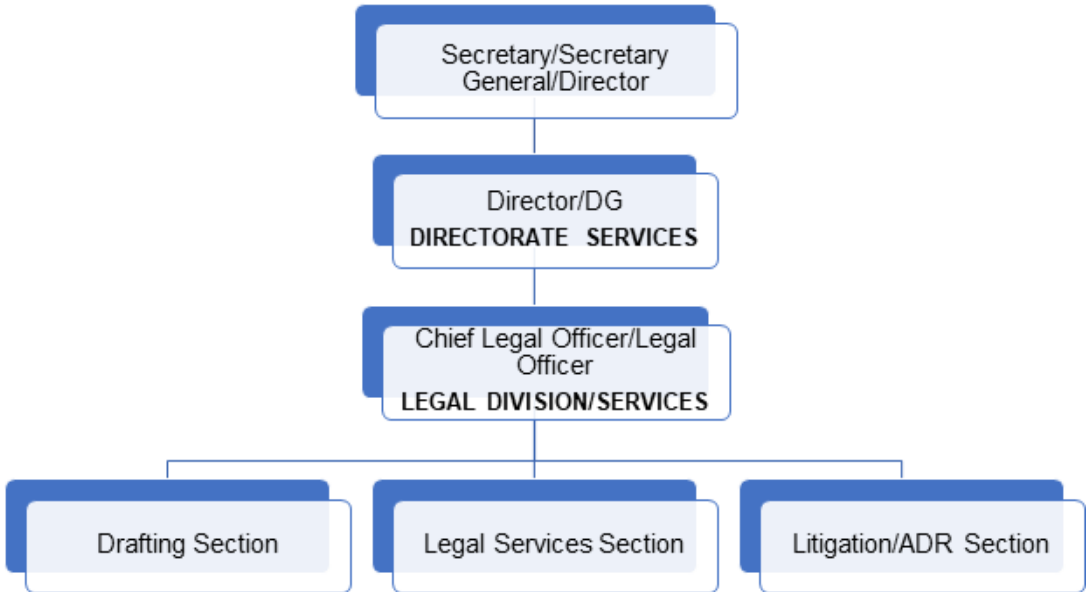


STRUCTURE OF LEGAL DIVISIONS UNDER GOVERNMENT AGENCIES



In many Agencies, legal officers are placed under the head of the Agency as a legal services/unit and the number of legal officers varies depending on the size and mandate. The mandates of Agencies differ with some Agencies requiring immediate upgradation of Units to Divisions.

Among others, Agency legal officers are mandated to serve as secretary/facilitator of Commission/Board meetings, provide legal advice to the heads of Agencies, review and advise in regulatory sanctions, perform quasi-judicial mandates, draft sector specific bills, rules and regulation, guidelines and other legal instruments, litigate (including arbitration) the procurement and civil disputes, advocate on the sector specific legal instruments and represent as various committee members (Agency and national level).

Contemplation of the existing human resources and Agency mandates, would lead us to observe a shortage of legal personnel in one or the other Agency. It is therefore, appropriate and timely to intervene so as to have proportionate human resources in Agencies at par with their mandates. Development of a consistent Organizational structure for all Legal Officers serving in the Agencies would not only help address this, but also serve to enhance Agency specific skills and specialization.

ROLES AND MANDATES FOR ANTI-CORRUPTION COMMISSION (ACC)

Support the Prosecution of criminal cases

1. Serve as the focal point of the case referred to the OAG.
2. Liaise with, and provide support to the OAG with respect to cases referred for prosecution.

Litigation of Civil cases

1. Institute civil cases before Courts or arbitral tribunals on behalf of the ACC.
2. Represent the ACC before Courts or arbitral tribunals in civil cases.

Advisory and Legal Service

1. Coordinate and conduct investigations for the matters referred to the ACC by any other agencies.
2. Assist audit focal person in dealing with audit memos pertaining to misuse of government revenue and contractual issues.
3. Carry out ad hoc activities as and when directed by the management or superiors.
4. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder

consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.

5. Provide legal advice to the Commission on legal issues affecting the Commission.
6. Provide legal advice to the Commission on the enforcement of the *Anti-Corruption Act 2011*.
7. Oversee the Commission's compliance with applicable law, regulations, and policies.
8. Review legislation and other legal documents, and accordingly advise the Commission.
9. Provide legal assistance/support to other Departments/Divisions.

Drafting and Review of Bills and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the ACC.
2. Draft bills including amendment bills on those subject-matter within the mandate of the ACC.
3. Draft or revise delegated legislations on those subject matter within the mandate of the ACC.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the ACC for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing of existing legislations concerning the ACC.

6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the ACC.
7. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the ACC.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the ACC during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.

Investigation Functions

1. Ensure adherence to due process of law during investigation in accordance with the *Civil and Criminal Procedure Code 2001*, *Evidence Act 2005*, and the *Anti-Corruption Act 2011*.
2. Conduct investigation, analyze the case, and prepare a case investigation report into the matters referred by the Royal Civil Service Commission and any other authorities.
3. Review, conduct internal investigations, and prepare a report of complaints received against the employee of the Commission or any such tasks assigned by the superiors from time to time.
4. Receive investigation reports, conduct a thorough analysis of the case, and submit a report to the OAG for prosecution.
5. Provide assistance to the investigation teams on any legal issue likely to impact an investigation or any subsequent prosecution.
6. Assist the investigation teams in obtaining court warrants from the court of jurisdiction in relation to cases under investigation.

7. Review investigation reports, and determine the probable charges and the persons to be charged.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials from the Department and Division.
2. Guide and advice enforcement officials in the field in the implementation of regulatory provisions under the relevant Act.
3. Assist in the implementation of international conventions related to the Commission.
4. Support and assist in the implementation of the laws relevant to the Commission.
5. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.

Quasi-judicial Functions

1. Ensure that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws to the general public in consultation with the OAG.
2. Conduct Advocacy programs to the staff of the Commission on the latest developments in laws and policies related to the ACC.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the Commission.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee/ Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committee and body as prescribed by the laws.
3. Represent working agencies in meetings and workshops related to legislation and legal matters.
4. Translate the legal documents.
5. Review the implementation of the *United Nations Convention against Corruption*.
6. Oversee/monitor/implement the requirement of the Convention and recommendation ensuring the implementation review.

ROLES AND MANDATES FOR BHUTAN INFOCOMM AND MEDIA AUTHORITY (BICMA)

Prosecution of criminal cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:

- (a) including providing information and documents related to sector-specific cases; and
- (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunals on behalf of the Agency.
2. Represent the Agency before the Court or arbitral tribunals in civil cases.

Advisory and Legal Service

1. Assist audit focal person in dealing with audit memos pertaining to misuse of government revenue and contractual issues.
2. Carry out ad hoc activities as and when being directed by the management or superiors.
3. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.
4. Provide legal opinions and advice to the Agency on legal issues affecting the Agency.
5. Provide advice to the Agency on the enforcement of the *Bhutan Information Communication and Media Act 2006*.
6. Oversee the Agency's compliance with applicable law, regulations, and policies.
7. Provide legal assistance/support to other Departments/Divisions/Services.

Drafting, Review of Bills, and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the BICMA.

2. Draft bills including amendment bills on those subject-matter within the mandate of the BICMA.
3. Draft or revise delegated legislations on those subject matter within the mandate of the BICMA.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the BICMA for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing of existing legislations concerning the BICMA.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the BICMA.
8. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the BICMA.
9. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
10. Review and provide inputs and comments on sectoral legislation referred by other agencies.
11. Represents the BICMA during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.
12. Review relevant legislations or legal documents of BICMA, if any and submit recommendations to the OAG.

