

FEDERAL SUBSIDIARY LEGISLATION

[P.U. (A) 249/1994]

LEGAL PROFESSION (DISCIPLINE FUND) RULES 1994

Publication Date: 30 June 1994

IN exercise of the powers conferred by section 103 of the Legal Profession Act 1976 [Act 166], the Disciplinary Board, in consultation with the Bar Council and with the approval of the Minister, makes the following rules:

1. These rules be cited as the Legal Profession (Discipline Fund) Rules 1994
2. In these Rules, unless the context otherwise requires—

“Director” means the Director of the Complaints Secretariat appointed under section 98 of the Act;

“Discipline Fund” means the Discipline Fund established under section 103H of the Act.
3. (1) Any contribution, fee, fine, penalty or other payment required to be paid into the Discipline Fund under the Act or under any rules made under the Act shall be paid to the Director who shall forthwith credit such sums into the Discipline Fund.

(2) The Director shall issue a receipt for any payment made to him under subrule (1).
4. The Director shall keep an account book in which shall be recorded all moneys paid into and all moneys defrayed out of the Discipline Fund.
5. All moneys received by the Director for the account of the Discipline Fund shall be kept in a bank or other financial institution as may from time to time be determined by the Disciplinary Board.
6. No payment shall be defrayed out of the Discipline Fund unless the prior written approval of the President of the Bar Council, and of the chairman of the Disciplinary Board or such other person as the Disciplinary Board may authorise has been obtained.
7. (1) The Disciplinary Board may from time to time nominate and authorise five persons to operate the bank account of the Discipline Fund.

(2) Any cheque for the withdrawal of moneys from the Discipline Fund shall be signed by any two of such authorised persons.
8. The Director may at any time keep petty cash not exceeding the amount as may from time to time be approved by the Disciplinary Board.
9. The Disciplinary Board may from time to time fix the rates, as it considers reasonable, of defrayments out of the Discipline Fund for the costs, charges or other expenses

incurred by the members of the Disciplinary Board, the Disciplinary Committee and the Investigating Tribunal in the discharge of their duties under Part 7 of the Act.

10. The Director shall, at every meeting of the Disciplinary Board, present an account of all the moneys received for and all the payments defrayed out of the Discipline Fund for the period since the last meeting of the Disciplinary Board.
11. (1) The Bar Council, after consulting the Disciplinary Board, shall appoint an auditor to audit the accounts of the Discipline Fund.

(2) The audited accounts for each year shall be tabled before the Disciplinary Board as soon as possible after the accounts are audited.

Made the 7th May 1994

[DBR/R/1/94; PN. (PU2) 314/VI.]

TAN SRI DATO' HAJI MOHD. EUSOFF BIN CHIN

Chairman

Disciplinary Board