



SELANGOR BAR REPRESENTATIVE



A.G. Kalidas

For the Current term under review the Selangor Bar Committee Chairman and I represented the Selangor Bar in the Bar Council.

I was appointed as follows: -

- a) Chairperson of the Civil Law & Law Reform Committee (“CLLRC”);
- b) Co-Chairperson of the Court Liaison Committee (“CLC”);
- c) Co-Chairperson of the Pandemic Response Ad Hoc Committee (PRC”); and
- d) Deputy Chairperson of Committee to Reform the Legal Sector.

The Selangor Bar Chairman was appointed as follows: -

- a) Deputy Chairperson of the Conveyancing Practice Committee (“CPC”).

The Bar Council (BC) involved itself in organising many activities and dealt with various issues concerning members of the Bar. Some of the significant activities and issues are as follows.

1. PANDEMIC

During the current term and as the country faced unprecedented and trying times I have been elected as the Secretary of the Malaysian Bar and given the opportunity to serve the members including by chairing or co-chairing the relevant committees mentioned herein. I discharged my duty to my ability and conscience as I know members need my service the most at this time. I never had time for myself. Almost all my time were spent to ease members’ practice. This is evident from the circulars and work done by me. With the support of other Bar Council members, I could also convince the Bar Council to give back to the members by reducing their subscription which translated to about RM7 million given back to the members. I may be correct to say no other professional body has given back in this tune to its members. The Selangor Bar Committee also



followed suit and reduced Selangor members subscription by RM50 per person which translated to about RM350,000.00 given back to the members to assist them.

2. LEXIS NEXIS LAW SUIT

The members of the Selangor Bar would still have many questions pertaining to the legal proceeding taken up by Lexis Nexis (“LN”) against the Malaysian Bar for alleged breach of an agreement and how it has or will affect the arrangement Selangor Bar Committee (“SBC”) has with LN.

I have continuously defended the arrangement SBC has with LN and ensured to the best of my ability that the misunderstanding BC has with LN does not and will not derail the exclusive benefit enjoyed by the Selangor Bar Members from the arrangement SBC has with LN. As I have expressed in many occasions, I have taken the necessary stand in the BC to ensure that the Selangor Bar members continuously enjoy the exclusive benefit or LN package.

I have also done what I could including suggesting alternative ideas for similar package be offered to all lawyers nationwide and it is my hope that by this AGM any misunderstanding between BC and LN could be settled for the benefit of the members at large and I still have full confidence with the BC that it will act for the benefit of the members. I am involved in the mediation process between BC and LN and I will do my best to resolve this issue by prioritising BC’s and members interest.

3. MONIES OWED BY YBGK TO SELANGOR LAWYERS

I have in the past reported that it is disheartening to find out that more than about half a million Ringgit is being owed by YBGK to Selangor Lawyers for the services rendered and that I have taken strong position that these monies must be paid to the Selangor YBGK lawyers. I have raised my concern, suggestion and solution at every opportunity I had. My biggest concern was also that lawyers will not be able to represent clients in need if they are not even paid such a meagre amount which does not even correspond to the value of service they render as professionals.

Once again I have persistently kept this issue alive and I am happy to report that the YBGK Board has finally started to pay the dues which includes claims disputed earlier on the ground of “disputed claims” for the years as early as 2015 and 2016.



4. SHAH ALAM LAND OFFICE

The state Conveyancing Chair, the Bar Council Conveyancing Committee the SBC Chairman and I were “on the ball” in relation to the difficulties faced by the members in PTGS. Each time we resolve one issue another cropped up. I resent any unreasonable treatment of members by any authorities and did my best to ensure we are heard. All related parties and I will continuously monitor the situation and do our best to resolve it.

5. MEETING WITH CHIEF REGISTRAR TO DISCUSS THE DRAFT GUIDELINES ON CASE MANAGEMENT AND COVID-19 CONTROL MEASURES DURING THE CONDITIONAL MOVEMENT CONTROL ORDER AND POST-MOVEMENT CONTROL

CLC was invited for a meeting with the Chief Registrar (“CR”) on 6 May 2020 to discuss the draft guidelines on case management and Covid-19 control measures during the conditional movement control order and post-movement control.

