



# **Guideline on the OAG Roles, and Mandates, 2020**

**Office of the Attorney General  
Royal Government of Bhutan**





**Seek Truth & Ensure Justice**  
Royal Government of Bhutan

## FOREWORD

To execute the functions of the Office of the Attorney General (OAG) smoothly and effectively, clear segregation of roles and mandates are necessary.

Therefore, the Attorney General under Section 101 of the *Office of the Attorney General Act 2015*, hereby frames and issues the ***Guideline on OAG Roles, and Mandates*** to provide clear roles and mandates of the lawyers serving under the OAG.



Lungten Dubgyur  
Attorney General  
**Attorney General**  
Office of the Attorney General  
Thimphu: Bhutan

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## **INTRODUCTION**

The Office of the Attorney General has the constitutional mandate to carry out the roles and responsibilities within the domain and authority of the Government, and such other legal matters entrusted to it. The Office being the legal arm of the executive branch of the Government, has a primary role in safeguarding and strengthening the rule of law, upholding sovereignty of the Kingdom, facilitating good governance, ensuring peace, security, well-being, and happiness of the people. Under the OAG Act 2015, legal professionals serve three primary functions of prosecution and litigation under Sections 10-50, rendering legal services under Sections 51-53, and legislative drafting and review under Sections 54-60. The Parent Agency function of OAG for the ‘Legal Service Group’ consisting of entire legal professionals serving under the government sector emanates from the BCSRR.

Within the OAG, there are various departments, and divisions dedicated for diverse mandates, and to specialize and develop expertise in each of them. To further provide clarity on the processes of rendering different legal services: numerous rules of procedure, guidelines and manuals are framed and implemented. These documents are revised, when required to suit the changing needs of the OAG, to render the quality services in a timely manner.

The Office also works in close collaboration with the Judiciary, Royal Bhutan Police, Anti-Corruption Commission and other government agencies in administering justice in accordance with the rule of law to

Guideline on the OAG Roles, and Mandates inspire trust and confidence, and to enhance access to justice. To achieve the intended objectives with these agencies, Memorandum of Understandings are signed to assure smooth work execution, if necessary.

Although the OAG has ample in-house rules on processes; yet, a core document that encapsulates the responsibilities of the OAG, beginning with the Attorney General, and reaching Attorneys of different positions is presently deficient.

Hence, a Guideline that covers the responsibilities of legal professionals in the OAG will clarify on both the main and supporting roles of the legal professional of the OAG. Any other ancillary functions of OAG which are significant but not captured under the RoPs, guidelines, or manuals will also be ascribed under the relevant position's titles under this Guideline. Further, with well-defined roles and mandates, the legal professionals in the OAG can smoothly conduct their work efficiently.

Guideline on the OAG Roles, and Mandates  
**CHAPTER I**  
**Office of the Attorney General**

**Functional Autonomy:** The Office of the Attorney General is a constitutionally created Office [Art. 29 of the Constitution] with specific functional autonomy similar to the Election Commission of Bhutan, Royal Audit Authority, Royal Civil Service Commission, and the Anti-Corruption Commission.

The Office with autonomy, functions within the domain and authority of the Government. It is headed by the Attorney General, assisted by a Deputy Attorney General and provides professional legal services to the Government. The functions and mandates of the Office are governed by the OAG Act. As per Section 7 of the OAG Act, the Office may establish Departments, Divisions, and Sections as deemed necessary in consultation with the Royal Civil Service Commission.

**Vision:** To be a premier public organization that seeks truth and ensures justice in pursuit of a just and harmonious society with the rule of law and good governance.

**Mission:** To deliver prosecution and legal services to the State in a fair and professional manner.

**Values:** In Pursuit of its mission, the Office values:

1. efficiency;
2. objectivity;
3. fairness;
4. transparency; and



5. professionalism.

**Organizational Structure:** The Office aims to realize its vision and mission by strengthening the Organizational structure through the creation of Departments and Divisions.

**Attorney General**

The Attorney General is appointed by His Majesty the Druk Gyalpo upon recommendation of the Prime Minister in accordance with Article 29(2) of the *Constitution of the Kingdom of Bhutan*. The Attorney General shall be accountable to the Druk Gyalpo and the Prime Minister. The Attorney General, as the Chief Legal Officer of the Government, is the legal advisor and representative of the Government.

It is the constitutional mandate of the Attorney General to aid and advise the Government on all legal matters, prosecute and defend the interests of the State, uphold and safeguard the rule of law and discharge other functions in pursuit of justice.

In the performance of his or her duties, the Attorney General shall have the right to appear before all courts in Bhutan and represent the State in any court outside the Kingdom of Bhutan. The Attorney General has the power to institute, initiate, and withdraw cases, and is bestowed with the right to appear and express opinions on any legal question before Parliament.

## **Terms of Reference for the Attorney General**

The Attorney General:

- a. shall advise the Government on all legal matters referred to the Office [Art. 29(3) of the Const., Sec. 67(2) of the OAG Act];
- b. shall represent the Government before all courts [Art. 29(3) of the Const.];
- c. shall have the power to institute, initiate or withdraw cases in accordance with the law (Art 29(5) of the Const., Sec. 70 of the OAG Act);
- d. shall appear before all courts [Art. 29(4) of the Const., Sec. 67(3) of the OAG Act] in the Kingdom of Bhutan, on the cases of national significance;
- e. shall defend the cause of the Kingdom and discharge his or her functions in pursuit of justice [Sec. 67(1) of the OAG Act];
- f. shall administer the functions of the Office [Sec. 67(4) of the OAG Act];
- g. represent the Government before courts outside the Kingdom of Bhutan when necessary [Sec. 68 of the OAG Act];
- h. uphold the rule of law and ensure justice [Sec. 67(5) of the OAG Act];
- i. shall have the right to appear and express opinions on any legal question before Parliament [Art. 29 (6) of the Const., Sec. 73 of the OAG Act];

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- j. attend as a member of the National Judicial Commission [Art. 21(17) of the Const.];
- k. attend as a member of His Majesty's Amnesty Panel;
- l. attend Bar Council meetings as an ex-officio member or serve as a member of any other Board or Committee as may be assigned;
- m. oversee enforcement of law and policy of the Government;
- n. shall submit to the Druk Gyalpo and the Government such information and advice as may be required on legal matters or issues related to national interest [Sec. 69 of the OAG Act];
- o. shall submit Annual Report to the Druk Gyalpo and the Prime Minister [Sec. 7 Art. 29 of the Const., Sec. 75 of the OAG Act];
- p. avail the services of qualified *Jabmis*, as and when deemed necessary to perform specific legal assignments [Sec. 71 of the OAG Act];
- q. shall authorize and supervise Government Attorneys, special counsels or *Jabmis* for and on behalf of the Government in any court [Sec. 74(1) of the OAG Act];
- r. shall have the power to revoke the Power of Attorney issued to any legal personnel [Sec. 20 of the OAG Act];

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- s. shall supervise the formulation of plans and policies of the Office [Sec. 74(2) of the OAG Act] and review the plans and policies;
- t. shall return cases to the referring agency [Sec. 42 of the OAG Act], whenever applicable;
- u. shall delegate the prosecution of a particular case to legal personnel of any agency of the Government or other institution by issuing power of attorney [Sec. 20 of the OAG Act];
- v. may represent the Government or nominate such legal personnel he or she deems appropriate to represent the Government if the Royal Government of Bhutan requires legal representation abroad on his or her behalf;
- w. shall administer the Office functions in accordance with the OAG Act or other functions related to legal matters, as may be referred to it by the Government;
- x. shall seek adequate facilities and funds from the Government for the smooth administration of the Office [ Sec. 8 of the OAG Act];
- y. shall chair the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018]; and
- z. shall take any other administrative action necessary in the interest of the Office [Sec. 74(3) of the OAG Act].

### **Deputy Attorney General**

In accordance with Section 6 of the OAG Act 2015, the Attorney General shall be assisted by a Deputy Attorney General (DAG), to

Guideline on the OAG Roles, and Mandates facilitate smooth succession of Attorney General during the transition period, and liaise with the legal offices and agencies. The DAG shall be responsible for providing professional legal services to the Government, and to oversee the administration of the secretariat support functions to enable administrative support to the Office. The DAG shall supervise, monitor and provide guidance and support to the routine functions of the Legal officers serving with the Ministries, Agencies, Thromdes and Dzongkhags.

### **Terms of Reference for Deputy Attorney General**

The Deputy Attorney General shall:

- a. assist the Attorney General in execution of daily activities and update the Attorney General from time to time about the affairs of the Office [Sec. 6 of OAG Act];
- b. officiate in the absence of the Attorney General;
- c. administer the secretariat services of the Office;
- d. appear before the courts in the country, as directed by the Attorney General;
- e. supervise development of human resource plans in consultation with the Departments and Divisions;
- f. be a member of the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018];
- g. carry out functions that are delegated by the Attorney General;
- h. be responsible for smooth succession of responsibilities when a new Attorney General joins the office;
- i. supervise or monitor the Organizational Development Exercises, and review for approval or rejection;

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- j. receive and evaluate the performance reports from the Legal officers, and recommend the management for any decision making;
- k. supervise and monitor the day to day functioning of the Legal officers, and provide necessary guidance and support;
- l. resolve issues and challenges through coordination of the Legal Head meetings;
- m. guide and supervise the Agency Legal Officers on any issues;
- n. be a member of the reserve price fixation committee; and
- o. carry out any other functions as may be required by virtue of being the DAG.

### **The Department of Justice**

The Department of Justice endeavors to promote fair, impartial and just proceedings in civil and criminal cases. In accordance with Article 29 of the *Constitution of the Kingdom of Bhutan*, it is the central litigation and prosecuting agency of the State. The Office shall also represent the Government in civil litigation and suits filed against the Government before the Courts or tribunals; the Office seeks declarations, orders, directions or writs as may be appropriate in circumstances of each case.

Prosecution of cases by the Department is administered in accordance with the provisions of the OAG Act: it also submits appraisals and advises the Government on orders passed by Courts in and outside Bhutan as and when required. It also renders the necessary advice and support to the Government for the execution of judgments. Any agency

Guideline on the OAG Roles, and Mandates of the State may refer a case for litigation, while relevant agencies of the State may refer a case for prosecution to the Office.

The Department is headed by a Director who is appointed under Section 7 of the OAG Act. The Department discharges its mandates through the Prosecution and Litigation Division complemented further by the Judgment Enforcement Division.

**(1) Terms of Reference for Director of Department of Justice:**

The Director shall;

- a. be responsible for the over-all professional conduct of the Prosecution and Litigation Division and Judgement Enforcement Division;
- b. be responsible for planning and contributing to the development of prosecution and litigation strategies, ensuring that the Attorneys are well briefed and have access to existing guidelines;
- c. assign cases to relevant Division for prosecution, litigation or enforcement;
- d. preside over case screening corpus as and when Attorneys submit case briefs;
- e. initiate a protocol for periodic review of progress and comparison of internal standards with international best practices and benchmarks;
- f. monitor progress in relation to quality assurance;
- g. coordinate and implement development of the Department's Strategic Plan in consultation with the Deputy Attorney General and Attorney General;

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- h. undertake a training requirement analysis and prepare a Human Resource Development Plan for the Department and organize training programs, study tours and team building events and workshops;
- i. determine staff requirements for the Department as it develops;
- j. develop conducive conditions of service to motivate and encourage staff of the Department including job specific perks and allowances;
- k. foster a culture of critical evaluation, peer review, diligent investigation and research;
- l. acquire funding for the development of the Department;
- m. guide and supervise preparation of annual reports for the Department;
- n. periodically update the Attorney General and Deputy Attorney General on the activities of the Department;
- o. counsel and impart skills to the Attorneys;
- p. assume mandate to represent the Government before all courts in the country as directed by the Attorney General;
- q. apprise the Attorney General on appropriate deliberations of cases;
- r. apprise the Attorney General, on orders passed by courts in and outside Bhutan as and when required [Sec. 17(1) of OAG Act];
- s. render necessary advice and support to the concerned agencies for the execution of judgments when required [Sec. 17(2) of the OAG Act] in consultation with the Attorney General;
- t. ensure that the cases are reviewed expeditiously;



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- u. apprise the Attorney General on the status of the case reviews from time to time;
- v. attend as a member of the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018];
- w. attend case screening corpus; and
- x. ensure that the judgments of the courts are executed in the judgment enforcement Division.

### **Prosecution and Litigation Division (PLD)**

The Prosecution and Litigation Division is mandated to receive, review, draft charges and initiate criminal proceedings on behalf of the State before a competent court and represent other civil matters before the court, tribunals or any other competent authority. It ensures rule of law and collaborates with various investigating entities such as the Anti-Corruption Commission, the Royal Bhutan Police and other Agencies. The Division strives to seek truth and ensure justice.

The Division is headed by a Chief Attorney under the supervision of the Director of the Department of Prosecution and assisted by the Deputy Chief Attorney.

#### **(1) Terms of Reference for Chief Attorney (Prosecution)**

The Chief Attorney shall:

- a. prosecute offenders before a court, upon the instruction of the Director;
- b. represent the Government in civil litigations and lawsuits against the Government before the courts and tribunals, on the instruction of the Director;

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- c. assign cases referred for prosecution by the RBP and other agencies;
- d. substitute the director in the absence, and preside over the case screening corpus as and when Prosecutors submit case briefs;
- e. guide Attorneys to draft charges;
- f. guide Attorneys on admissibility and validity of evidence;
- g. review charges framed by Attorneys;
- h. guide Attorneys in drafting court submissions;
- i. apprise the Director, Deputy Attorney General and Attorney General on any controversial issue arising from prosecution and litigation;
- j. appear before all courts on behalf of the State in all criminal matters;
- k. provide induction courses to the newly recruited Prosecutors of the Division on prosecution and litigation techniques;
- l. act on behalf of the Director in his or her absence;
- m. conduct research on relevant international laws and other instruments useful for prosecution and litigations;
- n. conduct field investigations and prepare reports as and when assigned [Job Description];
- o. execute directives and orders of the Director;
- p. coordinate and liaise services of legal consultants for the Division as and when required;
- q. attend workshops and seminars organized by the government agencies or serve as a resource person in such meetings;

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- r. be a member of the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018];
- s. facilitate Judgement Enforcement Division to execute the judgment, with necessary instruction if he or she has prosecuted the case;
- t. ensure that information upon the charge or conviction of a person is shared with the relevant agency;
- u. evaluate the performance of Prosecutors;
- v. ensure that judgment reports are shared with concerned agencies;
- w. render any other legal services to the Government as and when instructed.

**(2) Terms of Reference for Deputy Chief Attorney (Prosecution)**

The Deputy Chief Attorney shall:

- a. assign cases referred for prosecution by the RBP and other agencies to designated Attorneys;
- b. preside over sub-screening corpus as and when prosecutors submit the case briefs;
- c. prosecute offenders before a court of law, on the instruction of the Chief Attorney and the Director;
- d. draft charges and court submissions;
- e. conduct research on relevant international laws and other instruments useful for prosecution and litigations;
- f. conduct field investigations and prepare reports as and when assigned;

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- g. guide Attorneys of the Department in reviewing cases and drafting charges;
- h. review submissions of Attorneys;
- i. execute directives and orders of the Division and Department;
- j. coordinate and liaise services of legal consultants for the Division as and when required;
- k. attend workshops and seminars organized by the government agencies or serve as a resource person in such meetings;
- l. submit judgment copy with case briefs to the Chief Attorney and Judgement Enforcement Division; and
- m. render any other legal services to the Government as and when instructed.

**(3) Terms of Reference for Senior Attorney (Prosecution)**

The Senior Attorney shall:

- a. prosecute offenders before a court, on the instruction of the Director & Chief Attorney;
- b. draft charges, pleadings, and prepare court submissions;
- c. guide Attorneys;
- d. conduct research on relevant international laws and other instruments useful for prosecution and litigations;
- e. conduct field investigations and submit reports as and when assigned;
- f. review the submissions of Attorneys;
- g. be a member of the Case screening corpus and sub-screening corpus;
- h. execute directives and orders of the Division and Department,

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- i. attend workshops and seminars organized by the government agencies or serve as a resource person in such meetings;
- j. submit a copy of judgment with case briefs to the Chief Attorney, and Judgment Enforcement Division;
- k. represent the Office in committees or statutory body of other agencies as may be required; and
- l. render any other legal services to the Government as and when instructed.

