Legislation

STATUTE ON THE COLLEGE OF MONGOLIAN ADVOCATES*

Confirmed by Edict of the Presidium of the Great People's Khural of the MPR, No. 256, 30 October 1978

Chapter One. General Provisions

Article 1. The College of Mongolian Advocates shall be founded and shall operate in accordance with the provisions of the Constitution and other laws of the MPR for the purposes of ensuring the protection of the rights and legal interests of citizens and organizations through effectuating the right to defence of an accused and person brought to trial at the preliminary investigation and in court, representation in civil cases in court and arbitrazh, and also rendering other legal assistance to citizens, enterprises, institutions, and organizations, promoting the strengthening of socialist legality, and raising the legal nurturing of the working people.

Article 2. The College of Mongolian Advocates shall be a social organization which on a voluntary basis unites persons of legal specialties who engage in advocacy activity and shall be guided in its activity by the present Statute.

Article 3. The College of Mongolian Advocates shall exercise the following functions:
(a) giving consultations, information, and explanations regarding legal questions to citizens, enterprises, institutions, organizations, and agricultural associations;
(b) drawing up applications, appeals, and other documents of a legal character at the request of citizens, enterprises, institutions, organizations, and agricultural associations;
(c) participating in the preliminary investigation and judicial examination of criminal cases as defense counsel of the accused and persons brought to trial, as well as the representative of victims, civil plaintiffs, and civil defendants;
(d) representation in court and arbitrazh of enterprises, institutions, organizations, and agricultural associations upon the petition thereof and rendering legal assistance to them under contracts;
(e) legal propaganda and explanation of MPR legislation in order to raise the legal nurturing of the working people.

Article 4. Members of the College of Mongolian Advocates or persons confirmed as part-time [vneshtatnyi] advocates may engage in advocacy activity.

Article 5. The MPR Ministry of Justice shall effectuate general direction and control over the activity of the College of Mongolian Advocates.

The executive administrations of aimag, city, somon, khoron, and district khurals of people's deputies shall ensure organizational direction of local agencies of the College of Mongolian Advocates and control over its activity.

Article 6. The College of Mongolian Advocates shall enjoy the rights of a juridical person and shall have official stationery and stamps confirmed in the established procedure.

* Translated by W. E. Butler.
Article 7. An Instruction on payment for legal assistance rendered by advocates to citizens, enterprises, institutions, organizations, and agricultural associations shall be confirmed by the MPR Ministry of Justice by agreement with the State Committee for Labor and Wages of the MPR Council of Ministers, the MPR Ministry of Finances, and the Central Council of Mongolian Trade Unions.

Chapter Two. Composition of College of Mongolian Advocates

Article 8. Citizens of the MPR who have a higher or secondary legal education may be members of the College of Mongolian Advocates.

Article 9. Persons who have a conviction or who do not meet, by their political, moral, and professional qualities, the title of advocate shall not be admitted as members of the College of Mongolian Advocates.

Article 10. Questions of admission to membership of the College of Mongolian Advocates shall be decided at a session of the Presidium of the College.

Applications concerning admission to membership of the College of Mongolian Advocates shall be considered within a month from the date they are received at the Presidium of the College.

Article 11. Each member of the College of Mongolian Advocates shall have the right at any time to withdraw at his own wish from the College.

Article 12. Expulsion from the College of Mongolian Advocates shall occur in instances of:
(a) unsuitability for performing the duties of advocate;
(b) flagrant violation of the Rules for Internal Order of the College of Advocates and the unconscientious fulfillment of his duties;
(c) receipt by advocates of monetary compensation while by-passing the established procedure;
(d) commission of offenses discrediting the title of advocate;
(e) commission of a criminal act.

Questions concerning the expulsion of members of the College of Mongolian Advocates shall be considered at a session of the Presidium of the College.

Article 13. A decree of the Presidium of the College of Mongolian Advocates refusing admission to membership or expelling from membership of the College may be appealed to the MPR Ministry of Justice within 14 days from the moment it was rendered.

Chapter Three. Organs of College of Mongolian Advocates

Article 14. The organs of the College of Mongolian Advocates shall be:
(a) the General Meeting of members of the College of Mongolian Advocates;
(b) the Presidium of the College of Advocates;
(c) the Audit Commission.

Article 15. The General Meeting of members of the College of Advocates shall be the highest organ of the College. The General Meeting of members of the College of Mongolian Advocates shall be convoked not less than once in three years.

Extraordinary general meetings of members of the College of Mongolian