Among the issues discussed and decided were as follows:

- (a) Courts across Malaysia will implement a duty roster throughout the duration of the Conditional Movement Control Order (“CMCO”) and post-Movement Control Order (“MCO”), until a later date;
- (b) The hearing of cases will be set at staggered timing, and a notice regarding the status of the cases will be issued to the concerned parties before the hearing date. But Members are advised to be in contact with the Courts from time to time, with regard to the status of the cases;
- (c) The Judiciary will introduce a visitor tracking system wherein members are required to fill up the visitors form to before entering the court premises;
- (d) The Judiciary will conduct temperature scans at the main entrance of the Court and all visitors are required to wear mask; and
- (e) That for urgent matters the parties may request to the Court for online hearing.

The guideline was subsequently issued on 8 May 2020.

6. MEETING WITH THE OFFICE BEARERS OF THE JUDICIARY, TO DISCUSS THE BAR COUNCIL’S FEEDBACK ON ONLINE HEARING AND PROPOSED AMENDMENTS TO RULES OF COURT 2012, RULES OF COURT OF APPEAL 1994, RULES OF FEDERAL COURT 1995



On 18 June 2020, the Office Bearers (“OBs”) of the Malaysian Bar and CLC met the Chief Justice of the Federal Court of Malaysia (“CJ”), YAA Tun Tengku Maimun binti Tuan Mat; President of the Court of Appeal (“PCA”) YAA Dato’ Rohana binti Yusuf; Chief Judge of Sabah and Sarawak (“CJSS”) YAA YAA Dato’ Abang Iskandar bin Abang Hashim; Chief Justice of Malaya (“CJM”) YAA Tan Sri Dato’ Sri Azahar bin Mohamed; and Chief Registrar (“CR”) YBrs Tuan Ahmad Terrirudin bin Mohd Salleh, to discuss the Bar Council’s Feedback on Online Hearing and Proposed Amendments to Rules of Court 2012, Rules of Court of Appeal 1994, Rules of Federal Court 1995.

Bar Council (“BC”) had informed the Chief Justice that we are agreeable with the use of remote communication technology for Court proceedings (“Remote Hearings”) for proceedings under the Rules of Court 2012. However, such Remote Hearings ought not to include civil trials and hearings that require cross-examination of witnesses. We also conveyed our stance that Appellate Court proceedings (relating to the Rules of the Court of Appeal and Rules of the Federal Court) should not be conducted by way of Remote Hearings. It was also emphasised that the use of Remote Hearings should be a temporary measure for a prescribed period of one year. Furthermore, Remote Hearings should only be resorted to with adequate safeguards and should be limited to situations where a departure from conventional proceedings is justified and in the interest of justice.

As for leave applications, we disagreed with the Judiciary’s proposal to dispense with oral hearings. Instead, we proposed that oral submissions be limited to a prescribed time for each party.

BC has also highlighted the concerns that Members have in respect of the legality of Remote Hearing, and the need to amend the relevant provisions, should Remote Hearings be introduced.

7. MEETING WITH THE OFFICE BEARERS OF THE JUDICIARY, TO DISCUSS THE BAR COUNCIL’S FEEDBACK ON ONLINE HEARING AND RANG UNDANG-UNDANG (“RUU”) MAHKAMAH KEHAKIMAN (PINDAAN) 2020, RUU MAHKAMAH RENDAH (PINDAAN) 2020, RUU KAEDAH-KAEDAH MAHKAMAH RENDAH (PINDAAN) 2020, AND RUU KANUN TATACARA

On 20 July 2020, the Office Bearers (“OBs”) of the Malaysian Bar and CLC met the Chief Justice of the Federal Court of Malaysia (“CJ”), YAA Tun Tengku Maimun binti Tuan Mat; President of the Court of Appeal (“PCA”) YAA Dato’ Rohana binti Yusuf; Chief Judge of Sabah and Sarawak (“CJSS”) YAA YAA Dato’ Abang Iskandar bin Abang Hashim; Chief Justice of Malaya (“CJM”) YAA Tan Sri Dato’ Sri Azahar bin Mohamed; and Chief Registrar (“CR”) YBrs Tuan Ahmad Terrirudin bin Mohd Salleh, to discuss the Bar Council’s Feedback on Online Hearing and Proposed Amendments to Rules of Court 2012, Rules of Court of Appeal 1994, Rules of Federal Court 1995.

