

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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National Assembly

No. 06/NA

Vientiane Capital City, Date 09 November 2016

**Law on Lawyers (Amended)**

**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 as well as securing justice to, litigant, 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 and the ability to link with regional and international stage contribute to the socio-economic development, enabling peace, social order and justice.

**Article 2.(amended) 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 and to secure justice to litigant as specified in this Law.

**Article 3. (amended) Definitions**

The terms used in this Law have the following meanings:

1. Lawyer Ethics means the internal regulations of the Bar Association concerning the code of conduct and professional activities of lawyers;
2. Client means individuals, legal entities or organizations which have a services agreement to provide legal or lawyer services;
3. Legal Services Agreement means a written agreement between a client and a lawyer to provide legal services;
4. Provision of Legal Services means the activities of lawyers in the provision of legal advice and to represent clients in case proceedings;
5. Client Representation in Case Proceedings means fighting court cases or conducting a case;
6. Legal Enterprise means an organization of legal based business of individuals or legal entities.
7. Disciplinary Committee means the committee in charge of considering and proposing the disciplinary sanction to lawyers who violate the internal rules of the Bar Association.

**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. (amended) 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;
4. To preserve client confidentiality;
5. Be liable before the law for any wrong action in providing legal services.

**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 (both domestic and foreign) 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**

**Article 9. (amended) Qualifications of Lawyers**

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

1. Lao citizens aged 25 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 ;
6. Passed the lawyer examination;

7. Know any foreign languages;
8. Never been disciplined with removal from government service or sentenced by a court to incarceration through an act of willful wrongdoing;
9. Not be a civil servant, soldier or police officer who are still in office;
10. 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 10 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. (amended) 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 at least a Bachelor Degree in legal field and have engaged in legal and justice works for 10 years or more;
4. Teachers, instructors entitled to teach law for at least 10 years.

#### **Article 13. (amended) 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 provided in the internal rules of the Bar Association.

#### **Article 14. (amended) 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 of this Law shall be allowed a reduction of lawyer internship from one year to six months.

#### **Article 15. (amended) 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 a separate regulation.

**Article 16. (amended) 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 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.

**Article 17. (amended) Expiration of Lawyer Status**

Lawyer status shall expire in any of the following cases:

1. Death;
2. Resignation from the position of lawyer;

**Part III**

**Provision of Legal Services and Lawyer Occupation**

**Chapter 1**

**Provision of Legal Services**

**Article 18. (New) Qualification for Provision of Legal Services**

A lawyer who wishes to provide legal services shall meet any qualifications as follows:

1. Working at Bar Association at district, municipality, capital city levels or the Office of Bar Association of province, capital city;
2. Establishing one's own legal enterprise or in joint venture with others;
3. Being a lawyer working at any enterprises.

**Article 19. (amended) Participation in Criminal Case Proceedings**

Lawyers may participate in criminal case proceedings from the date obtaining a Power of Attorney or a written proposal of its client or family member or organization.

Assigning the right to lawyers for perform their tasks shall be certified by the Bar Association at district, municipality, city or the Office of Bar Association at province, capital city where they are located.

**Article 20. (amended) 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;
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 accept summons' instructing the client to take part in 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 the law;
13. To report their participation in criminal case proceedings to the Bar Association at district, municipality, city or the Office of Bar Association at province, capital city where they belong to.
14. To exercise other rights and duties as provided by law.

#### **Article 21. 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 22. (amended) 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, answer to the court claim, cross-action petition of appeal 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 report their participation in the civil case proceedings to the Bar Association at district, municipality, city or the Office of Bar Association at province, capital city where they belong to;
10. To exercise other rights and duties as provided by law.

#### **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**

A legal service charge 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. (amended) Lawyer Expenses for Appointed Lawyers**

Lawyer expenses such as travel expenses, meals, accommodation for lawyers being appointed as recommended by the People's Court or other case proceeding organizations to provide legal services to offenders sentenced to death under law and other persons as provided by law, shall be performed similarly as the performance of duties of government official-civil servant as provided in the financial related laws and regulations

**Article 26. (amended) 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.

## **Chapter 2**

### **Lawyer's Professional Activities**

**Article 27. Preserving of Client's 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 28. 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 29. 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 IV**

### **The Bar Association**

**Article 30. (amended) The Bar Association**

The Bar Association is a non-profit 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 the rule of law.