**(4) Terms of Reference for Attorneys (Prosecution)**

The Attorney shall:

- a. after completion of a year attachment with the Office of Attorney General with concurrent attachment with a Senior Attorney, undertake Prosecution of cases or offenders before a court;
- b. draft charges, pleadings and prepare court submissions under the supervision of a Senior Attorney;
- c. be a member of case screening corpus and sub-screening corpus;
- d. coordinate with investigating agencies and seek relevant documents;
- e. check case remand order and seek necessary intervention;
- f. assist the Division for expeditious case review;
- g. conduct research on relevant international laws and other instruments useful for prosecution and litigations;
- h. conduct field investigations and submit reports as and when assigned;

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- i. execute directives and orders of the Division and Department;
- j. attend workshops and seminars organized by the government agencies; and
- k. render any other legal services to the Government as and when instructed.

**(5)Term of Reference for Legal Assistants (Prosecution)**

**1. Anti-Corruption Cases & Civil Litigation**

The Legal Assistant shall:

- a. Assist in reviewing, preparing and registering cases on behalf of the State;
- b. Assist in ensuring the formulation of appropriate charges based on the law, fact and evidence available;
- c. Assist in instituting cases before the Royal Court of Justice or Arbitral Tribunal on behalf of the OAG;
- d. Assist in representing the OAG before the Court in criminal and civil matters or before the Arbitral tribunal in contractual disputes of the State;
- e. Assist in the execution of fact finding through document enquiry and review in relation to the facts of the case;
- f. Enforce court judgment in criminal and civil cases, as well as enforcement of arbitral awards;
- g. Attend workshops and seminars organized by the government agencies;
- h. Attend Case Screening Corpus and Sub-Screening Corpus; and

- i. Legal Assistants who have worked for more than ten years may be assigned ACC cases at the discretion of the Chief Attorney of the Prosecution and Litigation Division

## **2. Royal Bhutan Police Cases:**

The Legal Assistant shall:

- a. Review, prepare and register cases on behalf of the OAG;
- b. Ensure the formulation of appropriate charges based on the law, fact and evidence available;
- c. Institute cases before the Royal Court of Justice on behalf of the State;
- d. Represent the OAG before the Court in criminal cases;
- e. Execute fact finding through document enquiry and review in relation to the facts of the case;
- f. Attend workshops and seminars organized by the government agencies;
- g. Attend Case Screening Corpus and Sub-Screening Corpus; and
- h. Enforce court judgments.

## **Judgment Enforcement Division**

The Judgment Enforcement Division executes and enforces final judgments following referral of judgments from the Prosecution and Litigation Division. The Division is mandated to enforce judgements which may entail referral of minor substance abusers to rehabilitation or reintegration centers, restitution of funds to judgment creditors or the State, realizing restitution and compensation to victims through an

Guideline on the OAG Roles, and Mandates auction of seized properties. The Case Record Section under the Division maintains all case records or updates with the Enterprise Legal Management System (ELMS). The Enforcement Division is headed by a Chief Attorney under the supervision of the Director of the Department of Prosecution and Litigation. The Chief Attorney is assisted by a Deputy Attorney.

**(1) Terms of Reference for Chief Attorney (Enforcement)**

The Chief Attorney shall:

- a. apprise the Director, Deputy Attorney General and Attorney General on judgment enforcement when necessary;
- b. enforce the judgments or orders of the courts in relation to cases prosecuted by the Prosecution and Litigation Division, or any other Attorneys or pleaders employed by the Office;
- c. assign Attorneys to enforce the judgments;
- d. guide Attorneys during enforcement of judgments;
- e. remind Attorneys to seek appropriate orders of the court to enforce judgment;
- f. maintain details and records of the defendant or judgment debtor including sentence, civil restitution, administrative liability, the offense for which he or she is convicted;
- g. seek necessary information from the Attorney on cases;
- h. share a copy of the judgment execution report to the referring agency, and apprise the Chief Attorney;
- i. seek information if a defendant has restitution;
- j. coordinate with relevant agencies for disposal of assets of defendants;



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- k. coordinate with relevant agencies to exhibit seizure of items during evidence hearings;
- l. coordinate with relevant agencies for release or restitution of seized items after judgment;
- m. assist Attorneys while enforcing judgments in consultation with relevant Attorneys of other Divisions;
- n. carry out such other responsibilities related to the enforcement of the judgements of the courts, as may be assigned by the Office;
- o. execute directives and orders of the Division and Department;
- p. coordinate and avail services of legal consultants for the Division as and when required;
- q. attend workshops and seminars organized by the government agencies or serve as a resource person in such meetings;
- r. submit a report with case briefs to the Director;
- s. render any other legal services to the Government as and when instructed; and
- t. provide induction courses to the newly recruited Attorneys of the Division on Judgment Enforcement techniques.

**(2) Terms of Reference for Deputy Chief Attorney (Enforcement)**

The Deputy Chief Attorney shall:

- a. enforce judgments or orders of the courts in relation to cases prosecuted by the Prosecution and Litigation Division, or any other Attorneys or pleaders employed by the Office;
- b. represent the Government on all judgment enforcement matters;
- c. seek civil remedies from courts on behalf of the Government;

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- d. prepare court submissions;
- e. conduct research on relevant international laws and other instruments useful for enforcement;
- f. conduct field investigations and prepare reports as and when assigned;
- g. guide the Attorneys of the Division in reviewing cases and drafting complaints and pleadings;
- h. review the submissions of the Senior Attorney and Attorneys;
- i. execute directives and orders of the Division and Department;
- j. coordinate and arrange services of legal consultants for the Division as and when required;
- k. attend workshops and seminars organized by the government agencies or serve as a resource person in such meetings on the legal subject;
- l. submit the report with a brief of the case in writing and its outcome to the Chief Attorney;
- m. render any other legal services to the Government as and when instructed; and
- n. coordinate with relevant agencies to exhibit seizure of items during evidence hearings.

#### **(3) Terms of Reference for Senior Attorney, Attorney and Legal Assistants (Enforcement)**

- a. The Senior Attorneys, Attorneys and Legal Assistants serving under the Judgement Enforcement Division shall carry out such similar functions *mutatis mutandis* of Senior Attorneys,

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Attorneys and Legal Assistants of the Prosecution and Litigation  
Division in respect of Judgment Enforcement matters.

**The Department of Governance and International Affairs**

In pursuance of His Majesty's vision to strengthen the Justice Sector, particularly in the governance of commercial matters and to keep pace with the rapidly modernizing State and its international legal developments, the Department of Governance and International Affairs is created with two Divisions namely, the Financial and Corporate Division and the International Affairs and Environment Division.

The Department will provide and assist with technical legal advice and research-based analysis of any issues, cases, or legal opinion related to financial laws, corporate laws, environmental and international laws to other relevant Departments or Divisions.

The Financial and Corporate Division (FCD) will be tasked with a team to develop expertise in financial and commercial (including corporate law) matters. The Specialized Attorneys will regulate and advise the State machinery on a wide spectrum of issues such as public finance, financial institutions, procurement and contracts, to prevent or minimize losses resulting from government losing contractual cases, and to reduce exorbitant pre-trial costs than the actual restitution.

Likewise, the International Affairs and Environment Division (IAED) will be tasked with a team to develop expertise in Public and International law for Bhutan. The specialized Attorneys will be responsible for providing legal advice on international law issues to the Government and Organs of State including government departments,

Guideline on the OAG Roles, and Mandates ministries, agencies and statutory bodies. And also, where the Lhengye Zhungtshog initiates any treaty proposal and directs the OAG as the relevant agency of the Government to undertake the necessary processes, the IAED will lead the treaty formulation, negotiations, amendments and implementation of treaties covered under paragraph 31 in accordance to Section of the *Rules of Procedure for Treaty Making 2016*. The IAED shall also serve as a central repository of treaties entered by the Government and information to Bhutan's treaty practice.

The Department is headed by a Director appointed under Section 7 of the OAG Act, and functions through the Financial and Corporate Division, and International Affairs and Environment Division. The Department shall report to the DAG.

**(1) Terms of Reference for Director (Department of Governance and International Affairs)**

The Director shall:

- a. administer the overall professional functions of the Financial and Corporate Division, and International Affairs and Environment Division;
- b. review government standard documents and legally binding instruments to update or keep abreast of changing time and technology;
- c. engage in capacity enhancement through specialized training for practicing lawyers, employees of financial institutions, private contractors, or any relevant persons;

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- d. undertake comprehensive advocacy programs including workshops and awareness initiatives to educate the public on trade and business laws, financials laws, contracts, agreements and public and international law;
- e. assess legal requirements for pertinent matters or matters which require urgent interventions within the mandates and expertise of the Department;
- f. formulate Five-Year plans for the Department;
- g. identify public awareness programs;
- h. disseminate legal information;
- i. assist the Government in identifying laws requiring amendment;
- j. assist the Government in identifying laws requiring harmonization;
- k. apprise the Attorney General on legal opinions;
- l. be a member of the HR Committee;
- m. assist the IAED to lead the treaty formulation, negotiation, amendment, and implementation of treaties;
- n. render advice to Ministries, Agencies and statutory bodies on international law and environmental legal issues;
- o. guide and advise, on bilateral and multilateral negotiations, international disputes, trade-related proceedings and represent at other international forums;
- p. guide and review, the process of negotiation and drafting of multilateral and bilateral legal instruments;

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- q. render advice, or assist other Department, Division, Section of the OAG on any matter related to financial and commercial (including corporate law) matters, and international law issues;
- r. facilitate adoption of Bhutan's international obligations into domestic legislation; and
- s. advice on domestic implementation of Bhutan's international obligations.

### **Financial and Corporate Division**

The Financial and Corporate Division under the Department of Governance and International Affairs is mandated to review the procurement system in the country concerning works, goods and services, scrutinize the dispute settlement mechanisms, and review the government contracts and bring the necessary reforms required.

The Division will facilitate the resolution of major challenges in the procurement system, and ensure due diligence and effective implementation through the review of financial and commercial (including corporate law) matters, and other rules and regulations. Such mandates will be pursued beyond the regular function of the Division i.e advising the government on any commercial and financial related matters. The Financial and Corporate Division will be headed by a Chief Attorney under the supervision of the Director of the Department of Governance and International Affairs. The Chief Attorney will be assisted by a Deputy Attorney.

**(1) Terms of Reference for Chief Attorney (Financial & Corporate)**

The Chief Attorney shall:

- a. apprise the Director, Deputy Attorney General and Attorney General on any matters relating to financial and commercial (including corporate law) matters when necessary; [Art. 29(3) of the Cons.; Sec. 51(1) and 67(2) of the OAG Act];
- b. seek relevant documents from the Government [Sec. 52 of the OAG Act];
- c. instruct and guide Senior Attorneys and Deputy Chief Attorneys to propose directives on any legal opinions on the subject matters;
- d. advise Ministries, Agencies and State institutions or enterprises on issues related to contracts, agreements, public finance, financial law, corporate law, Foreign Direct Investment, sole proprietorship, joint venture and partnership, arbitration and dispute settlement;
- e. facilitate diligent review, drafting, legal vetting of tender documents for procurement of works, goods or services by the government, lease agreements and licenses, loan agreements, and investment agreements;
- f. provide induction courses to newly recruits of the Division;
- g. substitute the Director in his or her absence;
- h. be members of, or attend Committees or Subcommittees as per the directives of Attorney General, Deputy Attorney General and Director;

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- i. represent the Office in court, tribunals, committees (both within and outside) as per the directives of the Attorney General, Deputy Attorney General and Director;
- j. translate legal opinions as and when directed by the Attorney General, Deputy Attorney General and Director;
- k. maintain proper records of domestic legislations, international treaties, conventions and agreements for reference;
- l. execute directives and orders of the Department;
- m. attend as a member of the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018];
- n. review government standard documents and legal instruments concerning financial and commercial (including corporate law) matters, to update or keep abreast of changing times and technology;
- o. engage in capacity enhancement through specialized training for practicing lawyers, financial institutions, private contractors or anyone relevant;
- p. undertake advocacy programs including workshops and sensitizations to educate the public on trade and business laws, financial laws, and contracts and agreements; and
- q. assess legal requirements for pertinent matters, or matters which require urgent interventions within the mandates and expertise of the Division.



**(2) Terms of Reference for Deputy Chief Attorney (Financial & Corporate)**

The Deputy Chief Attorney shall:

- a. consult Chief Attorney, Director, Deputy Attorney General or Attorney General in providing any legal service regarding financial and commercial (including corporate law) matters;
- b. assist Chief Attorney and Director to review government standard documents, and legally binding instruments concerning financial and commercial law matters, to update or keep abreast of changing time and technology;
- c. assist Chief Attorney and Director to undertake capacity development through specialized training for practicing lawyers, financial institutions, private contractors or anyone relevant;
- d. conduct legal research, and provide recommendations to the Chief Attorney with respect to questions, regulations, practices, or other matters falling within the purview of the Division;
- e. assist the Chief Attorney to initiate, and conduct advocacy programs including workshops and sensitizations to educate the public on trade and business laws, financial laws, and contracts and agreements;
- f. assist the Chief Attorney to draft legal documents concerning financial and commercial (including corporate law) matters;
- g. be members of Committees or Subcommittees when advised by the Chief Attorney, Director, Deputy Attorney General or the Attorney General;

Guideline on the OAG Roles, and Mandates

- h. represent the Office before courts and tribunals, committees (both within and outside) as per the directives of the Chief Attorney, Director, Deputy Attorney General or the Attorney General;
- i. assist the Division to update and maintain proper records of domestic legislations, international treaties, conventions and agreements for reference;
- j. guide Attorneys and Senior Attorneys;
- k. attend workshops and seminars organized by the government agencies or serve as a resource person in such meetings;
- l. be directly accountable to the Chief Attorney; and
- m. perform any other tasks assigned by the Chief Attorney, Director, Deputy Attorney General or Attorney General.

**(3) Terms of Reference for Senior Attorney (Financial & Corporate Division)**

The Senior Attorney or Attorney shall:

- a. consult Deputy Chief Attorney, Chief Attorney, Director, Deputy Attorney General or Attorney General in providing any legal service regarding financial and commercial (including corporate law) matters;
- b. assist Deputy Chief Attorney, Chief Attorney and Director to review government standard documents and legally binding instruments concerning financial and commercial law matters to update or keep abreast of changing time and technology;

Guideline on the OAG Roles, and Mandates

- c. assist Deputy Chief Attorney, Chief Attorney and Director to initiate, and conduct capacity development through specialized training for practicing lawyers, financial institutions, private contractors or anyone relevant;
- d. assist the Chief Attorney to undertake advocacy programs including workshops and sensitization initiatives to educate the public on trade and business laws, financial laws, and contracts and agreements;
- e. assist the Chief Attorney to draft legal documents concerning financial and commercial (including corporate law) matters;
- f. be a member of Committees or Subcommittees when advised by the Chief Attorney, Director, Deputy Attorney General or the Attorney General;
- g. represent the Office before courts, tribunals, committees (within and outside) as per the directives of the Chief Attorney, Director, Deputy Attorney General or the Attorney General;
- h. assist the Division to update and maintain proper records of domestic legislations, international treaties, conventions and agreements for reference;
- i. guide Attorneys;
- j. attend workshops and seminars organized by government agencies or serve as a resource person in such meetings;
- k. be accountable to the Chief Attorney; and
- l. perform any other tasks assigned by the Chief Attorney, Director, Deputy Attorney General or the Attorney General.

Guideline on the OAG Roles, and Mandates

**International Affairs and Environment Division**

The primary mandate of the International Affairs and Environment Division under the Department of Governance and International Affairs is mandated to assist the Attorney General in advising the Government on international legal issues. It advises and recommends the government on diverse range of matters including international dispute settlement, international trade law, international investment law, anti-money laundering, intellectual property, international criminal law, diplomatic privileges and immunities including consular relations and international organizations, mutual legal assistance and extradition of offenders, international human rights law, international humanitarian law, international environmental law and law relating to the United Nations. The IAED also provides legal opinions on the country's natural resources and on national sovereignty and security issues.