Among the issues raised and discussed were as follows:



- a. BC expressed concerns regarding inadequate consultation with the BC regarding the amendments to Bills concerning court proceedings (“proposed Bills”);
- b. BC stated the country has an excellent judicial infrastructure and a dynamic judiciary. I made known our view that access to justice in our country is effortless, and as such, there is no need for a permanent introduction of remote hearings.
- c. BC stated that the CJ’s power to make and issue practice directions should not be included in the primary legislation, but should be instead provided for in the Rules of Court, as the Rules Committee will be in position to oversee such power; and
- d. BC stressed the need to expressly set out the criteria to be satisfied before resorting to remote hearings. Any decision to use remote hearings must be tempered with the overarching need to ensure the interest of justice is served.

8. MEETING TO DISCUSS ISSUES RELATING TO THE PROPOSED IMPLEMENTATION OF THE E-BICARA SYSTEM AT THE HIGH COURTS OF MALAYA

CLC had attended a meeting convened by the Judiciary on 15 Sept 2020 at Putrajaya, where they were informed of the Judiciary’s plan to implement a paperless system called e-Bicara for civil and criminal proceedings in the High Court.

The main issues that were discussed during the meeting are summarised below:

(a) Introduction to the e-Bicara System

- i. The Courts and relevant parties will need to refer to the digital copies of documents (instead of physical copies) during proceedings.
- ii. Similar to the e-Appellate system, proceedings via the e-Bicara system will not be conducted via Zoom and will instead be conducted via local connection.
- iii. Lawyers are required to be physically present during e-Bicara proceedings.
- iv. Lawyers will be provided with a dongle which needs to be plugged into the lawyers’ device to enable screen sharing with judges and court interpreters.
- v. Lawyers are required to bring along their own device on the day of hearing.
- vi. Lawyers are to ensure that the documents they intend to refer to are downloaded on their device and ready to be shared.

(b) Implementation and Pilot Project



- i. The pilot project of the e-Bicara system will be implemented at the Kuala Lumpur Court Complex on the first and second week of November 2020. The Courts involved are the Kuala Lumpur New Civil Court (“NCvC”) and New Commercial Court (“NCC”).
- ii. The e-Bicara system will be expanded to all NCvC and NCC matters on the third and fourth week of November 2020.
- iii. Complete implementation of the e-Bicara system in all other High Courts of Malaya will commence from January 2021 onwards.
- iv. This system will subsequently be rolled out to all Lower Courts at a later date. BC had written to the Chief Judge of Malaya, YAA Tan Sri Dato’ Sri Azahar bin Mohamed on 21 Sept 2020 to raise the Bar Council’s reservations to the proposed full implementation of the e-Bicara system in January 2021 as there is inadequate time for Members of the Bar to be prepared.

I will continue to engage with the Judiciary and the e-Bicara system’s service provider to address any issues and problems that may arise, so that the implementation of this system will run smoothly, without causing much difficulty to Members of the Bar.

9. UPDATE ON E-COURT SYSTEM

(1) e-Filing

The expansion of the e-Court or e-Kehakiman system to the rest of the 76 Lower Courts throughout Peninsular Malaysia commenced in stages, from 22 Sept 2020 (Tuesday) to January 2021.

Starting from 15 Oct 2020 (Wednesday), Members may view the documents that they have filed for cases in which his/her law firm is the solicitor on record. Members may also view all court enclosures, including documents filed by the other party.

If there is a change in solicitor, Members may only view their own filings and will no longer have access to the documents filed by the other party and the new solicitor.