The Bar Association performs activities freely and independently in terms of organization and finance under the laws and regulations of the Lao PDR.

**Article 31. (amended) 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. Standing Committee of the Bar Association
5. Auditing Committee of the Bar Association;
6. Office of the Bar Association;
7. Office of the Bar Association at provincial, capital city level;
8. Bar Association unit at district, municipal, city level.

The Bar Association has its own internal regulations.

## **Chapter 1**

### **Members of the Bar Association**

**Article 32. (amended) Members of the Bar Association**

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

Members of the Bar Association who have a lawyer term from 20 years and over and have outstanding performance shall be selected as honorary lawyers as specified in the internal regulations of the Bar Association.

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

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

1. To attend he 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 participate in compulsory lawyer training organized by the Bar Association or concerned sectors;
7. To publicize and educate laws and regulations to the people
8. To provide legal aid to the public pursuant to regulations;
9. To pay Lawyer membership fee;
10. To contribute to the budget of the Bar Association based on their revenue from providing legal services;
11. To participate in the tasks, process or activities organized by the Bar Association;
12. To report to the Bar Association, the activities related to their legal services provision;
13. To Exercise other rights and duties as provided in the internal regulations of the Bar Association and in other laws and regulations.

**Article 34. 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 35. (amended) 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.

The general meeting of lawyers shall be opened if the number of member participated is higher than one-half of the total number of its member.

**Article 36. (amended) 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 from the Bar Association Unit at district, municipal, city level or the Office of Bar Association at provincial, capital city level and Enterprises that 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 37. (amended) 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.

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

**Article 38. (amended) 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 Bar Association Standing Committee, the Office of Bar Association at provincial, capital city level, the Bar Association Unit at district, municipal, city level and the lawyers.

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 five years and is elected or removed by the General Meeting of Lawyers.

The Executive Committee of the Bar Association shall open a meeting at least once in every three months in order to study, consider and agree on some important issues related to lawyer's activities.

**Article 39. (amended) 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, lawyer's professional development plan, internal regulations and other regulations of the Bar Association to the General Meeting of Lawyers.
3. To guide, lead, monitor and inspect the work of lawyers;
- 4.
5. To appoint the Disciplinary Committee;
6. To make decision to praise or discipline lawyers as proposed by the Audit Committee of the Bar Association or the Disciplinary Committee;
7. To issue or revoke Bar Association membership cards;
8. To coordinate and discuss lawyer works with relevant authorities;
9. Receive meeting allowances and other incentives under the internal regulations of the Bar Association;
10. Report on the operations 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 the laws and regulations.

**Article 40. 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**

### **The Standing Committee of the Bar Association**

**Article 41 (new) The Bar Association Standing Committee**

The Bar Association Standing Committee is in charge of managing daily activities of the Bar of Association based on the plan approved by the general meeting of the lawyer and the Bar Association Executive Committee.

The Bar Association Standing Committee shall be selected or discharged by the Bar Association Executive Committee, and shall have the same term as the Bar Association Executive Committee.

The Bar Association Standing Committee comprises of a Chairman, Vice-Chairman and a number of members being selected from the Bar Association Executive Committee.

**Article 42 (new) Rights and Duties of the Bar Association Standing Committee**

The Bar Association Standing Committee has the rights and duties as follows:

1. Guide, monitor and manage lawyers' activities;
2. Prepare and call the general meeting of lawyers;
3. Study, develop or propose the improvement of activities and finance of the Bar Association, lawyer's profession development plan, lawyer's ethics, internal regulations and other regulations of the Bar Association before submitting to the Bar Association Executive Committee;
4. Appoint or discharge the head, deputy head and supporting staff at the Office of Bar Association, the Office of Bar Association at provincial, capital city level and the Bar Association Unit at district, municipal, city levels;
5. Receive any allowance and other incentives in accordance with the internal regulations of the Bar Association;
6. Coordinate and discuss lawyer's activities with relevant sectors;
7. Report their activities and the activities of the Bar Association to the Bar Association Executive Committee on a regular basis;
8. Exercise such other rights and perform such other duties as provided in the laws and regulations.

