

Draft 1:

Decision on the Licensing and Management of Legal Enterprises

Inquisitive Questions:

Decision on the Licensing and Management of Legal Enterprises

1. Do you think the **title and structure** of this draft Decision are appropriate?
2. Do you think the **arrangement of chapters and articles** is appropriate?
3. Do you think the **content** is complete, concise, and clear?
4. Do you think the **principles for licensing and revocation of licenses** have content that is concise and complete?
5. Do you think there are **any other contents/issues** that should be defined in this draft Decision?

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Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Justice

No...../MOJ
Vientiane Capital, Dated..... 2025

Decision
of the Minister of Justice
On the Licensing and Management of Legal Enterprises

- Pursuant to the Law on Lawyers, No. 23/NA, dated 29 December 2022;
- Pursuant to the Decree of the Prime Minister on the Organization and Operation of the Ministry of Justice, No. 601/PM, dated 14 October 2021;
- Pursuant to the Proposal of the Department of Management and Promotion of Justice Affairs, No. [...] /DMPJA, dated [.....].

The Minister issues this Decision:

Chapter 1
General Provisions

Article 1 Purpose

This Decision defines the principles, regulations, and measures regarding the licensing of business operations and the monitoring and inspection of the business activities of legal enterprises in the Lao PDR. The aim is to ensure that such work is implemented uniformly, effectively, and efficiently, ensuring the strict, transparent, and auditable implementation of laws.

Article 2 Licensing of Legal Business Operations

Legal business operation refers to business activities in providing legal services: providing legal consultation and/or representing clients in participating in legal proceedings by a law firm.

Licensing of legal business operations is the permission granted to a legal enterprise to operate and provide legal services in accordance with the law

Article 3 Principles of Licensing and Management of Legal Enterprise Activities

The licensing and management of legal enterprise activities shall follow these principles:

1. Consistent with the guidelines, strategic plans, and development plans of legal and justice affairs; strict respect and compliance with the law;
2. Centralized, uniform, and transparent licensing, management, monitoring, and inspection;
3. Independence in business operation and equality before the law;
4. Service provision with ethics, transparency, and ensuring the legitimate rights and benefits of service users;

5. Encouraging and mobilizing service users to respect and comply with the law correctly and to be responsible before the law regarding their services.

Article 4 Scope of Application

This Decision applies to domestic and foreign individuals, legal entities, and legal enterprises that have been licensed to operate business in the Lao People's Democratic Republic.

Chapter 2
Application for Business Operation License
and Enterprise Database System

Article 5 Types of Legal Services

Individuals or legal entities must specify in the application for a business operation license the type of legal services as defined in Article 20 of the Law on Lawyers, as follows:

- Providing legal consultation;
- Representing clients in participating in legal proceedings.

Article 6 Application for Legal Business Operation License

After establishing an enterprise in accordance with the law as defined in Article 56 of the Law on Lawyers, individuals or legal entities must apply for a legal business operation license with the Ministry of Justice through the Department of Management and Promotion of Justice Affairs.

The applicant for a legal business operation license must clearly specify the field of law for consultation services, such as business law, trade, domestic or foreign investment; representation and participation in criminal or civil proceedings, or both.

The applicant must pay a service fee according to the Presidential Ordinance on Fees and Service Charges and the cost for creating and recording data in the database system in the amount of 100,000 Kip.

Article 7 Documents for Business Operation License Application

In addition to the documents defined in Article 58 of the Law on Lawyers, the following additional documents must be submitted:

1. Biography of shareholders; in cases where shareholders operate businesses in other sectors or other legal enterprises, this must be clearly stated;
2. Certificate of residence, criminal record, copy of ID card of the director, partners, or shareholders; or copy of passport and stay permit from the public security sector for foreign shareholders; in cases where shareholders are persons in the same family, a copy of the family book and marriage certificate is required;
3. Certificate of office location and a map of the office location certified by the administration of the village or zone where it is located; in case of renting an office, certification from the lessor clearly stating the lease term or a copy of the lease agreement is required.
4. Copy of the enterprise's tax identification number;
5. Copy of the employment contract between the enterprise and the lawyer; in the case of a foreign lawyer, a copy of the license to practice the legal profession issued by the Ministry of Justice.