Investigation Functions

1. Review, conduct investigation, analyze the case, and prepare a case investigation report into the matters referred by the ACC and RCSC and any other authorities.

2. Review, conduct internal investigations, and prepare a report of complaints received against the employee of the Agency or any such tasks assigned by the superiors from time to time.
3. Receive investigation report, analyze the case, and prepare a detailed case report for submission to the OAG for prosecution.
4. Provide assistance to the investigation teams on any legal issue likely to impact an investigation or any subsequent prosecution.
5. Assist the investigation teams in obtaining court warrants from jurisdictional Courts in relation to cases under investigation.
6. Review investigation reports, and determine the probable charges and the persons to be charged.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials from the Department and Division.
2. Guide and advice enforcement officials in the field in the implementation of regulatory provisions under the relevant Acts.
3. Assist in the implementation of international conventions related to the Agency.
4. Implement the laws relevant to the Agency.
5. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.

Quasi-judicial Functions

1. Ensure that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws of the Agency to the general public.

2. Conduct Advocacy programs to the staff of the Agency on the latest developments in laws and policies related to the Agency.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the Agency.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee/Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committee and body as prescribed by the laws.
3. Represent working agencies in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR ROYAL CIVIL SERVICE COMMISSION (RCSC)

Prosecution of criminal cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals including disciplinary referrals to the agencies.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunal on behalf of the Commission below three million.
2. Represents the Commission before the Court or arbitral tribunal in civil cases.
3. Be the focal point of civil cases if it is referred to the OAG for litigation/adjudication

Advisory and Legal Service

1. Coordinate and conduct investigations for the matters referred by the ACC.
2. Assist audit focal person in dealing with audit memos pertaining to misuse of government revenue and contractual issues.
3. Carry out ad hoc activities as and when being directed by the management or superiors;

4. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.
5. Provide legal opinions and advice to the Commission on legal issues affecting the Commission.
6. Provide advice to the Commission on the enforcement of the *Civil Service Act of Bhutan 2010*.
7. Oversee the Commission's compliance with applicable law, regulations, and policies;
8. Provide legal assistance/support to other Departments/Divisions/Services.

Drafting, Review of Bills, and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the RCSC.
2. Draft bills including amendment bills on those subject-matter within the mandate of the RCSC.
3. Draft or revise delegated legislations on those subject matter within the mandate of the RCSC.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the RCSC for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing of existing legislations concerning the RCSC.

6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the RCSC.
7. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the RCSC.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the RCSC during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.
11. Review relevant legislations or legal documents of RCSC, if any and submit recommendations to the OAG.

Investigation Functions

1. Review, conduct investigation, analyze the case, and prepare a case investigation report into the matters referred by the ACC and any other authorities.
2. Review, conduct internal investigations, and prepare a report of complaints received against the employee of the Commission or any such tasks assigned by the superiors from time to time.
3. Receive investigation report, analyze the case, and prepare a detailed case report for submission to the OAG for prosecution.
4. Provide assistance to the investigation teams on any legal issue likely to impact an investigation or any subsequent prosecution.
5. Assist the investigation teams in obtaining court warrants from jurisdictional Courts in relation to cases under investigation.

6. Review investigation reports, and determine the probable charges and the persons to be charged.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials from the Department and Division.
2. Guide and advice enforcement officials in the field in the implementation of regulatory provisions under the relevant Acts.
3. Assist in the implementation of international conventions related to the Commission.
4. Implement the laws relevant to the Commission.
5. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.

Quasi-judicial Functions

1. Ensure that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.
2. Serves as a member of the dispute review committee on appeal cases.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws relating to the Commission to the general public and civil servants in consultation with the OAG.
2. Conduct Advocacy Programs to the staff of the Commission on the latest developments in laws and policies related to the RCSC.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.

3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the RCSC.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee/Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committee and body as prescribed by the laws.
3. Represent working agencies in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR NATIONAL COMMISSION FOR WOMEN AND CHILDREN (NCWC)

Prosecution of criminal cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:

- (a) including providing information and documents related to sector-specific cases; and
- (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunal on behalf of the NCWC below three million.
2. Represents the NCWC before the Court or arbitral tribunal in civil cases.
3. Be the focal point of civil cases, if it is referred to the OAG for litigation/adjudication.

Advisory and Legal Service

1. Coordinate and conduct investigations for the matters referred by the ACC and RCSC.
2. Assist audit focal person in dealing with audit memos pertaining to misuse of government revenue and contractual issues.
3. Carry out ad hoc activities as and when being directed by the management or superiors;
4. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.
5. Provide legal opinions and advice to the Commission on legal issues affecting the Commission.
6. Oversee the Commission's compliance with applicable law, regulations, and policies;
7. Provide legal assistance to the Commission.
8. Translate the legal opinions/views as and when directed by the Head of the Agency.

9. Translation of Rules or Regulations, and other legal documents pertaining to the *Child Care and Protection Act of Bhutan 2011*, the *Child Adoption Act of Bhutan 2012* and, the *Domestic Violence Act of Bhutan 2013* for its effective implementation.
10. Accredite a registered national civil society organization as a Service Provider for women and children.
11. Spearhead, coordinate and implement the Adoption Guidelines and alternative Care Guidelines, and ensure that adoptions, foster and kinship care are carried out as per set procedures, and in the best interests of the children.
12. Maintain and update proper records of numbers of children adopted (both domestic and inter-Country) and children placed under alternative care services through the Central Information Management system and in hard copy.
13. Maintain and update proper records of national laws, international treaties, conventions, and agreements for reference during drafting, reviewing, and providing legal services.
14. Analyze data pertaining to adoption and alternative care to have effective services and interventions to ensure the continued well-being of children.

Drafting and Review of Bills, and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the NCWC.
2. Draft bills including amendment bills on those subject-matter within the mandate of the NCWC.
3. Draft or revise delegated legislations on those subject matter within the mandate of the NCWC.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.

5. Coordinate within the NCWC for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing of existing legislations concerning the NCWC.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the NCWC.
7. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the NCWC.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the NCWC during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.
11. Review relevant legislations or legal documents of NCWC, if any and submit recommendations to the OAG.
12. Prepare Country Reports.

Investigation Functions

1. Review, conduct investigation, analyze the case, and prepare case investigation reports into the matters referred by the ACC and RCSC and any other authorities.
2. Review, conduct the internal investigation and prepare a report of complaints received against the employee of the Commission.

3. Receive investigation report, analyze the case, and prepare a detailed case report for submission to the OAG for prosecution;
4. Provide assistance to the investigation teams on any legal issue likely to impact an investigation or any subsequent prosecution;
5. Assist the investigation teams in obtaining court warrants from jurisdictional Courts in relation to cases under investigation.
6. Review investigation reports, and determine the probable charges and the persons to be charged.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials from the Commission.
2. Guide and advice enforcement officials in the field in implementation of regulatory provisions under the relevant Acts.
3. Assist implementation of international conventions related to the Commission.
4. Implement the laws relevant to the Commission.
5. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.

Quasi-judicial Functions

1. Ensure that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws to the general public in consultation with the OAG.
2. Conduct Advocacy programs to the staff of the NCWC, Department, or Division on the basic legal requirements in decision making.
3. Disseminate information to enhance awareness of laws pertaining to women and children to government agencies, civil society organizations, and the general public to create legal

awareness. Serve as a resource person for training programs to enhance the capacity of key stakeholders.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the NCWC.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee/Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committee and body as prescribed by the laws.
3. Represent working agencies in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR CONSTRUCTION DEVELOPMENT BOARD (CDB)

Prosecution of criminal cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals including disciplinary referrals to the agencies.

