



**Badan Peguam Malaysia
Malaysian Bar**

www.malaysianbar.org.my

Wisma Badan Peguam Malaysia
2 Leboh Pasar Besar
50050 Kuala Lumpur, Malaysia
Tel : +603-2050 2050
Fax : +603-2050 2019
Email : council@malaysianbar.org.my

**Resolution Adopted at the 80th Annual General Meeting of the Malaysian Bar
(Held on 14 March 2026)**

Resolution to Condemn Executive Encroachment into the Legal Profession Qualifying Board and Legal Education

Whereas:

- (1) The Legal Profession Qualifying Board (“LPQB”) was established under Part II of the Legal Profession Act 1976 (“LPA”), and is vested with the statutory functions of, among others, determining and regulating the qualifications required for admission as advocates and solicitors, providing for the course content and examinations, and ensuring that persons entering the legal profession meet the statutory requirements set out in the LPA¹;
- (2) On 17 November 2025, the Government tabled the Legal Profession (Amendment) (No 2) Bill 2025 (“Bill No 2”). Bill No 2 was passed by Dewan Rakyat on 1 December 2025 and by Dewan Negara on 17 December 2025. It received Royal Assent on 3 February 2026 and was gazetted on 13 February 2026 as the Legal Profession (Amendment) Act 2026 (“LPAA 2026”)²;

Objectionable Features of the Amendments

- (3) The amendments to the LPA alter the composition and governance of the LPQB, in that they:
 - (a) expand the composition of LPQB from 5 to 13 members;
 - (b) empower the Minister to appoint 8 members directly, with a further 3 members appointed through offices within the Executive³, thereby increasing the risk of Executive influence;
 - (c) empower the Minister to revoke the appointments of 7 members without assigning reasons⁴;
 - (d) vest in the Minister control over the allowances and benefits of the LPQB members⁵;
 - (e) confer upon the LPQB powers to establish committees and determine its members’ allowances and expenses⁶;
 - (f) dilute professional and judicial representation, reducing the Malaysian Bar’s proportionate representation from 1 out of 5 members (20%) to 2 out of 13 members (15.4%), and the Judiciary from 2 members to 1; and

¹ Sections 5 and 6 of the Legal Profession Act 1976.

² [Legal Profession \(Amendment\) Act 2026](#).

³ Section 7 of the LPAA 2026.

⁴ Section 7A of the LPAA 2026.

⁵ Section 7C of the LPAA 2026.

⁶ Section 9D of the LPAA 2026.

- (g) allocate 2 additional LPQB seats to Sabah and Sarawak, both subject to ministerial appointment and removal. While advanced on purported grounds of inclusivity⁷, this raises concerns of proportionality and legal basis, as the LPA is a statutory law that applies throughout Malaysia, but its application to Sabah and Sarawak is expressly subject to an order of the Yang di-Pertuan Agong under section 2, which has yet to be issued. Accordingly, neither state is fully subject to the LPA or LPQB's regulatory jurisdiction in the same manner as the Malaysian Bar, and the relative practitioner numbers (Malaysian Bar: >25,000; Sabah Law Society: 896; The Advocates Association of Sarawak: 1,164) result in disproportionate representation.

Government's Purported Justifications and Misstatements

- (4) The Government's purported justifications for the amendments, outlined below, rest on alleged financial and governance concerns, which are misleading:
- (a) overemphasis on the LPQB's funds, particularly the carry forward sum of approximately RM55.2 million⁸ in its accounts⁹ (prior to the tabling of Bill No 2), in regard to which the Government only proposed amendments to spend the said fund (on pay and perks of an overly enlarged LPQB) rather than conserving the said LPQB's funds;
 - (b) constant harping on the absence of regular audits, which had already been addressed by section 9A, introduced via the LPA amendments in May 2025 earlier, mandating LPQB's annual financial audits. As later confirmed by YB M Kulasegaran, Deputy Minister in the Prime Minister's Department (Law and Institutional Reform) in Parliament on 20 January 2026, the ongoing audit by the Auditor General shows no evidence of misuse of the LPQB's funds¹⁰, indicating that there was no issue of financial mismanagement to begin with;
 - (c) the LPAA 2026 was presented as a "stopgap" measure pending "standalone legislation" to regulate the LPQB separately from the LPA¹¹;
 - (d) the "stopgap" characterisation diverts attention from the structural threat to the independence of legal education, signalling the Government's irrational and unacceptable intent to divorce the LPQB from the Malaysian Bar. This risks removing legal qualification determination from the professional body that regulates the profession and the primary stakeholder responsible for maintaining professional standards, thus, creating an Executive or politically-influenced LPQB, which could potentially impair professional standards and thus the quality of legal advice and representation to the detriment of all Malaysians;

⁷ ["LPQB To Be Transformed Into Body Corporate Under New Policy Measures"](#), *Bernama*, 9 October 2025.

⁸ [Parliamentary Debates, Special Chamber, 29 October 2024, p 14.](#)

⁹ ["33 years of missing data: Kulasegaran demands probe into Legal Profession Qualifying Board's finances"](#), *Scoop*, 10 July 2024; ["Bill to allow audits of Legal Profession Qualifying Board's accounts coming soon: Kula"](#), *Scoop*, 12 November 2024; ["LPQB to be audited once Act gazetted, says Deputy Law Minister"](#), *The Star*, 27 February 2025; ["Kulasegaran: I'll get legal board to explain in writing over RM500,000 UK trip"](#), *New Straits Times*, 8 October 2025; ["LPQB to be Transformed into Body Corporate under New Policy Measures"](#), *Bernama*, 9 October 2025.

