

Official Corporate Documents and Proposals in Bangladesh: A Comprehensive Dataset

Executive Summary

This report provides an in-depth analysis and structured overview of official corporate documents and proposals utilized by both public and private entities in Bangladesh. It serves as a practical "PDF dataset," detailing the purpose, key contents, legal basis, and accessibility of critical documentation, from company registration to public procurement tenders and corporate disclosures. The report also addresses evolving legal considerations, particularly concerning data privacy and intellectual property, offering a comprehensive resource for legal professionals, business consultants, and academic researchers navigating Bangladesh's regulatory landscape.

1. Introduction to Bangladesh's Corporate and Public Sector Landscape

Bangladesh's economic dynamism is underpinned by a structured corporate and public sector, operating within a defined legal and regulatory framework. Understanding the types of entities, the bodies that govern them, and the laws that dictate their operations is fundamental to comprehending the nature and purpose of the documents they generate and utilize.

1.1. Overview of Business Entities

The corporate landscape in Bangladesh is diverse, accommodating various business structures tailored to both local entrepreneurs and foreign investors. The primary legislation governing these structures is the Companies Act of 1994.¹

For domestic businesses, common forms include:

- **Private Limited Companies:** These are the most prevalent, requiring a minimum of two and a maximum of 50 shareholders. The liability of these shareholders is limited to their invested capital, providing a degree of personal asset protection.¹
- **Public Limited Companies:** These can be formed directly or converted from private limited companies. Conversion necessitates amending the Memorandum and Articles of Association and fulfilling specific requirements for issuing shares to the public.¹
- **One-Person Company (OPC):** A more recent introduction, designed to facilitate single entrepreneurs in establishing a formal corporate entity.¹
- **Companies Limited by Guarantee and Companies with Unlimited Liability:** While less common, these structures are also recognized under the Companies Act of 1994.¹
- **Sole Proprietorships and Partnership Firms:** These are unincorporated entities, frequently chosen by local entrepreneurs. Unlike companies, they do not offer limited liability to their owners.⁴

For foreign investors seeking to establish a presence in Bangladesh, several distinct structures are available, allowing for strategic alignment with their operational scope and investment goals:

- **Liaison Office:** This serves primarily as a communication channel for the foreign parent company and is not permitted to conduct commercial activities or generate income within Bangladesh.⁴
- **Branch Office:** This structure allows a foreign parent company to conduct specific business activities as approved by the Bangladesh Investment Development Authority (BIDA), effectively operating as an extension of the foreign entity.⁴
- **Project Office:** A temporary setup, typically established solely for the execution of a specific contract awarded to the foreign parent company.⁴
- **Private Limited Company (Subsidiary):** This is the most common and preferred structure for foreign investors intending long-term commercial operations, allowing for up to 100% foreign shareholding in most sectors. Unlike liaison, branch, or project offices, a subsidiary is a separate legal entity incorporated in Bangladesh, meaning its liabilities are distinct from those of the parent company.⁴

The availability of these varied company types, from the One-Person Company for individual entrepreneurs to specialized structures like Liaison Offices and Private Limited Company subsidiaries for foreign investors, reflects a strategic evolution within Bangladesh's corporate legal framework. This comprehensive offering indicates

a deliberate governmental effort to cultivate a flexible and attractive environment for diverse business scales and types of foreign direct investment. The existence of these distinct options enables foreign entities to select a legal presence that optimally aligns with their operational scope, risk tolerance, and long-term strategic objectives within the Bangladeshi market, signifying a maturing approach to international business integration.

1.2. Key Regulatory and Oversight Bodies

The corporate and public sectors in Bangladesh are subject to the oversight of several pivotal regulatory bodies, each contributing to the governance and compliance landscape:

- **Registrar of Joint Stock Companies and Firms (RJSC):** As the primary authority, RJSC is responsible for the registration and ongoing preservation of documentation for a wide array of organizations. This includes public and private companies, foreign companies, trade organizations, societies, and partnership firms. RJSC also facilitates online services for name clearance and entity searches, serving as a central hub for corporate legal identity.³
- **Bangladesh Securities and Exchange Commission (BSEC):** BSEC acts as the central regulator for the capital market. Its mandate includes enforcing corporate governance codes, ensuring transparency, and upholding accountability among listed entities.⁷
- **Bangladesh Public Procurement Authority (BPPA) / Central Procurement Technical Unit (CPTU):** This body is instrumental in public sector operations, having developed and managing the e-Government Procurement (e-GP) system. This system centralizes public procurement processes, aiming to significantly enhance efficiency and transparency in government contracting.⁹
- **National Board of Revenue (NBR):** The NBR is the principal authority for tax administration in Bangladesh. Its responsibilities include issuing Tax Identification Numbers (TINs), which are mandatory for company registration, and managing Value Added Tax (VAT) registration.¹
- **Bangladesh Investment Development Authority (BIDA):** BIDA plays a crucial role in facilitating foreign investment. It is responsible for approving the establishment of foreign company offices, such as branch and liaison offices, and generally streamlining the investment process for international entities.⁴

The consistent emphasis on online portals, such as the RJSC e-Service system and the e-GP system, across multiple regulatory bodies like RJSC and BPPA, points to a significant and ongoing digital transformation within Bangladesh's regulatory landscape. This shift is designed to centralize information, streamline administrative procedures, and enhance overall efficiency and transparency in both corporate and public sector operations. Consequently, businesses and researchers are increasingly reliant on these digital platforms for compliance, information retrieval, and engagement with authorities. This transition, while improving accessibility for many, simultaneously necessitates a higher degree of digital literacy and robust technological infrastructure for effective navigation and utilization of these modernized systems.

1.3. Governing Legal Framework

The operations of both public and private entities in Bangladesh are governed by a dynamic and evolving legal framework, which balances established corporate principles with emerging digital mandates.

- **Companies Act, 1994:** This act serves as the foundational legislation for company formation, ongoing governance, and eventual dissolution. It meticulously defines the requirements for various corporate documents, including the Memorandum and Articles of Association, and sets out the framework for corporate compliance.¹
- **Securities and Exchange Ordinance, 1969:** This ordinance provides the overarching legal framework for securities regulation in Bangladesh. It empowers the BSEC to regulate the capital market, ensuring fair practices and investor protection.⁷
- **Public Procurement Act 2006 and Public Procurement Rules 2008:** These laws, complemented by subsequent guidelines such as the Bangladesh e-GP Guidelines 2025, dictate the comprehensive procedures and requirements for all government procurement activities, emphasizing transparency and efficiency.¹⁰
- **Digital Security Act (DSA) and Information and Communication Technology Act (ICT Act):** These acts initially established the legal foundation for digital privacy, cybersecurity, and data protection in Bangladesh. While foundational, they have been subjects of ongoing discussion regarding their scope and practical implications.¹⁴
- **Draft Data Protection Act 2023 (DPA):** This proposed legislation represents a

significant step towards establishing a more comprehensive framework for individual data protection and processing. It is designed to apply to the personal data of Bangladeshi residents and extends its reach to data processing conducted outside Bangladesh if it relates to its citizens or business activities within the country. The DPA aims to introduce stringent regulations on data collection, storage, processing, and sharing, aligning Bangladesh with global data protection standards.¹⁵

- **Copyright Act, 2000 (amended in 2005 and potentially 2023):** This act protects original literary, dramatic, musical, and artistic works, as well as cinematograph films, sound recordings, and computer software. It includes provisions for automatic copyright protection upon creation, along with benefits of registration, and outlines the "fair use" doctrine and ownership principles.²⁴

The simultaneous operation of long-standing foundational acts, such as the Companies Act 1994, alongside newer digital legislation, including the Digital Security Act and the draft Data Protection Act 2023, creates a dynamic and increasingly complex legal environment. While traditional corporate documents primarily focus on entity formation, governance, and financial reporting, the digital laws introduce critical new considerations for data handling, privacy, and cybersecurity. This means that corporate information, even if publicly filed, is now subject to additional layers of regulation concerning its collection, storage, and disclosure. The broader implication is that companies must navigate a multi-faceted compliance landscape where adherence to established corporate governance is no longer sufficient; they must also rapidly adapt to emerging digital mandates, particularly concerning personal data and the implications for advanced technologies like AI training.