For cases not represented by the law firm, lawyers would have to do a case search as per standard practice in order to view the documents; and

Documents pertaining to criminal cases, adoption cases, or documents that have been expunged by the Courts cannot be viewed in the e-filing system

(2) e-Appellate



Please be informed that the implementation of the e-appellate system at the Federal Court of Malaysia took effect on 3 Aug 2020 (Monday), and the implementation at the Court of Appeal took effect on 17 Aug 2020 (Monday).

An informative video which is produced by the Judiciary, on the newly implemented e-Appellate system have been circulated to members via Circular No 253/202 dated 11 Aug 2020.

The Judiciary also conducted series of online briefing since the implementation of the e-Appellate system at the Federal Court of Malaysia and the Court of Appeal.

(3) e-Bicara

The Judiciary's plan to implement a paperless system called e-Bicara for civil and criminal proceedings in the High Court. The system is apparently conceptually similar to the e-Appellate system used in the Appellate Courts but with some technical differences. In response to this, the Bar Council decided that urgent engagement with the Judiciary is required as there are potential problems and issues that need to be discussed and resolved before such a system is implemented.

The first appeal proceeding via e-Bicara was held on 8 Dec 2020 in High Court of Malaya Kuala Lumpur Civil Division (NCVC 7)

10. SUPPORT PROVIDED TO THE MEMBERS OF THE BAR

(1) Tech Aid Directory

In order to support Members who need assistance with the technology-related aspects of the newly introduced e-Appellate system, the Bar Council has developed a Tech Aid Directory that contains information regarding Members who are IT-savvy and are willing to assist fellow Members, on the basis of terms to be agreed upon by both parties.

(2) Virtual Hearing Facilities

As one of the many initiatives by BC in assisting Members specifically to those without access to the necessary IT requirements and internet connectivity in order to attend online hearings, Virtual Hearing Facilities has been made available at Wisma Badan Peguam Malaysia on a first come first served basis.

11. PROPOSED AMENDMENT TO REGULATION 7 OF THE EPF REGULATIONS 2001

CLLRC had proposed to make the necessary amendment to Regulation 7 of the EPF Regulations 2001 under the Employees Provident Fund Act 1991 in relation to the nomination of beneficiaries, and the distribution of the Employees Provident Fund ("EPF") savings upon the death of an EPF member.



Regulation 7 of the EPF Regulations 2001, containing the proposed amendment (underlined), would provide as follows:

7. Cessation of Nominations

(1) A nomination shall cease to have effect-

(a) upon the death of the nominee, or, where there is more than one nominee, upon the death of all the nominees, during the lifetime of the member;

(b) by written notice of revocation made in Form EPF 4A; ~~or~~

(c) by any subsequent nomination in Form EPF 4; or

(d) upon the marriage and where applicable, upon each and every subsequent marriage of the member without prejudice to the member to make any subsequent re-nomination or nomination in the prescribed form and this regulation shall be applicable with immediate effect save and except for any payments already made by the Board.

(2) The nomination mentioned in subregulation (1) shall not be revoked by any will or by any other act, event or means.

On 27 Sept 2019, CLLRC met with YB Puan Hannah Yeoh, then-Deputy Minister in the Ministry of Women, Family and Community Development to discuss the proposed amendment. YB Puan Hannah Yeoh expressed her support for the proposal, as the amendment would ensure that the spouse and children of a deceased contributor would benefit, even if they were not named as beneficiaries.

The proposed amendment to Regulation 7 of the EPF Regulations 2001 has been sent to the office of YB Datuk Seri Rina bt Mohd Harun, the current Minister of Women, Family and Community Development for her consideration. CLLRC is currently looking into having a meeting with YB Datuk Seri Rina bt Mohd Harun to discuss the matter further.

12. CREATING A LAW REFORM COMMISSION OF MALAYSIA

Since 2001, the Bar Council has been consistent in its clarion call to the Malaysian Government to establish a law reform commission. That year, the Bar Council prepared, through LRSAC, a memorandum entitled “Proposed Legislation for Creating a Law Reform Commission of Malaysia”, which was forwarded to the relevant ministries.

