

Legal Overview



Parliamentary Democratic Republic
country with constitutional supremacy as
guaranteed by Article 7 of the Constitution

Overview of legislative power

- Unitary state with the Government enforcing laws all over the country.
- The Parliament for Bangladesh consist of 300 elected members.
- The tenure of Parliament is 5 years.
- Along with the Parliament, in the absence of any Parliamentary Session, the President has the power to make Ordinance.
- Parliament can delegate the legislative authority to executive bodies in the form of subordinate ministry and implementing agencies.
- Article 83 of the Constitution, executives and regulatory agencies may not enact to impose tax and any taxation of any entity must be authorized by an Act of Parliament.



Overview of the Government

President
Abdul Hamid



Prime Minister
Shiekh Hasina



The Government of Bangladesh is composed of President as the Head of state, the Prime Minister and a council of ministers.

The Prime Minister is appointed by the President.

The decisions of the Government are taken by a small group of Ministers called the Cabinet, headed by the Prime Minister.

The execution of policies and enforcement of laws is carried out by the members of the services of republic

Overview of Court System

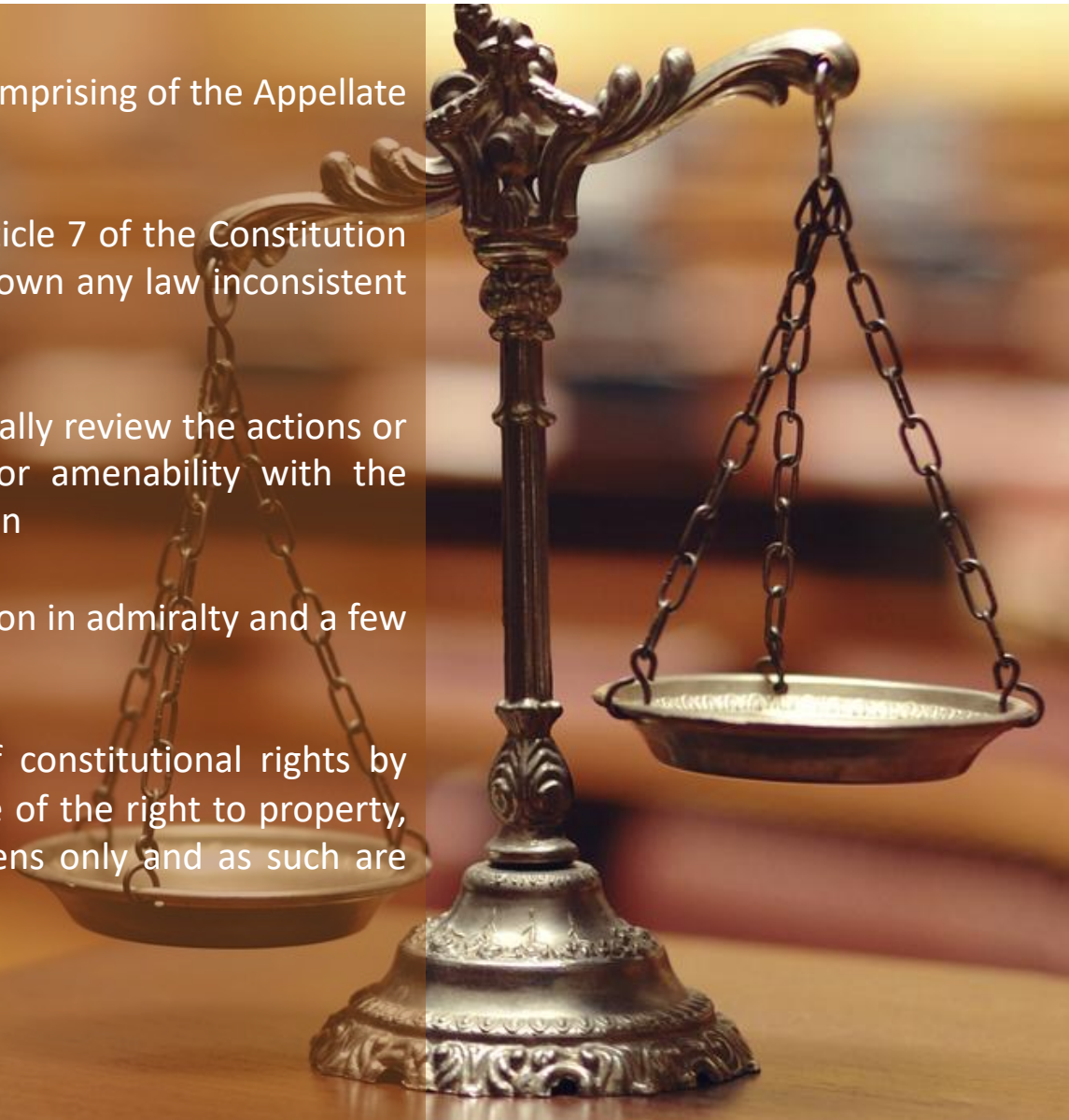
Supreme Court of Bangladesh is the highest court comprising of the Appellate Division and High Court Division.

The supremacy of the Constitution is secured by Article 7 of the Constitution which empowers the High Court Division to strike down any law inconsistent with the Constitution.

High Court has a special original jurisdiction to judicially review the actions or inaction of the Government for legality and/or for amenability with the fundamental rights guaranteed under the constitution

The High Court Division also enjoys original jurisdiction in admiralty and a few company matters.

In judicial review proceedings filed for exercise of constitutional rights by foreign investor, one should bear in mind that some of the right to property, freedom of profession, are guaranteed to the citizens only and as such are not enforceable by foreign citizens.



Overview of Court System



Original jurisdiction in civil matters are exercised by subordinate courts tiered in 3 levels of Assistant Judge, Senior Assistant Judge and Joint District Judge.

Specialized courts such as money loan courts deals with non-performing loans granted by banks and financial institutions.

Labour tribunals deal with labour disputes

Cyber tribunal having jurisdiction involving crimes committed under information technology laws.

The Criminal Courts of each District are divided into two categories; the Sessions Court and the Magistrate Court.

The independence of judiciary, though guaranteed by Article 116A of the Constitution, the power of appointment, control and discipline of subordinate courts being vested in the president, the judiciary cannot be deemed entirely independent of the Government.

The Court Structure of Bangladesh

Supreme Court of Bangladesh

Appellate Division

High Court Division



District Judge Court

Additional District Judge

Joint District Judge

Senior Assistant Judge

Assistant Judge

Sessions Judge

Additional Sessions Judge

Joint Sessions Judge

Metropolitan Magistrate Court

Judicial Magistrate Court

1st Class Magistrate Court

2nd Class Magistrate Court

3rd Class Magistrate Court