2. Corporate Registration and Foundational Documents

Establishing a corporate entity in Bangladesh requires adherence to a structured process involving several essential documents. These documents define the company's legal identity, operational scope, and internal governance.

2.1. Name Clearance Certificate

The Name Clearance Certificate is a mandatory preliminary step for registering any new company in Bangladesh. Its primary purpose is to ensure that the proposed business name is unique and does not bear a resemblance to any existing company names or trademarks.¹ This prevents market confusion and legal disputes over naming rights. The application process is typically conducted online through the Registrar of Joint Stock Companies and Firms (RJSC) website.¹ RJSC reserves the right to reject proposed names if they are identical or too similar to names already registered or in use.⁷ Once obtained, the name clearance remains valid for a period of 180 days, providing a window within which the company's full registration process must be completed.³⁵

2.2. Memorandum of Association (MoA)

The Memorandum of Association (MoA) stands as a critical legal document that fundamentally defines a company's existence and operational boundaries. It outlines the company's objectives, the specific business activities it intends to undertake, and its overall scope of operations.¹ Beyond defining the company's purpose, the MoA also includes crucial details such as its authorized capital and the distribution of shares. The objectives outlined in the MoA are paramount as they guide all subsequent company activities, and operating outside these defined goals can lead to legal complications (*ultra vires* acts).¹ RJSC mandates that the object clause within the MoA should be concise, typically limited to 400 words and organized into no more than 7 clauses.³⁵ Any alterations to the MoA require a special resolution passed by the company's shareholders, followed by formal approval from RJSC, underscoring its foundational legal status.¹¹

2.3. Articles of Association (AoA)

Complementing the MoA, the Articles of Association (AoA) establish the internal rules and regulations governing the company's management and day-to-day operations. This document delineates the roles, responsibilities, and powers of directors, shareholders, and other company officers.¹ While standard templates for AoA exist, it

is often advisable to seek legal counsel to tailor the document to the specific needs of the business and the agreements among its shareholders. This customization ensures that the internal governance structure aligns precisely with the company's unique operational dynamics and stakeholder expectations.³⁴ Similar to the MoA, any amendments to the AoA, such as those required for converting a private company into a public one, necessitate a special resolution approved by shareholders and subsequent official approval from RJSC.²

2.4. Certificate of Incorporation

The Certificate of Incorporation is the pivotal official document issued by the Registrar of Joint Stock Companies and Firms (RJSC) that formally confirms a company's legal existence and its recognition as a distinct legal entity in Bangladesh.² This certificate marks the commencement of the company's legal life. According to Section 25 of the Companies Act, 1994, the Certificate of Incorporation serves as conclusive evidence that all statutory requirements for registration have been duly complied with, and that the company has been properly registered under the Act. Once issued, the legal existence of the company cannot be challenged, even if minor irregularities occurred prior to its registration.⁶

2.5. Director's Information and Shareholder Details

Comprehensive and accurate information regarding a company's directors and shareholders is a fundamental requirement during the registration process. For directors, the required details include their full name, a copy of their National ID (NID) or passport, their present and permanent addresses, Tax Identification Number (TIN), and recent passport-sized photographs.¹ If the company has multiple shareholders, their details are also meticulously collected, including copies of their NID or passport, proof of address, and their respective shareholding percentages. Both individuals and corporate entities can serve as shareholders, and their identification and ownership details must be fully documented.¹ For online submission to RJSC, specific forms such as Form XI (Consent to Act as Director) and a Subscriber Page, which lists each shareholder's name and the number of shares they commit to take, are mandatory.³⁴

2.6. Tax Identification Number (TIN) and VAT Registration

A Tax Identification Number (TIN) is a mandatory requirement for any company undergoing registration in Bangladesh. This unique identifier is essential for compliance with the country's tax regulations. Companies or their directors, if they do not already possess a TIN, must apply for one through the National Board of Revenue (NBR) website. Notably, the process of obtaining a TIN in Bangladesh is free of charge.¹ In addition to a TIN, companies may also be required to register for Value Added Tax (VAT), depending on the nature of their business activities and revenue thresholds. VAT registration is another critical step to ensure full compliance with the country's tax framework.²

2.7. Trade License

A Trade License is an official document issued by the relevant local authority—such as a city corporation, municipality, or union council—that grants legal permission to operate a business within a specific geographical area in Bangladesh. This license is mandatory for virtually all types of businesses, including sole proprietorships, ensuring that they comply with local regulations and operational standards.² The application for a Trade License typically requires the submission of several foundational corporate documents, including the Certificate of Incorporation, the Memorandum of Association (MoA), the Articles of Association (AoA), and proof of the company's registered office address.² The fees associated with obtaining a Trade License are not uniform; they vary considerably based on the nature and specific type of business being registered, reflecting the diverse economic activities across the country.²

The sequence of requirements for company registration in Bangladesh, where a Name Clearance Certificate is a prerequisite for drafting the MoA and AoA, which are then essential for obtaining the Certificate of Incorporation, and finally, this certificate is necessary for securing a Trade License and TIN, highlights a deeply interconnected and sequential process. Any error or rejection at an earlier stage, such as a proposed name being too similar to an existing one, can necessitate re-submission of subsequent forms, leading to significant delays and increased administrative burden.

This intricate web of dependencies underscores the critical importance of meticulous preparation and, frequently, expert legal guidance to navigate the process efficiently and mitigate compliance risks.

Table: Essential Documents for Company Registration in Bangladesh

Document Name	Purpose/Function	Key Contents	Issuing/Governing Authority	Relevant Act/Regulation
Name Clearance Certificate	Ensures unique company name	Proposed name, uniqueness verification	RJSC	Companies Act 1994
Memorandum of Association (MoA)	Defines company objectives, scope, and capital	Company name, objectives, authorized capital, liability statement	RJSC	Companies Act 1994
Articles of Association (AoA)	Governs internal management and operations	Rules for directors, shareholders, meetings, share transfers, dividends	RJSC	Companies Act 1994
Certificate of Incorporation	Legalizes company existence	Company name, registration number, date of incorporation	RJSC	Companies Act 1994
Director's Information	Identifies key management personnel	Full name, NID/passport, address, TIN, photographs	RJSC	Companies Act 1994
Shareholder Details	Identifies company owners and their stakes	NID/passport, proof of address, shareholding percentage	RJSC	Companies Act 1994
Tax Identification Number (TIN)	Enables tax compliance	Unique tax ID number	National Board of Revenue (NBR)	Tax laws, NBR regulations

VAT Registration Certificate	Enables Value Added Tax compliance	VAT registration number, business type	National Board of Revenue (NBR)	VAT laws, NBR regulations
Trade License	Permits local business operation	Business name, type, location, license validity	Local City Corporation/Municipality	Local Government (City Corporation) Act

3. Public Disclosure and Reporting Requirements for Listed Companies

Publicly listed companies in Bangladesh are subject to stringent disclosure and reporting requirements, primarily aimed at fostering transparency, promoting good corporate governance, and protecting investor interests. These obligations are enforced by key regulatory bodies and stock exchanges.