**Article 43 (new) Rights and Duties of the Chairman, Vice Chairman and the Standing Committee of the Bar Association**

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

## **Chapter 5**

### **The Auditing Committee of the Bar Association**

**Article 44. (amended) The Auditing Committee of the Bar Association**

The Auditing Committee of the Bar Association is the representative in the audit of operations of the Executive Committee, the Standing Committee, and other organizations of Bar Association, and the Lawyers.

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

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

**Article 45. (amended) Rights and Duties of the Auditing 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 Standing Committee of the Bar Association, the Office of the Bar Association, the Office of the Bar Association at provincial, capital city level and the Bar Association Unit at district, municipal, city level and lawyers, including the finance and the assets of the Bar Association;
3. Propose the Executive Committee of the Bar Association to consider giving praise, impose other incentives or disciplinary sanction to the lawyer's organization and lawyers;
4. Accept and consider complaints or request about the performance of duties of the Bar Association and the lawyers in order to propose to the Executive Committee of the Bar Association for consideration and remedies;
5. Receive meeting allowances and other incentives as provided in the internal regulations of the Bar Association;
6. 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 specified in the laws and regulations.

**Article 46 (new) Rights and Duties of the Chairman, Vice-Chairman and Members of the Bar Association Auditing Committee**

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

## **Chapter 6**

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

**Article 47. (amended) 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 a number of staff members.

The head, deputy head and staff members of the Office of the Bar Association shall be appointed or discharged by the Bar Association 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 at Provincial, Capital City Level**

**Article 49 (new) Office of the Bar Association at Provincial, Capital City Level**

The Office of Bar Association at provincial, capital city level is an organizational mechanism of the Bar Association that was established in illegible province, capital city, and

have the roles to administer daily activities, manage the activities of the Bar Association Unit and lawyers under their responsibilities.

The head, deputy head of the Office of Bar Association at provincial, capital city level shall be appointed or discharged by the Bar Association Standing Committee.

The Office of Bar Association at provincial, capital city level comprises of a head, deputy head and a number of supporting staff.

**Article 50 (new) Rights and Duties and Organizational Structure of the Office of the Bar Association at Provincial, Capital City Level**

The rights and duties and organizational structure of the Office of the Bar Association at provincial, capital city level are provided in the internal regulations of the Bar Association.

**Chapter 8**  
**The Bar Association Unit at District, Municipality, City Level**

**Article 51 (new) The Bar Association Unit at District, Municipality, City Level**

The Bar Association Unit is a grass-root organization of the Bar Association, being established in eligible district, municipality, city, having the roles in executing daily activities, managing daily activities of lawyers under their responsibilities.

The Bar Association Unit comprises of its head, deputy head and a number of supporting staff.

The head, deputy head of the Bar Association Unit shall be appointed or discharged by the Bar Association Standing Committee as proposed by the Office of Bar Association at provincial, capital city level.

**Article 52 (new) Rights, Duties and Structure of the Bar Association Unit**

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

**Part V**  
**Legal Enterprises**

**Chapter 1**  
**Establishment of Legal Enterprise**

**Article 53. (amended) Establishment of Legal Enterprise**

Individuals and legal entities entitled to apply to establish a Legal Enterprise must submit the application to the Industry and Commerce Division and must obtain technical 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.

A person who proposes to establish legal enterprise must be a lawyer or must have a lawyer as a partner or shareholder in such enterprise and meet other qualifications as provided in the Law on Enterprise, this law, and other relevant laws and regulations.

#### **Article 54. 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 55. 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 19, 20, 21, 22 and 23 of this law and other relevant laws.

#### **Article 56 (amended) Revocation of Legal Enterprise Operation License**

**The Legal Enterprise Operation License may be revoked by of Ministry of Justice in any of the following events:**

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

After the Legal Enterprise Operation License was revoked by the Ministry of Justice, the Ministry of Industry and Commerce shall be informed for consideration in accordance with the laws and regulations.

## **Chapter 2 Professional Activities of Foreign Lawyers**

#### **Article 57. (amended) 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 33 of this law, except clause 2 and 4 of such article.

**Article 58. 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 59. 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.

**Part VI**  
**Legal Supporting Fund**

**Article 60. 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 61. 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 62. (amended) 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 60 of this law.

