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**Circular No 053/2018
Dated 26 Feb 2018**

To Members of the Malaysian Bar

Update | Formation of a Special Consultative Committee to Formulate a Holistic Blueprint for the Legal Profession and Proposed Comprehensive Amendments to the Legal Profession Act 1976 (26 Feb 2018)

We refer to [Circular No 139/2017](#) dated 6 July 2017, [Circular No 207/2017](#) dated 18 Sept 2017 and [Circular No 273/2017](#) dated 29 Nov 2017, which provided updates on the Government's formation of a Special Consultative Committee to formulate a holistic blueprint for the legal profession in Malaysia and to prepare proposed comprehensive amendments to the Legal Profession Act 1976 ("LPA").

The fourth meeting of the Special Consultative Committee — chaired by the Minister in the Prime Minister's Department in charge of legal affairs, YB Dato' Sri Azalina Othman ("Minister") — was held on 12 Feb 2018. The Government has prepared a report pertaining to the issues raised, discussed and decided at the meetings of the subcommittees and the focus group discussions.

The next phase will be a web-based (online) "public consultation", which is expected to commence **today, 26 Feb 2018 (Monday)** for three weeks. **We strongly urge Members to participate in the consultation process**, as described in more detail below.

The Special Consultative Committee will hold another meeting after the public consultation, before the final report and recommendations are tabled before the Cabinet. The Minister has indicated that she intends to table the amendments to the LPA in Parliament this year.

The 18 topics that have been discussed in the various subcommittees since the first meeting of the Special Consultative Committee on 11 July 2017 are as follows:

(A) Quality of Legal Education

- (1) Common Bar Course
- (2) The Regulation of Pre-Admissions Requirements
- (3) Implementation of a Mandatory Continuing Professional Development Scheme

(B) Improvisation of Law Firm Services

- (1) Publicity Rules
- (2) Group Law Practice
- (3) Law Firm Names



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(C) Issues Pertaining to Legal Practitioners

- (1) Voting Procedures of the Malaysian Bar Council Members
- (2) Academia to be Appointed to the Bench
- (3) Academia to be Allowed to Practice Law
- (4) Conditional Fee Rules
- (5) Liberalisation of the Legal Profession
- (6) Codification of Legal Professional Privilege
- (7) Non-Practitioners as Members
- (8) Prohibition of Retired Judges Returning to Practice
- (9) Proposed Amendments to Sections 77 and 78A of the LPA
- (10) Re-Assessment of Client Account Management
- (11) Goods and Services Tax (“GST”) Applicability to Court Fees
- (12) Inns of Court Malaysia

Only Members of the Bar will be permitted to provide feedback on certain topics.

Please note that the online portal for the web-based public consultation is accessible at <https://lpaconsultation.com.my> (“Portal”). The Portal is expected to be launched today, **26 Feb 2018 (Monday)**, and feedback for the survey can be provided for a duration of three weeks.

We strongly urge you to participate in the consultation process by expressing your views through the survey.

When you go to the Portal to take part in the survey, please indicate that you are a Member of the Malaysian Bar. You will be directed, through the Portal, to the Malaysian Bar website, where you will have to provide your website username and password in order to access the survey.

Your website username and password are the same as those used to submit your online Sijil Annual and Practising Certificate application. If you require assistance in this regard, please contact the Membership Department by telephone at 03-2050 2191.

We will issue subsequent circulars to provide Members with information and synopses in respect of the topics that will be included in the online public consultation.

It is imperative that the Malaysian Bar continue to resist any attempt to interfere with our independence, in adherence to our calling to act without fear and favour. To this end, we hope that Members will participate in the public consultation in large numbers, and in concordance with the position taken by the Bar Council.

Should you require clarification regarding this matter, please contact Malathi Mohan, Officer, by telephone at 03-2050 2150, or by email at malathi@malaysianbar.org.my.

George Varughese
President
Malaysian Bar