



**Circular No 090/2020
Dated 6 Apr 2020**

To Members of the Malaysian Bar

Additional Exceptions under Rule 8(4)(c) of the Solicitors' Account Rules 1990

Rule 8 of the Solicitors' Account Rules 1990 provides for the manner of drawing money from a client account.

Kindly be informed that the Bar Council has allowed additional exceptions under Rule 8(4)(c) of the Solicitors' Account Rules 1990 for the following purposes under written instructions of a client or in accordance with the terms of a written agreement made between a client and a counterparty:

- (1) Payments due to any Joint Management Body/Management Corporation for service charges, sinking fund, quit rent, water, special fund (refurbishment) including any arrears, interest and penalty (where applicable);
- (2) Apportioned outgoings payable to a vendor or purchaser in a transaction or the solicitors representing the vendor or purchaser, as the case may be, for quit rent, assessment, sewerage, utilities (TNB, water, broadband), service charges, sinking fund, special fund (refurbishment) including any arrears, interest and penalty (where applicable);
- (3) Commission payable to an authorised third party such as an agent;
- (4) Land premiums;
- (5) Legal fees or professional charges, disbursements and official fees including payments to foreign agents/legal firms/companies for work carried out or to be carried out in relation to a subject matter in Malaysia or a country outside Malaysia;
- (6) Administrative fee, interest and other charges payable to a developer;
- (7) Fee or charges payable to a liquidator;
- (8) All outgoings, deposits, payments, expenses, cost and fees that are customary or usual in relation to a sale and purchase, lease or tenancy or any other dealing in property;
- (9) Due release of stakeholder's sum(s) such as purchase price, rental or real property gains tax refund;

- (10) E-filing payments, court deposit/fee for execution and any payment to court;
and
- (11) Payments in relation to or in connection with or arising from dealings in a cross
border transaction and/or with an international client.

Thank you.

A G Kalidas
Secretary
Malaysian Bar