On 26 Aug 2019, CLLRC met with the late YB Datuk Liew Vui Keong, then-Minister in the Prime Minister’s Department (Law) to discuss the proposed legislation for creating a Law Reform Commission of Malaysia. The late YB Datuk Liew Vui Keong had expressed support for the proposal.



The above-mentioned memorandum has been sent to the office of YB Dato' Takiyuddin b Hassan, the current Minister in the Prime Minister's Department (Parliament and Law). CLLRC is looking into having a meeting with YB Dato' Takiyuddin b Hassan to discuss the matter further.

13. JUDICIAL APPOINTMENTS COMMISSION

On 7 June 2018, the Bar Council through ILRC submitted a proposal regarding the Judicial Appointments Commission ("JAC") to the Government's Committee for Institutional Reform.

In its proposal, the Bar Council called for reforms to the composition of, and appointment to, the JAC; as well as to the process of appointment, and the appointment criteria, of Judges to the Superior Courts. The Judicial Appointments Commission Act 2009 ("JACA") should be amended to ensure that all stakeholders in the administration of justice are involved in the appointment of Judges, and the JAC should not be dominated by serving and retired Judges.

CLLRC had been tasked to review the Bar Council's proposal and propose further improvements. CLLRC, led by its member, Tan Poh Yee undertook the task to analyse and review that proposal. She prepared a proposal that contained CLLRC's feedback to the Bar Council's proposal as well as CLLRC's proposed improvements to the JACA.

At its committee meeting on 28 Sept 2020, CLLRC deliberated on the proposal prepared by Tan Poh Yee. This project is ongoing, as CLLRC is in the midst of finalising the proposal before tabling it to the Bar Council for adoption and subsequently sending the proposal to the relevant parties.

14. MEMORANDUM ON THE IMPERATIVE NEED FOR REVIEWING AND AMENDING THE PERSONS WITH DISABILITIES ACT 2008

On 19 Sept 2019, CLLRC organised a public forum entitled "One Decade Later — A Review of the Persons with Disabilities Act 2008" which was attended by lawyers interested in differently-abled persons matters, differently-abled persons and their family members as well as government department personnel.

Views garnered from papers presented at the public forum and the interactive dialogue are the basis of the Memorandum on the Imperative Need for Reviewing and Amending the Persons with Disabilities Act 2008, prepared by CLLRC member Helen Chin Lee Min. This Memorandum was subsequently adopted by the Bar Council on 11 July 2020.

Among the proposed amendments are as follows:

- (a) Amendment on the composition of the National Council for Persons with Disabilities;
- (b) Setting up of a Disability Tribunal;
- (c) Formation of a separate department within the Ministry of Women, Family and Community Development to specifically deal with issues concerning persons with disabilities; and



- (d) Deletion of sections 41 and 42 of the Persons with Disabilities Act 2008, as no individual or organisation has legal immunity under the Federal Constitution, and these sections violate the spirit of the United Nations Convention on the Rights of Persons with Disabilities.

The memorandum has been forwarded to the following persons for their consideration:

- (a) YBhg Tan Sri Idrus Harun, Attorney General of Malaysia;
- (b) YBhg Dato' Siti Zawahir bt Mohamed, Commissioner of Law Revision and Law Reform, Attorney General's Chambers;
- (c) YB Dato' Takiyuddin b Hassan, Minister in the Prime Minister's Department (Parliament and Law);
- (d) YB Datuk Seri Rina bt Mohd Harun, Minister of Women, Family and Community Development;
- (e) YBrs Tuan Zulkifli b Ismail, Director General, Department of Social Welfare; and
- (f) YBhg Dato' Maria Bernard Sinsoi, Director, Jabatan Pembangunan Orang Kurang Upaya.
- (5) Meeting with Eliminating Deaths and Abuse in Custody Together on Amendment to Section 8(2) of the Civil Law Act 1956**

15. MEETING WITH EDICT

Eliminating Deaths and Abuse in Custody Together ("EDICT") organised a meeting on 24 Sept 2020 to discuss the amendment to section 8(2) of the Civil Law Act 1956 ("CLA").