Article 8 Procedures for Consideration of Business Operation License

In considering the licensing of legal business operations as defined in Article 59 of the Law on Lawyers, the following procedures shall be followed:

1. Before accepting the application, the application and documents must be checked for correctness and completeness according to Article 59 of the Law on Lawyers and Article 6 of this Decision;
2. Verify correctness, research, and inspect the accuracy of the application and supporting documents; if found incorrect or if there are any deficiencies, the applicant must be notified in writing with a deadline for correction.
3. If the application and supporting documents are found to be correct and complete, the application for business operation license is considered to have met the conditions and is correct; it must be proposed to the higher level for consideration to issue the license.
4. The Ministry of Justice will issue the business operation license based on various conditions defined in the law and this Decision, including relevant regulations, correctly and completely within 10 (ten) official working days from the date the application is complete and correct.
5. After issuing the legal business operation license, the Department of Management and Promotion of Justice Affairs must record and file the documents into the legal enterprise database system and notify the Bar Association and the Department of Enterprise Registration Management, Ministry of Industry and Commerce, regarding the licensing promptly;
6. In case the business operation license cannot be issued, the applicant must be notified in writing with reasons within 3 (three) official working days.

Article 9 Content of Legal Business Operation License

The legal business operation license consists of the following content:

- Name of the legal enterprise in Lao and foreign language;
- Legal enterprise registration number and date of registration;
- Name and surname of the Director;
- Office location;
- Type of legal services;
- Validity period of the legal business operation license.

Article 10 Business Operation License, Preservation, and Information Dissemination

As defined in Article 59 of the Law on Lawyers, the business operation license is valid for 3 (three) years and can be renewed, which must follow Chapter 3 of this Decision.

Legal enterprises that have notified and registered changes to their enterprise registration content, such as changing shareholders or partners, or changing the director, must notify the Department of Management and Promotion of Justice Affairs in writing of such changes along with copies of relevant documents within 5 (five) official working days. Failure to notify within such time is considered a violation of the law.

In the case of changing the legal enterprise's name, shareholders, or partners simultaneously to a new name and new shareholders or partners entirely or partially, the business operation license cannot be changed; a new legal business operation license must be applied for.

In the case of changing the location of the licensed legal enterprise's office, the Department of Management and Promotion of Justice Affairs must be notified within 3 (three) official working days.

The name of the licensed legal enterprise must have the prefix "Legal Enterprise" as defined in the business operation license.

The licensed legal enterprise must display its business operation license together with the enterprise registration certificate. The licensed legal enterprise can request a new license in case the business operation license is lost or damaged, which must be proposed according to a specific form.

Individuals, legal entities, and organizations can check the validity or request a copy of the legal business operation license free of charge and must follow specific procedures and regulations.

Article 11 Legal Enterprise Registry Database System

The legal database system is a system for storing information related to enterprises and legal activities throughout the licensed period, both in electronic and document forms.

Service fees collected from the application for legal business operation licenses are used for creating the legal enterprise registry database system and providing information.

Chapter 3

Renewal of Business Operation License

Article 12 Application for Renewal of Business Operation License

Legal enterprises intending to renew their business operation license must propose the renewal 30 days in advance before the expiration of the license according to the procedures defined in this Decision.

Article 13 Supporting Documents for Renewal of Business Operation License

The proposal to renew the business operation license must include all the following documents:

1. Application according to the specific form;
2. Summary report on past business operations, including a report on the provision of free and voluntary legal aid and future business operation plans;
3. Copy certifying the fulfillment of financial obligations in the past period from relevant sectors, such as certificates of salary tax payment, profit tax, etc.;
4. Copy of the employment contract between the enterprise and the lawyer; in the case of a foreign lawyer, a copy of the license to practice the legal profession issued by the Ministry of Justice;
5. Map of the office location certified by the administration of the village or zone where it is located.

Article 14 Conditions for Consideration of Business Operation License Renewal

The consideration for renewal of the business operation license has the following conditions:

1. Submission of the application and supporting documents according to Article 13 of this Decision is complete, correct, and actual;
2. Past business operations were correct according to reports and relevant laws;
3. The legal enterprise has not violated any laws, or the lawyers affiliated with that legal enterprise have not violated ethics or relevant laws as certified by the Bar Association.