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

**Part VII**  
**Prohibitions**

**Article 63. 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 their 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 64. 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 65. 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 or falsifying the Bar Association Membership Card;
5. Use impolite words, frighten, use of violence, libel the lawyer, legal enterprise and Bar Association;
6. Other behavior which breaches laws and regulations.

### **Part VIII**

#### **Management and Inspection of Lawyer's Activities**

##### **Chapter 1**

##### **Management of Lawyer's Activities**

#### **Article 66. (amended) Lawyer Activity Management Authority**

The Government manages the operations of lawyers centrally and uniformly throughout the country by assigning the justice sector to take direct responsibility and 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 67. (amended) 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 appoint lawyers;
6. To erase the name from being a lawyer according to proposals from the Bar Association;
7. To authorize or revoke an authorization allowing foreign lawyers to undertake the lawyer profession in the Lao PDR;
8. To give permission or revoke a legal enterprise operation license then inform the Ministry of Industry and Commerce;
9. To adopt lawyer etiquette as proposed by the Bar Association;
10. To consider the adoption of lawyers' uniforms as proposed by the Bar Association;
11. To monitor and inspect the operations of the Bar Association and legal enterprises;
12. To monitor, inspect, and remedy conflicts between lawyers and the Bar Association;
13. To develop relations and cooperation with foreign countries, with regional and international levels regarding the operations of lawyers;
14. To summarize and report on the operations of the Bar Association to the Government;
15. To exercise other rights and duties as provided in the laws and regulations.

**Article 68. (amended) 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 Office of Bar Association at provincial, capital city levels and legal entities;
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 69. 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 based on its scope of responsibilities as follows:**

1. To implement the strategic plans, policy pertaining to lawyers;
2. To disseminate the laws and regulations pertaining to lawyers;
3. To monitor and inspect the operations of the Bar Association;
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.

## **Chapter 2**

### **Inspection of Lawyer's Activities**

**Article 70 (new) Lawyer's Activities Inspection Authority**

The Lawyer's Activities Inspection Authority comprises of:

1. The internal inspection authority which is the same organization as the Lawyer's Activities Management Authority as provided in Article 66 of this law;
2. The external inspection authority which is the National Assembly, the People's Assembly at provincial level, the State Inspection Authority, the Lao Front for National Construction and the mass organizations.

**Article 71 (new) The Content of the Inspection**

The inspection of lawyer's activities shall have the content as follows:

1. The exercise of the right and to perform duties of the Lawyer's Activities Management Authority;
2. The implementation of the laws and regulations related to the lawyer's activities;
3. The organization and activities of the Bar Association and the legal enterprises;
4. The provision of legal services and lawyer's profession activities.

**Article 72 (new) The Form of Inspection**

The inspection of lawyer's activities comprises of three forms as follows:

1. Inspection as regular basis;
2. Inspection through advance notice;
3. Inspection on urgent basis.

Inspection on a regular basis is the inspection done in according to the regular plan and have certain time frame.

Inspection through advance notice is the inspection out of plan when considered necessary by which the inspected target shall be notified in advance.

Inspection on urgent basis is the inspection doe immediately without any advance notice given to the inspected target.

The process of lawyer's activities inspection shall be conducted strictly in accordance with the laws and regulations.

## **Part IX**

### **The Establishment Date, Budget, Emblem, Uniform and Seal**

#### **Article 73. (amended) 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 Vientiane Capital Bar Association.

#### **Article 74. (amended) 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. The contribution from the members;
3. Fees from training course organized by the Bar Association and other service charges;
4. Assistance from the State and contributions from individuals, legal entities or domestic and international organizations;
5. Other income sources.

#### **Article 75. (amended) 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, the Standing 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 76. 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 77. (new) Uniform of the Lawyers**

Lawyers shall have their own uniforms for their professional operation that approved by the Ministry of Justice.

To perform duties at the People’s Court, all lawyers shall wear their uniform.

#### **Article 78. 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**

#### **Article 79. (amended) Rewards**

Lawyers, legal entities or the Bar Association, individuals, legal entities or other organizations 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 80. (amended) 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 legal enterprise operation license, fined or prosecuted under the law based on the severity of the case and shall compensate for any losses incurred.

**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. (amended) 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 and after fifteen days being posted in an Official Gazette.

This law shall replace the Law on Lawyer No. 010/NA, dated 21 December 2011.

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

President of the National Assembly

[Signature and seal]

Pany Yathortu