Litigation and arbitration of civil cases

1. Review and conduct the internal investigation and prepare a report of complaints received against the employee of the CDB or any such tasks assigned by the head of the CDB from time to time.
2. Represents the CDB before the Court or tribunals in sector-specific civil cases.

Advisory and Legal Service

1. Provide information for investigation sector-specific matters sought by the ACC.
2. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.

3. Provide legal assistance/support to the head of the CDB, Divisions, and officials in general.
4. Serve as a Member Secretary to the Board Meetings.
5. Provide legal advice on policy and regulatory aspects to contractors, consultants, and construction professionals.
6. Recommend suspension, cancellation, downgrading, and imposition of administrative sanctions on contractors, consultants and other registrants.
7. Serve as Focal point for the formulation of Construction Quality Compliance Framework, a World Bank Project.
8. Provide legal opinion to the government agencies and contractors with regards to public procurement, contract administration, and dispute resolution.
9. Serve as Focal point for MoUs signed with foreign institutions (Construction Industry Arbitration Council of India, Construction Institute of Thailand & Construction Industry Development Council of Malaysia) with similar mandates to CDB.
10. Facilitate implementation of MoUs signed with foreign and regional institutions.
11. Advocate the legal instruments necessary for contractors, consultants, and the construction industry in general.
12. Serve as a National Taskforce member for:
 - a. review of Public Procurement Process;
 - b. Construction sector – 21 Century Economic Road-Map;
 - c. National Construction Industry Policy Implementation; and
 - d. drafting of Construction Bill.

Drafting, Review of Bills and other Legal Instruments

1. Advise on, coordinate, and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the CDB.

2. Draft bills including amendment bills on those subject-matters within the mandate of the CDB.
3. Draft or revise delegated legislation on those subject matters within the mandate of the CDB.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the CDB for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing existing legislation concerning the CDB.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the CDB.
7. Assist in the framing and review of manuals, guidelines, policies, and procedures concerning the CDB.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the CDB during the consultations on sectoral legislation, draft sectoral bills, rules or regulations, or other legal related matters, if required.
11. Review relevant legislation or legal documents of CDB, if any, and submit recommendations to the OAG.

Regulatory and Enforcement functions

1. Coordinate and conduct seminars and workshops for enforcement and regulatory officials regarding the construction industry.

2. Guide and advice enforcement officials in the field in implementation of regulatory provisions under the relevant Acts and delegated legislations.
3. Assist implementation of international conventions related to the CDB.
4. Implement the laws and legal instruments relevant to the CDB.
5. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award; and
6. Serve as a member of the Monitoring Committee to:
 - a. oversee implementation of Monitoring Guideline;
 - b. suspend, Downgrade and take other administrative actions on contractors;
 - c. recommend to monitor specific construction sites and issue written instructions; and
 - d. report non-compliance by the parties to the contract to the Board & Royal Audit Authority.

Quasi-judicial Functions

1. As a Member Secretary to the Construction Grievance Redressal Committee, he/she is responsible for the following:
 - a. receive grievances related to non-payment of wages, Human Resource issues, misuse of Construction Development Board database, and any other issues in the construction industry;
 - b. facilitate the conduct of Construction Grievance Redressal Committee proceedings; and
 - c. implement the decisions of the Committee.
2. As a Member Secretary of Ethics Committee, he/she is responsible for:
 - a. receive cases for breach of 6 ethical principles mentioned in Ethical Code of Conduct for Contractors 2019;

- b. facilitate the conduct of proceedings of Multisectoral Ethics Committee; and
- c. implement the sanctions decided by the Committee.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the CDB.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee/Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committee and body as prescribed by the laws.
3. Represent the CDB in seminars, conferences, meetings, and workshops related to legislation and legal matters.
4. Translate the legal documents as and when required.

ROLES AND MANDATES FOR NATIONAL COUNCIL OF BHUTAN (NC)

Investigation Functions, and support to the OAG

1. Guide the investigation of sector-specific criminal cases, and review the investigation report.
2. Support the OAG in providing information and documents related to the prosecution of sector-specific cases.

Litigation and arbitration of civil cases

1. Review and conduct the internal investigation and prepare a report of complaints received against the employee of the NC or any such tasks assigned by the head of the NC from time to time.
2. Represents the NC before the Court or tribunals in sector-specific civil cases.

Advisory and Legal Service

1. Serve as a concerned Agency to participate in all the processes in accordance with the *Rules of procedure for Treaty Making 2016*.
2. Provide legal assistance to the NC.
3. Provide legal advice to the Chairperson, Parliamentary Committees, Members of National Council, and the Secretariat.
4. Give legal opinion and advice on the constitutionality of bills, resolutions proposed, amendment(s) to laws, and executive orders.
5. When required, present legal implications of specific provisions of the Constitution, laws and executive orders, international conventions, treaties, and agreements to which Bhutan is a party.
6. Provide advice and updates on parliamentary procedures and best practices.
7. Help promulgate rules and regulations concerning the activities of the Secretariat.
8. Handle legal matters of the Parliamentary Committees:

- a. provide staff support, document Committee and public hearings;
- b. provide administrative and operational support for committee activities in collaboration with other units/services of the Secretariat;
- c. prepare correspondences, Committee reports, and official communications of the committee;
- d. edit, proofread and coordinate printing, distribution, and archival of resolutions and minutes or transcript of committee proceedings and meetings;
- e. carry out research as and when required with regard to any matters to be discussed in the Committee proceedings;
- f. provide procedural and professional advice to the Committee as deemed necessary;
- g. organize Committee meetings effectively;
- h. facilitate in preparation of Committee work plan in consultation with the Committees; and
- i. liaise with relevant stakeholders on the requirement of their participation during the committee meetings.

Drafting, Review of Bills and other Legal Instruments

1. Monitor and prepare status reports on bills referred to committees and ensure access to high procedural advice and professional counsel for committee works.
2. Review bills, international instruments, rules, and regulations to ensure constitutionality, form, style, and substance.
3. Prepare contracts, deeds, and instruments to which the Secretariat is a party and interpret provisions of contracts concerning works private clients performed for the Secretariat.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as the repository for all the laws passed by Parliament and other legal instruments drafted by the Secretariat.
2. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the Secretariat of the NC.
3. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee/Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committee and body as prescribed by the laws.
3. Represent working agencies in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR NATIONAL ASSEMBLY OF BHUTAN (NA)

Investigation Functions and Support to the OAG

1. Guide the investigation of sector-specific criminal cases and review the investigation report.
2. Support the OAG in providing information and documents related to the prosecution of sector-specific cases.

Litigation and arbitration of civil cases

1. Review and conduct the internal investigation and prepare a report of complaints received against the employee of the Agency or any such tasks assigned by the head of the agency from time to time.
2. Represents the Agency before the Court or tribunals in sector-specific civil cases.

Advisory and Legal Service

1. Serve as a focal person to participate in all the processes in accordance with the *Rules of procedure for Treaty Making 2016*.
2. Provide legal assistance to the NA.
3. Provide legal advice to the Chairperson, Parliamentary Committees, Members of National Assembly, and the Secretariat.
4. Render legal opinion and advice on the constitutionality of bills, resolutions proposed, amendment(s) to laws and executive orders.
5. When required, present legal implications of specific provisions of the Constitution, laws and executive orders, international conventions, treaties, and agreements to which Bhutan is a party.
6. Provide advice and updates on parliamentary procedures and best practices.
7. Help promulgate rules and regulations concerning the activities of the Secretariat; and
8. Handle legal matters of the Parliamentary Committees:

- a. provide staff support, document committee, and public hearings;
- b. provide administrative and operational support for committee activities in collaboration with other units/services of the Secretariat;
- c. prepare correspondences, committee reports, and official communications of committees;
- d. edit, proofread and coordinate printing, distribution, and archival of resolutions and minutes or transcript of committee proceedings and meetings;
- e. carry out research as and when required with regard to any matters to be discussed in the Committee proceedings;
- f. provide procedural and professional advice to the Committees as deemed necessary;
- g. organize Committee meetings effectively;
- h. facilitate in preparation of committee work plan in consultation with the Committees; and
- i. liaise with relevant stakeholders on the requirement of their participation during the committee meetings.

