal enterprises registered in the Lao PDR are entitled supply foreign laws and international laws consultancy.

Foreign legal enterprises which have (a) Lao Lawyer(s) as joint investor(s) or employ Lao lawyers are entitled to supply Lao law consultancy and to litigate cases in the People’s Court of the Lao PDR through such Lao Lawyers.

Article 59. Establishment of Foreign Legal Enterprise Branches

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

Part VI

Legal Supporting Fund

Article 60. Legal Supporting Fund

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

Article 61. Sources of Fund

The Legal Supporting Fund is acquired from:

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

Article 62. (Revised) Management and Usage

The Legal Supporting Fund is to be used in supplying legal services, such as travel expenses, allowances, accommodation, and other costs to an appointed lawyer and relevant officers in accordance with laws and regulations in order to assist persons as stated in Article 60 of this law.

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

Part VII

Prohibitions

Article 63. Prohibitions for Lawyers or Legal Enterprises

Lawyers or Legal Enterprises are prohibited from having the following behavior:

1. To advertise more than reality;
2. To litigate for both a plaintiff and a defendant from the same case;
3. To litigate a case under its responsibility while serving as a Judge, Public Prosecutor or investigating- interrogating official;
4. To terminate a legal service contract on its own without a reason;
5. To unclearly determine legal service charges in a legal service contract;
6. To demand service charges which are not provided in the agreement;
7. To promise to win the case;
8. To disclose client confidentiality;
9. To seek for negative information of the opposite party which is not related to the case under litigation in order to fight the case;
10. To use impolite expressions, threat, use forces, insult others or organizations, including on content of statement by others, provisions of laws of the Lao PDR;
11. To use their lawyer license in wrongful ways or allow others to use such license;
12. To avoid litigating cases under their responsibility;

13. To have other behavior that violates laws and regulations and lawyer ethics.

Article 64. Prohibitions for Clients

Clients are prohibited from have the following behavior:

1. To refuse to pay service charges to a lawyer or legal enterprise as provided in the signed contract;
2. To force, induce a lawyer or a legal enterprise to have a behavior that violates laws and regulations;
3. To terminate a legal service contract on its own without a reason;
4. To use impolite expressions, threats, use forces, insult lawyers or legal enterprises and the Bar Association;
5. To have other behaviors that violates laws and regulations.

Article 65. Prohibition for Individuals or other Organizations

Individuals or other organizations are prohibited from having the following behavior:

1. To refuse to cooperate or obstruct lawyers or legal enterprises in performing their duties;
2. To incite others not to use legal services of a lawyer or legal enterprise;
3. To provide inaccurate information to a lawyer or a legal enterprise;
4. To claim to be a lawyer or falsify the Lawyer Card;
5. To use impolite expressions, threats, use forces, insult lawyers or legal enterprises and the Bar Association;
6. To have other behaviors that violates laws and regulations.

Part VIII

Management and Audit of Lawyer Operation

Chapter 1

Management of Lawyer Operation

Article 66. (Revised) Management Authority for Lawyer Operation

The Government manages the operation of lawyers centrally and uniformly throughout the country by assigning the justice sector to be the direct and center of coordination with other sectors and relevant local administrations.

Management Authority for Lawyer Operation comprises of:

1. The Ministry of Justice;
2. The Division of Justice in a Province, Vientiane Capital;
3. The Justice Office in a district, municipality and city.

Article 67. (Revised) Rights and Duties of the Ministry of Justice

In the management of lawyer operation, 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 propose to higher authorities for consideration;
2. To expand and implement strategic plans, policies related to lawyers;

3. To publicize and disseminate laws and regulations related to lawyers;
4. To determine curriculum for building and training lawyer profession in collaboration with related sectors;
5. To appoint lawyers;
6. To erase a name from being a lawyer according to a request from the Bar Association;
7. To authorize or revoke an authorization allowing foreign lawyers to practice lawyer profession in the Lao PDR;
8. To authorize or revoke a legal service operating license of a legal enterprise and inform the Ministry of Industry and Commerce;
9. To adopt lawyer ethics as proposed by the Bar Association;
10. To consider a lawyer uniform as proposed by the Bar Association;
11. To monitor and inspect the operation of the Bar Association and legal enterprises;
12. To monitor, inspect, and settle disputes between lawyers and the Bar Association;
13. To develop relationship and cooperation with foreigners, regions and international on lawyer operation;
14. To summarize and report on the operation of the Bar Association to the Government;
15. To exercise other rights and duties as provided in laws and regulations.

