

Lao PDR Bar
Association

Rules of Unit / Regional Office

- With reference to Prime Minister's Decree No.64/PM dated 21/02/1996 pertaining to the organization and operations of Lao PDR Bar Association.
- With reference to By-Laws of Lao PDR Bar Association dated 01/08/2002 and the amended version passed by the annual general meeting of Lao PDR Bar Association dated 21/01/2004.
- With reference to the Instructions No.034/BA dated 09/10/2002 of the Executive Committee of Lao PDR Bar Association.
- With reference to the decisions of annual general meeting of the Lao PDR Bar Association dated 21/01/2004 where by the Executive Committee is allocated the responsibility to draft the rules for units / regional offices; for uniform application throughout the country.

The meeting of Executive Committee of the Bar Association dated 14-19/06/04 has adopted rules of Units / Regional offices constituting of 13 Articles as follows:

Article 01: Duties and obligations of lawyers and intern lawyers in the organization of Unit / Regional office:

Authorized professional lawyers and intern lawyers shall be attached to a Unit or Regional Office in order to be able to practice legal duties in service of individual persons or legal entities.

Article 02: Organization of unit or regional office:

In Vientiane City: Member lawyers shall be registered in one of the 8 unit offices.

In provinces: Member lawyers shall be registered in one of the 6 regional offices.

Article 03: Duties and obligations of lawyers and practice lawyer in units or regional offices:

- 1- Lawyers have the rights and responsibilities to practice legal duties based on the Prime Minister's Decree No. 64/PM dated 21 February 1996, internal rules and Instructions of the Lao PDR Bar Association and in accordance with the Constitution of Lao PDR.
- 2- Intern lawyers have duties and responsibilities to train and assist professional lawyers in legal consultations and in case proceedings.
- 3- Lawyers and intern lawyers have obligations to fees and tax payment as defined in regulations and laws.

Article 04: Organization of Unit and Regional office:

+ Executive Committee of Lao PDR Bar Association has the rights and power to assign, hire and remove unit and regional office management.

+ Based on conditions, Unit and Regional organizations are as the following:

- One chief of Unit or Regional office
- One deputy chief and one secretary for Unit and Regional Office
- Three board members for Unit and Regional office
- The remaining are members constituting of lawyers and intern lawyers

Article 05: Distribution of responsibilities within unit/regional office

1. Chief of Unit/Regional Office:
 - a. Direct and guide unit/regional office
 - b. Implement unit/regional office plan and Executive Committee of Lao PDR Bar Association plan
 - c. Train and propose to Executive Committee to consider promotion of intern lawyers to professional lawyer level.
 - d. Manage activities and observation of ethical standard of members in unit/regional office.
 - e. Manage accounting and finance of unit/regional office
 - f. Cooperate with Party, government organizations and civil society organizations and other parties based on the mandate.

2. Deputy chief of Unit/Regional Office:
 - a. Assist chief of unit/regional office as assigned
 - b. Implement tasks as assigned by chief of unit / regional office.
 - c. Assume the duties of chief during his/her absence or not availability
 - d. Other tasks.

3. One secretary
 - o The secretary might be member or non-member but shall be on duty in Unit or Regional office during official hours.
 - o Shall assist in administrative and financial tasks.

4. One administrative staff for Unit and Regional Office

+ The administration staff shall be recruited among the members or non-member based on local situations.

+ The tasks of the administrative staff include:

 - o On regular duty in U / R office
 - o Administrative tasks and events organizer
 - o Incoming and outgoing documents management
 - o Keeper of official stamp of U/R office if applicable
 - o Systematic archiving
 - o Keeper of incoming-outgoing documents, nomination of lawyers and judicial cases related contracts of U/R office
 - o Preparation of reports and submission of reports to U/R office to be submitted to Executive Committee of Lao PDR Bar Association on monthly, bi-annual and annual basis.
 - o Reception and collection from members in U/R:
 - Monthly membership fees
 - Lawyer nomination fees
 - Percentage of lawyer service fees
 - Annual revenue tax (to be paid to the government at end of year)
 - Lawyer's registration fees
 - Domestic and foreign assistance
 - Other fees etc....