Drafting and Review of Bills and other Legal Instruments

1. Monitor and prepare status reports on bills referred to committees, and ensure access to high procedural advice and professional counsel for committee works.
2. Review bills, international instruments, rules, and regulations to ensure constitutionality, form, style, and substance.
3. Prepare contracts, deeds, and instruments to which the Secretariat is a party and interpret provisions of contracts concerning works private clients performed for the Secretariat.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as the repository for all the laws passed by Parliament and other legal instruments drafted by the Secretariat.
2. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the Secretariat.
3. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee or Disciplinary Committee of the concerned agency and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committees and body as prescribed by the laws.
3. Represent working agencies in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR TOURISM COUNCIL OF BHUTAN (TCB)

Prosecution of criminal cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals.

Litigation and arbitration of civil cases

1. Review and conduct the internal investigation and prepare a report of complaints received against the employee of the Agency, or any such tasks assigned by the head of the agency from time to time.
2. Represents the Agency before the Court or tribunals in sector-specific civil cases.

Advisory Functions

1. Act as a legal adviser to all the policy formulation team of the TCB.
2. Provide legal advice and opinion on the matters of law and issue requiring legal opinion to the head of the Council or relevant authorities.

Investigative Functions

1. Lead or be a member of any investigating team if a complaint is received from within TCB or relevant authorities.
2. Prepare and submit the investigation report to the relevant authorities for further legal action.

Drafting and Review Functions

1. Advise on, coordinate, and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the TCB.
2. Draft bills including amendment bills on those subject-matters within the mandate of the TCB.
3. Draft or revise delegated legislation on those subject matters within the mandate of the TCB.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the TCB for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing existing legislation concerning the TCB.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the TCB.
7. Assist in the framing and review of manuals, guidelines, policies, and procedures concerning the TCB.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the TCB during the consultations on sectoral legislation, draft sectoral bills, rules or regulations, or other legal related matters, if required.

11. Review relevant legislation or legal documents of TCB, if any and submit recommendations to the OAG.

Reviewing and resolving complaint received against the tourism service provider

1. Reviewing the complaint received against tour operators.
2. Reviewing the complaint received against guides.
3. Reviewing the complaint received against TCB certified accommodation providers
4. Reviewing the complaint received against other tourism service providers.
5. Preparing the brief on the complaint received for submission to the Dispute Settlement Committee.
6. Coordination and organizing the Dispute Settlement Committee meeting as per the rules and procedure of the committee.
7. Informing the parties to the complaint on the meeting, keeping a record of the meeting, conveying the decision of the committee to the parties, and follow up.

Quasi-judicial Functions

1. Following up and taking action as per the report (complaints) received from the internal division and external agencies.
2. Review, prepare briefs, and take action as per the directives of the management.
3. Submit to the dispute settlement committee for settlement, if required.
4. Serves as Disputes Settlement Committee, as required by the laws.

Legal Advocacy and Dissemination Functions

1. Disseminate information to enhance awareness of relevant laws and policies of the TCB to the general public in consultation with the OAG.
2. Conduct Advocacy programs to the staff of the TCB on basic legal requirements in decision making.

3. Providing briefing to the trainees (especially guides, tour operators, drivers) on the codes of conduct and relevant laws related to tourism.

Acting as SAARC tourism focal for Bhutan

1. Compiling the information (relevant Agencies).
2. Keeping a record of the decisions of the SAARC meeting on tourism.
3. Following up on the decision.
4. Sharing information and submitting the report.

Acting as a *United Nations World Tourism Organization (UNWTO)* focal for Bhutan

1. Compiling the information (relevant Agencies).
2. Keeping record of the decision of the UNWTO meeting.
3. Following up on the decision.
4. Corresponding and sharing information through drafting a letter, seeking approval.

**ROLES AND MANDATES FOR BHUTAN NARCOTIC
CONTROL AGENCY (BNCA)**

Prosecution of criminal cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals including disciplinary referrals to the agencies.

Support Investigation and Prosecution

1. Guide and assist law enforcement officials in carrying out investigations for offenses under the *Narcotic Drugs and Psychotropic Substances and Substance Abuse Act 2018* and *Tobacco Control Act 2010*.
2. Serve as a Contact Point to the OAG for any legal opinions.
3. Compile and prepare a case investigation report requiring prosecution and submit the case to the OAG/RBP.

Advisory and Legal Service

1. Provide legal advice to the Head of Authority on issues falling within the legal domain of the Authority as and when sought by the Head/Divisions.
2. Advice and guide inspectors and authorized officers to enforce or implement the procedural laws as per *Civil and Criminal Procedure Code 2001*, *Narcotic Drugs and Psychotropic Substances and Abuse Act 2015*, *Tobacco Control Act 2010*, and other subsidiary legislations.
3. Provide advice and interpretation on provisions of the *Narcotic Drugs and Psychotropic Substances and Abuse Act 2015*, *Tobacco Control Act 2010*, and its rules to other law enforcement agencies including RBP and DRC.
4. Translate the legal opinions/views as and when directed by the Head of Agency.
5. Render legal services to the Office with respect to questions, investigations, regulations, practices, or other issues falling within the purview of the National law.
6. Guide and advise the Central and Regional Treatment Assessment Panels on the legal procedures for the treatment of persons charged with the offense of substance abuse and non-compliance with treatment orders.

7. Advise Policy and Planning Unit in any decision makings related to policy and planning which will have legal implications.
8. Guide and advise on any legal matters related to research on Cannabis and other narcotic drugs and psychotropic substances (NDPS).
9. Advise and guide implementation of gender mainstreaming activities to all the Divisions.
10. Advise the Authority to institutionalize collaboration with the relevant oversight agency to create harmonious working relations through the signing of a MoUs.
11. Execute any orders or directives of the Authority.

Drafting and Review of Legislations and Legal Instruments

1. Advise on, coordinate, and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the BNCA.
2. Draft bills including amendment bills on those subject-matters within the mandate of the BNCA.
3. Draft or revise delegated legislation on those subject matter within the mandate of the BNCA.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the BNCA for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing existing legislation concerning the BNCA.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the BNCA.

7. Assist in the framing and review of manuals, guidelines, policies, and procedures concerning the BNCA.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the BNCA during the consultations on sectoral legislation, draft sectoral bills, rules or regulations, or other legal related matters, if required.
11. Review relevant legislation or legal documents of BNCA, if any, and submit recommendations to the OAG.
12. Review cannabis and other NDPS research proposals and draft guidelines.
13. Interpret and draft legal directives and correspondence especially in Dzongkha.

Assist Regulatory and Law Enforcement Officials

1. Coordinate and conduct workshops for law enforcement and regulatory officials of the Authority and its stakeholders.
2. Guide and advise law enforcement officials in the field in the implementation of regulatory provisions of the relevant Acts.
3. Assist in the implementation of international conventions, treaties, and bi-lateral or multilateral agreements related to the Authority.
4. Coordinate and assist the Divisions in carrying out stakeholder consultation meetings.

