

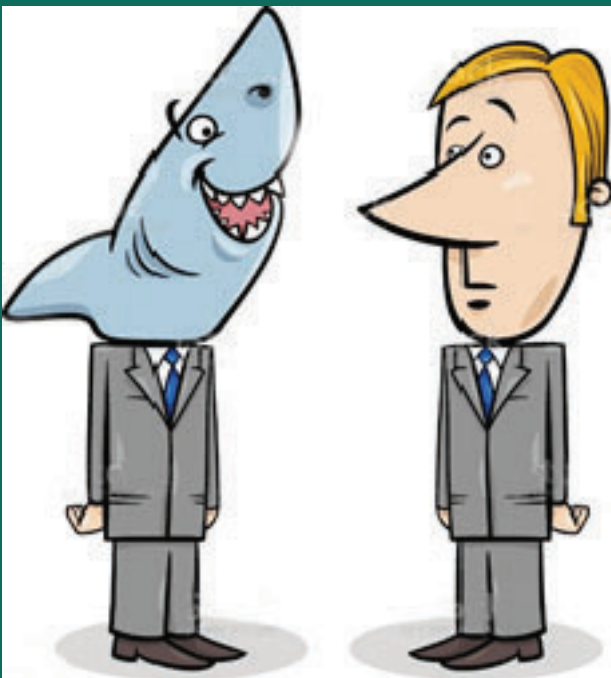


## EDITORIAL

As a part of our continuing effort to disseminate important legal information, we are pleased to publish the fourteenth issue, and the last of year 2022, of the quarterly 'The Legal Counsel News Bulletin' with some important updates.

## ON A SERIOUS NOTE

Why won't sharks attack lawyers?  
Out of Professional courtesy.



## NEW IMPORTANT LEGISLATIONS (OCTOBER 2022-DECEMBER 2022):

- ✓ Evidence (Amendment) Act, 2022; and
- ✓ International Centre for Diarrhoeal Disease Research, Bangladesh Act, 2022.



Competition law is a law that prohibits business institutions from engaging in activities that distort the competition in a market. The goal of competition law is to prevent businesses from participating in actions that undermine competition and the competitive process. By encouraging competition and reining in behaviors that can limit it, competition policy seeks to improve consumer welfare. Consumer prices decrease as a result of increased market competition, which also encourages the entry of new businesses, new investments, a wider range of higher-quality products, and more innovation.

The parliament of Bangladesh passed the much-anticipated Competition Act in 2012. The act consists of 7 Chapters and 46 sections. The key components of the Competition Act are as follows: In section 15 of the Act specific definitions of tie-in agreements, exclusive supply agreements, exclusive distribution agreements, refusal to deal agreements, and resale price maintenance agreements are discussed. Section 16 deals with the provisions in regard to abuse a dominant market position. Through section 21, combinations that may have a negative impact on market competition are forcibly forbidden. Section 17 & 18 deals with the Commission's preinquiry and inquiry processes.

The provisions of section 19 mention the Commission's authority to issue an interim order against anyone who disobeys section 21, subsections 15(1), 16(1), or any other provision that constitutes an offense under this Act. According to section 24, anyone who disobeys the Commission's directives without a valid excuse will face a sentence of up to one year in jail or a fine of up to one lakh taka for each day of disobedience.



According to the Competition Act, if found guilty, the Commission may impose a fine equal to triple the profit made from such anti-competitive action or 10% of their revenue over the previous three years, whichever is greater. To carry out the aforementioned objectives of the law, Section 5 of the Act mandates the creation of the Bangladesh Competition Commission (BCC). The BCC's goals are to eliminate anti-competitive market activities, foster and maintain competition, and safeguard trade freedom. In addition, the powers allow for the creation of rules, policies, notices, or administrative directives that are related to competition as well as the ability to advise and help the government in putting them into effect.

## CURRENT AFFAIRS



The much awaited Dhaka metro rail was launched on Dec 28. However, in the first stage, the train will only cover a distance of 11.73 km from Uttara to Agargaon. It takes 20 minutes to complete the journey. The time will be 16-17 minutes once the train is fully functional. One coach per train has been reserved for women. But women are free to use other coaches as well. There are nine metro rail stations along the Uttara-Agargaon route. Metro stations have separate bathrooms for women passengers and special facilities for diaper changing. Seats are also be reserved inside coaches for pregnant women and elderly passengers. The train fare has been fixed at Tk 5 per km. The minimum fare is Tk 20.

## DID YOU KNOW



Did you know that after pollution went out of control, the Bangladeshi Supreme Court granted every single river in the country legal rights to life. Now, the National River Conservation Commission has the right to sue anyone who causes any pollution river in Bangladesh.



A power of attorney and a foreign power of attorney are typically identical documents, but depending on the place, they are created differently. The Power of Attorney Act has really made it possible for those who live outside of Bangladesh to execute a Power of Attorney.

It is attested by an officer of the Bangladesh mission in that country and must be executed and signed by the holder within 60 days of arriving in Bangladesh. After that, it must be submitted to the Ministry of Foreign Affairs for its counter attestation and stamped within three months. In cases of registration of Power of Attorney, it shall be submitted to the sub-registry office within four months from the date on which it is received in Bangladesh.

## LEGAL COUNSEL NEWS



3

New lawyers joined the LC family in 2022



4

News Bulletins published



1550+

Client instructions/briefs received throughout 2022



51

New clients instructed LC in 2022



250+

Free legal advice, opinions, services in 2022



25

Internal and external capacity building training sessions and talks held at LC



**Award:** Our Head of Chambers Barrister Omar H Khan has received the Netaji Subhas Chandra Bose award on 25 November 2022.