The Federal Court in *Datuk Seri Khalid b Abu Bakar & Ors v N Indra A/P P Nallathamby (The Administrator of the Estate and Dependent of Kugan A/L Ananthan, Deceased)* held that this section barred exemplary damages in an estate claim in cases of deaths in custody.

EDICT proposes to amend section 8(2) of the CLA to exclude its application to an estate claim for exemplary damages in such cases as it involves the acts and omissions of the police in causing a custodial death.

I, attended the meeting on behalf of CLLRC.

The Malaysian Bar is in support of EDICT's proposal to amend section 8(2) of the CLA.

16. MATTERS PERTAINING TO THE TEMPORARY MEASURES FOR REDUCING THE IMPACT OF CORONAVIRUS DISEASE 2019 (COVID-19) ACT 2020 ("COVID BILL").

- (i) Providing Feedback to the Chief Registrar ("CR")**



The CR wrote to BC in May 2020 seeking feedback in connection with issues and gaps in the administration of justice in our dealings with the Court during the period of the MCO.

The request for this information is in relation to the formulation of the proposed legislation to deal with the effects of the pandemic which is later to become the Temporary Measures for Reducing the Impact of Coronavirus Disease 2019 (COVID-19) Act 2020 (“COVID Act”).

PRC assisted in providing the needed feedback and suggestions.

(ii) Meeting with the Ministry of Finance (“MOF”)

Representatives from PRC attended a meeting along with other professional bodies to provide input on the short-term Economic Recovery Plan (“ERP”) following the pandemic on invitation by the Ministry of Finance (“MOF”) in May 2020.

BC also submitted the position paper on the effects of the pandemic on the legal profession to the Ministry of Finance.

(iii) Meeting with the Ministry of International Trade and Industry (“MITI”)

Representatives from PRC attended an engagement session (*sesi libat urus*) with other industry players to discuss further the suggestions pertaining to the COVID Act on invitation by the Ministry of International Trade and Industry (“MITI”) in June 2020.

17. MEETING WITH THE LEGAL AFFAIRS DIVISION OF THE PRIME MINISTER’S DEPARTMENT (BAHAGIAN HAL EHWAL UNDANG-UNDANG JABATAN PERDANA MENTERI, “BHEUU”)

Representatives from PRC also attended a meeting as one of the stakeholders for the COVID Act by the Legal Affairs Division of the Prime Minister’s Department (Bahagian Hal Ehwat Undang-Undang Jabatan Perdana Menteri, “BHEUU”) in June 2020

PRC provided our feedback and suggestions on the proposed COVID Act.

The COVID Act came into force on 23 Oct 2020 and will be in force for two (2) years from the date unless stated otherwise in the relevant parts of the new Act.

18. WORKING REMOTELY



On 17 Mar 2020, BC issued Circular No. 063/2020 entitled “Update on Covid-19 | Movement Control Order (II)”. Amongst the other content of the circular was on Waiver of Rulings 7.01(6) and Ruling 7.05 of the Rules and Rulings of the Bar Council.

Ruling 7.01(6) requires a law firm to be opened during usual office hours at least 5 days a week save for public holidays whereas Ruling 7.05 provides that it is improper for an advocate and solicitor to disable his/her facsimile or render them unavailable during office hours, if the facsimile number appears on his/her letterhead.

19. ONLINE BANKING TRANSACTIONS

BC considered the difficulties faced by lawyers during the pandemic and decided to allow additional exceptions under Rule 8(4)(c) of the Solicitors’ Account Rules 1990. Circular No 090/2020 dated 6 Apr 2020 was issued to notify Member.

20. SURVEY ON THE EFFECT OF THE PANDEMIC AND MOVEMENT CONTROL ORDER ON MEMBERS OF THE BAR

In April 2020, PRC has issued two (2) circulars No. 94 and 107 entitled “SURVEY | Bar Council Would Like to Know How Our Members are Surviving During MCO and Beyond the COVID-19 Pandemic” to Members with the hope of to understand Members’ plight better.