Article 15 Procedures for Renewal of Business Operation License

The proposal for renewal of the business operation license shall follow procedures similar to those defined in Article 8 of this Decision.

Chapter 4

Establishment of Legal Enterprise Branches

Article 16 Legal Enterprise Branches

A branch of a legal enterprise refers to an office or unit of the legal enterprise located in another place but within the organizational structure, accounting system, and administrative management of the legal enterprise and does not have legal entity status separate from that legal enterprise.

Legal enterprises that establish branches with separate organizational, financial, accounting, and administrative management structures shall be deemed as establishing a [separate] enterprise unit and operating a legal business illegally. This constitutes grounds for the legal enterprise that established such branch to have its legal business operation license suspended or revoked.

Article 17 Conditions for Establishing Branches of Legal Enterprises

The establishment of a branch of a legal enterprise must have the following conditions:

1. There is an application for the establishment of a branch;
2. There is a permanent lawyer stationed at that branch;
3. There is a suitable office location that ensures order, safety, and stability;
4. There are complete and necessary materials and equipment for service provision;
5. There is a Decision of the Meeting of Shareholders or Partners approving the establishment of the branch.

Article 18 Establishment of Branches of Legal Enterprises

Legal enterprises intending to establish a branch must follow the relevant provisions of the Law on Enterprises, and has met the criteria as stipulated in Article 19 of this Decision.

After establishing of the legal enterprises branch, the legal enterprise must report to the Department of Management and Promotion of Justice Affairs within 5 (five) official working days from the date of receipt the permission issued by the industry and commerce sector on:

1. Copy of the resolution of the shareholders' meeting or the decision agreeing to establish a branch in the case of a sole limited company;
2. Curriculum Vitae (CV) of the Branch Director and the letter of appointment as Branch Director;
3. Copy of the employment contract between the enterprise and the lawyer stationed at the branch;
4. Copy of the business operation plan of the branch;
5. Copy of the internal regulations of the branch.
6. Map of the office location certified by the administration of the sub-district (Tasseng) or village where it is located.

After receiving the notification, the Department of Management and Promotion of Justice Affairs must update the legal enterprise database system and notify the

Provincial Justice Department and the District Justice Office regarding such branch, in order to monitor and manage such legal enterprise branch in accordance with their roles.

The branch office of the legal enterprise must display or publicize the legal business operation license of the headquarters to inform the public.

Article 19 Legal Liability of Enterprises and Branches

Business operations of a legal enterprise branch that are improper, inconsistent, or in violation of the law constitute grounds for the legal enterprise to have its business operation license suspended or revoked and to face liability in accordance with the law.

The renewal of the legal business operation license applies to the branch of the legal enterprise

**Chapter 5
Annual Report
on Business Operations of Legal Enterprises**

Article 20 Annual Report

Annual reporting on the business operations of legal enterprises, including branches (if any), refers to the reporting of the annual business operation situation according to the content defined in Article 23 of this Decision, to enable the Ministry of Justice to monitor and inspect the implementation of laws by legal enterprises.

Reporting on the business operations of the enterprise shall be conducted regularly on an annual basis within 30 (thirty) official working days from the date of closing the annual accounts in accordance with the Law on Accounting.

Failure to report constitutes grounds for the legal enterprise to be warned; if the warning is not complied with, it shall result in the suspension of the legal business operations of that legal enterprise.

Article 21 Contents of Annual Report

The annual report on the business operations of legal enterprises consists of the following content:

1. Report on the general overview of the enterprise's business operations, including organization and personnel, provision of legal services to clients, statistics on the provision of free or voluntary legal services;
2. Report on the fulfillment of financial obligations, such as payment of various taxes, payment of lawyer membership fees;
3. Proposals to the Ministry of Justice and relevant sectors regarding past implementation;
4. Report on the business operation plan for the following year.

The contents mentioned above must be accompanied by copies of documents certifying each reported item.

Article 22 Results of Annual Reporting

Annual reporting serves as a basis for monitoring, inspecting, and verifying the implementation of laws related to legal business operations and serves as a basis for considering the renewal of the legal business operation license.