¹⁰ [Hansard 20 Jan 2026, p 43](#); ["No obvious signs of financial abuse by LPQB so far, says Kula"](#), *FMT*, 20 January 2026.

¹¹ [Hansard 1 December 2025, pp 159 and 160.](#)

- (e) notwithstanding YB M Kulasegaran's statement that the amendments prohibit the appointment of any person holding office in a registered political party to the LPQB¹², the amendments nevertheless permit political and Executive appointments, influence peddling and interference in the LPQB's operations, duties and responsibilities; and
- (f) the Government's statements and conduct obscure the true effect of the amendments, namely, the attempt by the Executive to influence legal education and the LPQB;

And whereas:

- (5) The Malaysian Bar has consistently maintained that independent legal education and professional qualifications are among the bulwarks of the administration of justice, and that the independence of the legal profession and its regulatory institutions is a keystone of the rule of law and constitutional democracy. Accordingly, legal education must remain independent, apolitical and free from Executive encroachment or influence¹³;
- (6) Political or Executive dominance over the LPQB, a body responsible for determining qualifications, creates risks that decisions on admission and legal education may be influenced by political considerations rather than merit, threatening professional independence, and the integrity of standards for new entrants into the profession;
- (7) Ministerial powers over LPQB funds, remuneration and committee establishment may divert resources away from its core objectives, potentially increasing operational costs, impacting law students, and undermining the quality and delivery of legal advice and representation, contrary to what responsible reform requires;
- (8) Any reform must be carefully scrutinised and led by stakeholders with direct professional interest, particularly the Malaysian Bar, to ensure it strengthens, rather than undermines, LPQB's autonomy;
- (9) Prior to the passing of the amendments, the Bar Council undertook extensive and sustained efforts to convey its concerns and objections to the proposed amendments, including multiple meetings with government officials and Members of Parliament, press releases and formal letters¹⁴, all of which were disregarded by the Executive;
- (10) The amendments were rushed through Parliament without meaningful consultation with the legal profession, or the Judiciary, or adequate consideration of its long-term consequences for the rule of law and professional independence, rendering any concept of good faith consultation illusory; and
- (11) Historical context underscores that government intervention into the legal profession is not new. In 2016, the Government, under a different administration but involving the same Minister, YB Dato' Sri Azalina bt Othman Said, now Minister in the Prime

¹² [Hansard 1 December 2025, pp 165 and 166.](#)

¹³ [Press Release | The Independence of the Legal Profession and the Bar in a Democratic Society is the Keystone Upon Which the Rule of Law and Constitutionalism are Built](#), *Malaysian Bar Website*, 4 November 2025; [Press Release | Legal Education Should be Free from Executive Encroachment](#), *Malaysian Bar Website*, 20 November 2025.

¹⁴ Circular No 002/2026 | [The Legal Profession Qualifying Board: Government Encroachment and Other Non Sequiturs](#), Dated 5 January 2026.

Minister's Department (Law and Institutional Reform), and previously held the same portfolio when it was known as the Prime Minister's Department (Legal Affairs), proposed wide-reaching amendments to the LPA that would have introduced government representatives into the Bar Council¹⁵. The amendments represent an encroachment upon the profession's ability to serve the Court, clients and public interest.

Therefore, it is hereby resolved that:

- (A) The Malaysian Bar affirms that legal education and the regulation of qualifications for admission to practise must remain independent, merit-based and not be politicised;
- (B) The Malaysian Bar condemns the enactment of the amendments that permit Executive influence over the LPQB through powers of appointment, removal and financial control, while diluting the Malaysian Bar's representation within the LPQB, compounded by disinformation, insufficient justification and a lack of genuine consultation;
- (C) The Malaysian Bar condemns the Government for its failure to engage in good-faith consultation before tabling the amendments, thus rendering any purported reform illusory and a craven attempt at seizing control of legal education via the LPQB;
- (D) The Malaysian Bar calls upon the Government to repeal the offending amendments forthwith;
- (E) The Malaysian Bar calls for the LPQB to be reconstituted as an independent, profession-led body, with proportionate representation from the Malaysian Bar, the Judiciary and academia, including the appointment of the President of the Malaysian Bar as Chairperson, without Executive involvement in the appointment or removal of LPQB members;
- (F) The Malaysian Bar calls for the LPQB to remain within the profession-led statutory framework under the LPA and not be structurally separated from the Malaysian Bar under any proposed standalone legislation; and
- (G) The Malaysian Bar condemns the Government for undermining the LPQB's role as the statutory regulator responsible for determining qualifications for admission to the legal profession, thereby seeking to compromise its institutional independence, regulatory integrity and the maintenance of professional standards.

¹⁵ Circular No 127/2016 | [Proposal to Amend the Legal Profession Act 1976 is a Severe Threat to the Independence of the Malaysian Bar](#), Dated 27 May 2016; [Private Bar, Public Duty \(Part I\): The Associational Independence of the Malaysian Bar as a Prerequisite for the Rule of Law](#), Amanda Whiting, 10 June 2017; [Private Bar, Public Duty \(Part II\): The Proposed Amendments to the Legal Profession Act as a Threat to the Rule of Law in Malaysia](#), Amanda Whiting, 10 June 2017.