The Division is headed by a Chief Attorney under the supervision of the Director of the Department of Governance and International Affairs. The Chief Attorney is assisted by a Deputy Chief Attorney.

**(1) Terms of Reference for Chief Attorney (International Affairs and Environment Division)**

The Chief Attorney shall:

- a. apprise the Director, Deputy Attorney General and Attorney General in rendering any legal services relating to international and environmental law matters when necessary; [Art. 29(3) of the Const.; Sec. 51(1) and 67(2) of the OAG Act];

Guideline on the OAG Roles, and Mandates

- b. seek relevant documents from the Government when necessary [Sec. 52 of the OAG Act];
- c. instruct and guide Senior Attorneys and Deputy Chief Attorneys to propose directives on the subject matter;
- d. assist the Division to lead the treaty formulation, negotiation, amendment, and implementation of treaties;
- e. provide legal advice to Ministries, Agencies and statutory bodies on international law and environmental legal issues;
- f. guide and advise on multilateral negotiations, international disputes, trade-related proceedings and at other international forums;
- g. guide and review the process of negotiation, and drafting of multilateral and bilateral legal instruments;
- h. facilitate adoption of Bhutan's international obligations into domestic legislation;
- i. advise domestic implementation of Bhutan's international obligations;
- j. provide induction courses to the newly recruits of the Division;
- k. substitute the Director in his or her absence;
- l. be a member of, or attend Committees or Subcommittees when advised by the Attorney General;
- m. maintain proper records of domestic legislations, and international instruments such as International Conventions, Covenants, Treaties, Protocols, and Agreements for reference;
- n. execute directives and orders of the Department;

Guideline on the OAG Roles, and Mandates

- o. attend as a member of the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018];
- p. review government standard documents and legal instruments to update or keep abreast of changing time and technology;
- q. undertake capacity enhancement through specialized trainings for practicing lawyers; and
- r. undertake advocacy programs including workshops and seminars to educate the public on: public and international law, international and environmental laws.

**(2) Terms of Reference for Dy. Chief Attorney (International Affairs and Environment)**

The Deputy Chief Attorney shall:

- a. consult the Chief Attorney, Director, Deputy Attorney General or Attorney General in rendering any legal services concerning international and environmental law matters;
- b. assist the Chief Attorney and Director to review international instruments to update or keep abreast of changing time and technology;
- c. assist the Division to lead the treaty formulation, negotiation, amendment, and implementation of treaties;
- d. assist the Chief Attorney and Director with capacity development through conduct of specialized or tailor-made trainings for practicing lawyers in international and environment laws;

Guideline on the OAG Roles, and Mandates

- e. provide legal services to the Chief Attorney with respect to questions, regulations, practices, or other matters falling within the purview of the Division;
- f. assist the Chief Attorney to initiate and conduct advocacy programs including workshops and sensitizations to educate the public on: public and international law, international and environmental laws;
- g. assist the Chief Attorney to draft legal documents;
- h. represent in the Committees or Subcommittees when advised by the Chief Attorney, Director, Deputy Attorney General and Attorney General;
- i. represent the Office concerned in courts, tribunals, committees (within and outside) as per the directives of the Chief Attorney, Director, Deputy Attorney General and Attorney General when necessary;
- j. assist the Division to update and maintain proper records of domestic legislations, and international instruments such as International Conventions, Covenants, Treaties, Protocols, and Agreements for reference;
- k. guide Attorneys and Senior Attorneys;
- l. attend workshops and seminars organized by the government agencies or serve as resource person in such meetings;
- m. be directly accountable to the Chief Attorney; and
- n. perform any other tasks assigned by the Chief Attorney, Director, Deputy Attorney General and Attorney General.

**(3) Terms of Reference for Senior Attorneys (International Affairs and Environment)**

The Senior Attorney shall:

- a. consult Deputy Chief Attorney, Chief Attorney, Director, Deputy Attorney General or Attorney General in rendering any legal services concerning international and environmental law matters;
- b. assist the Division to lead the treaty formulation, negotiation, amendment, and implementation of treaties;
- c. assist Deputy Chief Attorney, Chief Attorney and Director to review international instruments to update or keep abreast of changing time and technology;
- d. assist Deputy Chief Attorney, Chief Attorney and Director to initiate capacity development through specialized trainings for practicing lawyers in international and environment laws;
- e. provide legal services to the Chief Attorney with respect to questions, regulations, practices, or other matters falling within the purview of the Division;
- f. assist the Chief Attorney to undertake advocacy programs including workshops and seminars to educate the public on: public and international law, international and environment laws;
- g. assist the Chief Attorney to draft legal documents;
- h. attend Committees or Subcommittees when advised by the Chief Attorney, Director, Deputy Attorney General and Attorney General;



#### Guideline on the OAG Roles, and Mandates

- i. represent the Office before courts, tribunals, committees (within and outside) as per the directives of the Chief Attorney, Director, Deputy Attorney General and Attorney General;
- j. assist the Division to update and maintain proper records of domestic legislation, and international instruments such as International Conventions, Covenants, Treaties, Protocols, and Agreements for reference;
- k. guide Attorneys;
- l. attend workshops and seminars organized by the government agencies or serve as resource person in such meetings;
- m. be directly accountable to the Deputy Chief Attorney and Chief Attorney; and
- n. perform any other tasks assigned by the Chief Attorney, Director, Deputy Attorney General and Attorney General.

### **The Department of Legal Services**

The Department of Legal Services is responsible for assisting the Attorney General in advising the Government on any legal matters. It is also responsible for drafting laws and reviewing existing laws as deemed necessary by the Government. It derives its authority from Article 29 of the *Constitution of the Kingdom of Bhutan* and Section 10 of the *Office of the Attorney General Act, 2015*.

The Department is headed by a Director appointed under Section 7 of the OAG Act, and functions through the Legal Services Division and Drafting and Review Division. The Department reports to the Deputy

Guideline on the OAG Roles, and Mandates Attorney General. It is the mandate of these Divisions to impart legal education, and disseminate legal awareness to the public.

**(1) Terms of Reference for Director of Legal Services:**

The Director shall:

- a. administer the over-all professional functions of the Legal Services Division, and Drafting and Review Division;
- b. oversee the human resource need of the Department;
- c. formulate Five-Year plans for the Department;
- d. identify laws requiring public awareness;
- e. seek funding from the Government to draft bills or delegated legislations, and disseminate legal awareness;
- f. assist the Government in identifying laws requiring amendment;
- g. assist the Government in identifying the laws that require harmonization;
- h. facilitate and ensure that drafting skills are imparted to the drafters;
- i. apprise the Attorney General on bills and legal opinions;
- j. seek a Clear and Detailed Policy Guideline from the government for drafting a bill or delegated legislations;
- k. train focal persons of Ministries or Agencies on Clear and Detailed Policy Guideline (drafting instructions);
- l. ensure that the bills and delegated legislations are reviewed expeditiously;
- m. ensure that the bills and delegated legislations conform to the accepted standards;

- n. be a member of the HR Committee; and
- o. apprise the Attorney General on the status of bills or delegated legislations reviewed by the Office.

### **Legal Service Division (LSD)**

The primary mandate of the Legal Service Division (LSD) is to assist the Attorney General in performing his or her responsibilities as the legal advisor and representative of the State. The Division is mandated with a wide range of functions under the OAG Act. The Division, on a daily basis, renders numerous legal opinions or services on issues referred by the Government; and conducts education programs for legal professionals, and dissemination or sensitization programs to the public. The Division collaborates with relevant stakeholders to develop Rules of Procedures (SoP), and Guidelines, etc. To carry out these functions, the Division is bifurcated further into three sections namely, the Advisory Section, the Advocacy Section and the Research Section. The Legal Service Division is headed by a Chief Attorney under supervision of the Director of the Department of Governance. The Chief Attorney is assisted by the Deputy Attorney.

#### **(1) Terms of Reference for Chief Attorney (Legal Service)**

The Chief Attorney shall:

- a. apprise the Director, Deputy Attorney General and Attorney General on legal opinions when necessary [Art. 29(3) of the Const.; Sec.51(1) and 67(2) of the OAG Act];
- b. assign legal opinion to designated Attorneys;

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- c. seek relevant documents from the Government or referring agencies when necessary [Sec. 52 of the OAG Act];
- d. instruct and guide Attorneys, Senior Attorneys and Deputy Chief Attorneys to propose legal opinion on the subject matter;
- e. review legal opinions drafted by Senior Attorneys and Deputy Chief Attorneys before submission to Director, Deputy Attorney General or Attorney General;
- f. notify the Director, Deputy Attorney General and Attorney General on any controversial or sensitive legal issues;
- g. assist Director to educate legal personnel [Sec. 51(2) of the OAG Act];
- h. assist Director to disseminate or enhance awareness of laws among the people [Sec. 51(3) of the OAG Act];
- i. provide induction courses to newly recruits of the Division;
- j. substitute the Director in his or her absence;
- k. conduct research and interpret Acts, Rules & Regulations and other legal instruments;
- l. attend to administrative disciplinary cases as may be referred by the Attorney General, Deputy Attorney General and Director;
- m. be a member of, or attend Committees or Subcommittees when advised by the Attorney General, Deputy Attorney General and Director;
- n. represent the Office in courts, tribunals, committees (within and outside) as per the directives of the Attorney General, Deputy Attorney General and Director;

Guideline on the OAG Roles, and Mandates

- o. translate the legal opinions or views as and when directed by the Attorney General, Deputy Attorney General and Director;
- p. maintain proper records of domestic legislations, agreements and MoUs for reference;
- q. execute directives and orders of the Department;
- r. sit as a member of the Human Resource Committee of the Office [Clause 27.4.1 of the BCSRR 2018]; and
- s. perform any other tasks assigned as and when required.

**(2) Terms of Reference for Deputy Chief Attorney (Legal Service)**

The Deputy Chief Attorney shall:

- a. expeditiously prepare legal opinions on matters assigned by the Chief Attorney;
- b. consult Chief Attorney, Director, Deputy Attorney General or Attorney General in preparing legal opinions;
- c. assist Chief Attorney and Director to educate legal personnel [Sec. 51(2) of the OAG Act];
- d. assist Chief Attorney and Director to disseminate or enhance awareness of laws to public [Sec. 51(3) of the OAG Act];
- e. provide legal services to the Chief Attorney with respect to questions, regulations, practices, or other matters falling within the purview of the Division;
- f. assist the Chief Attorney to interpret the Acts, Rules & Regulations and other legal instruments;

Guideline on the OAG Roles, and Mandates

- g. attend to administrative disciplinary cases as delegated by the Chief Attorney;
- h. assist the Chief Attorney to draft legal documents;
- i. be a member of, or attend Committees or Subcommittees when advised by the Chief Attorney, Director, Deputy Attorney General or the Attorney General;
- j. represent the Office before courts, tribunals, committees (within and outside) as per the directives of the Chief Attorney, Director, Deputy Attorney General and Attorney General;
- k. translate legal opinions or views as and when directed by the Chief Attorney, Director, Deputy Attorney General and Attorney General;
- l. assist the Division to update and maintain proper records of domestic legislations, agreements and MoUs for reference;
- m. review legal opinions of Senior Attorneys;
- n. guide Attorneys and Senior Attorneys;
- o. attend workshops and seminars organized by the government agencies or serve as resource person in such meetings;
- p. be accountable to the Chief Attorney; and
- q. perform any other tasks assigned by the Chief Attorney, Director, Deputy Attorney General and Attorney General.

**(3) Terms of Reference for Senior Attorney (Legal Service)**

The Senior Attorney shall:

- a. expeditiously prepare legal opinions on matters assigned by the Chief Attorney;

Guideline on the OAG Roles, and Mandates

- b. provide legal services to the Deputy Chief Attorney, Chief Attorney, Director, Deputy Attorney General and Attorney General with respect to questions, regulations, practices, or other matters falling within the purview of the Division;
- c. update legislations enacted by Parliament for the Office;
- d. research and Assist the Deputy Chief Attorney to interpret Acts, rules and regulations and other legal instruments;
- e. attend to administrative disciplinary cases as delegated by the Deputy Chief Attorney, Chief Attorney, Director, Deputy Attorney General and Attorney General;
- f. assist the Deputy Chief Attorney and Chief Attorney to draft legal documents;
- g. be members of Committees or Subcommittees when instructed;
- h. translate the legal opinions or views as and when directed;
- i. assist the Division to update and maintain proper records of domestic legislations, agreements and MoUs for reference;
- j. guide Attorneys;
- k. attend workshops and seminars organized by the government agencies or serve as resource person in such meetings; and
- l. perform any other tasks assigned by the Chief Attorney, Director, Deputy Attorney General and Attorney General.

**(4) Terms of Reference for Legal Assistants (Legal Service)**

The Legal Assistant shall:

- a. Assist in providing legal advice on issues falling within the legal domain and authority of the government as and when required;
- b. Assist in the formulation of legal opinion;
- c. Assist in interpretation of the various statutes vis-à-vis the fact in issue presented to the OAG for legal clarification;
- d. Provide advice and support in reviewing MoUs, Agreements, Covenants, and any other document that is proposed to be signed, acceded or ratified;
- e. Assist in the dissemination of the relevant laws to the general public;
- f. Assist in conducting research on relevant international laws and other legal instruments as well as executing desk reviews and comparative studies to prepare legal opinions/views on domestic affairs;
- g. May write a legal research paper on issues related to recent developments in laws, jurisprudence and current affairs for publication in OAG journal;
- h. attend workshops and seminars organized by the government agencies; and
- i. Carry out ad-hoc activities as and when being directed by the management or superiors.



Guideline on the OAG Roles, and Mandates

**Drafting and Review Division (DRD)**

The Drafting and Review Division (DRD) is tasked with the mandate to draft and review bills, and rules or regulations in collaboration with multiple agencies across the Government. The Division, upon recommendation of the Prime Minister, also constitutes a national law reform task force to review existing laws. Besides serving as a principal legislative drafter and a depository of all laws, the Division also trains government lawyers or attorneys in imparting the necessary drafting and review skills.

The Drafting and Review Division is headed by a Chief Attorney under supervision of the Director of the Department of Legal Services. The Chief Attorney is assisted by a Deputy Attorney.

**(1) Terms of Reference for Chief Attorneys (Drafting)**

The Chief Attorney shall:

- a. lead drafting and review of bills or delegated legislations referred to the Office by the Government [Sec. 54 & 60(1) of the OAG Act];
- b. seek a Clear and Detailed Policy Guideline from the Government for drafting bills or delegated legislations;
- c. ensure that bills and delegated legislations are in conformity with the Clear and Detailed Policy Guideline;
- d. translate Government policies into legal text upon receipt of the Clear and Detailed Policy Guideline [Sec. 56 of the OAG Act];

Guideline on the OAG Roles, and Mandates

- e. review bills or delegated legislations drafted by Senior Attorneys of the Division;
- f. assist Ministries or Agencies in drafting bills [Sec. 57 of the OAG Act];
- g. conduct consultations with relevant stakeholders during the drafting process of bills, if directed by the government [Sec. 58 of the OAG Act];
- h. develop drafting manuals in consultation with relevant stakeholders [Sec. 59 of the OAG Act];
- i. initiate review of legislations, and propose for amendments to the Government in consultation with the Director, Deputy Attorney General and Attorney General [Sec. 60(2) of the OAG Act];
- j. facilitate in constituting committees to review laws recommended by the government [Sec. 60(3) of the OAG Act];
- k. through effective reviewing, ensure that there are no duplication or contradictory laws [Sec. 60(4) of the OAG Act];
- l. assign Attorneys to ensure expeditious drafting or reviewing of bills or delegated legislations;
- m. consult Director, Deputy Attorney General and Attorney General on bills or delegated legislations;

Guideline on the OAG Roles, and Mandates

- n. provide information to the Secretariat of Parliament on the bills, wherever applicable;
- o. assist the Department to impart drafting skills;
- p. endeavor to impart translation skills to Attorneys and Senior Attorneys;
- q. guide and induct interns assigned to the Division;
- r. conduct research and facilitate drafting and reviewing of bills and delegated legislations;
- s. conduct research on international best practices for reference in drafting and reviewing of bills and delegated legislations;
- t. facilitate relevant government agencies to prepare country reports required by *international conventions*;
- u. execute orders or directives of head of the Department;
- v. attend committees and working teams at the national and organizational level;
- w. maintain proper records of *drafting manuals* from other countries for reference;
- x. attend workshops and seminars, relevant for the position;
- y. perform any other functions of legal nature that may be assigned, as and when required; and
- z. provide induction courses to newly recruits of the Division;

**(2) Terms of Reference for Deputy Chief Attorney [Drafting]**

The Deputy Chief Attorney shall:

- a. assist the Chief Attorney in executing the functions of the Division;

Guideline on the OAG Roles, and Mandates

- b. draft bills or delegated legislation as may be assigned by Chief Attorney, Director, Deputy Attorney General or Attorney General from time to time;
- c. review bills and delegated legislations as may be referred by Agencies of the Government;
- d. conduct research to facilitate drafting and reviewing bills and delegated legislation;
- e. research on international best practice for reference in drafting and reviewing bills and delegated legislation;
- f. facilitate Agencies of the government to prepare country reports required by *international conventions*;
- g. execute the orders/directives of the Division head;
- h. attend committees and working teams at the national and organizational level;
- i. assist the Division to update *drafting manuals* from other countries for reference;
- j. guide Attorneys and Senior Attorneys;
- k. attend workshops and seminars, relevant for the position; and
- l. perform any other functions of legal nature that may be assigned, as and when required.