Failure to report constitutes grounds for that legal enterprise to be warned; if the warning is not complied with, it results in the suspension of the legal business operations of that legal enterprise.

Chapter 6

Monitor and Inspection of Legal Enterprises

Article 23 Monitor and Inspection of Legal Enterprises

Monitoring and inspection of the legal business operations of legal enterprises refers to the examination of the legal services provided by such enterprises to ensure compliance with professional standards, professional ethics, and relevant laws.

Monitoring and inspection are conducted in 3 forms:

- Document-based monitoring and inspection;
- Monitoring and inspection upon proposal;
- On-site monitoring and inspection.

Monitoring and inspection of legal enterprises shall be implemented in accordance with Articles 71, 72, 73, and 74 of the Law on Lawyers and this Decision.

Article 24 Document-based Monitoring and Inspection

Document-based monitoring and inspection refers to the examination of the correctness and veracity of the annual report on the legal business operations of the legal enterprise, to serve as a basis for considering the application for renewal of the enterprise's business operation license, or in cases where there is suspicion or information believing that the legal enterprise has violated the law or relevant regulations.

Article 25 Monitoring and Inspection upon Proposal

Monitoring and inspection upon proposal refers to the forms of inspection defined in Article 78 of the Law on Lawyers, which may involve a proposal related to a violation or an act deemed improper by a legal enterprise, as follows:

- A written request or proposal from service users;
- A written proposal from the Bar Association or the Department of Inspection, Ministry of Justice;
- A written proposal from the Provincial or Capital Justice Department, or the District, City, or Municipal Justice Office.

Article 26 On-site Monitoring and Inspection

On-site monitoring and inspection refers to field monitoring and inspection at the actual location of the headquarters and branch offices of the legal enterprise as assigned by the Department of Management and Promotion of Justice Affairs, in cases where it is required to exercise rights and duties in accordance with the law or in necessary cases, such as:

- Verifying the condition and location of the headquarters and branch offices;
- Inspecting the actual number of lawyers of the legal enterprise and its branches;
- Collecting information on the situation of service provision and/or violations by the legal enterprise and its branches regarding service users or recipients of free or voluntary legal aid.

The Provincial or Vientiane Capital Justice Departments, or the District, City, or Municipal Justice Offices are responsible for conducting on-site monitoring and inspection as assigned by the Department of Management and Promotion of Justice Affairs.

Upon completion of the on-site inspection, the officials appointed to be responsible must create a record jointly with the said legal enterprise to serve as evidence for consideration according to legal procedures.

Article 27 Assignment of Justice Sector for Monitoring and Inspection

In monitoring and inspecting the activities of legal enterprises pursuant to Articles 73 and 74 of the Law on Lawyers and as defined in this Decision, the Department of Management and Promotion of Justice Affairs shall notify the Provincial or Capital Justice Departments, or the District, City, or Municipal Justice Offices to monitor and inspect legal enterprises located within their areas of responsibility, as follows:

- Inspect and verify the location and status of lawyers at the headquarters and branches of the legal enterprise;
- Monitor the activities of legal enterprises periodically; in cases where it is seen that a legal enterprise or a lawyer affiliated with such legal enterprise may have violated the law, ethics, or any regulation, notify the Department of Management and Promotion of Justice Affairs in writing promptly;
- In cases where it is suspected that any enterprise claims to have been licensed to operate a legal business or an enterprise that has not been licensed is operating a legal business, notify the Department of Management and Promotion of Justice Affairs in writing;
- Conduct monitoring and inspection according to the notification of the Department of Management and Promotion of Justice Affairs regarding the activities and legal business operations of any specific legal enterprise.

Article 28 Coordination with Relevant Sectors

The Department of Management and Promotion of Justice Affairs, or the Provincial/Vientiane Capital Justice Departments, or the District, City, or Municipal Justice Offices, as assigned by the Department of Management and Promotion of Justice Affairs, based on Articles 73, 74, and 75 of the Law on Lawyers, have the right and duty to coordinate with relevant sectors within the scope of their authority regarding the implementation of the law and the activities of legal enterprises, such as: the tax sector, enterprise registration, public security sector, Office of the Public Prosecutor, and People's Court.