5. One lawyer or practice lawyer in charge of finance
 - o In charge of finance of U/R
 - o Keeper of cash and deposits
 - o Responsible for accounting, deposits, transfer to/from bank account subject to signatures of chief of U/R and the staff in charge of finance.
 - o Reception of cash, transfers and bank checks.
 - o Report financial matters of U/R to chief of U/R office on monthly, bi-annual, annual basis.

Article 06: Rights and benefits of U/R offices from fees collections

+ Based on By-laws and instructions of Executive Committee of Lao PDR Bar Association, U/R office shall collect fees as the following:

1. Lawyer's registration fee: Kip 30,000
2. Membership fee for lawyer and practice lawyer: Kip 10,000
3. Appointment fee for one lawyer service for one case: kip 30,000
4. Obligation fee for the treasure of Bar Association amounting to 5% of lawyer's service for each case.
5. Annual tax:
 - a. For lawyers: Kip 150,000
 - b. For practice lawyer: Kip 75,000

+ U/R office has the rights to receive 30% of the total revenues except the annual tax for the government.

+ The remaining 70% is to be transferred to bank account of Lao PDR Bar Association in Vientiane.

Article 07: Specific expenditures of U/R offices:

- Administrative expenses of U/R
- Purchase of equipment and office supplies
- Electricity, water, telephone charges etc...
- Salary of secretary and others (if applicable) of U/R office
- Trainings and dissemination of laws organized by U/R office
- Expenditures related to lawyer's service for each case is under responsibility of the lawyer based on the service fees received.

Article 08: Assets of U/R office

+ Each U/R office has 2 kinds of assets as the following:

1. Common asset of U/R office which has to be protected and used until U/R office is dissolved. In case of dissolution, Executive Committee of Lao PDR Bar Association has the only decisive power regarding those assets.
2. Personal assets of lawyers used in the office of U/R remain as personal assets. When the relevant lawyer moves out or passes away, the assets might also be transferred out except when the assets are confiscated for U/R office or Lao Bar Association

Article 09: Stamp and use of stamp.

- Based on the official authorization No.168/DPA dated 22 September 2003 of Department of Public Administration and Civil Servants of Prime Minister's Office pertaining to the use of stamp,
- According to the Notice No.058 dated 22 October 2003 of Executive Committee of Lao PDR,

The use of stamp shall follow the following rules:

- 1- The office of Executive Committee of Bar Association has one stamp for official use.

The office of Control Committee of Bar Association has one stamp for official use.

- 2- Vientiane City having 8 unit offices has one stamp kept in the office of Executive Committee in Vientiane City. The stamp is used in administrative works of unit offices and for the operations of lawyers.

- 3- Each regional office has one stamp for administrative works of regional office and for the operations of lawyers.
- 4- Each individual lawyer in any unit or regional office has the right to offer legal services in the whole country.

Article 10: Permission for each lawyer to have own office

Each lawyer apart from working in unit or regional office is authorized to have his/her own office which could be located at his/her home or elsewhere within the village of residence only with a sign board written with the following information: Lawyer office; Name of the lawyer; Telephone number.

Article 11: Welfare for member

Members shall enjoy social welfare and taken cared of by unit or regional office in case of necessity based on the actual social welfare fund available of unit or regional office and the spirit of solidarity within the unit or regional office in each period.

Article 12: Award and sanctions

Members in the unit or regional office with outstanding performance shall be congratulated by colleagues and the society or proposed to Executive Committee to consider awarding based on the level of performance.

Members violating regulations, laws and code of ethics of lawyers causing losses to Executive Committee of Bar Association shall be proposed to Executive Committee to consider sanctions based on Prime Minister's Decree No.64/PM dated 21 February 1996.

The chief or deputy chief of unit or regional office shall submit relevant report to Executive Committee of Bar Association.

Article 13: Validity of by-laws in unit or regional office

- This by-law enters into effect and is to be uniformly implemented in unit or regional office in the country from the day of the signature.
- After one year of implementation of this by-law, if any unit or regional office or member wishes to bring improvements to any parts, the proposal shall be sent to Executive Committee for consideration.

Vientiane City, 29 June 2004

President of Executive Committee
Of Lao PDR Bar Association

Phoumy Syoudomphan