**(3) Terms of Reference for Senior Attorney (Drafting)**

The Senior Attorney shall:

- a. assist the Deputy Chief Attorney in executing the functions of the Division;

Guideline on the OAG Roles, and Mandates

- b. draft bills or delegated legislation as may be assigned by Chief Attorney, Director, Deputy Attorney General or Attorney General from time to time;
- c. review bills and delegated legislation as may be referred by the Agencies of the Government;
- d. conduct research to facilitate in drafting and reviewing bills and delegated legislation;
- e. conduct research on international best practice modules for reference in drafting and reviewing bills and delegated legislation;
- f. facilitate Agencies of the government to prepare country reports required by *international conventions*;
- g. execute orders or directives of the Division head;
- h. attend committees and working teams at the national and organizational level;
- i. assist the Division to update *drafting manuals* from other countries for reference;
- j. attend workshops and seminars, relevant for the position;
- k. perform any other functions of legal nature that may be assigned, as and when required; and
- l. guide Attorneys.

**(4) Terms of Reference for Legal Assistants (Drafting)**

The Legal Assistant shall:

- a. Assist in the coordination and preparation of Legislative Impact Assessment and conduct of the said assessment before the drafting of bill or review of legislation concerning the Agency;

#### Guideline on the OAG Roles, and Mandates

- b. Assist in the development and review of the manuals, guidelines, laws and by-laws;
- c. Assist in preparing/reviewing MoU, Terms of Reference for networking, recruitment, research and agreements or contracts, and other legal documents such as undertaking, letter of intent;
- d. Assist in the review of draft bills in accordance with the Rules of Procedure for drafting and reviewing of Bills and Delegated Legislations 2018;
- e. Assist in drafting any other legal instruments as assigned by the Office;
- f. Assist in conducting research on relevant international laws and other legal instruments as well as executing desk reviews and comparative studies to prepare in drafting and reviewing bills and by-law;
- g. Assist in reviewing relevant statutes or legal documents and submit recommendations to the Office of the Attorney General;
- h. attend workshops and seminars organized by the government agencies.

### **Secretariat Services**

#### **Administration and Finance Division**

The Administration and Finance Division of the OAG comprises three Sections namely: The Finance Section, Procurement Section, and Library. The Division serves a vital role in ensuring the smooth functioning of the Office and in providing continual local transportation to Courts in Thimphu. The Finance Division maintains

Guideline on the OAG Roles, and Mandates proper documentation and record-keeping of the Office for audit purposes and proposes the Office budget to the Ministry of Finance to ensure traveling claim allowances to the Prosecutors are adequately provided to enable the Office to prosecute and litigate cases without any financial obstruction among others. The job nature of the Prosecutor demands them to travel all the twenty dzongkhags throughout the year as they register cases and attend hearings when summoned by the courts.

The Library is also placed under this division to assist in its maintenance and administration while serving as a repository of national legislations and supporting the Research Section under the Human Resource and Planning Division. The Chief Administrative Officer heads the Division.

### **Terms of Reference for Administration and Finance Officer**

The Chief Administration and Finance Officer shall:

- a. function in accordance with the *Civil Service Act 2010, Bhutan Civil Service Rules and Regulations 2018* and such other job descriptions as approved by the Royal Civil Service Commission;
- b. prepare, and conduct official functions as and when required;
- c. undertake procurement activities for official equipment and stationeries;
- d. coordinate and facilitate meetings and other functions of the office;

- e. ensure organization or administration of the Office in consultation with the Deputy Attorney General, Directors and Chief Attorneys;
- f. plan budget according to the Five-Year planned budgets; and
- g. pass financial bills and maintain the record of the funds.

### **Library Section**

The Library Section maintains a collection of national legislation and international laws, legal journals, legal jurisprudence, domestic and foreign judgements and various law books to enable academic research and references. The Library also facilitates the Drafting Division as a depositor of laws.

### **Terms of Reference for Librarian**

The librarian shall:

- a. manage library of the Office;
- b. number and update law books in the library;
- c. maintain a register of books issued and returned;
- d. assist Attorneys in conducting research, referencing, and citations;
- e. recommend and coordinate procurement of books commonly sought by officials;
- f. prepare and maintain records of Annual Reports of the Office in coordination with other Divisions and Departments,



- g. store case reports, or case files after the case closure;
- h. enable access and manage digital and online law library facilities;
- i. explore online resources and plan for the procurement of paid online law library facilities;
- j. coordinate with concerned Divisions and Attorneys and digitally archive court judgements and decisions in collaboration with ICT Division;and
- k. print and publish documents for the Office, in consultation with other Departments.

### **Human Resource and Planning Division**

The Human Resource and Planning Division assists in implementing the HR initiatives in the areas of recruitment, organizational development, professional growth, performance management in consonance with the organizational development strategy. It maintains current information or statistics on Human Resource requirements, assists in organizing workshops/ seminars/conferences related to Human Resource Planning and Employment, reviewing performance evaluations of the employees and submitting reports to immediate supervisors for improvements and commentaries. It also serves to process recruitment, selection, training and other HR related activities for all civil servants within the organization, besides also maintaining leave records, encashment, and transfer details of employees. The Division also develops and formulates strategic long-term and short-

Guideline on the OAG Roles, and Mandates term plans and programs for the Office in consultation with the Gross National Happiness Commission. A Chief HRO oversees administration of the Division.

### **Terms of Reference for Chief Human Resource Officer**

The Chief HR Officer shall:

- a. functions in accordance with the *Civil Service Act 2010, Bhutan Civil Service Rules and Regulations 2018* and such other job description as approved by the Royal Civil Service Commission;
- b. conduct training to improve the capacity of the lawyers under the Office;
- c. oversee the human resource need of the Office in consultation with the Deputy Attorney General, Directors and Chief Attorneys;
- d. arrange funding for long term training and short-term training for lawyers under the OAG; and
- e. draft Five-Year Human Resource master plan in consultation with the Deputy Attorney General, Directors and Chief Attorneys.

### **Terms of Reference for Planning Officer**

The Planning Officer shall:

- a. assist in formulating national development plans;
- b. undertake necessary actions in submitting Legislative Proposal, if a need for enactment of new legislation is recommended;
- c. attend committee meetings to undertake Legislative Impact Assessment;

#### Guideline on the OAG Roles, and Mandates

- d. assist in preparing and coordinating the formulation of five-year plans;
- e. assist in monitoring and reviewing plans and programs;
- f. participate in annual planning and budgeting exercises;
- g. compile and review quarterly, half-yearly and annual progress reports;
- h. assist in preparing guidelines for monitoring and evaluation;
- i. undertake correspondences related to plans, programs and projects for approval;
- j. participate in research and evaluation studies;
- k. monitor and supervise Assistants, Administrative Support Cadre (ASC) and General Support Cadre (GSC) staff; and
- l. perform works as assigned from time to time.

#### **Dzongkha Proficiency Section**

The Dzongkha Unit is tasked with an important function to serve professional translation of Dzongkha to English. Besides the primary function, the Unit also conducts various Dzongkha development seminars and training to assist Attorneys enhance pleadings and submissions skills. The Unit also assists translation of bills.

#### **Terms of Reference for Dzongkha Proficiency Officer**

The Dzongkha Proficiency Officer shall:

- a. assist Attorneys in translating bills and delegated legislations;
- b. review translations;
- c. assist in translating court submissions in English and Dzongkha;
- d. train Attorneys in Dzongkha proficiencies;

- e. organize continuing legal education programs for the Attorneys and staff;
- f. liaise with other organizations related to the development of spoken and written competency of Dzongkha; and
- g. plan, initiate and coordinate literary, research or other publication of works in Dzongkha.

### **Research Section**

This Research Section coordinates and conducts all the research activities related to national and international legal instruments and policies for improvement of the legal system. It also assists the publication of the OAG research journals annually, and publishes and archives all research documents of the Office.

### **ICT Division**

To adapt and keep pace with the digital world, the Office has adopted a paradigm shift to digitizing and replacing conventional methods of working. The ICT Division of the Office is mandated with this onerous yet vital role to enable technology adoption to implement a secure, dynamic, efficient, and economic working mechanism. By replacing conventional methods of conducting court proceedings and meetings, with virtual hearings and webinars, the ICT Division has not only made working easier and cost-effective but also secure and expeditious. The Division not only promotes ICT development in the OAG but also functions as a focal point for the Department of Technology, Ministry

Guideline on the OAG Roles, and Mandates of Information and Communication to coordinate ICT development within the government. A Chief ICT Officer heads the Division.

In general, the ICT Officials in ICT Division are responsible for the following:

- a. Design, development, maintenance, and updating content of websites;
- b. Ensure LAN and Internet connectivity;
- c. Oversee the design and development of information systems;
- d. Ensure uptime of application systems;
- e. Ensure that the security of the data and systems are not compromised;
- f. Maintain periodic backup of databases and files;
- g. Responsible for optimization of the systems and ICT processes;
- h. Responsible for initiating procedural changes to reduce the turnaround time for service delivery;
- i. Promote the usage of ICT to the staff through user training such as basic computer troubleshooting, google apps usage, etc.;
- j. Maintain proper documentation and mapping of systems and networks;
- k. Provide technical specifications and obtain clearances for the procurement of hardware and software;
- l. Provide computer/networking related hardware and software troubleshooting services;
- m. Responsible for configuration of Access points and creating user accounts on network and systems; and
- n. Responsible for updating operating systems and other software.

**(1) Terms of Reference for Chief ICT Officer (Chief ICTO)**

The Chief ICT Officer shall:

- a. function according to the roles and responsibilities prescribed in the job description, approved by the Royal Civil Service Commission;
- b. oversee the design and development of information systems and website;
- c. orient recruits, provide user training, impart knowledge and information on the use and application of information and technology services to other staff of the Office;
- d. monitor delivery of ICT services to the agency;
- e. spearhead office automation;
- f. drive service automation to improve service delivery;
- g. ensure the adoption of the latest technology available wherever possible;
- h. ensure the implementation of the latest security measures;
- i. facilitate mentoring and providing technical advice to the ICTOs/ICTAs;
- j. spearhead software development;
- k. function as a business/system analyst;
- l. provide Enterprise Legal Management System support to the Office; and
- m. discharge the functions of the division like any other Division Chiefs.

**(2) Terms of Reference for ICT Officer (ICTO)**

The ICT Officer shall:

- a. function according to the roles and responsibilities prescribed in the job description, approved by the Royal Civil Service Commission;
- b. provide Enterprise Legal Management System support to the Office;
- c. ensure LAN and Internet connectivity (for providing efficient connectivity of internet services in the Office);
- d. ensure that the security of the data and systems are not compromised;
- e. maintain a periodic backup of databases and files;
- f. administration & maintenance of websites;
- g. responsible for the optimization of the system and ICT processes;
- h. promote the usage of ICT through user training such as basic computer troubleshooting, google apps usage, etc. to the staff;
- i. responsible for system requirement gathering, user acceptance test, and deployment of systems;
- j. maintain proper documentation and mapping of systems and networks;
- k. provide computer/networking related hardware and software troubleshooting services;
- l. provide technical specifications for procurement of computer/networking hardware and software; and

- m. responsible for initiating procedural changes to reduce the turnaround time for service delivery.

### **(3) Terms of Reference for ICT Technical Associate (ICTTA)**

The ICT Technical Associate shall:

- a. function according to the roles and responsibilities prescribed in the job description, approved by the Royal Civil Service Commission;
- b. provide Enterprise Legal Management System support to the Office;
- c. ensure LAN and Internet connectivity (for providing efficient connectivity of internet services in the Office);
- d. provide computer/networking related hardware and software troubleshooting services.
- e. maintain and update content on the website;
- f. responsible for the configuration of Access Points and creating user accounts on network and systems;
- g. responsible for updating operating systems and other software;
- h. setup network and configuration under the direction of the Chief/ICT Officer;
- i. assist the ICT Officer in providing user training; and
- j. responsible for ICT assets in the agency (network devices and servers).



## **Media and Information Services**

The Media and Information Section serves as the secretariat to the Attorney General. It facilitates dissemination of information from the Office on important events. It acts as a focal point on behalf of the Office to communicate with media houses. It is tasked to represent the Office before the media, issue press releases, statements, and organize press conferences.

### **Terms of Reference for Media Officer**

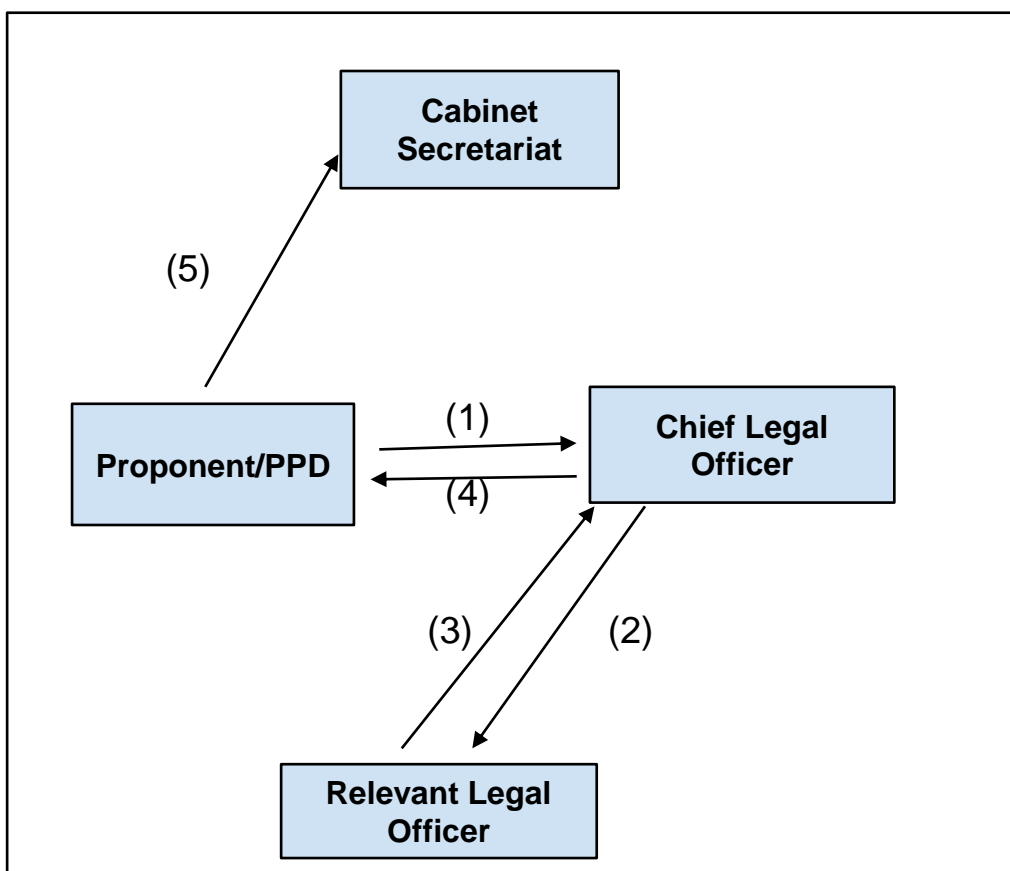
The Media Officer shall:

- a. function in accordance with the *Civil Service Act 2010, Bhutan Civil Service Rules and Regulations 2018*, and job description approved by the RCSC;
- b. serve as spokesperson for the Office;
- c. accompany Attorney General in official tours or programs when required;
- d. provide and update news in the Office website;
- e. coordinate with the public on affairs of the Office;
- f. share information on the affairs of the Office with the media;
- g. operate, maintain and update official information through social media platform in consultation with Attorney General;
- h. assist the Office in developing media policy;
- i. coordinate between Departments and Divisions of the Office for sharing information;
- j. attend meetings with the Attorney General and officials of the Office;

- k. research and brief on documents submitted to the Attorney General;
- l. attend Case Screening Corpus and update information on cases;
- m. maintain visual, photographic, videos or any other records including the drafting of minutes and its printing and publication when necessary; and
- n. any others function that may be assigned.