Enforcement functions

1. Enforce court judgment related to Substance abuse and Tobacco.
2. Enforce the decisions, resolutions, or disciplinary action of the Committee or Body.

3. Enforce court judgement in civil or criminal cases and decisions of Tribunals.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws, policies, or regulations of the Authority to the general public in coordination with the relevant stakeholders.
2. Conduct Advocacy programs to the regulatory and law enforcement officials of the Authority and its stakeholders on the *Narcotic Drug and Psychotropic Substances and Substance Abuse Act 2015* and *Tobacco Control Act 2010*.

Legal Research

1. Conduct research on relevant international laws and other legal instruments related to the Authority as and when assigned by the Head of Agency.
2. Initiate legal research and its publication related to NDPS and Tobacco.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the BNCA.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Taskforce

1. Serve as a member of the HRC and Treatment Assessment Panel and Technical Advisory Committee formed under the Narcotic Control Board to ensure that due process of law, and other legal principles are being followed.
2. Represent the Authority in meetings and workshops related to Legislation and legal matters.
3. Be a member of the task force and committees within and beyond the Authority as per the instruction of the Head of the Authority.

Other Functions

1. Assist in the planning and celebration of International Day Against Drug Abuse and Illicit Trafficking, on 26 June and World No Tobacco Day, on 31 May each year.
2. Carry out any other activities or functions as and when assigned by the Head of Agency linked with legal matters.

ROLES AND MANDATES FOR CABINET SECRETARIAT

Prosecution and Litigation

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws in consultation with OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals including disciplinary referrals to the agencies.

Litigation of Civil cases

1. Represent Prime Minister's Office or Lhengye Zhuntshog before the courts and tribunals in civil cases.

Legal Advice

1. Provide legal advice to the Prime Minister and the Lhengye Zhungtshog.
2. Seek a legal opinion from the OAG on the request of the Government Agencies.

Drafting and Review

1. Review the bills tabled in the Parliament and submit necessary recommendations to the Prime Minister and the Lhengye Zhungtshog.

Quasi-judicial Function

1. Serve as a member of the Human Resource Committee.
2. Review grievance petitions, undertake fact finding by complying with due process of laws, and submit recommendations based on the principles of natural justices to the Prime Minister and the Lhengye Zhungtshog.
3. Study paper/issue received, and contact relevant agencies if necessary.
4. Consult relevant Ministries/agencies.
5. Study relevant laws.
6. Write and submit legal views.

Forwarding of letter from Govt. Agencies to the OAG for Legal Opinion

1. Study letter received for Legal Opinion.
2. Draft forwarding letter to the OAG/ respond to the agency on process

Submits Legal Views to the Lhengye Zhungtshog

1. Study all documents submitted to Lhengye Zhungtshog.
2. Submit legal views to the Prime Minister during agenda briefing to the Prime Minister.
3. attend Lhengye Zhungtshog and submit views.

Grievance redressal

1. Study appeal submitted.
2. Fact-finding on the matter by calling up.
3. Study relevant laws.
4. Draft views and submit them to the Prime Minister.

Daily Law Briefing

1. Study an article/ chapter of law daily and conduct research.
2. Brief the Prime Minister.

Legislative Impact Assessment (forward plan)

1. Study Forward Plan submitted by Agencies.
2. Liaise with relevant agencies if there are any issues.
3. Submit a forward plan to Lhengye Zhungtshog.
4. Upload the forward plan.

Forward Plan

1. Legislative proposal submitted by agencies.
2. Liaise with relevant agencies.
3. Submit the forward plan to the Lhengye Zhungtshog.

RIA Report

1. Study RIA report including on detailed consultation, and cost-benefit analysis.
2. Submit to Lhengye Zhuntshogtshog if all the requirements are fulfilled.

Pre-Meeting

1. Study the MoU received, and review to analyse whether the MoU is as per the requirement of MoU format.
2. Forward the MoU/International Instruments to the OAG for legal opinion.
3. Compile the MoU, legal Opinion, and Political clearance.
4. Coordinate the MoU Committee meetings (inform Members and proponent agencies via email and call) and conduct a meeting.

During the meeting

1. Record minutes of the meeting.

2. Provide views on, and background of the MoU.

After the Meeting

1. Draft approval/directives on MoU.
2. Issue letters after getting endorsed

Parliamentary session

Daily

1. Submit a daily Business Order to the Prime Minister.
2. Liaise with relevant agencies for documents.
3. Study reports, Bills and Motions moved in the Parliament – 6 hrs.
4. Submit views to the Prime Minister.

Question Hour Session National Assembly

1. Liaise with the National Assembly secretariat and ensure the receipt of questions before 48hrs.
2. Study and submit questions (written and oral) received from the National Assembly.
3. Liaise with relevant agencies to prepare responses to the questions.
4. Study responses submitted by agencies and request for additional information, and make necessary changes.
5. Submit a response to the Prime Minister and request agencies if additional information is required.
6. Translate the response received and submit it to the Prime Minister.

Question Hour Session National Council

1. Liaise with the National Assembly secretariat and ensure the receipt of questions before 48 hrs.
2. Study and submit questions (written and oral) received from the National Council.
3. Liaise with relevant agencies to prepare responses to the questions.
4. Study responses submitted by agencies and request for additional

- information, and make necessary changes.
5. Submit responses to the Prime Minister and request agencies if additional information is required.
 6. Translate the response received.
 7. Attend a Q&A session with the PM during an oral session in the National Council.

ROLES AND MANDATES FOR BHUTAN MEDICAL AND HEALTH COUNCIL (BMHC)

Prosecution of Criminal Cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases concerning but not limited to procurement, recovery, etc. before the Court or arbitral tribunal on behalf of the BMHC.
2. Represents the BMHC before the Court or arbitral tribunal in civil cases.
3. Carry out fact-finding and document inquiry with relevant divisions/services.

4. Assist with resolving audit memo issues regarding recoveries of outstanding amounts through misuse or contractual issues through civil suits.

Advisory and Legal Service

1. Provide legal advice to the BHMC on issues falling within the domain of the BHMC including on the interpretation of the *Bhutan Media and Health Council Act 2002* and the regulations, whenever required.
2. Provide legal assistance to the Registrar or any policy formulation team.
3. Provide support and advice to the BMHC on MoUs.
4. Provide support and advice for enforcement or implementation prescribed under the relevant law.
5. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.
6. Carry out ad hoc activities whenever required, if directed by the management or superiors.

Drafting and Review of Bills and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the BHMC.
2. Draft bills including amendment bills on those subject-matter within the mandate of the BHMC.
3. Draft or revise delegated legislations on those subject matter within the mandate of the BHMC.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing*

of Bills and Delegated Legislations 2018, if a bill or delegated legislation is referred for drafting or review to the OAG.

5. Coordinate within the BHMC for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing of existing legislations concerning the BHMC.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the BHMC.
7. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the BHMC.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the BHMC during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.
11. Review relevant legislations or legal documents of BHMC, if any and submit recommendations to the OAG.

Investigation Functions

1. Guide investigation procedures and review investigation reports, and ensure that due process of law is followed during investigation, when complaints are received or directed to the BMHC.
2. Provide information for investigation on sector-specific matters sought by the ACC.
3. Take depositions from relevant divisions or officials, and other stakeholders as prescribed by law.
4. Investigate and prepare report on administrative cases as directed by the management.

5. Receive investigation report, analyze the case and prepare a detailed case report for submission to the OAG for prosecution or HRC for administrative discipline.

Regulatory and Enforcement Functions

1. Guide and advice enforcement officials in the field on implementation of regulatory provisions under the relevant Acts.
2. Assist in the implementation of international conventions related to the Ministry of Health.
3. Implement the laws relevant to the BHMC.
4. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.

