



SPEECH

YBHG. DATUK AHMAD TERRIRUDIN BIN MOHD SALLEH

THE ATTORNEY GENERAL OF MALAYSIA

THE OPENING OF THE LEGAL YEAR 2024

Date: 15 January 2024 (Monday)

Venue: Putrajaya International Convention Centre (PICC)

Salutation

May it please Your Honours,

YAA Tun Tengku Maimun Tuan Mat, the Chief Justice of Malaysia,

The Right Honourable the Chief Justice of the Supreme Court of Singapore,

The former Chief Justices of Malaysia:

- (i) Tun Arifin bin Zakaria
- (ii) Tun Md Raus bin Sharif

The Honourable Speaker of the House of Representatives,

The Honourable Minister in the Prime Ministers's Department (Law and Institutional Reform) YB Dato' Sri Azalina binti Othman Said,

YAA Tan Sri Datuk Amar Abang Iskandar bin Abang Hashim, the President of the Court of Appeal,

YAA Tan Sri Dato' Mohamad Zabidin bin Mohd Diah, Chief Judge of Malaya,

YAA Tan Sri Dato' Abdul Rahman bin Sebli, Chief Judge of Sabah and Sarawak,

Right Honourable and Honourable Judges of the superior courts and Judicial Commissioners,

Honourable State Attorney-General of Sabah,

Honourable State Attorney-General of Sarawak,

The Right Honourable Syarie Chief Judge,

The Honourable Deputy Inspector General of Police,
The Honourable President of the Malaysian Bar,
The Honourable President of the Sabah Law Society,
The Honourable President of the Advocates Association of Sarawak,
Fellow officers of the judicial and legal service,
Your Excellencies, distinguished guests, comrades of the legal fraternity,
ladies and gentlemen.

Allow me to introduce each of the Head of Division in Attorney General's
Chambers (AGC) —

- (i) YBhg. Datuk Almalena Sharmila binti Dato' Dr. Johan
Solicitor General
- (ii) YBhg. Dato' Suzana binti Atan
Solicitor General II
- (iii) YBhg. Datuk Manoj Kurup
Head of Prosecution Division
- (iv) YBhg. Dato' Normazli binti Abdul Rahim
Head of Advisory Division
- (v) YBhg. Dato' Umar Saifuddin bin Jaafar
Head of Research Division
- (vi) YBhg. Datuk Tay Lee Ly
Commissioner of Law Revision and Reform

(vii) YABrs. Tuan Donald Joseph Franklin

Head of Civil Division

(viii) YBhg. Datin Rozita binti Ramli

Parliamentary Draftsman

(ix) YBhg. Dato' Mohd Dusuki bin Mokhtar

Head of Appellate and Trial Division

(x) YABrs. Tuan Alfian bin Yang Amri

Head of International Affair Division

(xi) YBhg. Dato' Anas bin Ahmad Zakie

Head of Syariah and Harmonisation of Law Division

(xii) YABrs. Tuan Azizi bin Wahab

Director of Management Division

Assalamualaikum warrahmatullahi wa barakatuh, a very good morning and warm greetings I bid to all of you.

Introduction

1. May I begin by recording my deepest and utmost appreciation to the Malaysian Judiciary, particularly The Right Honourable the Chief Justice of Malaysia for the privilege and honour to address the

esteemed gathering of the legal fraternity on this august and celebrated occasion of the Opening of the Legal Year 2024.

2. This is my maiden Opening of the Legal Year speech as the Attorney General of Malaysia upon assuming office on 6 September 2023. Looking back 3 years ago, I remember sitting here as the Chief Registrar. How quickly has time passed and how quickly things have changed for me.
3. It has now become a time-honoured tradition and practice that while we welcome and usher in the new legal year with much excitement and pleasure for the betterment, we must also reflect and look into the past events and challenges we had to endure through the reminiscence lens of the AGC as an integral component in the administration of justice in Malaysia.

YAA, YA, Ladies and Gentlemen,

4. Currently, Malaysia is governed by the Madani Government; a government that was formed through mutual consensus of different political parties for a common purpose of governing the nation towards excellence and being a people-centric Government for all.

5. To echo the words of the Prime Minister, YAB Datuk Seri Anwar Ibrahim, the core principles of Madani are accountability and transparency. I reckon that these principles are not only confined to the nation's administration and governance but they are also relevant to the legal fraternity.
6. It is hoped that these principles will remain intact and could reach greater heights with the new formation of the Madani Government.

YAA, YA, Ladies and Gentlemen,

7. In every region of the globe, countries are wrestling with the complex challenges of legal and judicial reform, including the key question of developing and refining the role and functions of the judiciary.
8. Let me reiterate, the Beijing Statement of Principles of the Independence of the Judiciary formulated during the 4th Conference of Chief Justices of Asia and the Pacific in Perth, Western Australia in 1991. Subsequently, at the conference in Beijing in August 1995, the Statement of Principles was adopted by the Chief Justices from 20 countries in the Asia Pacific. The Statement was signed and subscribed to by 32 countries in the Asia Pacific region.