## 1) Process Flow for Legislative Proposal

### a) Chart Flow



**b) Process Description**

<b>Steps</b>	<b>Step Name</b>	<b>Responsible Party</b>	<b>Process Description</b>
1	Requisition of Legislative Proposal	Proponent/PPD	
2	Assign to relevant Legal Officer	CLO	
3	Submit draft Legislative Proposal	Relevant Legal Officer	Draft the legislative/policy proposal and submit to the CLO
4	Send to Proponent / PPD	CLO	CLO will do the legal vetting of the draft proposal and send to proponent for onward submission
5	Submit Legislative Proposal	Proponent / PPD	



**b) Process Description**

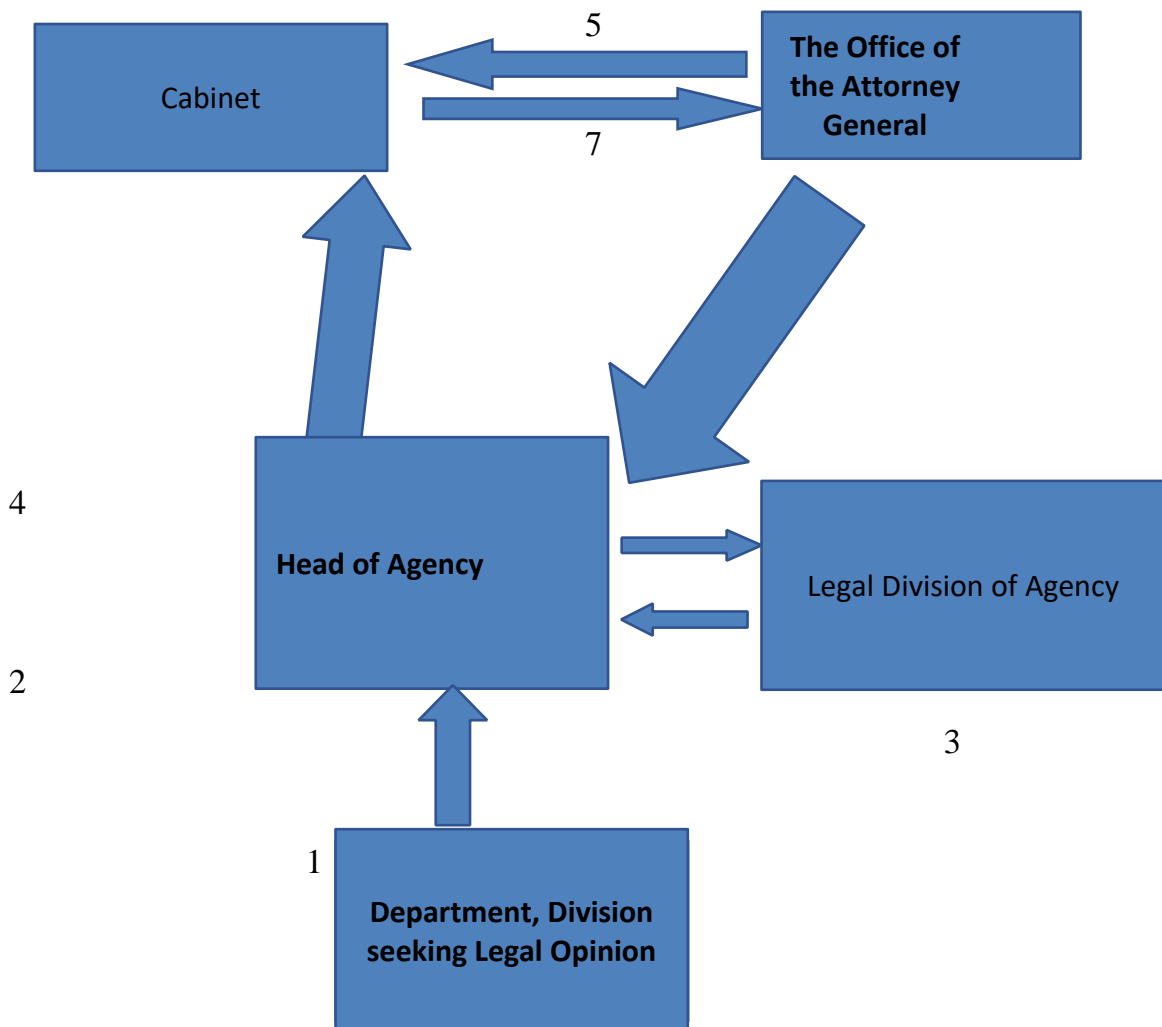
<b>Steps</b>	<b>Step Name</b>	<b>Responsible Party</b>	<b>Process Description</b>
1	Form LIA Team and send requisition for Legal Advisor	Proponent/ PPD	
2	Appointment of Legal Advisor	Chief Legal Officer	CLO will appoint a lawyer to advise the LIA Team in undertaking LIA and preparing LIA Report
3	Send draft LIA Report	LIA Team	Upon completion of LIA, prepare and send LIA Report to CLO for legal vetting and send copy to proponent/PPD
4	Send LIA Report	Chief legal Officer	CLO will vet the LIA report and send to proponent for onward submission
5	Submit LIA Report	Proponent / PPD	

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6	Submit LIA Report	CS	
7	Submit LIA Report	CoS	Submit if approves
8	Order OAG to draft Bill	LZ	Order if LZ approves
9	Form Drafting Team	OAG	
10	Drafting Instructor	Drafting Team and Legal Advisor	The concerned legal advisor to the LIA Team will act as a drafting instructor to the OAG's Drafting Team
11	Send Bill	OAG	OAG will submit the Bill to LZ and send a copy of the Bill to the Head of the Agency (Proponent/PPD)

The detail process for drafting or reviewing of bills and delegated legislations within the OAG have been clearly stipulated under the *Rules of Procedure for Drafting Reviewing of Bills and Delegated Legislation 2018*, wherein the details on the collaboration between the OAG and referring agencies (Cabinet Secretariat/Ministries/Government Agencies) are also provided.

### 3) Process Flow for Rendering Legal Opinion/Advice



The illustrations above describe the step by step process for rendering legal services within the Ministry/Agency, and also for obtaining the legal opinion of the OAG. The process for seeking legal opinion from the OAG has been described in detail under the *Rules of Procedure for Providing Legal Opinion 2018*. The process for seeking legal services within the Ministry/Agency is as follows:

1. The departments, divisions or sectors within the organization wishing to seek legal service shall do so in writing, through a concise statement on the subject, supported by documentation or other materials that may be necessary by writing to the head of the agency.
2. The head of the agency shall write to the legal division to provide the legal services as desired.
3. The legal division shall conduct necessary legal research and provide legal services to the seeking department or division, and intimate the copy to the head of the agency for information.
4. The legal division shall write back to the head of agency, advising him or her to seek the opinion from the OAG, if the legal division determines that the issue or subject matter of the opinion does not fall within the mandates of the division. The legal division shall attach the research conducted on matter/issues, the laws referred and conclusion determined by the division.
5. The head of the division shall write to the Cabinet Secretary to request the OAG to provide the legal opinion.



6. The Cabinet Secretary shall write to the OAG to provide the legal opinion to the concerned agency.
7. The OAG shall provide legal opinion to the concerned agency. The copy shall be intimated to the Cabinet Secretary for his or her information.

## **CHAPTER II**

### **HUMAN RESOURCE MANAGEMENT**

As per the provisions of BCSRR 2018, a parent agency shall have the authority and responsibilities under the overall guidance of the RCSC to develop profession specific competency, carry out succession planning, clear career path, Human Resource Development planning, staffing standards and set standard for service delivery. In line with this, this section covers the role of the OAG as a parent agency for:

1. OAG Staffing Strength;
2. Recruitment: Professional and Management Category & Supervisory and Support Category levels;
3. Promotion: Open competition or at P1 level;
4. Leave: Extraordinary Leave, Study leave;
5. Training: in-country & ex-country;
6. Career Path;
7. Transfer; and
8. Communication.

## 1. OAG Staffing Strength

Details of legal projection of the OAG, Ministries, Agencies and Local Government (as per the RCSC's approved 11th Five Year Staffing Plan) are specified in the table below:

Parent Agency	Section, Division, Department	No. of DAG (EX)	No. of Chief Legal Officers (P1)	No. of Legal Officers (P4-P2)	No. of Legal Assistants (S/SS)	Total
<b>OAG</b>	Office of the Dy. Attorney General, Department of Justice	1	0	0	0	<b>1</b>
	Prosecution and Litigation Division, Department of Justice	0	1	30	6	<b>37</b>
	Property & Judgement Enforcement Section, Department of Justice	0	0	2	1	<b>3</b>
	Media & Information Section, Department of Justice	0	0	1	0	<b>1</b>
<b>OAG</b>	Office of the Dy. Attorney General, Department of Legal Services	1	0	0	0	<b>1</b>

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	Legal Services Division, Department of Legal Services	0	1	4	0	5
	Drafting & Review Division, Department of Legal Services	0	1	4	0	5
<b>TOTAL</b>		<b>2</b>	<b>3</b>	<b>41</b>	<b>7</b>	<b>53</b>

Autonomous Agencies	Section, Division, Department	No. of Chief Legal Officers (P1)	No. of Legal/Legislative Officers (P4-P2)	No. of Legal Assistants (S/SS)	Total
ACC	Legal Division	2	9	4	15
BNCA	Planning & Policy Services, Secretariat Services	0	1	1	2
BICMA	Legal Services	0	1	0	1
BMHC	Office of the Registrar	0	1	0	1

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CDB	Legal Services	0	1	1	2
CS	Cabinet & Legal Affairs Division (CAD + Legal Services)	0	1	0	1
NAS	LEGISLATIVE & PROCEDURAL DIVISION	1	3	0	4
NCS	LEGISLATIVE & PROCEDURAL DIVISION	1	3	0	4
TCB	Legal services	0	1	0	1
OGZ	Legal services	0	1	0	1
NCWC	Legal Services	0	2	1	3
NEC	Legal Services	0	2	1	3
NLC	Legal Division	1	2	4	7
RAA	Research & Quality Assurance Division	0	1	0	1
RCSC	Legal Division	1	1	1	3
BCAA	Legal Division	0	1	0	1
<b>TOTAL</b>		<b>6</b>	<b>31</b>	<b>13</b>	<b>50</b>

## Guideline on the OAG Roles, and Mandates

Ministries	Section, Division, Department	No. of Chief Legal Officers (P1)	No. of Legal Officers (P4-P2)	No. of Legal Assistants (S/SS)	Total
MFA	Legal Unit	1	3	1	5
Ministries MoAF	Legal Services	0	3	0	3
MoE	Legal Services	0	2	0	2
MoEA	Policy and Legal Section	0	1	0	1
	WTO Section, DoT	0	1	0	1
	Intellectual Property Planning and Development Section, DoIP	0	1	0	1
	Legal Section, OCP	0	1	0	1
	Legal and Dispute	0	1	0	1

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	Resolution Section, DGM				
MoF	Legal Service	1	5	1	7
MoH	Legal Unit	0	2	0	2
MoHCA	Legal Services	0	1	0	1
	Legal and Compliance Unit, Local Governance Development Division	0	1	0	1
	Civil Society Organization Authority	0	1	0	1
	Dept. of Law and Order	0	1	0	1
MoIC	Legal Services	0	2	0	2
MoLHR	Labour Relations Division	0	2	1	3
	Thimphu Regional Office	0	0	1	1
MoWHS	Legal Services	0	2	1	3
<b>TOTAL</b>		<b>2</b>	<b>30</b>	<b>5</b>	<b>37</b>

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<b>Local Government</b>	<b>Section, Division, Department</b>	<b>No. of Legal Officers (P4-P2)</b>	<b>No. of Legal Assistants (S/SS)</b>	<b>Total</b>
<b>Gelephu Thromde</b>	Legal Service	1	0	<b>1</b>
<b>P/ling Thromde</b>	Legal Services	1	0	<b>1</b>
<b>S/Jongkhar Thromde</b>	Legal Services	1	0	<b>1</b>
<b>Thimphu Thromde</b>	Legal Services	2	1	<b>3</b>
<b>Bumthang Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Chukha Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Dagana Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Gasa Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Haa Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Lhuntse Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Mongar Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Paro Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Pemagatshel Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Punakha Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>SamdrupJongkhar Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Samtse Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Sarpang</b>	Legal Service	1	0	<b>1</b>

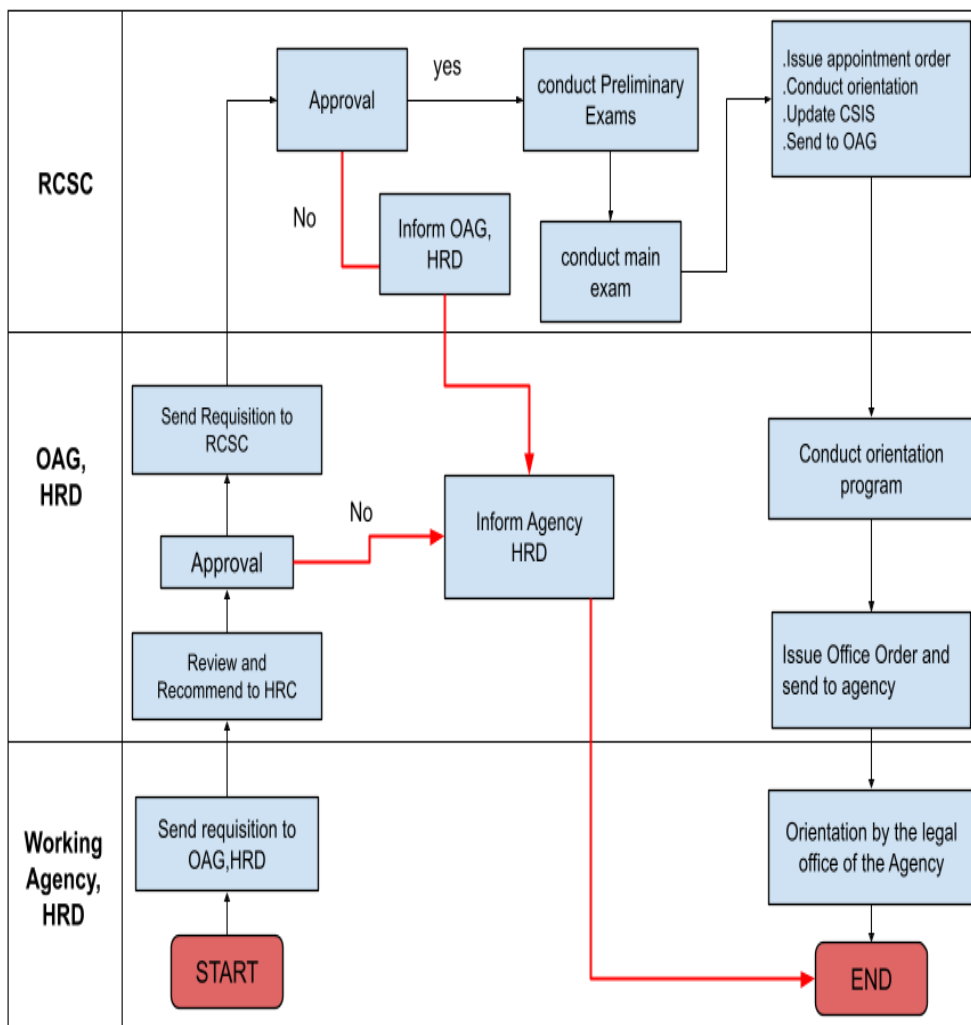
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<b>Dzongkhag</b>				
<b>Thimphu Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Tashiyangtse Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Tashigang Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Trongsa Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Tsirang Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Wangdue Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>Zhemgang Dzongkhag</b>	Legal Service	1	0	<b>1</b>
<b>TOTAL</b>		<b>25</b>	<b>1</b>	<b>26</b>