3.1. Bangladesh Securities and Exchange Commission (BSEC) Regulations

The Bangladesh Securities and Exchange Commission (BSEC) stands as the paramount regulatory body for the capital market in Bangladesh. Its fundamental role is to ensure ethical leadership, transparency, and accountability in corporate governance across all listed entities.⁷ BSEC derives its authority from the Securities and Exchange Ordinance, 1969, which provides the foundational legal framework for securities regulation in the country.⁷ To further its mandate, BSEC has issued the Corporate Governance Code (CGC), a crucial set of directives that impose rigorous requirements on listed companies. These include stricter mandates for the independence of board members, the compulsory formation and effective functioning of specialized board committees such as Audit Committees and Nomination & Remuneration Committees, and enhanced disclosure obligations designed to provide comprehensive and timely information to the market.⁷

3.2. Dhaka Stock Exchange (DSE) Filings and Disclosures

The Dhaka Stock Exchange (DSE), operating as a Public Limited Company, functions under its own Articles of Association, rules, and regulations, in strict adherence to BSEC's directives.³⁹ A core obligation for DSE-listed companies, as stipulated by Regulation 33 of the Dhaka Stock Exchange (Listing) Regulation 2015 and BSEC rules, is the full and timely disclosure of Price Sensitive Information (PSI).⁴⁰

PSI encompasses any unpublished information that could significantly influence the market price of a listed security, or the net worth or asset value of the issuing company.⁴¹ The broad categories of PSI include:

- **Financial Performance:** Reports concerning changes in financial position or performance, such as significant increases or reductions in income, expenses, cash flows, receivables, liabilities, assets, or revaluation impacts.⁴⁰
- **Corporate Actions:** Information related to dividend declarations (cash or stock), corporate declarations, and changes in corporate structure, including mergers, demergers, acquisitions, disposals, conversions, or transfers.⁴⁰
- **Operational Developments:** Significant new contracts, product launches, patent registrations, or changes in services.⁴⁰
- **Leadership Changes:** Any alterations, resignations, or demotions within the Board of Directors, including key executives such as the Chief Executive, CEO, CFO, and Company Secretary.⁴⁰
- **Debt and Credit Management:** Information pertaining to borrowing or repayment of 25% or more of paid-up capital or net assets (whichever is higher), encumbrance or discharge of significant assets, or failure to meet debt obligations for a period exceeding six months.⁴⁰
- **Other Material Events:** This category covers other significant agreements, the loss of substantial assets, or the cancellation or substantial modification of previously announced schemes that could impact the company's operations or reputation.⁴⁰

The dissemination modality for PSI is strictly regulated: it must be disclosed to BSEC, DSE, and CSE within two hours of the Board's decision or the company becoming aware of the information. Furthermore, this information must be published on an online news portal and in two widely circulated daily newspapers (one in Bangla and one in English).⁴⁰ Companies are also required to host all such disclosures on their official websites for a minimum period of three years, ensuring public accessibility and a historical record.⁴⁰ An illustrative example of comprehensive financial and corporate

governance reporting can be found in Dhaka Bank PLC.'s Annual Report 2023, which includes audited financial statements, strategic reviews, and sustainability reporting.⁴³ DSE news archives further demonstrate various types of disclosures, such as dividend declarations, changes in board meeting schedules, credit rating assignments, and business agreements.⁴²

3.3. Chittagong Stock Exchange (CSE) Filings and Disclosures

The Chittagong Stock Exchange (CSE) operates under disclosure mandates similar to those of the DSE, adhering to BSEC rules and the CSE Listing Regulation 2015.⁴⁰ The CSE Annual Report 2021 provides a clear illustration of the typical content expected from listed companies, covering the exchange's vision, mission, organizational structure, detailed information on its board of directors and various committees, financial performance, comprehensive market data, and adherence to corporate governance practices.⁴⁷

The CSE website offers dedicated sections for accessing company-specific information. The "Company Info" section provides details on Financial Statements Status, Record Dates, Initial Public Offerings (IPOs), Qualified Investor Offers, and Media Reports.⁴⁹ Additionally, the "News" section features Market News, Notices, Press Releases, and Events, serving as a dynamic channel for disseminating timely announcements.⁴⁹ The Central Depository Bangladesh Limited (CDBL), which is intrinsically linked with both the DSE and CSE, plays a crucial role in the capital market infrastructure. CDBL provides information on Beneficiary Owner (BO) accounts, records corporate actions such as the crediting of bonus shares, and offers various downloadable forms pertinent to securities management.⁵⁰

3.4. Annual Reports and Audited Financial Statements

Annual Reports and their accompanying Audited Financial Statements are mandatory filings for all companies registered in Bangladesh, not just those listed on stock exchanges. These documents must be submitted to the Registrar of Joint Stock Companies and Firms (RJSC) within 30 days following the company's Annual General

Meeting (AGM).³⁸

A typical Annual Report is a comprehensive document that provides a holistic view of the company's performance, strategic direction, and governance. Key components generally include:

- **Financial Statements:** This core section comprises consolidated and separate balance sheets, profit and loss accounts, cash flow statements, statements of changes in equity, and liquidity statements, all accompanied by detailed notes that provide context and breakdowns of financial figures.⁴³
- **Corporate Governance Reports:** These sections detail the company's adherence to corporate governance principles, including the composition and activities of the Board of Directors and its various committees (e.g., Audit Committee, Risk Management Committee, Shari'ah Supervisory Committee for Islamic banks).⁴³
- **Strategic Overview:** This often includes the company's vision, mission, core values, strategic objectives, ethical principles, and a review of key events during the reporting year. It may also feature a SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis and a description of the business model and market forces.⁴³
- **Management Statements:** Statements from the Chairman and Managing Director provide insights into the company's performance, challenges, and future outlook.⁴³
- **Shareholders' Information:** Details on the distribution of shareholdings, dividends, and stock information are typically included.⁴³
- **Sustainability Reporting:** Increasingly, annual reports incorporate sections on sustainability, outlining the company's Environmental, Social, and Governance (ESG) approach, initiatives, and impact.⁴³

3.5. Price Sensitive Information (PSI) and Material Event Disclosures

Price Sensitive Information (PSI), as precisely defined by the Bangladesh Securities and Exchange Commission (BSEC), refers to any unpublished information that, if made public, could significantly influence the market price of a relevant listed security or unit of a fund. It also includes information that could substantially affect the net worth or asset value of the issuer.⁴¹ The regulatory framework in Bangladesh mandates the disclosure of a wide array of material events and PSI to ensure market

fairness and prevent insider trading. The broad categories of information requiring disclosure, as detailed under the Dhaka Stock Exchange (Listing) Regulation 2015 and Chittagong Stock Exchange (Listing) Regulation 2015, span financial conditions, changes in corporate structure, operational developments, and significant managerial changes.⁴⁰ The strict two-hour timeline for disclosing such information underscores the urgency and critical importance of its prompt dissemination to ensure that all investors have equitable access to vital market-moving data.⁴⁰

3.6. Corporate Governance Compliance Reports

Adherence to the Corporate Governance Code (CGC) issued by the Bangladesh Securities and Exchange Commission (BSEC) is a paramount requirement for all listed companies in Bangladesh.⁷ This code outlines principles for ethical leadership, transparency, and accountability. As part of their annual reporting, listed companies are typically required to include specific sections demonstrating their compliance with these governance standards. This often includes a "Compliance Report on BSEC's Notification" and a "Certificate on Compliance of Conditions of Corporate Governance".⁴³ These reports serve as formal declarations by the company's management and auditors, affirming that the company has upheld the prescribed corporate governance practices, thereby reinforcing investor confidence and market integrity.

The comprehensive and stringent disclosure requirements imposed by BSEC, DSE, and CSE, particularly for Price Sensitive Information (PSI), coupled with the mandatory inclusion of Corporate Governance Compliance Reports in annual filings, collectively demonstrate a strong and deliberate regulatory push towards enhancing market transparency and investor protection. The strict timeline for disclosure (within two hours), the requirement for multi-platform dissemination (online news portals, newspapers, and company websites), and the mandate for long-term archival (minimum three years) are all designed to prevent insider trading, ensure equitable access to critical information, and foster a more informed and trustworthy capital market. This proactive regulatory stance signals a maturing financial ecosystem that prioritizes market integrity and investor confidence.