Article 29 Results of Monitoring and Inspection

Monitoring and inspection via documents, upon proposal, or on-site in accordance with this Decision has the following consequences:

- In the event that it is found that the reporting or activities of a legal enterprise are incorrect, or in the event of suspicion or information believing that the legal enterprise has violated the law or relevant regulations, such information shall be sent to the relevant sectors for consideration of legal proceedings;
- In the event that it is found that the reporting or activities of a legal enterprise do not correspond with reality, such legal enterprise must clarify, explain, and rectify the issue within a timeframe deemed appropriate by the Department of Management and Promotion of Justice Affairs; if there is no clarification, explanation, or rectification, it shall be considered that such legal enterprise has violated the law and may have its license revoked, as well as facing liability in accordance with the law.
- In the event that it is found that any lawyer affiliated with a legal enterprise or a branch of a legal enterprise exhibits inappropriate behavior or violates ethics or the law, such information shall be sent to the Bar Association to monitor and resolve.

Chapter 7

Suspension and Revocation of Legal Business Operation License

Article 30 Suspension of Legal Business Operations

In suspending legal business operations as defined in Article 61 of the Law on Lawyers, the procedures shall be followed depending on the specific case, as follows:

1. In the case where a legal enterprise proposes to suspend legal business operations in writing accompanied by reasons, the Department of Management and Promotion of Justice Affairs must research such proposal within 3 (three) official working days from the date of receiving the proposal letter from the legal enterprise;
2. In the case where conditions exist for suspending the legal business operation license pursuant to Points 2, 3, 4, and 5 as defined in Paragraph 1 and Paragraph 2 of Article 61 of the Law on Lawyers, the Department of Management and Promotion of Justice Affairs must issue a written notification regarding the violation to the relevant legal enterprise for acknowledgment, along with an appropriate deadline not exceeding 60 official working days for rectification. In the event that [the issue] cannot be rectified within the notified deadline, the Department of Management and Promotion of Justice Affairs shall propose that the Minister of Justice issue a Decision to suspend the legal business operations of that enterprise within 3 (three) official working days.
3. Legal enterprises whose legal business operations have been suspended, if they fail to rectify the issues that were the cause of the suspension within a reasonable time, counting from the date of the business suspension, but not exceeding 60 official working days, such legal enterprises shall have their licenses revoked and be removed from the legal enterprise registry database system.

Article 31 Revocation of License and Removal of Legal Enterprise Name

When it is seen that a legal enterprise meets any of the conditions defined in Article 62 of the Law on Lawyers, the Department of Management and Promotion of the Justice System shall research and propose to the Minister of Justice to consider revoking the legal business operation license.

After revoking the legal enterprise, the Department of Management and Promotion of the Justice System must remove the name of such enterprise from the legal enterprise database system and notify the Ministry of Industry and Commerce within 3 (three) official working days.

Chapter 8

Final Provisions

Article 32 Implementation

The Department of Management and Promotion of Justice Affairs is assigned to disseminate this Decision to the public widely and to be the lead in organizing its implementation efficiently.

The Cabinet, Department of Organization and Personnel, Department of Inspection, Bar Association, Provincial/Capital Justice Departments, and other relevant parties are acknowledging and strictly implementing this Decision.

Article 33 Effectiveness

This Decision is effective on February ___, 2026.

This Decision does not have retroactive effect, and legal enterprises that have already been licensed may propose to update their license in accordance with this Decision on a voluntary basis

Minister,



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ກົມຄຸ້ມຄອງ ແລະ ສົ່ງເສີມວຽກງານຍຸຕິທຳ

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ນະຄອນຫຼວງວຽງຈັນ, ວັນທີ

**Proposal
regarding the Draft Decision
on the Licensing and Management of Legal Enterprises**

- Pursuant to the Law on Lawyers, No. 23/NA, dated 29 December 2022;
- Pursuant to the Decision of the Minister of Justice on the Organization and Operation of the Department of Justice Administration and Promotion, No. 441/MOJ, dated 21 April 2022.