9. The general principles laid down in the Beijing Statement are—
- (a) the independence of the judiciary is essential to the attainment of its objectives and the proper performance of its functions in a free society observing the rule of law;
 - (b) it is essential that such independence be guaranteed by the State and enshrined in the Constitution or the law; and
 - (c) it is essential to respect and observe the proper objectives and functions of the judiciary.
10. Former President of the Supreme Court of the United Kingdom, Lord Neuberger in his valedictory address in July 2017, opined the following and I quote “*misconceived attacks on judges undermine the rule of law domestically and the international reputation of the legal system.*”. It is true that the judiciary must respond institutionally to such attacks, primarily through written judgments, but we must not forget that an independent legal profession consisting the relevant stakeholders is equally essential to preserving the rule of law and to safeguard the judicial independence.
11. The statement is in line with one of the principles in the Beijing Statement which states that judges should be subject to removal

from office only for proved incapacity, conviction of a crime, or conduct that makes the judge unfit to be a judge.

12. The role of the Attorney General as the Public Prosecutor is well established and protected under Article 145 of the Constitution. The prosecutorial discretion of initiating and discontinuing criminal charges is the exercise of lawful discretion by the Public Prosecutor after a careful scrutiny of all the evidence presented by the investigation bodies and also taking into consideration the requirements of the penal laws and procedure.
13. We are very much aware of the danger of misusing and manipulating issues relating to race, religion and ruler (3R) which have the tendency to disrupt and endanger the peaceful lives of people and national security. Hence, I will not hesitate to bring any offender before the face of justice and take stern actions, subject to evidence of course, to maintain peace and order in this country, including invoking the Sedition Act 1948 [Act 15] and any other written laws (if necessary).
14. While discharging this constitutional obligation, the Public Prosecutor is not bound to furnish any reason whatsoever to any

parties. It is therefore pertinent at this juncture to emphasize the point that, the office of the Public Prosecutor must be permitted to discharge its duties well within the confines of the Federal Constitution and any written laws without unnecessary external interference.

15. All stakeholders must therefore understand this and **respect the prerogatives of the Public Prosecutor** and must act fairly towards all parties without being selective towards certain matters, which will only result in sheer wastage of time and resources. This is also true in matters which appear to look frivolous or trivial, as AGC still needs to respond to every matter professionally. Despite having said that, I truly acknowledge and appreciate the role of the Malaysian Bar in our legal fraternity and I have no qualms whatsoever to work in a progressive manner with the Malaysian Bar on a myriad of legal matters to further enhance and improve our legal system and jurisprudence.

Achievements in 2023

YAA, YA, Ladies and Gentlemen,

16. As we now usher with warmth the beginning of the new year 2024, I take this opportunity to highlight some of the AGC's significant and remarkable accolades for the year 2023, which *inter alia* includes the following:

- (a) firstly, Malaysia's decisive victory at the Paris Court of Appeal, The Hague Court of Appeal, and Luxembourg Court against the claim made by eight individuals, pretending to be the so-called Sultan of Sulu, Jamalul Kiram II's descendants. It was a frivolous action and blatant abuse of arbitral and international law process by holding the sovereignty of Malaysia at ransom for an exorbitant sum of money. The victory of Malaysia at the Paris Court of Appeal, The Hague Court of Appeal and Luxembourg Court clearly portrayed that the claim was nothing but a sham arbitration to threaten Malaysia's sovereignty;

- (b) I am also pleased to announce that on 8 January 2024, the Spanish Arbitrator Gonzalo Stampa who controversially ordered Malaysia to pay US\$14.92 billion (RM69.88 billion) to the self-claimed heirs of the defunct Sulu sultanate was found guilty by the Madrid Criminal Court for contempt of court. He was sentenced to 6 months imprisonment and a ban from practicing as an arbitrator for a year;
- (c) Jurisdictional Immunities of Foreign States Bill codifies the customary international law on state immunities, which offers general immunity protection to all sovereign States when there are any legal proceedings commenced against a foreign State in the Malaysian courts. With this, it is also hoped that other sovereign nations will reciprocate in return, should Malaysia's immunity be infringed in their respective domestic courts. This Bill, without a doubt, echoes Malaysia's stance that the immunity of any sovereign nation should always be safeguarded and protected from being abused by any entity;
- (d) secondly, the **Abolition of the Mandatory Death Penalty Act 2023 [Act 846]** which came into force on 4 July 2023 and the **Revision of Sentence of Death and Imprisonment for**

Natural Life (Temporary Jurisdiction of the Federal Court)