The report on the survey was published in Circular No. 176/2020 entitled “Report of Bar Council Survey | The Effect of the Movement Control Order on Law Firm Owners of the Malaysian Bar” to Members.

The main objective for the survey is to understand the financial implications on Members, specifically law firm owners due to the MCO and the pandemic as a whole.

The information received is invaluable for BC to continue its ongoing effort to assist Members during these uniquely challenging times.

21. SURVEY ON THE EFFECT OF THE MOVEMENT CONTROL ORDER ON LEGAL ASSISTANTS AND PUPILS IN CHAMBERS

In June 2020, PRC has issued Circular No. 186/2020 entitled “SURVEY | Impact of the MCO on Legal Assistants and Pupils in Chambers (Deadline: 30 June)” to Members and Pupils in Chambers (“Pupils”).

The objective of this survey is to understand the concerns, financial implications, and also to improve the well-being of Members and pupils who are currently facing an unprecedented time pertaining to the impact of the pandemic.



22. FACSIMILE SERVICES

In an effort of moving forward, Rulings 2.06 3.08, 4.03, 7.06 and 14.02 were amended to provide options to Members of the Bar to use either fax number or email address instead of the old-fashioned provision which made it mandatory for the law firms to have fax numbers. Members were notified of the ruling through Circular No. 326/2020 dated 2 Oct 2020.

23. LEGAL AID PROGRAMME FOR PUPILS

BC issued Circular No. 358/2020 dated 20 Oct 2020 entitled “Suspension of Legal Aid Programme for Pupils in Chambers Effective 22 Oct 2020” to inform Members and pupils in chambers that BC decided to suspend the legal aid programme for pupils in chambers in light of the recent surge in the number of Covid-19 cases.

On 10 Nov 2020, BC issued Circular No 395/2020 entitled “Waiver of Ruling 10.06 of the Rules and Rulings of the Bar Council” to inform that BC is temporarily waiving Ruling 10.06 of the Rules and Rulings of the Bar Council until further notice.

24. VIRTUAL OFFICE PROPOSAL

PRC prepared proposal paper for BC to consider allowing law firms to use virtual office.

The general idea is to assist Members affected by the impact of the pandemic, specifically small firm owners and sole proprietors in mitigating the costs of running their firms.

The proposal has since been reverted to the Legal Profession Committee (“LPC”) and BC for their further consideration and to set out a proper guidelines.

25. JOINT MEETING WITH BAR COUNCIL (“BC”) AND COURT LIASON COMMITTEE (“CLC”)

PRC together with BC and CLC held a joint meeting in Nov 2020.

The meeting is to discuss and provide feedback pertaining to a draft Practise Direction (“PD”) on virtual hearing for courts in Malaysia at the request of the Chief Registrar (“CR”).

The CR responded with a revised draft PD in Dec 2020 incorporating some of the feedback provided and for the committees to provide more feedback pertaining to the revised PD.

26. FINANCIAL RELIEF

PRC works closely with State Bar Committees in keeping tracks of financial reliefs given to Members in need, specifically on subscription fees.



PRC is also in the midst of securing a meeting with the Ministry of Finance (“MoF”) to discuss on financial reliefs for Members.

27. CONGRATULATORY NOTE

I wish to take this opportunity to congratulate our former Chairman, Salim Bashir for him being elected to be the President of the Malaysian Bar.

28. ACKNOWLEDGMENT

There were 9 Bar Council monthly meetings up to the time this report was written. The attendance record is as follows: -

A.G. Kalidas : 9

Murali Velautham : 9

I am humbled and honoured to be given the opportunity to represent the Selangor Bar members at the BC and thank you for believing in me. You are my “report card” and I will leave it to your best judgment to judge how I have performed this term, but you can be rest assured I always had and will have your best interest in executing my responsibilities. I wish to take this opportunity to thank the SBC Chairman Murali Velautham and my colleagues in the SBC for all their support and encouragement. I also wish to thank the Secretariat staff for their assistance.

Report submitted by,

A.G. Kalidas

Selangor Bar Representative to the Bar Council