Table: Key Public Disclosure Documents for Listed Companies

Document Type	Content Overview	Filing Frequency/Trigger	Primary Regulatory Authority	Example Company/Context
Annual Report	Comprehensive financial and operational performance, strategic review, corporate governance, sustainability	Annually, within 30 days of AGM	RJSC, BSEC, DSE, CSE	Dhaka Bank PLC. Annual Report 2023 ⁴³
Audited Financial Statements	Balance Sheet, Profit & Loss Account, Cash Flow Statement, Statement of Changes in Equity, Liquidity Statement, Notes	Annually, within 30 days of AGM	RJSC, BSEC, DSE, CSE	Dhaka Bank PLC. Annual Report 2023 ⁴³
Price Sensitive Information (PSI) Disclosure	Material events affecting market price (financial changes, structural changes, new contracts, leadership changes, debt issues)	Within 2 hours of Board decision/cognition	BSEC, DSE, CSE	UCB Principles on Disclosure ⁴⁰
Corporate Governance Compliance Report	Board structure, committee functions, compliance status with BSEC Code	Annually, part of Annual Report	BSEC	Dhaka Bank PLC. Annual Report 2023 ⁴³

4. Public Procurement Documents and Tender Processes

Public procurement in Bangladesh is a highly structured and increasingly digitized process, designed to ensure fairness, transparency, and efficiency in the acquisition of goods, works, and services by government entities. This framework is primarily managed through the e-Government Procurement (e-GP) system.

4.1. Bangladesh Public Procurement Authority (BPPA) and the e-GP System

The **Bangladesh Public Procurement Authority (BPPA)**, which evolved from the Central Procurement Technical Unit (CPTU), serves as the central government institution responsible for overseeing all public procurement activities in Bangladesh.¹⁰ A significant achievement of the BPPA is the development and implementation of the

e-Government Procurement (e-GP) system, an online portal accessible at www.eprocure.gov.bd.¹⁰ This system was inaugurated on June 2, 2011, and has been progressively rolled out across all government organizations in Bangladesh since 2012.¹⁰ The e-GP system is designed to manage the entire

Government Procurement Process Cycle (GPPC), encompassing every stage from initial planning to contract management, for the acquisition of a wide range of goods, works, and services.¹⁰

4.2. Standard Tender Documents (STDs) for Goods, Works, and Services

To standardize and streamline procurement processes, the BPPA publishes a comprehensive set of **Standard Tender Documents (STDs)** and **Standard Request for Quotation (SRFQ)** documents.⁵³ These documents are meticulously categorized to suit various procurement scenarios:

- **Type:** Documents are classified as National (for domestic procurements), International (for global tenders), or specific e-GP system documents, and some are applicable for both national and international scope.⁵³
- **Method:** They specify the tendering method to be used, such as the Open Tendering Method (OTM) for broad competition, the Limited Tendering Method

(LTM) for restricted participation, or the Direct Procurement Method for specific circumstances.⁵³

- **Value Range:** The documents are tailored to different contract values, ensuring proportionality in procedural requirements. For example, specific STDs exist for goods valued up to BDT 5 lakh, works up to BDT 10 lakh, or larger projects exceeding BDT 25 lakh.⁵³

Examples of these standardized documents include:

- The **Standard Request for Quotation (SRFQ) Document (National) for Procurement of Goods**, designed for smaller value acquisitions.⁵³
- The **Standard Tender Document (National) for Procurement of Goods**, used for more substantial domestic purchases.⁵³
- The **Standard Tender Document (STD) for Supply & Installation of Plant & Equipment (National / International)**, applicable for complex turnkey contracts across various values.⁵³
- The **Standard Tender Document (National) for Procurement of Works**, which outlines requirements for construction and infrastructure projects.⁵³

Many of these STDs are available in both English and Bangla versions, enhancing accessibility for a broader range of potential bidders.⁵³

4.3. Request for Quotation (RFQ) Documents

Request for Quotation (RFQ) documents, specifically the **Standard Request for Quotation (SRFQ)**, are tailored for smaller-value procurements of goods and works. These documents offer a simplified and expedited process compared to the more extensive requirements of full tender documents.⁵³ The use of SRFQs is typically governed by specific value thresholds, such as "for values up to BDT 5 lakh" for goods and "for values up to BDT 10 lakh" for works, ensuring that the procurement method is proportionate to the scale and complexity of the acquisition.⁵³

4.4. Tender Invitation, Submission, and Evaluation Procedures

The e-GP system comprehensively facilitates the entire e-Tendering process,

providing a centralized platform for all stages of public procurement. This digital system includes:

- **Centralized User Registration:** All participants in the procurement ecosystem, including contractors, suppliers, consultants, and procuring entities, must register centrally on the portal.¹⁰
- **Annual Procurement Plan (APP) Preparation:** Public agencies are required to outline their anticipated procurement needs in an Annual Procurement Plan, which is then made available through the system.¹⁰
- **Tender/Proposal Document Preparation and Invitation:** Procuring entities prepare and issue tender invitations and related documents directly through the online portal.¹⁰
- **Sale of Tender Documents (e-TD):** Tender documents are made available for download directly from the e-GP portal, often free of charge, enhancing accessibility for potential bidders.¹⁰
- **Online Pre-Tender Meetings:** The system facilitates virtual meetings where potential bidders can seek clarifications on tender documents before submitting their bids.¹⁰
- **e-Lodgment (Online Bid Submission):** Bidders submit their proposals and bids electronically through the portal, ensuring a secure and auditable submission process.¹⁰
- **e-Evaluation and e-Contract Award:** The system supports digital evaluation of bids and the electronic awarding of contracts, further streamlining the process and reducing manual intervention.¹⁰

Beyond the tendering phase, the e-GP system also incorporates an **e-Contract Management System (e-CMS)**. This module supports post-award processes, including the submission of work plans, tracking of milestones, monitoring of progress, management of variation orders, and the generation and payment of bills.¹⁰ Furthermore, Bangladesh's public procurement practices are influenced by international best practices, with references to documents such as the World Bank's "Procurement Regulations for IPF Borrowers" guiding consultant selection and overall procurement procedures.⁹

4.5. Relevant Procurement Regulations and Guidelines

The legal foundation for public procurement in Bangladesh is firmly established by the

Public Procurement Act 2006 and the **Public Procurement Rules 2008**.¹⁰ These legislative instruments provide the overarching framework and detailed procedures for all government purchasing activities. To ensure ongoing compliance and adapt to evolving practices, additional guiding documents are regularly issued. These include the "Bangladesh e-GP Guidelines (Revised) 2025," which offers updated procedures for digital procurement, and the "Outsourcing Policy 2025," which outlines specific requirements for outsourcing government services. These guidelines provide detailed instructions and compliance requirements that all procuring entities and potential vendors must adhere to.⁹

The comprehensive nature of Bangladesh's e-GP system, which integrates all phases of public procurement from tender invitation to contract management and payments, signifies a strong governmental commitment to digital governance. This digitalization is not merely about internal efficiency; it explicitly aims to enhance transparency and efficiency in public procurement. Crucially, by standardizing tender documents (STDs, SRFQs) and centralizing the entire process online, the system actively broadens market access for potential tenderers, both domestic and international. This reduces information asymmetry, lowers administrative barriers, and fosters greater competition, which can lead to better value for public funds and potentially mitigate corruption. The broader implication is a strategic shift towards a more accessible, accountable, and competitive public sector.