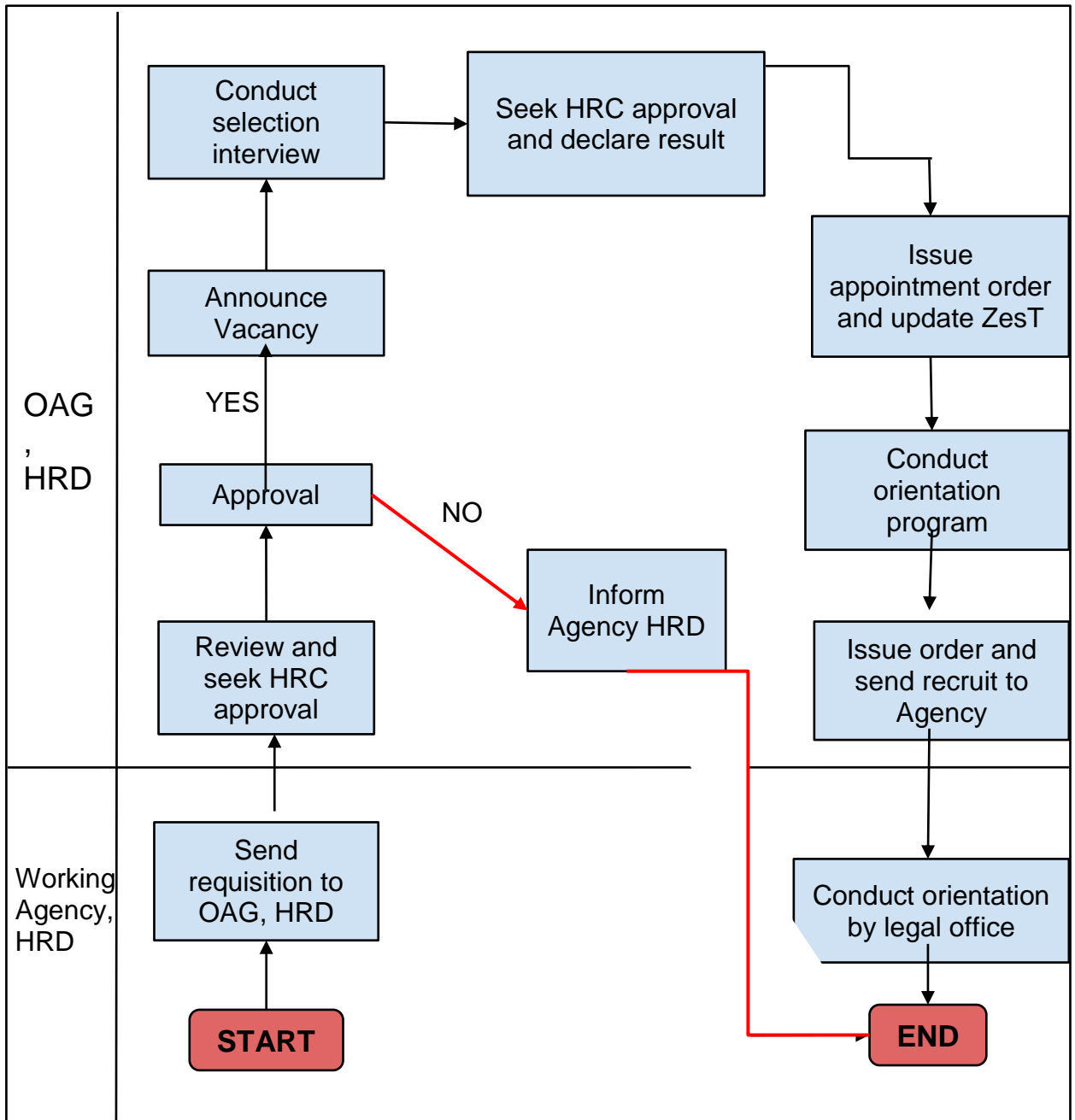


## 2. Recruitment

### a. Process flow for Pre-service Recruitment (P Level)



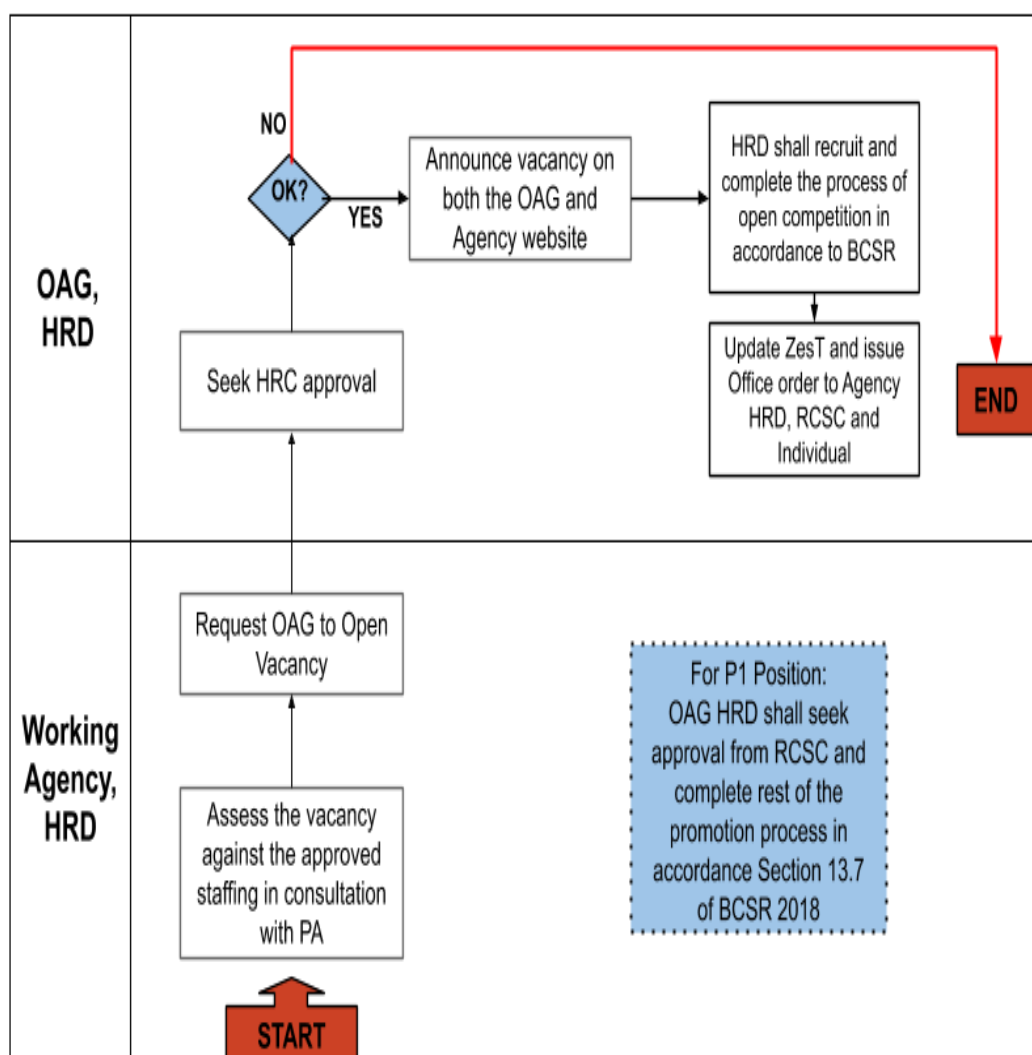
**b. Process flow for Pre-service Recruitments(S Level)**



### 3. Promotion

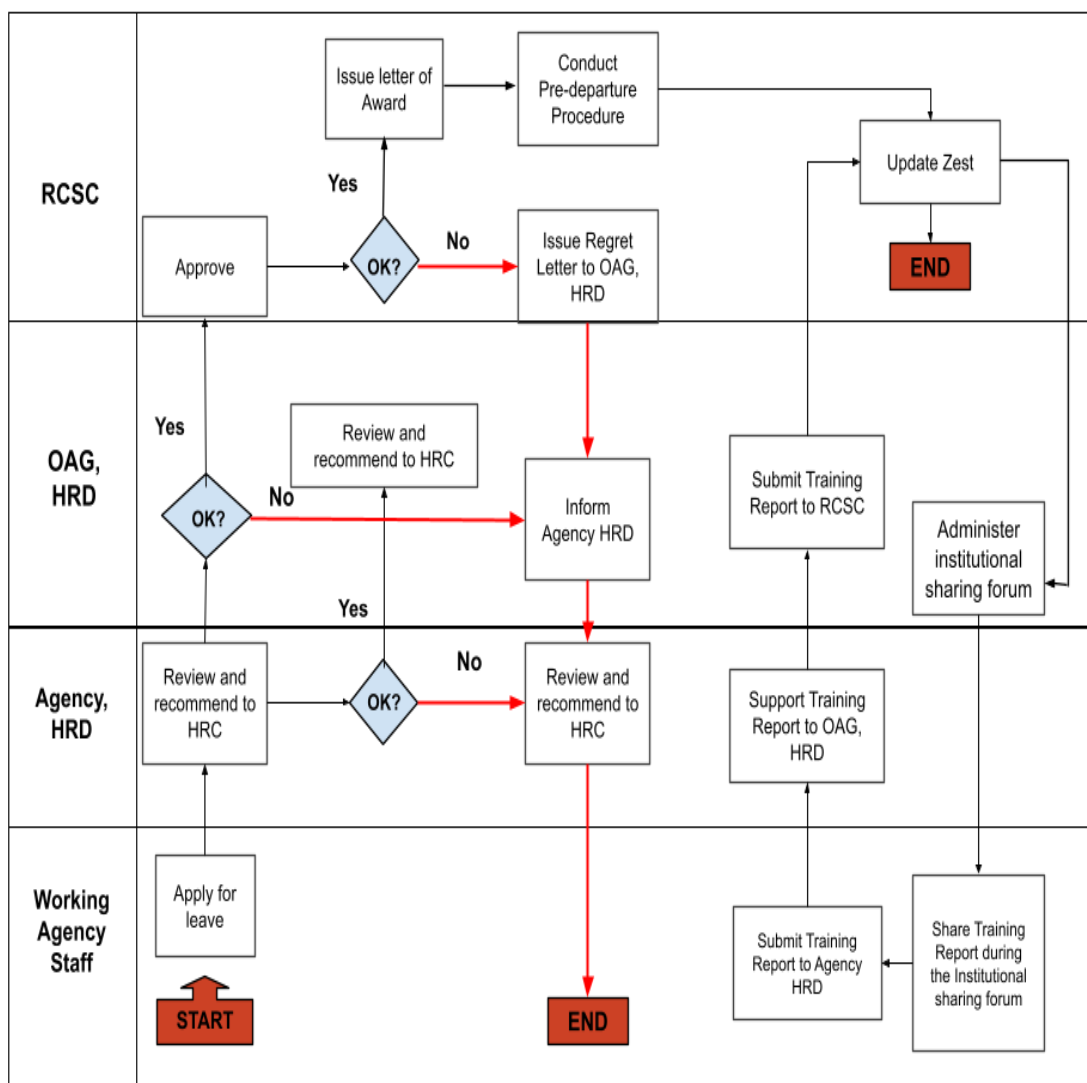
#### a. Open competition Promotion (Vacant Position)

The open competition promotion is based on post vacancy which is subject to Open Competition, and shall follow the procedures in the process flow chart and in accordance with clause 13.7 of BCSR 2018:

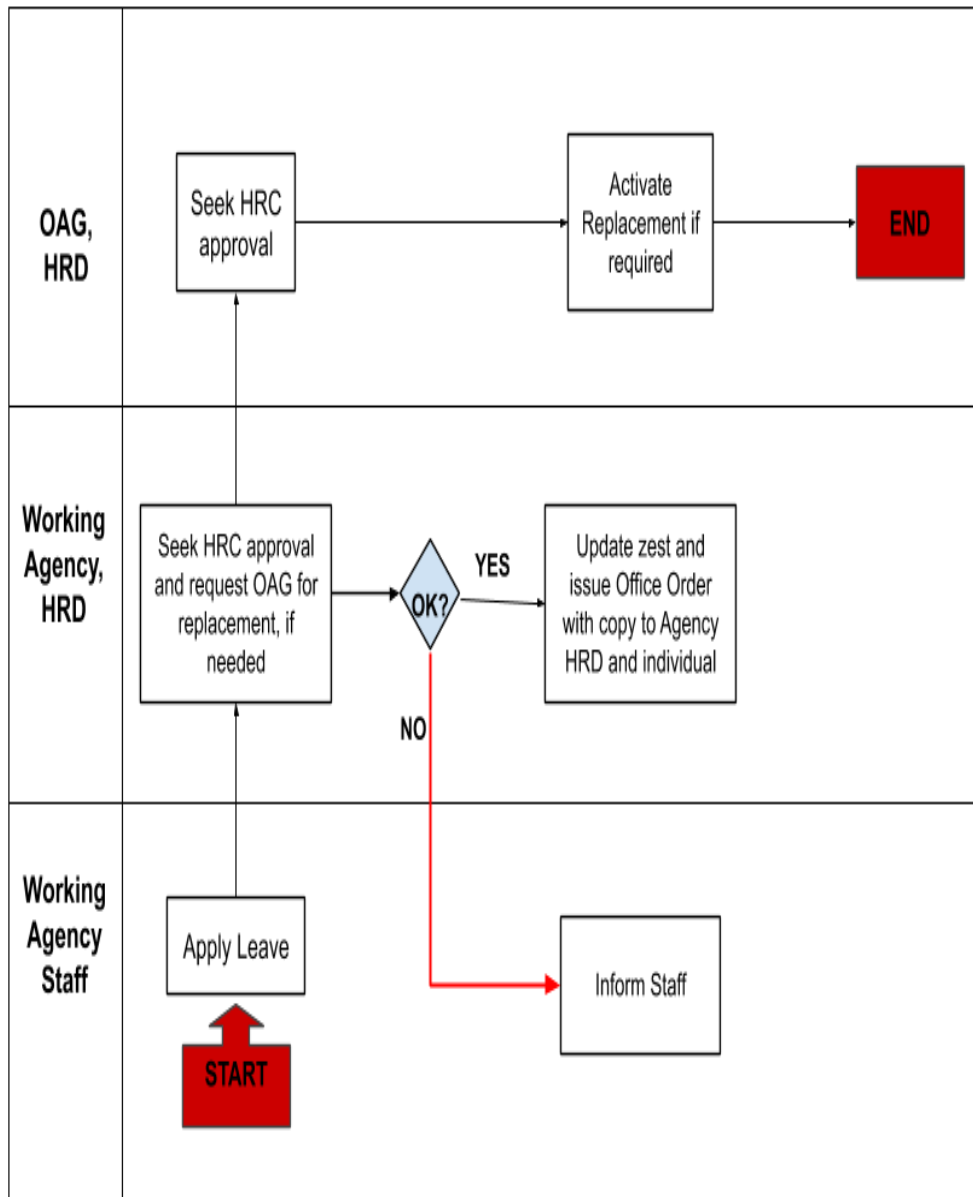


## 4. Leave

### a. Study Leave



**b. Extraordinary Leave (EOL)**



## **5. Training**

### **A. In-country Training**

#### **a. Institutional knowledge sharing forum**

The institutional knowledge sharing forum, which is also known as peer-based coaching will provide an avenue to share knowledge within the institution, promote in-house learning experience, skills and promote coordination and productivity of Legal Officers and Attorneys. This will address issues of lack of knowledge or complacency, and ensure coordination and collaboration between the agencies under the OAG or with the justice sector. This forum can facilitate in sharing the knowledge gained during the ex-country training or Long-Term Trainings for the benefit for all the Legal Officers and Attorneys.