Quasi-judicial Functions

1. Ensure that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.

Dissemination and Legal Advocacy

1. Disseminate relevant laws to the general public and medical practitioners in consultation with the OAG.
2. Conduct awareness presentations to the staff of the BHMC on latest developments in laws and policies related to BHMC.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the BHMC.
2. Document and keep records of legal documents and correspondence of the legal section.

Member of a Committee or Body

1. Serve as a member of a Human Resource Committee or Disciplinary Committee of the BMHC, and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committees if directed by the Council, or as prescribed by law.
3. Represent the BMHC in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR NATIONAL LAND COMMISSION SECRETARIAT (NLCS)

Prosecution of Criminal Cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunal on behalf of the NLCS.
2. Represent the NLCS before the Court or arbitral tribunal in civil cases.
3. Serve as focal person for civil cases, if it is forwarded to the OAG for litigation.

Advisory and Legal Service

1. Provide legal advice to the NLCS on issues falling within the domain of the NLCS including on the interpretation of the *Land Act 2007* whenever required.
2. Provide legal assistance to the Secretary of the NLCS, head of divisions, officials or any policy formulation team.
3. Provide support and advice to any division or department of NLCS on MoUs.
4. Provide support and advice for enforcement or implementation prescribed under the relevant law.
5. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.
6. Carry out ad hoc activities whenever required, if directed by the management or superiors.

Drafting and Review of Bills and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the NLCS.

2. Draft bills including amendment bills on those subject-matter within the mandate of the NLCS.
3. Draft or revise delegated legislations on those subject matter within the mandate of the NLCS.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate within the NLCS for carrying out stakeholder consultation meetings during the process of drafting of bills or reviewing of existing legislations concerning the NLCS.
6. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the NLCS.
7. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the NLCS.
8. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
9. Review and provide inputs and comments on sectoral legislation referred by other agencies.
10. Represents the NLCS during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.
11. Review relevant legislations or legal documents of NLCS, if any and submit recommendations to the OAG.

Investigation Functions

1. Review, conduct investigation, analyze the case and prepare a case investigation report into the matters referred by ACC, RCSC or any other authorities.

2. Review, conduct the internal investigation and prepare a report of complaints received against the employee of the NLCS or any such tasks assigned by the Chief, Directors, or the Secretary.
3. Receive investigation report, analyze the case and prepare a detailed case report for submission to the OAG for prosecution or HRC for administrative discipline.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials from the Departments and Divisions within the NLCS.
2. Guide and advice enforcement officials in the field in implementation of regulatory provisions under the relevant Acts, if any.
3. Assist in the implementation of international conventions related to NLCS.
4. Implement the laws relevant to the NLCS.
5. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.

Quasi-judicial Functions

1. Ensure that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.
2. Register or dismiss a case after conducting a preliminary case study.
3. Provide secretarial services to the Dispute Settlement Committee.
4. Recommend appropriate actions to be taken on the case.
5. Proceed to the spot, collect and evaluate evidence, statements, and ascertain the facts and circumstances of the case.
6. Prepare investigation reports incorporating the findings and supporting evidence.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws to the general public in consultation with the OAG.
2. Conduct advocacy programs to the staff of the NLCS on latest developments in laws and policies related to the NLCS.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments as a reference in drafting and reviewing bills and delegated legislation.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as the repository including maintaining archives for laws and other legal instruments relevant or entered into by the NLCS.
2. Ensure proper documentation and record-keeping of all legal documents and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee or Disciplinary Committee of the NLCS and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committees if directed by the management of NLCS, or as prescribed by the laws.
3. Represent NLCS in meetings and workshops related to legislation and legal matters.

ROLES AND MANDATES FOR NATIONAL ENVIRONMENT COMMISSION (NEC)

Prosecution of Criminal Cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunal on behalf of the NEC.
2. Represents the NEC before the Court or arbitral tribunal in civil cases.
3. Be a focal for civil cases if it is forwarded to the OAG for litigation or adjudication.

Advisory and Legal Service

1. Provide legal services, advice or opinion to NEC, and Competent Authorities including Dzongkhags and Thromdes on environmental matters under national laws and international environmental agreements, treaties and conventions.
2. Represent and negotiate bilateral or multilateral environmental agreements.
3. Assist audit focal person in dealing with audit memos pertaining to misuse of government revenue and contractual issues.

4. Carry out ad hoc activities whenever required, if directed by the management or superiors.
5. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.

Drafting and Review of Bills and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the NEC.
2. Draft bills including amendment bills on those subject-matter within the mandate of the NEC.
3. Draft or revise delegated legislations on those subject matter within the mandate of the NEC.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate and consult with relevant agencies during the process of drafting or revision of legislation concerning the NEC.
6. Assist in the framing and review of manuals, guidelines, policies and procedures concerning the NEC.
7. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
8. Review and provide inputs and comments on sectoral legislation referred by other agencies.

9. Represents the NEC during the consultations on sectoral legislations, draft sectoral bills, rules or regulations, or other legal related matters, if required.

Investigation Functions

1. Review, conduct investigation, analyze the case and prepare a case investigation report into the matters referred by ACC, RCSC or any other authorities.
2. Guide investigation procedures and ensure that due process of law is followed during investigation.
3. Receive investigation report, analyze the case and prepare a detailed case report for submission to the OAG for prosecution, if required.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials.
2. Be an integral part of the assessment of developmental activities subjected to Environmental Clearance (EC), and participate in decision making ensuring that every EC issued by the NEC has distinct and legally worded terms and conditions.
3. Assist concerned divisions:
 - (a) on matters concerning non-compliance of the EC;
 - (b) determinate the penalty amounts commensurate with the offences;
 - (c) on matters concerning overall noncompliance to the provisions of the *Environment Assessment Act 2000* and the Regulations; and
 - (d) on appeals from decisions of NEC or Competent Authorities.
4. Provide legal services in the implementation of the Multilateral Environmental Agreements.
5. Guide and advice enforcement officials in the field in the implementation of regulatory provisions under the relevant Acts.

6. Assist in the implementation of international conventions related to the NEC.
7. Guide, monitor and assist in implementation of the laws relevant to the Commission including laws on water, waste, EC and other relevant environmental law.

Quasi-judicial Functions

1. Ensures that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.
2. Assess appeals, and follow up on all appeals on EC, waste, water and other issues.

Dissemination and Legal Advocacy

1. Disseminate information to enhance awareness of relevant laws to the concerned agencies, and general public in consultation with the OAG.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic and international environmental affairs.
3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the NEC.
2. Ensure proper documentation and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee or Disciplinary Committee of the NEC, and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committees and bodies as prescribed by the laws.
3. Represent NEC in meetings and workshops related to legislations and legal matters, if invited by other agencies.

ROLES AND MANDATES FOR CIVIL SOCIETY ORGANIZATION AUTHORITY (CSOA)

Prosecution of Criminal Cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws, in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:
 - (a) including providing information and documents related to sector-specific cases; and
 - (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunal on behalf of the CSOA.
2. Represents the CSOA before the Court or arbitral tribunal in civil cases.
3. Be a focal person for civil cases if it is forwarded to the OAG for litigation.