Table: Categories of Standard Tender Documents on e-GP Portal

Serial No.	Code	Type	Title/Description	Applicable Method	Value Range	Published Date	Download Link/Availability
1	PG1	National	Standard Request for Quotation (SRFQ) Document (National) for Procurement of	SRFQ	Up to BDT 5 lakh	25/07/2024	Available

			Goods				
3	PG2	National	Standard Tender Document (National) For Procurement of Goods	OTM / LTM	Various	25/07/2024	Available
5	PG3	National	Standard Tender Document (National) For Procurement of Goods	OTM	Above BDT 25 Lac	25/07/2024	Available
7	PG3A	National	Standard Tender Document (National) For Procurement of Goods Using Framework Contract	OTM/LTM	Any Value	01/04/2018	Available
8	PG4	International	Standard Tender Document (STD) For Procurement of Goods (International)	OTM	Any Value	15/10/2019	Available

9	PG5A	Int'l and National	Standard Tender Document (STD) For Supply & Installation of Plant & Equipment	One Stage Two Envelope Tendering	Any Value	01/04/2018	Available
12	ePG3	National (e-GP)	Procurement of Goods through e-GP System (For viewing purpose only)	e-GP	Any Value	01/08/2017	Available
16	e-PG9	National e-GP	Standard e-Tender Document (STD) (National) For Procurement of Goods	Direct Procurement Method	Any Value	13/04/2023	Available
1	PW1	National	Standard Request for Quotation (SRFQ) Document (National) for Procurement of	SRFQ	Up to BDT 10 lakh	02/08/2017	Available

			Works				
3	PW2A	National	Standard Tender Document (National) For Procurement of Works	OTM	Up to BDT 3 Crore	07/10/2018	Available
5	PW3	National	Standard Tender Document (National) For Procurement of Works	OTM	Above BDT 3 Crore	25/07/2024	Available

5. Common Corporate Contracts and Agreements

Corporate entities in Bangladesh regularly utilize a variety of contracts and agreements to govern their internal operations, external relationships, and specific transactions. These documents are shaped by national laws and industry practices, reflecting a blend of standardized clauses and customized provisions.

5.1. Employment Contracts

Employment contracts in Bangladesh are fundamental legal instruments that define the relationship between an employer and an employee. These contracts are primarily governed by the **Bangladesh Labor Act 2006 (as amended up to 2023)** and the **Bangladesh Labor Rules 2015**.⁵⁷ A typical employment contract is comprehensive, detailing the mutual obligations and entitlements of both parties.

Key information that must be included in an employment contract comprises:

- **Identification of Parties:** Full names and contact information, including National ID (NID) for both the employer and employee.⁵⁷
- **Job Role and Responsibilities:** A clear and precise description of the employee's position, their specific duties, and designated working hours and days.⁵⁷
- **Compensation and Benefits:** Detailed breakdown of the agreed salary or wages, including components such as basic pay, house rent, travel/medical allowance, provident fund contributions, and conveyance allowance. Provisions for overtime pay, typically 1.5 times the daily salary, must also be specified.⁵⁷
- **Leave Entitlements:** Details on various types of paid leave, including sick leave (e.g., 14 days for permanent employees), casual leave (e.g., 10 days), festival holidays, and compensatory leaves for work on holidays. Female employees are entitled to 16 weeks of maternity leave.⁵⁷
- **Termination Conditions:** Explicit clauses outlining the conditions under which employment can be terminated by either party. This includes specified notice periods (e.g., 120 days written notice from the employer for a permanent employee, 60 days from a permanent employee for resignation, and 30 days for temporary workers).⁵⁷
- **Confidentiality and Non-disclosure:** Clauses to protect sensitive company information and trade secrets, often including non-compete provisions.⁵⁷
- **Dispute Resolution:** Mechanisms for addressing employer-employee disputes, often involving an Arbitrator or Mediator.⁵⁷

Employment contracts in Bangladesh can be categorized based on their duration and scope:

- **Permanent Employment Contracts:** These contracts have no fixed end date and continue indefinitely until terminated by either party with proper notice. They typically offer job security and comprehensive benefits.⁵⁷
- **Fixed-Term Employment Contracts:** Used for temporary or seasonal work, these contracts have a specific start and end date. Employment automatically concludes at the end of the specified term unless a new agreement is negotiated or it is converted into a permanent contract.⁵⁷
- **Project-Based Employment Contracts:** A specialized form of temporary agreement, these are contingent upon the completion of a particular project or assignment. They clearly define the scope of work and compensation structure tied to the project's duration.⁵⁷
- **Part-Time Employment Contracts:** These agreements specify fewer working

hours per week than full-time roles, with benefits typically pro-rated based on hours worked.⁵⁷

- **Foreign Worker Employment Agreements:** These contracts involve specific legal compliance requirements, including obtaining work permits through the Bangladesh Investment Development Authority (BIDA) and the Ministry of Home Affairs. They must ensure that wages and employment conditions meet or exceed local standards and often include clauses related to repatriation flights upon termination.⁵⁷

5.2. Service Agreements

Service agreements are contractual instruments used to engage individuals or corporations, such as independent contractors, consultants, or freelancers, to perform a specific and defined task or set of services for a client or employer.⁶⁰ Unlike employment contracts, these agreements typically establish a client-provider relationship rather than an employer-employee one.

Key details commonly found in service agreements include:

- **Nature of Services:** A precise description of the services to be provided, including the scope of work and any deliverables.⁶⁰ For example, a sample service agreement from the Bangladesh Supreme Court details monthly inspection, servicing, and troubleshooting of specific equipment.⁶¹
- **Length of Engagement:** The term of the agreement, specifying start and end dates, along with conditions for extension or early termination (e.g., a one-month notice period).⁶⁰
- **Compensation:** The agreed-upon rate of compensation (e.g., per day, week, month, or upon completion of services) and the invoicing frequency and payment terms.⁶⁰
- **Responsibilities:** Specific obligations of the service provider, which might include an escalation matrix, requirements for trouble cause analysis reports for major incidents, and specified working hours (e.g., 24x7 service).⁶¹
- **Supply of Materials:** Clauses detailing who is responsible for supplying necessary spares and consumables for maintenance or service delivery.⁶¹
- **Storage and Custody:** Allocation of responsibility for the safe storage and custody of materials or equipment at the site.⁶¹
- **Confidential Obligations:** Provisions to protect sensitive information shared

during the course of the service provision.⁶⁰

- **Governing Law and Assignment:** Clauses specifying the governing law for the agreement and conditions for assigning rights or obligations to third parties.⁶⁰

5.3. Memorandum of Understanding (MOU)

A Memorandum of Understanding (MOU) is a non-legally binding document that serves as a statement of intent between two or more parties to collaborate towards a common objective.⁶² MOUs are particularly useful in complex, multi-stakeholder initiatives, especially those involving government entities, international organizations, or large-scale projects, where the precise legal terms of a full contract might be premature or overly restrictive.

The typical structure and content of an MOU include:

- **Preamble:** This section provides background and context, outlining previous agreements or shared understandings that led to the formation of the MOU.⁶²
- **Objectives:** Clearly defines the overarching goals of the MOU and the strategic partnership it aims to establish. This includes the intended pursuits and expected outcomes of the collaboration.⁶²
- **Areas for Collaboration:** Details specific activities where the parties will consult, cooperate, and potentially undertake joint initiatives. Examples include technical assistance, investment planning, training programs, and data sharing.⁶²
- **Intellectual Property Rights:** Clarifies the ownership and usage rights of materials or intellectual property developed during the collaboration. It often states that the MOU itself does not grant rights to use existing materials of any signatory.⁶²
- **Implementation and Key Contacts:** Designates the official representatives and focal points for the MOU, including their contact details.⁶²
- **Monitoring and Evaluation:** Outlines agreements for periodically reviewing and evaluating the effectiveness of the collaborative activities.⁶²
- **Duration, Modification, and Termination:** Specifies the term of the MOU, conditions for its extension, and procedures for early termination (e.g., by giving three months' written notice).⁶²
- **Status:** Explicitly states that the MOU does not constitute a legal agreement, create legal obligations, or establish a partnership, but rather expresses a shared intent. This is a crucial distinction that provides flexibility.⁶²

- **Dispute Settlement:** Provides mechanisms for amicably resolving any disagreements concerning the interpretation, application, or implementation of the MOU.⁶²

Illustrative examples of MOUs in Bangladesh include the World Bank MOU for the Bangladesh Delta Plan 2100, which outlines a strategic partnership for sustainable delta management ⁶², and the MOU between the Bangladesh Bureau of Statistics and the Department of Disaster Management for data sharing, demonstrating inter-agency cooperation.⁶³

The detailed examples of MOUs, particularly the World Bank MOU for the Bangladesh Delta Plan 2100 and the Bangladesh Bureau of Statistics MOU for data sharing, highlight their primary function as flexible, often non-legally binding instruments for establishing collaborative frameworks. Unlike formal, legally enforceable contracts, MOUs prioritize the articulation of shared intent, common objectives, and areas of cooperation. This is especially valuable in complex, multi-stakeholder initiatives involving government entities and international organizations, where the precise legal terms might be difficult to define at the outset of evolving collaborations. This flexibility allows parties to outline a strategic partnership and intellectual property arrangements without the immediate rigidity of a full legal contract, fostering trust and shared vision, and enabling adaptive strategies rather than strict, upfront legal enforceability.