Based on lessons learned from the licensing and management of legal enterprise operations in the past, the Department of Justice Administration and Promotion hereby presents the **Draft Decision on the Licensing and Management of Legal Enterprises**, which comprises three (III) main sections as follows:

- I. The necessity of formulating the Decision on the Licensing and Management of Legal Enterprises.**
- II. The structure and content of the Draft Decision, and the consultation process.**
- III. The expected benefits from formulating the Decision on the Licensing and Management of Legal Enterprises.**

I. The necessity of formulating the Decision on the Licensing and Management of Legal Enterprises.

Conducting proceedings in accordance with the justice process constitutes the strengthening of State and social management through the Constitution and laws, under the leadership of the Party. Lawyers, the Bar Association, and legal enterprises form an integral part of the justice process, operating alongside the People's Courts, the Office of the People's Prosecutor, the Ministry of Public Security, and the Ministry of Justice. Recognizing this significance and importance, the Party and the Government have periodically established guidelines, policies, resolutions, orders, and laws to regulate the organization and operations of lawyers and lawyer organizations (the Bar Association and legal enterprises). Most notably, these include the **Resolution of the Politburo of the Party Central Committee on Enhancing the Quality of Proceedings in the Justice Process, No. 112/PBP, dated 2 June 2020**, and the **Law on Lawyers (Amended), No. 23/NA, dated 29 December 2022**. Prior to the formulation and amendment of the Law on Lawyers No. 10/NA, dated 21 December 2011, the Ministry of

Justice had issued the **Decision of the Minister of Justice on the Establishment and Operation of Legal Consulting Offices**, No. 178/MOJ, dated 18 September 2007.

Throughout the past process of development and implementation of work regarding lawyers and legal enterprises, to date, a total of **192 legal enterprise companies** have been established. Of these, **149 are Lao enterprise units** and **52 are foreign enterprise units**.

However, through the actual implementation of laws and sub-legislative acts, the licensing and management of legal enterprise operations still face many problems that prevent implementation from achieving the desired level of efficiency, effectiveness, and quality. Specifically: the Law on Lawyers is not clearly defined, lacks rigor, and contains loopholes; Decision No. 178/MOJ is inconsistent with the amended and promulgated laws; and there is no clear definition of content or assignment of responsibilities within the justice sector regarding monitoring, inspection, and the application of legal measures. These factors have given rise to the following situation:

1. Phenomena of concealed leasing or transfer of business operations have emerged, specifically permitting other individuals or legal entities [to operate], despite this being prohibited by law;
2. A number of licensed legal enterprises have violated the law, such as continuing to conduct legal business operations despite their licenses having expired without applying for renewal; lacking a standing lawyer, etc.;
3. Legal enterprises have not maintained accounts in accordance with the Law on Accounting and have not correctly implemented the Law on Income Tax and Value Added Tax regarding their services, causing the State to lose tax revenue that should have been collected according to the law;
4. A number of lawyers have violated the law or breached the Code of Ethics for Lawyers, but these issues have been addressed with delays;
5. There is no systematic reporting regarding the operations of legal enterprises, and the content of such reports lacks uniformity;
6. A number of enterprise heads have falsely claimed to be licensed in accordance with the law and have conducted legal business operations; or authorized persons (who are not lawyers) have used the license to provide legal services, leading to public misunderstanding and negatively impacting the reputation and dignity of the legal profession.

Given the advantages, difficulties, and certain issues raised herein, there is an objective necessity to revise the Decision of the Minister of Justice No. 178/MOJ, and to regulate certain issues that constitute loopholes or are not stipulated in the Law on Lawyers concerning legal enterprises.

II. The structure and content of the Draft Decision, and the consultation process

Fundamentally, the Draft Decision on the Licensing and Management of Legal Enterprises elaborates upon certain contents of the Law on Lawyers relating to the conduct of legal business, in order to render them more precise, rigorous, and clear than before. At the same time, it establishes a number of new principles, drawing upon lessons learned from the management of legal enterprise operations in the past. The Draft Decision comprises 8 Chapters and 33 Articles, as follows:

Chapter 1: General Provisions comprises 4 Articles (from Article 1 to Article 4), addressing the objectives, the definition of legal business licensing, the principles, and the scope of application. Herein, a definition of "legal business operation" (new) has been stipulated to ensure clarity and precision.