Advisory and Legal Service

1. Serve as a relevant Agency of the Government to undertake necessary treaty-making processes, if directed by the Lhengye Zhungtshog or as a relevant stakeholder, if identified by the concerned Agency to participate in all the stakeholder consultations and processes in accordance to the *Rules of procedure for Treaty Making 2016*.
2. Recommend for addition or removal of anybody or institution from the registered CSOs for violation of the Act or any other laws of Bhutan, or laws of any other country where CSOs may be operating.
3. Provide legal assistance to the Registration Unit for scrutinizing or reviewing the applications.
4. Provide guidance to the Compliance and Monitoring Unit concerning cases with legal issues.
5. Render legal advice to the Authority in keeping with the *Civil Society Organizations Act 2007*, (CSO Act) or any other relevant laws of the country.
6. Prescribe the application form, and application procedures for any person wishing to register a CSO as per the CSO Act.
7. Review and approve applications for registration of CSOs which satisfies the requirements, and provide written reasons for rejecting any application.
8. Facilitate approval of accreditation of foreign CSOs within the provisions of the Act, and other relevant Laws.
9. Coordinate between CSOs, the Authority and the Secretariat.
10. Carry out ad hoc activities whenever required, if directed by the management or superiors.

Drafting and Review of Bills and other Legal Instruments

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the CSOA.
2. Draft bills including amendment bills on those subject-matter within the mandate of the CSOA.
3. Draft or revise delegated legislations on those subject matter within the mandate of the CSOA.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate and consult with relevant agencies during the process of revision of legislation concerning the CSOA.
6. Assist in the framing and review of manuals, guidelines, policies and procedures concerning CSOA.
7. Prepare or review MoUs, Terms of References, agreements, contracts, and other legal documents.
8. Review and provide inputs and comments on sectoral legislation referred by other agencies.
9. Represents CSOA in the drafting process and consultation of sectoral legislations and other legal related matters, if invited by the concerned agencies.

Investigation Functions

1. Review, conduct investigation, analyze the case and prepare a case investigation report into the matters referred by ACC, RCSC or other authorities.

2. Review, conduct the internal investigation and prepare a report of complaints received against the employee of the CSOA, or any such tasks assigned by the head of the CSOA.

Regulatory and Enforcement functions

1. Coordinate and conduct workshops for enforcement and regulatory officials from CSOA.
2. Monitor the activities of the CSOs to ensure compliance with the CSO Act, and with the Articles of Association of the CSOs and the purpose for which they have been established.
3. Encourage and facilitate better internal administration of CSOs.
4. Initiate inquiries either generally or for particular purposes, if activities of the registered CSOs are not in compliance with the Act or any other relevant laws of the Country.
5. Examine the books of records and activities of CSOs when required.
6. Keep a public register of CSOs as described under Section 27 of the CSO Act.

Dissemination and Legal Advocacy

1. Disseminate relevant laws to the general public in consultation with the OAG.

Legal Research Functions

1. Conduct research on relevant international laws and other legal instruments for reference in drafting and reviewing bills and delegated legislations.
2. Conduct desk review and comparative studies to assist in preparing legal opinions on domestic affairs.

3. Write a legal research paper annually on issues related to recent developments in laws, jurisprudence and current affairs for publication in the OAG journal.

Repository and Documentation Functions

1. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the CSOA.
2. Ensure documentation, and record-keeping of legal documents, and correspondence of the legal section.

Member of the Committee or Body

1. Serve as a member of a Human Resource Committee or Disciplinary Committee of the CSOA, and ensure that the Committee follows the due process of law, and principles of natural justice while arriving at the decision.
2. Serve as members of Committees and bodies as prescribed by the laws.
3. Represent CSOA in meetings and workshops related to legislations and legal matters, if invited by the concerned agencies.

ROLES AND MANDATES FOR BHUTAN CIVIL AVIATION AUTHORITY (BCAA)

Prosecution of Criminal Cases

1. Prosecute criminal cases before the court, if:
 - (a) delegated by the OAG, through the issuance of the Power of Attorney by the Attorney General; or
 - (b) authorized and empowered by the specific laws in consultation with the OAG.
2. Serve as the focal or contact person for the cases referred to the OAG.
3. Coordinate with, and provide support to the OAG regarding cases referred for prosecution:

- (a) including providing information and documents related to sector-specific cases; and
- (b) follow-up on the court judgments and appeals.

Litigation of Civil cases

1. Institute civil cases before the Court or arbitral tribunal on behalf of the BCAA.
2. Represents the BCAA before the Court or arbitral tribunal in civil cases.
3. Be a focal for civil cases, if it is forwarded to the OAG for litigation.

Legal Functions

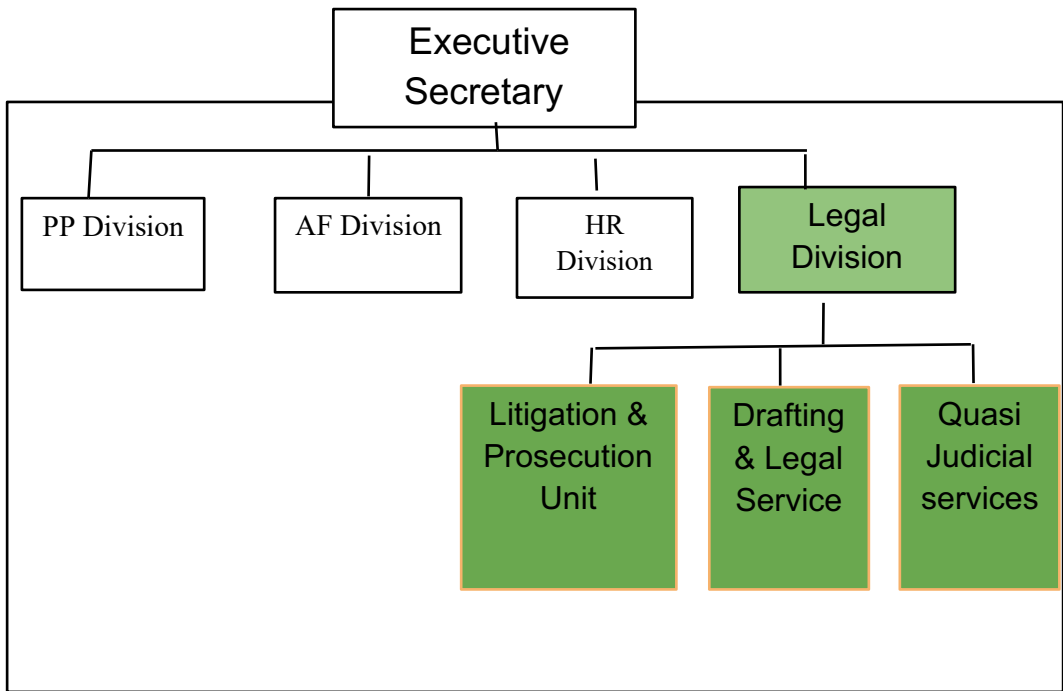
1. Provide legal opinions or draft legal memoranda concerning the interpretation of the Convention on International Civil Aviation and Annexes, and other international legal instruments.
2. Participate in negotiations and meetings requiring legal advice or expertise.
3. Prepare or review draft agreements, MoUs, contract and project documents to which the authority is a party.
4. Carry out research on various legal topics in international air law, competition law and dispute law.
5. Draft or review the Civil Aviation Act of Bhutan in accordance with the International Civil Aviation Convention.
6. Be the focal person for developing aviation laws, reviewing aviation related agreements such as Air Services Agreements with other countries.
7. Serve as a drafting instructor to OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to OAG.

8. Be the focal person for treaty depository functions of the Authority.
9. Maintain a close and harmonious working relation with the Member States by serving as a focal person, carrying out liaison and protocol functions, monitoring, and providing policy guidance and advice on MOUs.
10. Be the focal person for ICAO aeronautical agreements and arrangements.
11. Enforce the laws relevant to BCAA.
12. Conduct meetings or awareness programs relating to aviation law with the stakeholders.