#### **b. Refresher training**

The refresher training will address the lack of required or specialized knowledge and skills of Attorneys and Legal Officers, and enable the participants to keep their knowledge updated with the current developments. Such refresher training will provide avenues for professional growth and enhance the legal knowledge to counter various issues irrespective of their working agencies.

#### **c. Attachment**

The new Attorneys and Legal Officers who have been recruited through single window recruitment shall be placed in the OAG for a

Guideline on the OAG Roles, and Mandates  
minimum period of three months to a maximum of one year for proper  
induction before they are placed in their respective Working Agencies.

## **B. Ex-Country Training**

Based on the varying roles and responsibilities undertaken by Lawyers of Ministries, Agencies and Local Government, the work of the lawyers essentially includes three areas of key roles:

1. Prosecutor or Litigator;
2. Legal Advisor; and
3. Legislative Drafter.

These three roles are the main sources of specialized areas that all lawyers perform in some way or the other irrespective of whichever office they are placed. Under Role 1, the Competency Areas identified are Practice Skills focusing on the professional competencies, and Professional Ethics and Responsibility with the focus on the ethical and integrity aspects. Similarly, Role 2's Competency Area is segregated into Advisory Skills and Professional Ethics and Responsibility, and Role 3's Competency Area into Drafting Skills and Professional Ethics and Responsibility with similar focus as that of Role 1.

The following table sets out the specific training that aligns with specific competency areas which will assist the lawyers in maintaining standards both of those entering the profession and for career progression.

## Guideline on the OAG Roles, and Mandates

Key Roles	Competency Area	Training Description	Target Participation (Proficiency Level)
Prosecutor/Litigator	Practice Skills	<p><b>1. PLT Introductory Program (Funding support-RGoB or the OAG)</b></p> <p>This Program will have modules on Penal Code, Civil and Criminal Procedure Code, Ethical and Integrity standards, Evidence, Narcotic Drugs, Tobacco Control, Anti-corruption, Police Powers, Taxation, and Economic Crimes.</p> <p><b>2. Mentorship Program (Funding support-RGoB or the OAG)</b></p> <p>This program will commence on completion of the PLT Introductory program and the participants will be attached with one of the Senior Attorney's for a minimum of six months who will work under the direct supervision of the Mentor to learn and have a hands-on approach to practical challenges.</p> <p><b>3. Learning Visit Program (Funding support-RGoB or Development Partners)</b></p> <p>This Program is aimed towards developing linkages</p>	P4 / Foundation Level



## Guideline on the OAG Roles, and Mandates

		<p>with peers working in similar offices having functional similarities to that of a Prosecutor/Litigator. The program is also aimed towards learning at how systems, processes and services are undertaken in developed jurisdictions to give a comparative perspective of the similar works aimed towards improving the standards.</p>	
		<p><b>1. PLT Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will have modules on Child Prosecution and Alternative measures, Environmental Protection, Money Laundering and Corruption, Criminal Justice System, Cross Examination and effective evidence preparation, Opening and Closing arguments, Corporate and Trade Law, Goods and Services Tax and Economic Crimes, and Negotiation and Mediation skills.</p> <p><b>2.Ex- Country Specialized Trainings Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend specialized training conducted by Offices having similar functionalities,</p>	<p>P3 / Experienced Level</p>

## Guideline on the OAG Roles, and Mandates

		<p>Training Institutes, Universities, Colleges, Professional Associations and affiliates outside.</p> <p><b>3. LLM Program (Funding support- RGoB or Development Partners)</b></p> <p>This long-term program is to avail Master's Program in law to enhance educational knowledge in the relevant area of law.</p>	
		<p><b>1. PLT Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will have advanced modules on Child Prosecution and Alternative measures, Environmental Protection, Money Laundering and Corruption, Criminal Justice System, Cross Examination and effective evidence preparation, Opening and Closing arguments, Corporate and Trade Law, Goods and Services Tax and Economic Crimes, and Negotiation and Mediation skills.</p> <p><b>2.Ex- country Attachment Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend Attachment programs whereby the participants will work with peers in developed jurisdictions in offices having similar</p>	<p>P2 /</p> <p>Advanced</p> <p>Level</p>

## Guideline on the OAG Roles, and Mandates

		<p>functionalities. Through the program, the participants will have a hands-on experience of how problems are analysed and how issues are resolved.</p> <p><b>3.PhD Program (Funding support- RGoB or Development Partners)</b></p> <p>This long-term program is to avail PhD Program in law to enhance educational knowledge in the relevant area of law.</p>	
		<p><b>1. Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will enable the participant to have an understanding of how the justice sector functions in tandem with plans and policies of the government, how to bring about reform or strengthening interventions, to analyse systems and processes and make improvements in the gaps.</p> <p><b>2. Ex- country Conferences and Institutional linkage Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend international conferences to strengthen the skills and also undertake institutional linkage visits to further the</p>	P1 / Expert Level

## Guideline on the OAG Roles, and Mandates

		strengthening of justice support efforts.	
<b>Legal Advisor</b>	Advisory Skills	<p><b>1. Induction Program</b></p> <p>This program will expose the participants into the workings of the advisory aspects whereby the RoP for Advisory will be introduced, and how advisory is prepared and practiced.</p> <p><b>2. PLT Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will have modules on Contracts, Alternative Dispute Resolution, International Agreements [UNCITRAL], International Court of Justice, International Criminal Court, World Trade Organization, International Organizations, Corporate and Business Law, Negotiation, Procurement and Government Contracts, International law including treaties and conventions, Environment Laws, and International disputes.</p> <p><b>3. Ex- Country Specialized Trainings Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend specialized training conducted by Offices having similar functionalities,</p>	P3 / Experienced Level

## Guideline on the OAG Roles, and Mandates

		<p>Training Institutes, Universities, Colleges, Professional Associations and affiliates outside.</p> <p><b>1. LLM Program (Funding support- RGoB or Development Partners)</b></p> <p>This long-term program is to avail Master's Program in law to enhance educational knowledge in the relevant area of law.</p>	
		<p><b>1. PLT Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will have advanced modules on Contracts, Alternative Dispute Resolution, International Agreements [UNCITRAL], International Court of Justice, International Criminal Court, World Trade Organization, International Organizations, Corporate and Business Law, Negotiation, Procurement and Government Contracts, International law including treaties and conventions, Environment Laws, and International disputes.</p> <p><b>2. Ex- country Attachment Program (Funding support- RGoB or Development Partners)</b></p>	<p>P2 /</p> <p>Advanced</p> <p>Level</p>

## Guideline on the OAG Roles, and Mandates

		<p>This Program is to attend Attachment programs whereby the participants will work with peers in developed jurisdictions in offices having similar functionalities. Through the program, the participants will have a hands-on experience of how problems are analyzed and how issues are resolved.</p> <p><b>3. PhD Program (Funding support- RGoB or Development Partners)</b></p> <p>This long-term program is to avail PhD Program in law to enhance educational knowledge in the relevant area of law.</p>	
		<p><b>1. Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will enable the participant to have an understanding of how the policy positions and implementation of laws are to be safeguarded, and to analyze systems and processes, and make improvements in the gaps.</p> <p><b>2.Ex- country Conferences and Institutional linkage Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend international conferences</p>	<p>P1 / Expert Level</p>

## Guideline on the OAG Roles, and Mandates

		to strengthen the skills and also undertake institutional linkage visits to further the strengthening of justice support efforts.	
<b>Legislative Drafter</b>	Drafting Skill	<p><b>1. Induction Program</b></p> <p>This program will expose the participants into the workings of the Legislative Drafting aspects whereby the RoP for Legislative Drafting will be introduced and how Drafting and Review of Bills and Delegated Legislation is undertaken is being taught.</p> <p><b>2. PLT Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will have modules on Plain English Drafting, Clear and Detailed Policy Guideline, Regulatory Impact Assessment, Legislative Impact Assessment, GNH Revised Protocol for Policy Formulation 2015, Parliamentary Law Making Process, Drafting of Bills, Drafting of Delegated Legislations, Review of Bills and Delegated Legislations, conduct of stakeholders meetings, Drafting Instructions, Explanatory Memorandum, Notes on Clauses, Drafting Process, International</p>	P3 / Experienced Level

## Guideline on the OAG Roles, and Mandates

		<p>Law Commission, and Working in Teams.</p> <p><b>3.Ex- Country Specialized Trainings Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend specialized training conducted by Offices having similar functionalities, Trainings, Institutes, Universities, Colleges, Professional Associations and affiliates outside.</p> <p><b>4.LLM Program (Funding support- RGoB or Development Partners)</b></p> <p>This long-term program is to avail Master's Program in law to enhance educational knowledge in the relevant area of law.</p>	
		<p><b>1. PLT Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will have advanced modules on Plain English Drafting, Clear and Detailed Policy Guideline, Regulatory Impact Assessment, Legislative Impact Assessment, GNH Revised Protocol for Policy Formulation 2015, Parliamentary Law Making Process, Drafting of Bills, Drafting of Delegated Legislations, Review of Bills and</p>	<p>P2 /</p> <p>Advanced</p> <p>Level</p>



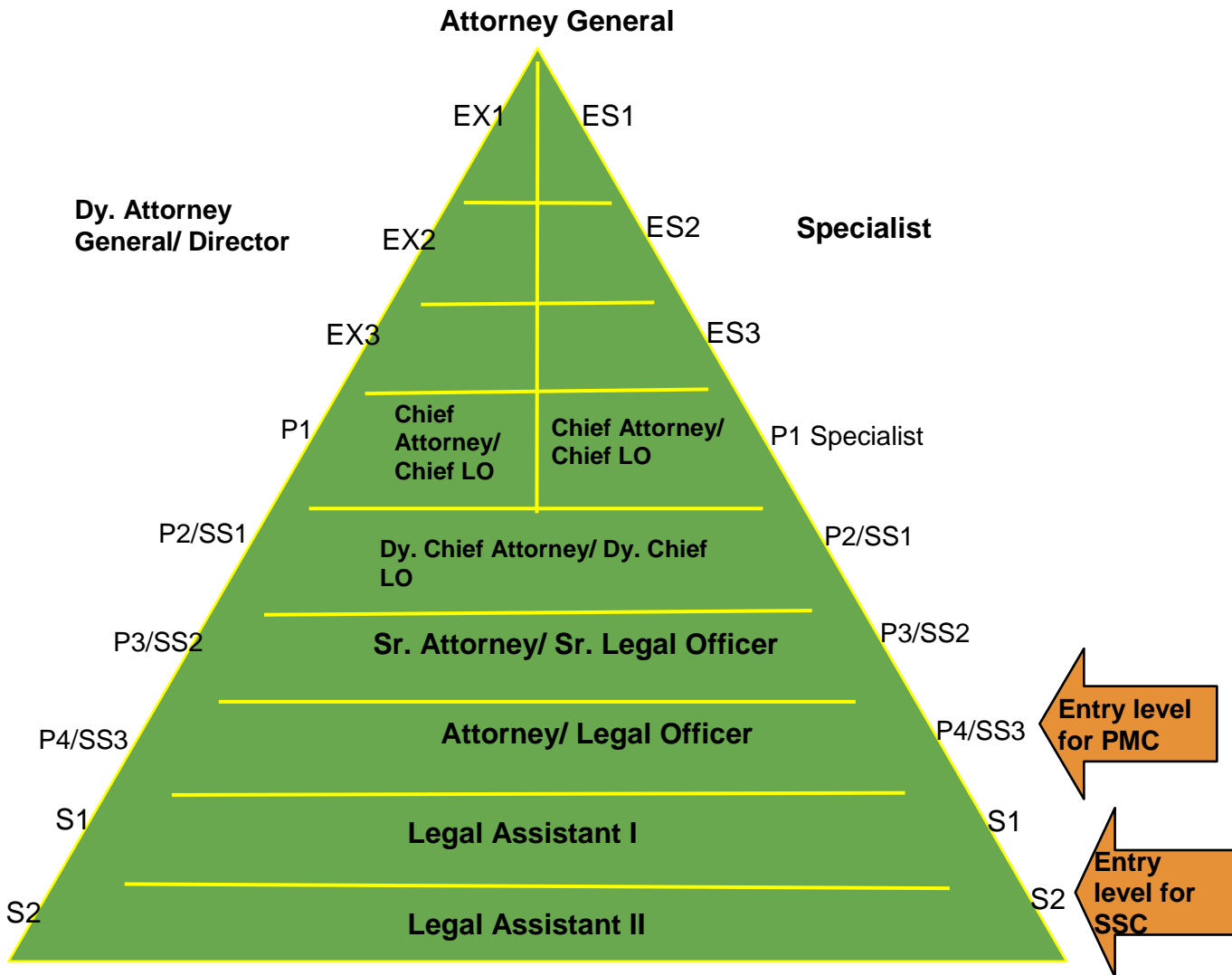
## Guideline on the OAG Roles, and Mandates

		<p>Delegated Legislations, conduct of stakeholders meetings, Drafting Instructions, Explanatory Memorandum, Notes on Clauses, Drafting Process, International Law Commission, and Working in Teams.</p> <p><b>2.Ex- country Attachment Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend Attachment programs whereby the participants will work with peers in developed jurisdictions in offices having similar functionalities. Through the program, the participants will have a hands-on experience of how problems are analyzed and how issues are resolved.</p> <p><b>3. PhD Program (Funding support- RGoB or Development Partners)</b></p> <p>This long-term program is to avail PhD Program in law to enhance educational knowledge in the relevant area of law.</p>	
		<p><b>1. Specialized Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program will enable the participant to have an understanding of how the legislations are</p>	<p>P1/ Expert Level</p>

## Guideline on the OAG Roles, and Mandates

		<p>formulated, exploring the conditions for policy developments, and to analyze systems and processes, and make improvements in the gaps.</p> <p><b>2.Ex- country Conferences and Institutional linkage Program (Funding support- RGoB or Development Partners)</b></p> <p>This Program is to attend international conferences to strengthen the skills, and also undertake institutional linkage visits to further the strengthening of justice support efforts.</p>	
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## 6. Career Path



The career path pyramid shows the track of a lawyer's career: from the entry level to the highest position he or she aspires to in the bureaucracy, that is the Deputy Attorney General. The pyramid shows two categories of career progression; i.e. the Professional and Management Category (PMC) which includes Legal Officer/Attorney, and Supervisory and Support Category (S/SS) which includes the Legal Assistant.

## **1. Professional and Management Category**

- a. The entry level for all PMC is at P5 and the authority to recruit, select and appoint will be the RCSC and be as per Chapter 4 of BCSR 2018.
- b. Upon the fulfillment of promotion criteria, a lawyer shall be promoted to the next higher position (P4 and P3 accordingly).
- c. After P3 level, a lawyer can either wait for their normal promotion, be eligible for meritorious promotion or apply for any open-competition to the next higher position (P2 and above).
- d. Like the rest of the professions in the Civil Service, lawyers need to make a decision after P2 as to whether to continue in their profession (P1 Specialist/ Specialization) or move over to management.

## **2. S/SS**

- a. The entry level of Legal Assistants is at S1 under the Supervisory and Support Category.

- b. For the Support position, a minimum of three promotions or up to SS1 which is equivalent to P2 level are guaranteed subject to performance. However, to move to PMC, one must possess a bachelor's degree and get through the Bhutan Civil Service Examination.

## **7. Transfer**

As a part of the HR Management, the transfer exercise is one of the responsibilities of the Parent Agency. The transfer shall be in accordance with clause 14.3.1 of BCSRR 2018, within the approved staff strength and transfer guideline approved by the RCSC.

The transfer exercise will facilitate mobility among the civil servants so that their services are best utilized in the interest of the government. Considering the growing number of legal professionals in the country, there is a need for regular transfer exercise to open an option of experiencing different areas of work, and also to ensure the optimum utilization of the statistical professionals. However, the transfer needs to be carried out objectively ensuring the best utilization of the skills and the knowledge acquired by the individuals in the working place.