Chapter 2: Application for Business Licensing and Enterprise Database System comprises 7 Articles (from Article 5 to Article 11), addressing types of legal services, applications for legal business licensing, supporting documents, consideration procedures, the content of the legal business license, usage of the license, storage and dissemination of information, and the legal enterprise registration database system. Fundamentally, this Chapter elaborates upon Articles 20, 21, 22, 23, 57, 58, 59, and 60 of the Law on Lawyers by focusing on closing loopholes existing in the law, namely:

(1). Requiring applicants for the establishment of legal enterprises to specify the types of legal services (one specific type or all types), which serves as an important basis for monitoring and inspecting the operations of legal enterprises;

(2). Article 58 of the Law on Lawyers prescribes too few supporting documents for the application, making it impossible to effectively collect the data necessary for the management of legal enterprises in accordance with technical standards;

3). Define the procedures for considering legal business licensing clearly, precisely, and to guarantee transparency. Article 59 of the Law on Lawyers stipulates that "*Issue a business operation license to a legal enterprise when it is deemed that conditions are fully met, within ten official days from the date of receiving complete and correct documents...*". Therefore, the newly added content constitutes a step for the inspection and verification of the completeness and correctness of documents. In certain cases, if documents are incomplete or incorrect, notification must be given to resubmit them completely and correctly. This serves to correct the misunderstanding that "*the 10-day time limit counts from the date of submitting the application and supporting documents,*" while also addressing criticism regarding the delaying of documents and establishing clearer transparency; and

(4). The law did not stipulate regulations regarding changes to enterprise registration that have legal consequences for the business operation license. Therefore, Article 10 of the Draft Decision addresses the issues of concealment, business transfer, or leasing of licenses (which are prohibited by law). Furthermore, new content has been stipulated regarding the publication of licenses, the replacement of lost or damaged licenses, and the permission for individuals or other organizations to inspect and request copies of business operation licenses. This is to guarantee transparency and to allow other parties to assist in verifying the correctness of enterprises that may not be authorized to conduct legal business.

Chapter 3: Renewal of Business Operation Licenses comprises 4 Articles (from Article 12 to Article 15), addressing the principles and procedures for requesting the renewal of legal business operation licenses. This serves to elaborate upon Article 59 of the Law on Lawyers, which did not clearly stipulate the conditions and supporting documents for the renewal of business operation licenses, in order to render them clear, precise, and comprehensible, ensuring that the renewal of business operation licenses follows correct and uniform procedures and methods. Furthermore, it requires legal enterprises seeking to renew their business operation licenses to report (as an obligation) on voluntary and free legal assistance, in order to create momentum for increased access to justice.

Chapter 4: Establishment of Branches of Legal Enterprises comprises 4 Articles (from Article 16 to Article 19), addressing the establishment of branches of legal enterprises, an issue which the Law on Lawyers did not stipulate or regulate (Article 64 of the Law on Lawyers regulates only the establishment of branches of *foreign* legal enterprises). Therefore, this Chapter 4 establishes entirely new principles by regulating:

(1). The definition of a branch of a legal enterprise and measures to prevent the avoidance of applying for a new legal business license by disguising [the entity] as a branch;

(2). Additional conditions, given that the Law on Enterprises stipulates only general principles but does not stipulate the necessary conditions for the establishment of branches of legal enterprises, which possess specific professional characteristics; and

(3). Methods for inspection and management after the branch has been established in accordance with the Law on Enterprises, and rigorously defining the responsibilities of the (parent) enterprise and the branch.

Chapter 5: Annual Reporting on the Business Operations of Legal Enterprises comprises 3 Articles (from Article 20 to Article 23), addressing the reporting of the status of business operations of legal enterprises to the Ministry of Justice, specifically the Department of Justice Administration and Promotion, on a regular annual basis. The principles stipulated in this Chapter are entirely new principles, drawn from lessons learned from the management of accounting enterprises and audit enterprises under the management of the Ministry of Finance, wherein:

(1). It defines the meaning of reporting and the method of reporting, focusing on reporting after the closing of annual accounts. The stipulation of this principle is due to the fact that the majority of legal enterprises have not maintained accounts in accordance with the law and have not paid various taxes in accordance with the law as they should. This serves to compel legal enterprises to maintain financial accounts in accordance with the law to create conditions for the verification and inspection of the payment of various taxes correctly in accordance with the Law on Profit Tax, Income Tax, and Value Added Tax (in which the State has lost a significant amount of these taxes—however, this is an estimate as data collection and analysis in this area have not yet been clearly conducted);

(2). It stipulates the content of the reporting; and

(3). It stipulates principles regarding the results of reporting, which will serve as the basis for monitoring and inspecting the business operations of legal enterprises.