Quasi-judicial Functions

1. Serve as a member of a Human Resource Committee or Disciplinary Committee of the BCAA, and ensures that the Committee observes and follows the due process of law, and principles of natural justice while performing the quasi-judicial functions.
2. Serve as members of Committees or bodies if directed by the BCAA, or as prescribed by the law.
3. Serve as ACC focal point for the BCAA.
4. Serve as a working level committee member for drone operations.

STRUCTURE OF LEGAL DIVISION IN THE THROMDES



ROLES AND MANDATES OF LEGAL OFFCIERS IN THROMDES

The Thromdes (Thimphu, Phuntsholing, Gelephu and Samdrup Jongkhar) shall have a Legal Division under Executive Secretary to carry out the prosecution or litigation, drafting and legal services. The Legal Division in Thromdes perform quasi-judicial mandates on issues related to tenancy, land and election disputes. Further, Legal Divisions provide advisory roles to Thromde Tshogde, Thrompon, Executive Secretary, Officials of other Divisions and the public. The Divisions also draft rules and regulation, guidelines and other legal instruments. The Divisions initiate litigation, arbitration relating to procurements and contracts, and compliance, recovery, and mediation.

Litigation Functions

1. Institute civil cases before the Court or arbitral tribunal on behalf of the Thomde.
2. Represents the Thomde before the Court or arbitral tribunal in civil cases.
3. Be a focal for civil cases if it is forwarded to the OAG for litigation.
4. Carry out fact finding and document enquiry with relevant Divisions.

Support Investigation & Prosecution

1. Guide investigation procedures and review investigation reports to ensure due process of law is followed during investigations, if complaints are received from within the Thomde, ACC, RAA, ECB, NLCS etc.
2. Provide information and documents to the OAG concerning prosecution of sector specific cases not prosecuted by legal officers of ministries and agencies.
3. Provide information for investigation sought by the ACC concerning Thomde matters.
4. Take depositions from relevant divisions or officials, or other stakeholders as prescribed by law.

Judgment Enforcement

1. Enforce court judgement in civil or criminal cases, decisions of Tribunals and arbitral award.
2. Enforce decisions of the dispute settlement committees of the Thomde as prescribed under the law.

Drafting and Review

1. Advise on, coordinate and conduct the Legislative Impact Assessment before the drafting of any bill or review of existing legislation concerning the Thomde.
2. Draft bills including amendment bills on those subject-matter within the mandate of the Thomde.
3. Draft or revise delegated legislations on those subject matter within the mandate of the Thomde.
4. Serve as a drafting instructor to the OAG and adhere to the relevant clauses of *Rules of Procedure of Drafting and Reviewing of Bills and Delegated Legislations 2018*, if a bill or delegated legislation is referred for drafting or review to the OAG.
5. Coordinate and consult with relevant agencies during the process of revision of legislation concerning the Thomde.
6. Assist in the framing and review of manuals, guidelines, policies and procedures related to the Thomde.
7. Prepare or review MoUs, Terms of References, Standard Operating Procedures, agreements, contracts, and other legal documents related to the Thomde.
8. Represent the Thomde in the drafting process and consultation of sectoral legislations and other legal related matters, if invited by the concerned agencies.
9. Seek any technical advice or support from the OAG on drafting bills or delegated legislation.
10. Review relevant Acts of the Local Government, if any and submit recommendations to the OAG.

Legal Advice

1. Provide legal advice and opinion on the matters of law and issue requiring legal opinion, to the Thompon, Executive Secretary and the management of Thomde.
2. Provide legal assistance to the head of the Agency, divisions and officials in general.
3. Provide legal advice on policy and regulatory aspects to Thomde.
4. Provide advice and support to the Thomde on MoUs.
5. Disseminate relevant laws of the Thomde to the general public.
6. Conduct awareness presentations to the staff of the Thomde on relevant laws.
7. Make presentations to the OAG on the specialized laws when requested.
8. Assist the Attorney General in providing legal advice on specialized subjects.

Quasi-judicial Functions

1. Serve as a member or member secretary of any committee as prescribed by the laws.
2. Serve as a member to other Disputes Settlement Committees as required by the laws.
3. Make presentations before the dispute settlement committee.
4. Carry out mediation functions as prescribed by the laws.
5. Serve as a focal person or a probation officer as delegated by relevant agencies.
6. Ensure that the Committee observes and follows the due process of law, and principle of natural justice while performing quasi-judicial functions.

Legal Advocacy and Dissemination Functions

1. Disseminate relevant laws to the general public in consultation with the OAG.

2. Conduct awareness presentations to the staff, management or Council of the Thomde on basic legal requirements in decision making.
3. Provide advocacy on the laws relevant to the Thomde.
4. Promote and disseminate the benefit of mediation.

Other Legal Functions

1. Represent the Thomde in meetings and workshops related to legislation and legal matters, if invited by the concerned agencies.
2. Implement the laws relevant to the Thomde.
3. Report to the OAG on the work plan of the legal officers in the Thomde and achievements, twice in a year.
4. Participate in Lawyers conferences and make presentations, if necessary.
5. Provide the following support to the Judiciary:
 - a. assist in carrying out the judicial investigations as directed by the Court;
 - b. assist in the delivery of summon orders as directed by the Court;
 - c. assist and support the rendering of expert opinion from the Thomde; and
 - d. assist and support in giving technical reports as directed to the Thomde by the Court.
6. Serve as a repository including maintaining archives for legislations and other legal instruments relevant or entered into by the Thomde.
7. Ensure proper documentation, and record-keeping of legal documents and correspondences of the legal section.

Any other Ad hoc services

1. Carry out ad hoc activities whenever required, if directed by the management, superiors, or the parent agency.

TERMS OF REFERENCE FOR LEGAL ASSISTANTS IN AGENCIES AND THROMDES

Criminal Prosecution and Civil Litigation:

1. The Legal Assistant shall;
 - (a) Review, prepare and register cases on behalf of the agency, in consultation with the Legal Head;
 - (b) In consultation with the legal head, ensure formulation of appropriate complaints 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 agency;
 - (d) Assist in representing the agency before the Court in criminal and civil matters or before the Arbitral tribunal in contractual disputes of the agency;
 - (e) Execute fact finding through document enquiry and review in relation to the facts of the case, under the supervision of the legal head;
 - (f) Enforce court judgment in criminal and civil cases, as well as enforcement of arbitral awards;
 - (g) Assist in guiding the enforcement officials in carrying out investigation of cases; And
 - (h) Assist in carrying out investigation in administrative matters forwarded by the relevant agencies.

Drafting and Review of Bills and other Legal Instruments

2. 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;
 - (b) Assist in the development and review of the manuals, guidelines, laws and by-laws;
 - (c) Assist in preparing/reviewing MoU, treaties, conventions and agreements, Terms of Reference for networking, recruitment, research and contracts, and other legal documents such as undertaking, letter of intent etc.;
 - (d) Assist in the review of 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; and
 - (g) Assist in reviewing relevant statutes or legal documents and submit recommendations to the Office of the Attorney General.

Advisory and Legal Service

3. The Legal Assistant shall;
 - a) Assist in providing legal advice on issues falling within the legal domain and authority of the agency 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 legal office for legal clarification;
 - d) Provide assistance in reviewing MoUs, Treaties, Conventions, Agreements, Covenants, and any other document that is proposed to be signed, acceded or ratified;
 - e) Assist legal officer in performing quasi-judicial functions;
 - f) Assist in the dissemination of the relevant laws to the general public; And
 - g) 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;

Others Functions:

- a) Attend workshops, meetings, seminars and trainings.
- b) Carry out ad-hoc legal activities as and when instructed by the Legal Head.