Act 2023 [Act 847] on 12 September 2023, which brought to the fore, the Government's commitment in protecting universal human rights and upholding the principle of restorative justice in the criminal justice system in Malaysia. This landmark amendments also gave the Federal Court the revisionary jurisdiction to review the sentences of death and life imprisonment for natural life imposed on convicted persons. As of December 2023, AGC has successfully disposed 40 out of 42 applications to review filed in the Federal Court. At the current pace, the intended progress is expected to make positive strides in 2024, to meet the disposal projection in the targeted phases within the stipulated timeline. And this, of course, without compromising the interest of justice;

- (e) thirdly, another seminal landmark in the year 2023 took place in the promulgation of progressive modern laws to cater for the aspiration of the citizenry and to be in tandem with the global community. After a holistic deliberation with all the stakeholders, the Government decided to repeal section 309 of the **Penal Code [Act 574]** which decriminalised attempted suicide offence. The archaic provision has now been repealed

by the Parliament as it is fit and proper to treat those people struggling with mental agony and dilemma as victims and patients rather than offenders;

- (f) consequential to the repeal of section 309, further amendment was effectively made on the **Mental Health Act 2001 [Act 615]** to refer victims of attempted suicide for examination and treatment at psychiatric hospitals and the creation of crisis intervention officers to save these victims of attempted suicide with additional powers of force entry into premises;
- (g) AGC has also worked closely with the Election Commission of Malaysia (EC) throughout the General Election of the six (6) State Assemblies and six (6) by-elections in 2023 in rendering legal opinions and advice on caretaker Government and election matters through the setting up of Elections Special Operations Room (Bilik Gerakan Utama Pilihan Raya) in AGC and State Prosecution's Office;
- (h) AGC has also succeeded in securing its own State Prosecution's Office buildings in Terengganu (Besut and Dungun), in Penang (Seberang Prai), in Pahang (Pekan), in Perak (Taiping), in

Sarawak (Sri Aman) and finally in Sabah (Tawau). Recently, AGC has also managed to move the Kelantan State Prosecution's Office to a new premises in H Elite Building in Kota Bharu on 3 December 2023; and

- (i) finally, a resident DPP has been placed in Keningau, Sabah. Future plans include placing resident DPPs in other districts in Sabah.

YAA, YA, Ladies and Gentlemen,

17. The AGC has succeeded in defending the Government's interests and has achieved several milestones in public interest cases, which include election petitions and suits involving high profile individuals. The high success rate in defending these cases is attributed to the Government's commitment in upholding the Rule of Law and operating the Government machinery in tandem with the spirit of the Federal Constitution and other existing laws amongst others—

- (a) **Peter Anthony v. Riduan bin Rubin & 3 Ors (case no.: 01(i)-8-03/2023(S))** a landmark judicial pronouncement by the

apex court in March 2023, where the Federal Court ruled that a person who has been convicted for a criminal offence and was sentenced to imprisonment remains a disqualified person within the meaning of Articles 48(1) and (5) of the Federal Constitution. The Federal Court explained that a stay order under section 311 of the Criminal Procedure Code does not erase a conviction, it merely operates as to stay the effect of conviction. Any such stay order cannot override the clear prohibitive effects of Article 48 of the Federal Constitution;

- (b) **Salconmas Sdn Bhd v. Ketua Setiausaha Kementerian Dalam Negeri & Anor [2021] 7 MLJ 907**. This case serves to illustrate the exercise of Federal Court's power to set aside an arbitral award under paragraph 37(2)(b)(ii) of the Arbitration Act 2005 [Act 646] on ground of public policy. In this case the Federal Court held that 'the award sum of RM 144,730,780 million is a sum that shocks the conscience of the court as it is arbitrary, capricious and whimsical'. Calling the award as 'unjustified and exorbitant', the Federal Court provides a useful guide as to the proper principles for the application of public policy as a ground to set aside an arbitral award;

- (c) **Kartini Farah Bt Abdul Rahim & Anor v. Polis Diraja Malaysia & Ors [2023] MLJU 2114.** This case is an example which illustrates the two-step threshold test which must be satisfied at the leave stage in any challenge against the Attorney General's power under Article 145(3) FC; and
- (d) AGC also had successfully prosecuted and obtained a criminal conviction against the *Pertubuhan Kebajikan Rumah Bonda Kuala Lumpur* founder, Siti Bainun binti Ahd Razali in the heart wrenching child abuse case of *Bella* which ensued in public outcry. She was sentenced to 22 years of imprisonment after being found guilty of abusing and neglecting *Bella* two years ago.