As specified in the BCSR 2018, the transfer guidelines will be based on the principles of transparency and fairness, and aligned to the provisions of the BCSRR.

### **1. Authority to Transfer:**

According to the BCSRR 2018, the authority to transfer Inter-Agency rests with the RCSC or the Parent Agency. Therefore, the HRC of the

Guideline on the OAG Roles, and Mandates  
OAG shall have power to transfer all the Attorneys, Legal Officers and Legal Assistants in consultation with the concerned working agency, and execute transfers in line with the transfer guideline.

## **2. Scope and coverage**

2.1 In line with the provisions of the BCSRR 2018, the Transfer Guidelines shall be applied for transfer of following categories of civil servants:

2.1.1 Legal Officers and Legal Assistants under the parenting responsibility of the OAG as determined by the BCSR 2018, working in different Ministries, Agencies and Local Governments; and

2.1.2 all the Attorney's working in the OAG.

## **3. Types of Transfer:**

### **3.1.Lateral Transfer;**

To provide opportunities to all Legal professionals (Attorneys/Legal Officers), the transfer to the Departments of OAG will be conducted on the basis of Open Competition through Lateral Transfers.

### **3.2.Open Competition:**

This type of transfer will be as per the prescribed BCSR 2018 rules.

### **3.3. Inter-Agency Transfer**

All new Legal Officers will be transferred to their respective working agencies after serving a minimum of one-year

Guideline on the OAG Roles, and Mandates attachment with the Parent Agency. The annual transfers shall be carried out in accordance with the transfer guidelines and the BCSR.

### **3.4.Intra-Agency Transfer**

All the new Attorneys will serve under the Prosecution and Litigation Division for a minimum period of five years, and shall be transferred to the Legal Services Division or the Drafting and Review Division.

## **4. Transfer Criteria:**

### **a. General criteria for Transfer;**

1. The civil servant shall not claim transfer and placement as a matter of right.
2. The transfer exercise shall be carried out on an annual basis.
3. A change in duties and responsibilities within a division of an agency shall not be considered as transfer.
4. On initial appointment in the civil service, a civil servant shall not be eligible for transfer before serving a minimum of three years including probation period.
  - a. An Attorney shall serve a minimum of 5 years under the Prosecution Division before the Attorney can be transferred to a division under other Departments of the OAG.
  - b. However, as per clause 14.4.8 of BCSRR 2018, a civil servant may be transferred to any agency in the interest of public service.

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5. If both spouses are civil servants, their simultaneous transfer to the same location shall be facilitated as far as possible.
6. The employee may be transferred after completion of five years of service as per clause 14.4.5 of BCSRR 2018.
7. The duration of long-term training (LTT), Extraordinary Leave (EOL), Secondment and Medical Leave shall not be counted for the purpose of calculating the number of years in the current place of posting for transfer.
8. A civil servant may be granted transfer upon written request on special grounds (such as disciplinary, medical or special training acquired) upon production of valid documents. However, HRC shall try to align/coincide such transfers during the Annual Transfer. Further, the individual request shall be required to be endorsed first by the HRC of the concerned working Agency before submission to the Parent Agency.
9. A civil servant shall not be normally transferred to a post where application of his or her skills and knowledge are rendered irrelevant as per clause 14.4.15 of BCSRR on annual transfer only.
10. All transfer requests shall be routed through the HR Committee of the Working Agencies.
11. The Agency shall deliberate and decide on the following transfer criteria (incorporated directly from the BCSRR 2018), update in the transfer guideline annually, and inform the civil servants before the transfer exercise each year:



*13.1. A civil servant shall be given the option to choose up to three places of choice in the Transfer Application Form. However, the final placement shall be determined based on following assessment system:*

*13.1.1 Score against the place of posting on the scale of 5 to 50 as given in Annexure A. Total score against the place of posting shall carry 70% of the total weight as follows:*

- a. current place of posting - 50 %*
- b. last place of posting before the current place - 20%*

*13.1.2. For civil servants who are being transferred for the first time, a total weight of 70% shall be allocated for the current place of posting.*

*13.1.3 Score against Performance Evaluation rating (PE) on the scale of 5 to 30 as given in the Annexure B. PE rate shall carry 30% of total weight.*

*13.1.4. Civil servants under the transfer list shall be ranked based on the total score (out of 100) secured as per clauses 13.1.1, 13.1.2 and 13.1.3.*

*13.1.5. Based on the option provided in the Transfer Form, preference for place of transfer shall be given to civil servants securing the higher score as per clause 13.1.4. In case of a tie, HRC shall first consider seniority of the civil servants followed by the previous place of posting.*

*13.1.6. In instances where there is no conflict in a civil servant's*

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*choice of place for transfer, the HRC shall approve  
without applying the above assessment.*

*13.1.7 The above assessment shall not be applied for transfer  
under special circumstances such as:*

*13.1.7.1 Transfer based on need for specialized skills/  
qualification in the particular Agency/place;*

*13.1.7.2 Transfer on disciplinary grounds; and Transfer on  
special medical needs.*

12. A civil servant due for superannuation within the next one year may not be transferred.
13. A civil servant may appeal on the transfer decision of the HRC in writing.
14. Appeals, if any, will be discussed in the HRC of the PA and appropriate action will be taken.

**b. Lateral transfer**

1. All vacancies are required to be filled up from the in-service pool of candidates at the same position level.
2. After having vacancy announced on the OAG's website, even if there is only one eligible candidate, the transfer may be initiated upon fulfilling the criteria as per General Criteria of Transfer and clause 14.4.4. of BCSRR 2018.
3. Lateral transfer of the civil servant to other agencies should be routed through the HRC of the working agency.
4. The HRC of both the OAG and Working Agencies has the right

Guideline on the OAG Roles, and Mandates to refuse or accept the candidate.

5. Working Agency while issuing No Objection Letter should ensure that the lateral transfer of the Legal Officer or Legal Assistant does not affect the regular service delivery.
6. Replacement for the Lateral Transfers will be worked out by the OAG only during the annual transfer along with the graduate requisition.
7. The OAG, as the Parent Agency shall not provide immediate replacement for the Lateral Transfer.

**c. Relieving on Transfer**

1. There shall be proper handing/taking over before a civil servant is relieved on transfer, including government property, and files/records. A civil servant shall not be permitted to transfer government properties along with him or her upon transfer as per Clause 14.4.16 of the BCSRR 2018.
2. The agencies that have more than one or more civil servant in similar positions should relieve the transferred civil servant within one month without waiting for the replacement.
3. All civil servants who are transferred shall be relieved within 30 days from the date of issue of the transfer order, and shall assume the new responsibilities immediately on expiry of the admissible joining time unless otherwise approved by the HRC of the receiving agency as per clause 14.7.4 of the BCSRR 2018.

4. The OAG will monitor the status of the transfer exercise by February and follow up on non-compliance to transfer order.

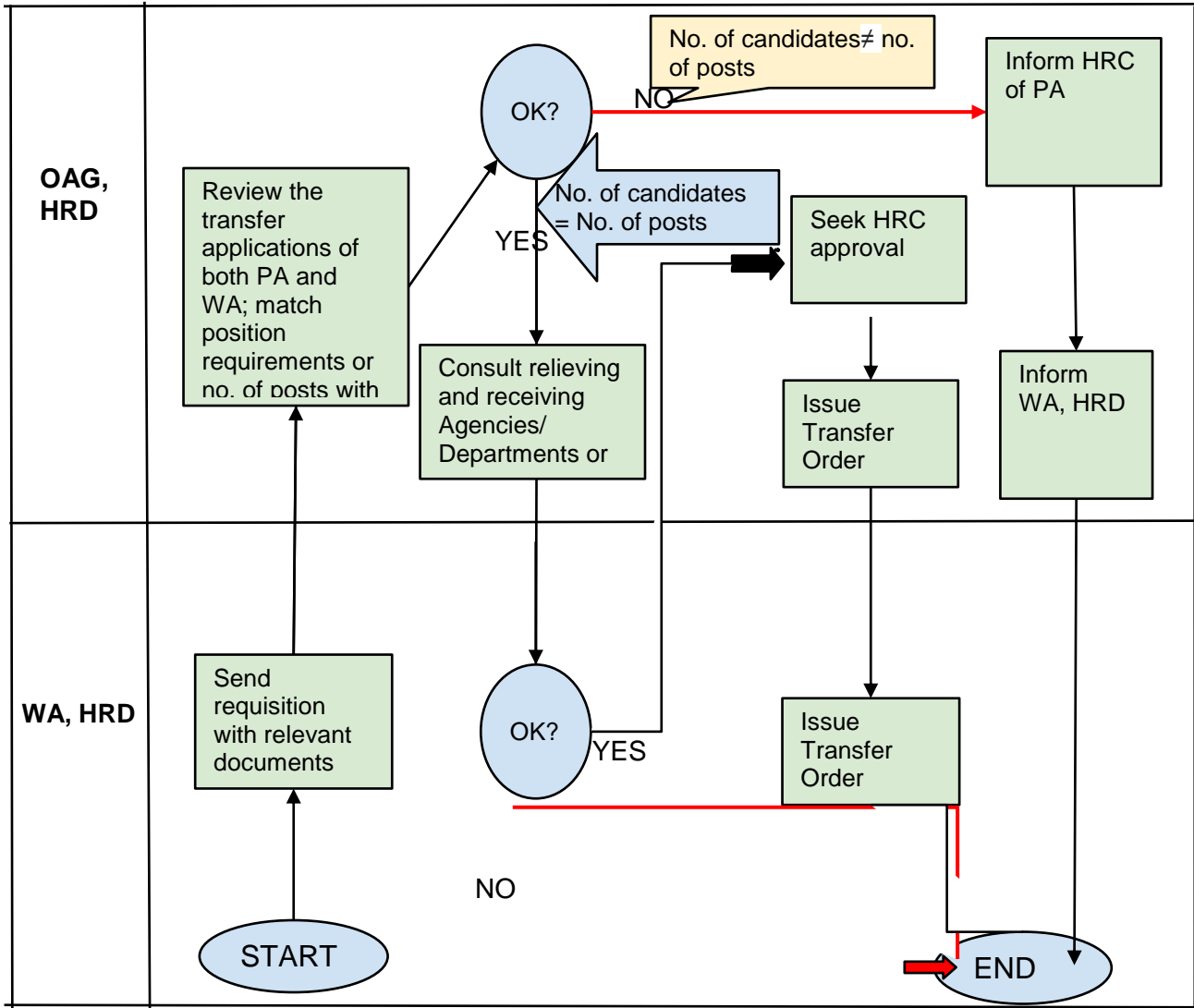
**d. Joining on Transfer**

1. As per clause 10.13.2.1 of BCSRR 2018, a Civil Servant shall report to the new place of posting within 5 working days provided that the new place of posting is at least 10 kilometers away from the previous work station.
2. A Civil Servant upon joining the new place of posting shall provide a joining letter to the Human Resource Division of the respective place, and ensure that it is updated in the file.

**e. Non-Compliance:**

1. Non-compliance with the rule shall be treated as a violation of the BCSRR 2018 and hence, the HRC/Agency shall be accountable as per clause 14.11.1 of the BCSRR.
2. The civil servants failing to abide by the Transfer Order shall be liable for administrative actions.
3. As per Notification DNP/R-notification/2014-15/553 dated 5/12/14 of the MoF, budgetary bodies shall stop payment of salary to the concerned civil servants after 30 days from the effective date of transfer.

## 5. Transfer Process flow



**6. Transfer Schedule**

<b>Sl. No.</b>	<b>Activity</b>	<b>Timeline</b>
1	Issue a Transfer Notification and upload on the website including Online Transfer Application Form	May
2	Review and compile transfer applications by the respective WAs	June
3	Submit transfer applications to the PA, HRS	July
4	The HRS of the PA to review and consult both relieving and receiving agencies	August
5	Seek approval for endorsement from HRC of PA	Mid- August
6	Issue transfer order generated from Zest	October
7	Review appeal and ad hoc transfer applications, if any	From mid-October onwards
8	Join the new place of posting	1st January

## **7. Transfer Request Form**

### **1. Details of the applicant:**

Name:

EID:

Position Title:

Position Level:

Gender:

Present Working Agency:

Date of Appointment:                      Date    of    joining    current  
agency:

Qualification:                                      Addition

qualification/Special training:

Contact no.:                                      Email address:

### **2. Permanent Home Address:**

Village:                                      Gewog:                                      Dzongkhag:

**3. Past Service details:**

<b>Sl. No.</b>	<b>Ministry/Agency/ Local Government</b>	<b>Dzongkhag</b>	<b>From: (dd/mm/yyyy)</b>	<b>To: (dd/mm/yyyy)</b>

**4. Marital Status:**

Married:

Unmarried:

If married, please provide the following details of your spouse:

Name:

EID (if employed):

Position Title/Level:

Agency:

Date of appointment:

Date of joining

current workplace:



5. Transfer Option: Provide three options. If the options are not viable, the HRC shall use its discretionary power to transfer the applicant to wherever there is a requirement.

Option 1	Option 2	Option 3

I, hereby declare that the information provided here is true to the best of my knowledge. In the event, the above declaration is found to be incorrect, I understand that my transfer request shall be cancelled.

Signature:

Date:

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**Decision of the HRC:**

This transfer request has been approved by the .....HR  
Committee Meeting held on.....

Note:

1. Form should be submitted to the HRD, the OAG as per the deadline announced by HRD.
2. It is mandatory to provide three (3) options of preferred places of posting. If the form is incomplete, the HRC shall exercise discretion on the place of transfer.
3. Based on the decision of the HRC, transfer order shall be issued.
4. Refer Transfer Guidelines of OAG for details.

**Annexure A: Points for place of posting (current + last place of posting before the current)**

<b>Cate gory/ Rank</b>	<b>Name of the Dzongkhag</b>	<b>Current place of posting (50%) A</b>	<b>Last place of posting before the current place (20%) B*+</b>
1	Thimphu	5	2
2	Paro	10	4
	Phuntsholing *		
3	Punakha	20	8
	Gelephu*		
	Wangdue		
	Samtse		
	Sarpang		
4	Tsirang	30	12
	Chukha		
	Haa		
5	Bumthang	40	16
	Trashigang		

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	Trongsa		
	Mongar		
	SamdrupJongkhar		
6	Gasa	50	20
	Lhuntse		
	Pemagatshel		
	Dagana		
	Trashi-Yangtse		
	Zhemgang		

*\* Places included in the list because of their location and preference for transfer. \* + Not applicable for civil servants being transferred for the first time (clause 13.1.2) and the score against the current place of posting shall be calculated out of 70%.*

### **Annexure B: Points for Performance Evaluation rating**

A civil servant shall be awarded points based on the average performance evaluation ratings for the last 3 years:

<b>Ratings</b>	<b>Points</b>
Outstanding	30
Very Good	20
Good	15
Need Improvement	5

Average PE score of the last three years shall be calculated as follows:

<b>Year</b>	<b>Score</b>
Year I	
Year II	
Year III	
Total	
Average (total/3) - C	

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**Table for calculation of total score (scores from the table in Annexure A and B):**

Place of posting (70%)		PE 30% (C)	Total (100%) A+B+C/ (A+C)
Current place of posting (A)	Last place of posting before the current place (B)*		

### CHAPTER III COORDINATION ARRANGEMENT

#### **National Lawyer's Conference**

The National Lawyers' Conference shall be held according to the *Rules of Procedure for Conducting the National Lawyers' Conference* which will be developed at the earliest. This Conference will serve as a knowledge sharing and training platform for the Legal professionals (Sec. 51(2) of the OAG Act) to present, and discuss current and emerging legal issues.

#### **Legal Head Meetings**

A meeting shall be held quarterly for the Heads of the Legal Division or Services of the Ministries/Agencies and the OAG, which will be chaired by the DAG to:

1. ensure efficient delivery of legal services through standard practices and guidelines;

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2. resolve issues and challenges, and agree on the best solutions;  
and
3. identify opportunities and share experiences of the respective  
sectors.

**Office space and facilities for legal officers in the OAG**

Legal officers working outside the OAG shall be provided with a common working space to facilitate the government lawyers and legal assistants. The Legal officers in the Working Agencies shall be provided with usernames and passwords in the ELMS system for the reporting and monitoring purposes.