Chapter 6: Monitoring and Inspection of Legal Enterprises comprises 7 Articles (from Article 23 to Article 29), addressing the monitoring and inspection of legal enterprises. This elaborates upon Articles 72, 73, 74, 75, 77, and 78 of the Law on Lawyers to ensure greater precision and clarity regarding the forms, content, and division of responsibilities of Provincial and Capital Justice Departments, as well as District, City, and Municipality Justice Offices in this work. Herein, a new principle has been stipulated regarding the **results of monitoring and inspection**: if a monitored and inspected enterprise fails to rectify the findings of the monitoring and inspection relevant to it, this will constitute grounds for the suspension and revocation of the license.

Chapter 7: Suspension and Revocation of Legal Business Operation Licenses comprises 2 Articles (Articles 30 and 31), addressing the procedures for the suspension of legal business operations, the revocation of licenses, and the removal of enterprise names from the legal enterprise database. This serves to elaborate upon Article 61 of the Law on Lawyers to render it even more precise and rigorous.

Chapter 8: Final Provisions comprises 2 Articles (Article 32 and Article 33), addressing implementation by emphasizing dissemination to build awareness of legal compliance for a period prior to the Decision taking effect, as well as the effectiveness of the Decision. Herein, stipulations have been made regarding the voluntary adjustment of legal business operation licenses by legal enterprises, and stipulating that the Decision shall enter into force on ___ **February 2026**, in order to allow time for widespread dissemination to inform the public and for internal adjustments to ensure efficient and effective implementation.

This Draft Decision on the Licensing and Management of Legal Enterprises has undergone extensive and in-depth consultation and feedback, with the participation of both the

public and private sectors, contributing to the improvement of the content of the Draft Decision to ensure it is comprehensive and practicable upon adoption. Notable among these are:

- Discussions and internal consultations were held within the Department and the Leadership Committee of the Department of Justice Administration and Promotion on 3 occasions;
- Written feedback was received from the Ministry Cabinet, various Departments, specifically the Department of Law, the Office for Economic Dispute Resolution, and the National Institute of Justice, as well as from Provincial and Capital Justice Departments;
- Discussions and consultations on the Draft Decision were held with the Bar Association on [Date] October 2025;
- Open discussions and consultations on the Draft Decision were held with legal enterprises on [Date] November 2025, attended by [Number] legal enterprises which contributed to the improvement of the Draft Decision.

Through the process of extensive and in-depth consultation and feedback from the public and private sectors, it is assessed that the proposed Draft Decision is correct and consistent with the guidelines and policies of the Party, specifically the Resolution of the Politburo of the Party Central Committee, No. 112/PBP, and is in conformity with relevant laws and sub-legislative acts; thus, it is suitable for adoption and promulgation.

III. The expected benefits from formulating the Decision on the Licensing and Management of Legal Enterprises

Upon the official adoption and promulgation of this Draft Decision, the following benefits are anticipated:

1. The licensing and management of legal enterprises will be implemented in a centralized, uniform, and transparent manner, guaranteeing a higher quality of work than before. This will contribute to the effective implementation of Party guidelines, policies, resolutions, and orders, as well as State laws, while serving as a firm basis for the stronger execution of duties and responsibilities by all relevant parties.
2. The principles, procedures, methods, and mechanisms for considering licensing, as well as for the management and inspection of the organization and operation of legal enterprises, will become clearer, more precise, rigorous, and transparent. This constitutes a driving force in the gradual and firm establishment of a Rule of Law state, ensuring that the management of legal work in general, and legal enterprises in particular, becomes increasingly clean, strong, and solid, operating in compliance with the law and performing duties to assist the public with integrity and honesty.
3. It will build greater trust and elevate the dignity and prestige of lawyers and legal enterprises within society and among the public. Service users will have increased confidence that their legitimate rights and interests will be protected in accordance with the law through the legal services provided by legal enterprises.

Director General