Article 68. (Revised) Rights and Duties of the Division of Justice in a Province, Vientiane Capital

In the management of lawyer operation, the Division of Justice in a province, Vientiane Capital has the following rights and duties:

1. To elaborate and implement strategic plans, policies related to lawyers;
2. To publicize and disseminate laws and regulations related to lawyers;
3. To monitor and inspect the operation of the Office of the Bar Association in a Province, Vientiane Capital;
4. To develop relationship and cooperation with foreigners, regions and international on lawyer operation as assigned;
5. To summarize and report on the operation of lawyers under its responsibilities to the Ministry of Justice and the provincial, Vientiane Capital Authorities;
6. To exercise other rights and duties as specified in laws and regulations.

Article 69. (Revised) Rights and Duties of the Office of Justice in a District, Municipality, City

In the management of lawyer operation, the Office of Justice at in a District, Municipality, City has the following rights and duties:

1. To implement the strategic plans, policy related to lawyers;
2. To disseminate laws and regulations related to lawyers;
3. To monitor and inspect the operation of the lawyers;
4. To summarize and report on the operation of lawyers under its responsibilities to the Division of Justice in a Province, Vientiane Capital and District, Municipality, City Authorities;
5. To exercise other rights and duties as specified in laws and regulations.

Chapter 2

Audit of Lawyer Operation

Article 70. (New) Audit Authority for Lawyer Operation

Audit Authority for Lawyer Operation comprises of:

1. Internal Audit which is the same authority as the management authority of lawyer operation as provided in article 66 of this law;
2. External Audit which is the National Assembly, People Assembly at provincial level, State Audit Organization, Lao Front for National Development and other mass organizations.

Article 71. (New) Audit Contents

Audit of lawyer operation has the following contents:

1. The exercise of rights and performance of duties of the Management Authorities of Lawyer Operation
2. The implementation of laws and regulations related to lawyer operation;
3. The organization and operation of the Bar Association and Legal Enterprises;
4. The supply of legal services and operation of legal profession.

Article 72. (New) Audit Forms

Audit of lawyer operation has the three forms as following:

1. Audit based on regular system;
2. Audit with prior notification;
3. Urgent Audit.

Regular Audit is an audit according to plan regularly and has definite schedule.

Audit with prior notification is an audit outside the plan when it is necessary by prior notifying persons who will be audited.

Urgent Audit is an audit with emergency without notifying persons who will be audited.

The audit of lawyer operation is to be strictly implemented in accordance with laws and regulations.

Part IX

The Establishment Date, Budget, Symbol, Uniform and Seal

Article 73. (Revised) Establishment Date of the Bar Association

The establishment date of the Bar Association is 30 March 1989 which is the date of promulgating the Decree on the Organization and Operation of the Bar Committee of Vientiane Capital.

Article 74. (Revised) 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. Contribution from Members;
3. Fees from training and organized by the Bar Association and other service charges;

4. Assistance from the Government and contribution from individuals, legal entities or domestic and foreign organizations;
5. Other sources.

Article 75. (Revised) Management and Use of Budget

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

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

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

Article 76. Emblem of the Bar Association

The emblem of the Bar Association is 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 is rice plant.

Article 77. (New) Uniform of Lawyers

Lawyers have a uniform for its profession operation that is adopted by the Ministry of Justice.

All lawyers shall wear their uniforms in the People’s Court proceedings.

Article 78. Seal of the Bar Association

The Bar Association has its own seal to be used in the operation.

Part X

Awards for Good Performance and Measures against Violators

Article 79. (Revised) Awards for Good Performance

Lawyers, legal entities or the Bar Association that 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 free legal services will receive awards or other appropriate policies based on regulations.

Article 80. (Revised) Measures against Violators

Lawyers and legal enterprises, individuals, legal entities or organizations that violate this law, such as violation of any prohibitions which lead to losses to the government, society, individuals or other organizations, will be educated, revoked of lawyer card, revoked of legal service operating license, fined or punished in accordance with laws and regulations depending on a light or serious case basis and to compensate for damages occurred.

Part XI

Final Provisions

Article 81. Implementation

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

Article 82. (Revised) Effectiveness

This law is effective from the date of the promulgation by the President of the Lao People's Democratic Republic and fifteen days after posting on the Lao Official Gazette.

This Law replaces the Law on Lawyers No. 010.NA, dated 21 December 2011.

Any regulations and provisions that contradict to this Law shall be canceled.

President of the National Assembly
[Signature and seal]

Pany YATHOTOU