5.4. Board Resolutions

Board resolutions are formal documents passed by a company's board of directors to authorize specific actions or decisions. They serve as official internal records of the company's governance and are frequently required for external compliance or legal validation.³⁸

Common uses for board resolutions include:

- **Opening Bank Accounts:** This is a typical initial resolution for new businesses, authorizing designated individuals to manage the company's banking affairs.⁶⁶
- **Authorizing Digital Platform Users:** As exemplified by BRAC Bank's CORPnet, resolutions are used to specify user roles (e.g., Maker, Checker, Approver) and define approval patterns for digital transactions, ensuring internal controls and accountability.⁶⁸

- **Approving Share Issuance:** A certified copy of a board resolution is essential for formalizing the allotment of new shares, detailing the number of shares, type, issue price, and allottees.⁶⁹
- **Approving Material Changes:** Resolutions are required for significant corporate actions, such as changes in the company name, alterations to the Memorandum or Articles of Association, or other special resolutions that impact the company's fundamental structure or operations.¹¹

The content of a board resolution typically includes the company's legal name, the date and address of the meeting where the resolution was passed, a clear agenda item, and detailed authorization statements. It specifies the names and roles of individuals granted authority and the mode of operation (e.g., "singly" or "jointly" for approvals).⁶⁷ Resolutions often also grant a specific signatory the authority to manage future changes related to the initial resolution, providing administrative flexibility. For compliance, proper minutes of all board meetings must be recorded and maintained, and copies of special resolutions must be filed with RJSC within 15 days of their passing.³⁸

5.5. Other Key Corporate Agreements

Beyond the aforementioned categories, several other types of agreements are crucial for corporate operations in Bangladesh:

- **Share Allotment Documents:** The process of issuing new shares involves multiple steps and associated documentation. This typically begins with obtaining approval from the company's board of directors, and in some cases, additional approval from shareholders via a special resolution. Necessary documentation includes certified copies of the board resolution (and special resolution, if applicable), completed share application forms from prospective shareholders, and formal offer letters. To legally formalize the issuance, companies must file Form-XV (Return of Allotment) with RJSC within 60 days of the allotment. Finally, physical share certificates are issued to the shareholders as proof of ownership.⁶⁹
- **Mergers & Acquisitions (M&A) Related Documents:** Mergers and acquisitions are complex transactions that necessitate extensive legal documentation. M&A attorneys play a critical role throughout the process, ensuring compliance with all relevant laws and regulations. Their involvement spans structuring the deal, negotiating terms, drafting detailed agreements (such as share purchase

agreements, asset purchase agreements, and merger agreements), securing necessary regulatory approvals, and managing post-registration compliance to ensure a seamless integration of entities.¹

The detailed requirements for Board Resolutions and their explicit necessity for critical corporate actions, such as share issuance or even the authorization of digital banking access, highlight a profound and interconnected relationship between a company's internal governance mechanisms and its external regulatory compliance obligations. These internal documents, while seemingly administrative, serve as the foundational legal evidence for external filings, such as the requirement to file special resolutions with RJSC within 15 days. This intricate link implies that robust internal processes, meticulous documentation of board decisions, and clear delegation of authority are not merely best practices for operational efficiency but are absolutely essential for meeting regulatory mandates, ensuring the legal validity of corporate actions, and safeguarding against future disputes in Bangladesh.

Table: Essential Clauses and Components in Common Corporate Contracts

Contract Type	Key Parties	Core Purpose	Essential Clauses/Sections	Legal Basis/Context
Employment Contract	Employer, Employee	Defines employment terms, duties, compensation, and conditions	Identification of Parties, Job Role & Responsibilities, Salary & Benefits, Working Hours, Leave Entitlements, Termination Conditions, Non-disclosure, Dispute Resolution	Bangladesh Labor Act 2006, Bangladesh Labor Rules 2015 ⁵⁷
Service Agreement	Service Provider, Client (Company/Individual)	Outlines specific services to be performed by a contractor/consultant	Nature of Services, Term of Engagement, Compensation, Responsibilities, Confidentiality, Governing Law,	Contract Act 1872

			Assignment	
Memorandum of Understanding (MOU)	Two or more parties (e.g., GoB, Int'l Org, NGOs)	Establishes collaborative intent and framework, non-binding	Preamble, Objectives, Areas for Collaboration, Intellectual Property Rights, Implementation & Contacts, M&E, Duration, Status, Dispute Settlement	General principles of cooperation, specific project contexts (e.g., World Bank MOU for BDP 2100) ⁶²
Board Resolution	Board of Directors, Company	Formal authorization of specific corporate actions or decisions	Company Name, Meeting Details, Agenda, Detailed Authorization Statements, Authorized Individuals & Roles, Approval Pattern	Companies Act 1994, Corporate Governance Code (BSEC) ³⁸
Share Allotment Agreement	Company, Shareholders	Formalizes the issuance and allotment of new shares	Board/Special Resolution, Share Application Forms, Offer Letter, Share Details (number, type, price, allottees), Share Certificates	Companies Act 1994, BSEC Regulations ⁶⁹

6. Business and Project Proposals

Proposals serve as critical documents for both private and public entities in Bangladesh, outlining strategic initiatives, seeking funding, or bidding for projects. Their structure and content vary significantly based on their purpose and the target

audience.

6.1. General Business Proposals

General business proposals are typically developed by private entities for a range of strategic objectives, including launching new startups, seeking investment capital, or outlining plans for business expansion. The Bangladeshi market presents a fertile ground for diverse entrepreneurial ventures, which is reflected in the variety of business ideas that often form the basis of these proposals.

Common sectors and ideas for which business proposals are developed include:

- **Consumer-Oriented Businesses:** Fast food shops, fashion houses, cosmetic shops, e-commerce platforms, and coffee shops are consistently popular due to evolving consumer preferences and increasing internet penetration.⁷⁰
- **Service-Based Industries:** Travel agencies, courier services, and freelancing training agencies address growing demands for convenience and skill development.⁷⁰ Professional service businesses such as HR consulting, income tax services, auditing, legal advisory, business consulting, and risk management also represent significant opportunities for educated professionals.⁷⁰
- **Manufacturing and Agriculture:** Proposals for customized furniture stores, stationary supply businesses, fruit plantations, and dairy farming reflect opportunities in local production and export, leveraging Bangladesh's agricultural strengths and consumer desire for personalized goods.⁷¹
- **Lifestyle and Events:** Cooking classes, day-care businesses, wedding photography, juice bars, and event management services cater to a burgeoning middle class and changing social dynamics.⁷¹

Successful business proposals often originate from a culture that fosters innovation. This involves a systematic approach to identifying market problems, brainstorming viable solutions, rigorously validating concepts, developing clear plans for implementation and scaling, and continuously tracking progress to adapt and refine strategies.⁷⁰

6.2. Public-Private Partnership (PPP) Project Proposals

Public-Private Partnership (PPP) project proposals are highly formalized and detailed documents submitted to government entities for large-scale infrastructure or service delivery projects where collaboration between the public and private sectors is envisioned.⁷² These proposals are designed to demonstrate the project's viability, alignment with national objectives, and the proposed allocation of risks and responsibilities.