**Seminar:** A discussion seminar on Competition law was held on 19th October 2022, at Chittagong Chamber of Commerce where the Chairperson of the Bangladesh Competition Commission, President of the CCCI along with prominent businessmen and trade body leaders were present. Our Head of Chambers, Barrister Omar H. Khan, was the Key-Note speaker who presented a PPT presentation on Competition law of Bangladesh with reference to the Competition act 2012.



**Booklet launching ceremony:** To mark 12 years of collaboration of Legal Counsel, a reputed law firm of the country, with the Development Sector, a Booklet was launched, namely, **“DEVELOPMENT SECTOR: THE LEGAL FRAMEWORK”**. The booklet contains relevant legal and regulatory guidelines that are needed for the operation of any INGO in Bangladesh in a precise manner.

**Dr. Bernd Spanier**, Chargè d' Affaires, Delegation of the European Union to Bangladesh attended the event as the Chief Guest while **Ms. Nardia Simpson**, Deputy High Commissioner, Australian High Commission, Dhaka, **Mr. Onno van Manen**, Country Director, Save the Children International and

**Barrister Sheela R. Rahman**, Advocate, Supreme Court of Bangladesh attended as special guests in the launching event. Country Directors and other high officials from more than 60 INGOs, foreign missions and donor agencies attended the event and participated in the lively discussion. The program was chaired by the head of chambers of Legal Counsel, **Barrister Omar H. Khan** who made the key presentation while **Barrister Miti Sanjana**, Partner of Legal Counsel thanked the entire sector for their contribution towards the development of the country and their continuing trust and cooperation. The discussants focused on different aspects of the operational and legal issues in relation to the development sector, shared their experiences and expectations and thanked Legal Counsel for taking the initiative to publish a handy booklet.

## PRO-BONO WORKS : PUBLICATIONS AND TV SHOWS (OCTOBER 2022 - DECEMBER 2022)

### PUBLICATIONS AND INTERVIEWS

- ✓ My uncle took over the land from my father by deceit | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | December 22 2022; <https://legalcounselbd.com/12224>
- ✓ We have no brother. How can we get our father's property? | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | December 20 2022; <https://legalcounselbd.com/12225>
- ✓ Husband Cheating on wife on Bigo app| Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | November 16 2022; <https://legalcounselbd.com/12221>
- ✓ Wife is not letting me be in peace| Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | 30 October 2022; <https://legalcounselbd.com/12222>
- ✓ Ordinary citizens have a right to speak without fear of persecution| Barrister Miti Sanjana, Partner of Legal Counsel | BBC News Bangla | 10 October 2022; <https://legalcounselbd.com/12223>

### TV SHOWS AND INTERVIEWS

- ▶ If you suspect that the police are fake, what should you do?| Barrister Miti Sanjana, Partner of Legal Counsel | BBC News Bangla | 27 November 2022; [https://youtu.be/bd32JG4qX\\_M](https://youtu.be/bd32JG4qX_M)
- ▶ Qatar World Cup: will the success of Muslim country be seen this time? | Barrister Miti Sanjana, Partner of Legal Counsel | BBC News Bangla | 23 November 2022; [https://youtu.be/wUOg1Q\\_HjYO](https://youtu.be/wUOg1Q_HjYO)
- ▶ Data Bank Launched to keep information on Mortgaged Properties| Barrister Miti Sanjana, Partner of Legal Counsel | BBC News Bangla | 23 November 2022; <https://legalcounselbd.com/v12221>
- ▶ What is the role of foreigners in the politics of Bangladesh?| Barrister Miti Sanjana, Partner of Legal Counsel | BBC News Bangla | 23 November 2022; <https://youtu.be/sZE-F6qkEIM>
- ▶ High Court orders removal of the Word 'Kumari' from Nikanamah| Barrister Miti Sanjana, Partner of Legal Counsel | Ekattor TV | 22 November 2022; <https://youtu.be/vvyVswDOH6w>
- ▶ Cyber Bullying| Barrister Miti Sanjana, Partner of Legal Counsel|Prothom Alo | 3 November 2022; <https://legalcounselbd.com/v12222>

- ▶ When can the wife divorce? | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | 26 October 2022; <https://legalcounselbd.com/v12223>
- ▶ How safe are public buses for women? | Barrister Miti Sanjana, Partner of Legal Counsel | Independent TV | 19 October 2022; <https://youtu.be/lloAH2mBC7w>
- ▶ Is there any way to keep the family inheritance still within the family, even if a male heir is not present? | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | 16 October 2022; <https://legalcounselbd.com/v12224>
- ▶ Laws related to cheating| Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | 10 October 2022; <https://legalcounselbd.com/v12225>
- ▶ International women entrepreneurship conference for the first time in the country | Barrister Miti Sanjana, Partner of Legal Counsel | DBC News| October 10 2022; <https://youtu.be/9KOQxKclobc>
- ▶ The 2022 Amendments to the Bangladesh Labour Rules 2015 | Barrister Rabiya J Firoz, Chief Leal Executive| Work Smart Consulting | 7 October 2022; <https://legalcounselbd.com/v12226>
- ▶ What kind of rights are granted to children under Bangladeshi law?| Barrister Miti Sanjana, Partner of Legal Counsel | Ekattor TV | October 4 2022; <https://youtu.be/tsaCBid1qxx>



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