

FEDERAL SUBSIDIARY LEGISLATION

[P.U. (A) 191/1994]

LEGAL PROFESSION (DISCIPLINARY BOARD) (PROCEDURE) RULES 1994

Publication Date: 19 May 1994

IN exercise of the powers conferred by subsection 93 (6) of the Legal Profession Act 1976 [Act 166] the Disciplinary Board makes the following rules:

1. These rules may be cited as the **Legal Profession (Disciplinary Board) (Procedure) Legal Profession (Disciplinary Board) (Procedure) Rules 1994.**
2.
 - (1) The Disciplinary Board shall meet on such date and at such time and place as the chairman of the Disciplinary Board may appoint.

[(1) Am. PU(A) 70/2022:r.2]
 - (2) Any meeting held pursuant to subrule (1) may be held through live video link, live television link or any other electronic means of communication.

[(2) Ins. PU(A) 70/2022:r.2]
 - (3) For purposes of this rule, reference to “place” includes cyberspace, virtual place or virtual space.

[(3) Ins. PU(A) 70/2022:r.2]
3.
 - (1) The Secretary to the Disciplinary Board shall send a notice calling for a meeting to all members of the Disciplinary Board not less than ten days before the date appointed for the meeting.
 - (2) Where at any meeting, the Disciplinary Board fixes the date, time and place of the next meeting, no notice of the next meeting need be issued to any member present at that meeting.
 - (3) A notice under this rule shall contain—
 - (a) the agenda for the meeting;
 - (b) the minutes of the last meeting; and
 - (c) any complaints and documents for the consideration and discussion of the Disciplinary Board.
 - (4) A notice under this rule may be sent by prepaid registered post or by such other means as may be determined by the Disciplinary Board.

4. (1) Where the Bar Council is the complainant or where the Bar Council intervenes under rule 8 of the Legal Profession (Disciplinary Proceedings) (Investigating Tribunal and Disciplinary Committee) Rules 1994, the President of the Bar Council or his alternate, as the case may be, shall be disqualified as member of the Disciplinary Board for the purposes of the quorum.
- (2) For the purposes of subrule (1), the quorum prescribed under subsection 93 (4) of the Act shall be read as six members from paragraph (c) of subsection (3).
5. (1) Where a member appointed under paragraph 93 (3)(c) of the Act is absent from three consecutive meetings of the Disciplinary Board, the chairman of the Disciplinary Board shall inform the Chief Justice of that fact and shall recommend that the appointment of such member be revoked.
- (2) Where any person ceases to be a member by reason of subrule (1), another member shall be appointed in his place in accordance with section 93 of the Act for the remainder of the term of office of the member he replaces.
6. Any decision of the Disciplinary Board shall be by a majority of the votes of the members present at the meeting.
7. (1) The Secretary to the Disciplinary Board shall keep a minutes document in which shall be recorded the minutes of all meetings of the Disciplinary Board.
- (2) The chairman of the Disciplinary Board shall sign the minutes document when the minutes of the last meeting have been passed.

[(1) Am. PU(A) 70/2022:r.3]

[(2) Am. PU(A) 70/2022:r.3]

Made the 7th May 1994
[DB/R/1/94; PN.(PU2) 314/VI.]

TAN SRI DATO' HAJI MOHD. EUSOFF BIN CHIN

Chairman

Disciplinary Board

LIST OF AMENDMENTS

Amending law	Short title	In force from
PU(A) 70/2022	Legal Profession (Disciplinary Board) (Procedure) Rules 1994	23 March 2022