A comprehensive PPP proposal typically includes the following structured sections:

- **General Information:** This foundational section provides essential project details, including the full and short project names, the specific sector (e.g., transport, energy), the project type (e.g., Roads, Bridge, Port), the responsible Line Ministry, the Implementing Agency (IA), and the project's geographical location.⁷²
- **Applicability of PPP:** This crucial section articulates the rationale for choosing a PPP model. It explains why private investment is suitable, often highlighting challenges with exclusive government implementation, potential for increased quality or reduced delivery time through private sector involvement, opportunities for competition to lower public service costs, or the potential for innovation.⁷²
- **PPP Project Component:** This section clearly delineates the division of responsibilities between the Public Sector, Private Sector, or shared roles for various project phases, such as detailed design, construction (Build), operation, finance, maintenance, and equipment provision.⁷²
- **Sector Policy Applicability:** The proposal must demonstrate how the project aligns with existing government plans, including the Annual Development Program (ADP), Sector Policy, Sector Master Plan, or other strategic needs assessments. This ensures the project is consistent with national development priorities.⁷²
- **Legally Permissible:** This section confirms that the proposed project falls within the legal remit of the Implementing Agency and addresses whether any new legislation or regulation would be required to enable private sector participation and revenue generation.⁷²
- **Output Driven:** A clear description of the end services or outputs that the PPP Concessionaire will be responsible for delivering.⁷²
- **Financials:** Detailed financial projections are essential, including estimated capital costs, yearly operational costs, and the total project cost. It also specifies the estimated contract period, the project's economic life, and the proposed source of project revenue (e.g., user charges, payments from the Implementing Agency or Line Ministry). Supporting financial models and underlying assumptions are typically required.⁷²

- **Marketability:** This section assesses market interest by indicating awareness of similar PPP projects implemented globally and identifying experienced local or foreign private companies that could undertake such a project.⁷²
- **Bankability:** Proposes changes to risk allocation between the public and private sectors for various risk categories, such as design risk, construction risk, financing risk, and demand risk, demonstrating a balanced and attractive risk profile for potential financiers.⁷²
- **Implementable:** Provides an indicative timeline for key project stages (e.g., CCEA approval, feasibility study, contract negotiation, implementation). It also addresses practical considerations such as land acquisition needs, potential social and environmental issues (with classification as per Government of Bangladesh guidelines), and any linked components (e.g., water utility, power utility).⁷²
- **Resources Available:** Details contact names for the project team and confirms the availability of financial resources for project development, such as feasibility studies.⁷²

The proposal concludes with necessary declarations and signatures from key government officials, along with a comprehensive checklist of all required supporting documents, such as the Development Project Proposal (DPP), Feasibility Report, and Financial Model.⁷²

6.3. NGO Project Proposals

Non-Governmental Organization (NGO) project proposals are meticulously crafted documents primarily aimed at securing funding from donors for various development or humanitarian initiatives.⁷³ These proposals serve to articulate the organization's mission, the problem it seeks to address, and the planned interventions and anticipated impact.

A strong NGO proposal generally adheres to a typical structure designed to be clear, compelling, and compliant with donor requirements:

- **Executive Summary:** A concise overview that encapsulates the entire proposal, highlighting the problem, proposed solution, and expected impact.⁷³
- **Problem Statement:** This is a clear, compelling, and evidence-based definition of the issue the project aims to solve. It includes the context, supporting data and

statistics, identification of the target population, and a clear articulation of the potential consequences of inaction.⁷³

- **Goals and Objectives:** The proposal defines both broad, long-term goals and specific, measurable, achievable, relevant, and time-bound (SMART) objectives. These are often explicitly linked to the Sustainable Development Goals (SDGs) to demonstrate alignment with global development agendas.⁷³
- **Activity Plan/Methodology:** A detailed description of the proposed interventions, outlining how they will achieve the stated objectives. This section often incorporates a Theory of Change (ToC) to illustrate the causal pathways from activities to desired outcomes, and a Logical Framework (LogFrame) matrix for structured planning and monitoring.⁷³
- **Budget:** A comprehensive and detailed breakdown of all anticipated costs, categorized into direct costs, indirect costs (overheads), personnel costs, travel and transportation, equipment and materials, operational costs, and monitoring and evaluation (M&E) costs. The budget must be justified and aligned with the proposed activities, demonstrating cost-effectiveness.⁷³
- **Monitoring and Evaluation (M&E) Strategies:** This section outlines how the project's progress and impact will be tracked, measured, and reported. It includes defining objectives and indicators, establishing baseline data, outlining M&E methods and tools, and a data management plan. A robust M&E system is crucial for demonstrating accountability and learning.⁷³
- **Gender Equality and Social Inclusion (GESI):** Increasingly, proposals integrate GESI as a cross-cutting issue, demonstrating how the project will promote social justice, enhance effectiveness, address systemic inequalities, and ensure equitable benefits for all beneficiaries.⁷³
- **Risk Management and Sustainability:** This section identifies potential risks (financial, operational, environmental, reputational), assesses their likelihood and impact, and outlines mitigation strategies. It also details the plan for ensuring the long-term sustainability of the project's benefits beyond the funding period, often by integrating localization strategies and building local capacity.⁷³
- **Reporting:** Specifies the reporting plan to donors, including the frequency, format, and content of reports, emphasizing accountability and transparency. This involves detailing Key Performance Indicators (KPIs) and data collection methods.⁷³

Project proposals often utilize visual planning tools like Gantt charts to illustrate timelines, activity sequencing, and resource allocation, ensuring a realistic and detailed work plan.⁷³

7. Legal Considerations for Data Handling and Document Usage

The creation and utilization of a comprehensive dataset of official corporate documents and proposals in Bangladesh necessitate a thorough understanding of the prevailing legal landscape, particularly concerning data privacy, intellectual property, and the permissible uses of publicly available information.

7.1. Data Privacy and Protection Framework

Bangladesh's data privacy and protection framework is in a state of evolution, transitioning from a fragmented approach to a more comprehensive legislative model. Historically, digital privacy provisions were primarily found within the **Digital Security Act (DSA)** and the **Information and Communication Technology Act (ICT Act)**.¹⁴ While these acts laid an initial foundation for cybersecurity and data protection, they have been subject to scrutiny regarding their scope and enforcement.

A significant development is the proposed **Draft Data Protection Act 2023 (DPA)**, released by the Department of Information and Communication Technology. This draft legislation aims to establish a robust and comprehensive framework for individual data protection and processing.¹⁵ The DPA is designed to apply broadly, covering the processing of personal data of Bangladeshi residents, and extending extraterritorially to data processing conducted outside Bangladesh if it relates to its citizens or business activities within the country.¹⁵

Key provisions and implications of the Draft DPA include:

- **Consent and Accountability:** The DPA mandates that data processing requires free, specific, and clear consent from the data subject, which must be capable of being withdrawn. The burden of proof for obtaining such consent lies with the data controller. Furthermore, data collectors are held accountable to the data subject.¹⁴
- **Data Processing Principles:** The Bill outlines principles for fair and lawful processing, emphasizing transparency, purpose limitation (no unnecessary data collection), data minimization, accuracy, storage limitation, integrity, and

confidentiality.¹⁸

- **Data Security:** Data controllers are obligated to implement proper security measures to safeguard collected data from damage, misuse, alteration, or unauthorized access.¹⁸
- **Data Breach Notification:** Organizations are required to report data breaches to the relevant supervisory authority and, in some cases, to affected individuals, within a specified timeframe (e.g., 72 hours in earlier discussions, though this specific timeline might be excluded in the final act).¹⁴
- **Cross-Border Data Transfers:** The DPA places restrictions on transferring data outside Bangladesh without adequate safeguards, potentially requiring data mirroring (storing at least one serving copy of data in local servers).¹⁴
- **Definition of Personal Data:** The DPA clarifies that anonymized, encrypted, or pseudonymized data, which cannot identify an individual, are generally excluded from the purview of "personal data".¹⁸ However, pseudonymized data, while replacing identifiable information with a code, can still be linked to an individual with additional information and thus generally falls under data protection laws.¹⁹ Sensitive data, including financial, health, genetic, and biometric data, is subject to stricter regulations.¹⁸
- **User Rights:** The framework empowers users with rights to access, rectify, and erase their data.¹⁴
- **Penalties for Non-Compliance:** Violations can lead to significant penalties, including monetary fines (e.g., up to BDT 10 lakh or three years imprisonment for breaches, or BDT 2 lakh for illegal data collection/transfer), business restrictions, and legal action.¹⁴

For businesses, these evolving laws necessitate proactive measures: implementing robust data protection protocols, training employees on privacy best practices, conducting regular audits, and updating privacy policies to reflect new legal requirements.¹⁴ The DPA's broad application, even to small entities, and its data localization provisions, may influence foreign investments and operational costs.²¹ The overarching goal is to foster a secure and trustworthy digital environment that balances data utility with individual privacy rights.

7.2. Copyright Law and Public Documents

Copyright law in Bangladesh is governed by the **Copyright Act, 2000 (amended in 2005 and potentially updated in 2023)**.²⁴ This legislation protects original literary,

dramatic, musical, and artistic works, as well as cinematograph films, sound recordings, and computer software.²⁴ Copyright protection is automatic upon the creation of the work in a tangible form; however, official registration with the Copyright Office offers additional benefits, including prima facie evidence of ownership in legal disputes.²⁴

The Act includes provisions for "fair use" (or "fair dealing"), which allows for limited use of copyrighted material without permission or payment under certain circumstances, particularly when the cultural or social benefits of the use are predominant.²⁷ Section 72 of the Copyright Act 2000 lists specific acts that do not constitute infringement, including:

- **Private Study and Research:** Use for private study or non-industrial research purposes.²⁷
- **Criticism and Review:** Use for criticism, review, or reporting current events in various media.²⁷
- **Educational and Charitable Purposes:** Provisions allow for free use of protected materials for educational, religious, and charitable purposes.²⁷
- **Judicial Proceedings:** Reproduction for the purpose of judicial proceedings or reports thereof.³⁰
- **Government Works:** Reproduction or publication of certain government works, unless expressly prohibited.²⁸

However, the "fair use" doctrine is complex and its application is contextual, considering factors like the purpose and character of the use (commercial vs. non-profit), the nature of the copyrighted work, the amount and substantiality of the portion used, and the effect of the use upon the potential market for or value of the copyrighted work.²⁷ Importantly, the Act specifies that "purpose of research" generally does not include industrial research or research by corporate bodies for commercial purposes.²⁷

The advent of Artificial Intelligence (AI) and its reliance on vast datasets for training introduces new complexities to copyright law in Bangladesh. The Copyright Act 2000, primarily focused on human-authored works, lacks specific provisions addressing AI-generated content or the use of copyrighted materials for AI training.²⁹ This ambiguity raises questions about:

- **Authorship and Ownership:** Determining who is considered the author of AI-generated works (e.g., music, art) when there is no direct human creative involvement, as the Act defines "author" as the person who creates the work.²⁹
- **Reproduction Rights:** The process of downloading, copying, and modifying

copyrighted works for AI training datasets generally implicates the reproduction right of copyright owners. The extent to which AI models "memorize" or retain copies of protected works during training is also a debated point.⁷⁸

- **Commercial Use for AI Training:** The commerciality of using copyrighted works for AI training is a significant factor in fair use analysis. While some AI training might qualify as fair use, wholesale taking of entire copyrighted works for commercial AI training is less clearly justified and typically weighs against fair use.⁷⁸

While voluntary licensing is encouraged for AI training data, challenges remain where such licensing is infeasible.⁷⁸ The evolving nature of AI technology necessitates a critical re-evaluation of existing copyright laws to provide clarity on authorship, ownership, and the permissible use of copyrighted materials for AI training, balancing creators' rights with technological advancement.²⁹

Conclusions and Recommendations

The landscape of official corporate documents and proposals in Bangladesh is characterized by a blend of established legal frameworks and rapid digital transformation. The analysis reveals a clear trajectory towards increased transparency, efficiency, and accessibility in both private and public sector operations.

Key Conclusions:

1. **Digitalization as a Central Pillar of Governance:** Bangladesh's regulatory bodies, particularly RJSC and BPPA, have made significant strides in digitalizing processes, from company registration and name clearance to comprehensive e-procurement systems. This shift centralizes information, streamlines procedures, and aims to enhance overall efficiency and transparency. This digital push fundamentally alters how businesses and individuals interact with government and regulatory bodies.
2. **Evolving Legal Complexity:** The legal framework is dynamic, with traditional corporate laws (e.g., Companies Act 1994, Securities and Exchange Ordinance 1969) operating alongside newer digital legislation (e.g., Digital Security Act, Draft Data Protection Act 2023). This creates a multi-layered compliance environment where adherence to foundational corporate governance is no longer sufficient;

entities must also navigate emerging mandates concerning data privacy, cybersecurity, and intellectual property in the digital realm.

3. **Emphasis on Transparency and Investor Protection:** For listed companies, stringent disclosure requirements, particularly for Price Sensitive Information (PSI), and mandatory Corporate Governance Compliance Reports underscore a strong regulatory commitment to market integrity and investor confidence. The strict timelines and multi-platform dissemination requirements are designed to ensure equitable access to information and mitigate market manipulation.
4. **Structured Approach to Proposals:** Both public-private partnerships (PPPs) and NGO projects are characterized by highly structured and detailed proposal requirements. These documents serve as comprehensive blueprints for initiatives, ensuring thorough planning, risk assessment, financial viability, and alignment with strategic objectives and donor priorities.
5. **Data Handling: A Growing Area of Scrutiny:** The ongoing development of the Data Protection Act 2023 highlights a heightened focus on personal data protection, consent mechanisms, and data security. The ambiguities surrounding copyright and AI-generated content, particularly concerning the commercial use of public documents for AI training, indicate a nascent but critical area of legal development that will significantly impact data-driven innovation.

Recommendations for Entities Operating in Bangladesh:

1. **Prioritize Digital Compliance and Literacy:** Businesses and legal professionals must invest in understanding and adapting to the digital platforms and processes mandated by RJSC, BSEC, and BPPA. This includes ensuring digital literacy within teams and leveraging online resources for efficient compliance and information retrieval.
2. **Proactive Legal Due Diligence:** Given the evolving legal landscape, continuous monitoring of legislative changes, especially concerning data protection and digital security, is crucial. Proactive legal due diligence should extend beyond traditional corporate compliance to encompass data governance frameworks.
3. **Strengthen Internal Governance and Documentation:** Robust internal processes and meticulous documentation of all corporate actions, particularly board resolutions and shareholder approvals, are not merely best practices but essential for external compliance and mitigating future legal disputes.
4. **Strategic Approach to Public Information:** Entities engaging with public documents, whether for research or business development, must be acutely aware of data privacy regulations and copyright limitations, especially when considering data aggregation or AI training initiatives. Anonymization and pseudonymization techniques should be explored for datasets containing

personal information to ensure compliance with the Draft Data Protection Act 2023.

5. **Expert Consultation:** For complex corporate actions, public procurement bids, or the development of large-scale project proposals, engaging with local legal and business advisory experts is highly recommended. Their specialized knowledge can help navigate intricacies, ensure compliance, and optimize outcomes in Bangladesh's unique regulatory environment.

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