YAA, YA, Ladies and Gentlemen,

18. I would like to mention, the AGC has always played a pivotal role in ensuring the policy of the Government of the day is well translated into legislations in order to achieve the objectives intended. In tandem with this, numerous laws were enacted and amongst the highlights are as follows:

- (a) a significant legislative accomplishment was notably the enactment of the **Penal Code (Amendment) Act 2023 [Act A1681]** and **Criminal Procedure Code (Amendment) Act 2023 [Act A1682]** to introduce the criminal offence of stalking and enabling the court to issue protection orders against individuals under investigation or charged for stalking, thereby fortifying safeguards for potential victims of stalking;
- (b) the passing of the **Sexual Offences against Children (Amendment) Act 2023 [Act A1687]** which came into force on 11 July 2023 and aims for better protection for children whereby the terminology of child pornography is replaced with the international standard terms which is child sexual abuse material. At the same time, the **Evidence of Child Witness Act (Amendment) Act 2023 [Act A1688]** was also passed to improve the procedures relating to trials involving child witnesses. The law provides for special hearings to facilitate a child giving evidence and recorded, and also to prohibit any improper questions to child witnesses. As of 15 December 2023, a total of 15 appointments have been made to the Anti-Sexual Harassment Tribunal whereby the tribunal is expected

to start at the end of this year after all the members are appointed, with the simulations to proceed within last month;

(c) in November last year, the Government has agreed for the National Cyber Security Agency (NACSA) to draft the Cyber Security Bill to provide, amongst others, the regulatory powers and enforcement of cyber security. Cyber security law plays a crucial role in protecting individuals, organizations and nations from growing threats in digital world. It also provides the necessary legal foundation to mitigate cyber risks and ensure safety and stability in the digital world. In this regard, AGC plays an actively involved in assisting NACSA on the drafting of the Cyber Security Bill; and

(d) 2023 also saw the re-introduction of legislation on parliamentary services that is the Parliamentary Services Law, aimed to pave way for the independence of Parliament in managing its own affairs which includes controlling its expenditure and manpower hiring. History will reveal that Malaysia once had **Parliamentary Service Act 1963 (Revised in 1989) [Act 394]** but subsequently repealed in 1992. The re-introduction of this law will better enhance the

doctrine of separation of powers, the pivotal element of Westminster democracy by providing Parliament the autonomous powers to manage its own functioning independently.

19. Apart from these noteworthy legislative moves, another 42 Bills have been drafted and tabled and 898¹ subsidiary legislations have been published in the *Gazette*. These legislative measures that have been undertaken were substantive steps toward fostering a fairer and more just society, emblematic of our steadfast dedication to the ongoing refinement of the legal framework and the equitable dispensation of justice.

YAA, YA, Ladies and Gentlemen,

20. AGC has always been central in the negotiation and concluding of commercial deals for the Government. Among significant high-impact agreements in 2023 are—

¹ As of 29 November 2023.

- (a) first, Bilateral Agreement between the Government of Malaysia and the Government of Singapore on Johor Bahru – Singapore Rapid Transit System Link (RTS LINK); and
- (b) second, Development Agreement on the Housing Project for One Military Member One House Program (SASaR).

21. It is noteworthy that in 2023, just like the previous years, Public Private Partnership (“PPP”) projects continue to be the main method of approach for the country’s development. AGC has continued to be actively involved in high-impact PPP projects, encompassing development of public facilities and new highways which inadvertently will contribute to the nation’s economic growth and development in years to come. As we navigate the complexities of advanced technologies and increasing demands of the people, our commitment remains unwavering in ensuring a balance between innovation, legal prudence, and the broader interests of the Government.

YAA, YA, Ladies and Gentlemen,

22. AGC has also played a crucial role in the negotiation and conclusion of bilateral as well as multilateral agreements and treaties between

Malaysia and other foreign countries. The conclusion of the Treaty between Malaysia and the Republic of Indonesia relating to the Delimitation of the Territorial Seas of the Two Countries in the Southernmost Part of Straits of Malacca and the Treaty between Malaysia and the Republic of Indonesia relating to the Delimitation of the Territorial Seas of the Two Countries in the Sulawesi Sea is historic as the treaties had been negotiated since the year 2005 and AGC had been heavily involved in the negotiations and subsequent conclusion of both treaties.

23. Currently AGC is leading the negotiation of the maritime boundary between Malaysia and Singapore, including the maritime area surrounding Batu Puteh and Tuas, in which both countries have agreed for a 12 months expedited negotiation. On this front, I have been mandated to co-chair the Joint Malaysia Singapore Joint Technical Committee & Committee for Boundary Delimitation Meeting (Joint MSJTC & CBD Meeting) with my counterpart the Attorney General of Singapore while the Joint Sub-Committee MSJTC & CBD Meeting is co-chaired by the Solicitor General and her counterpart the Solicitor General of Singapore.

24. I would like to highlight a significant development involving the Government of Malaysia in the recent Arbitration Proceedings initiated by The Goldman Sachs Group, Inc. under the Arbitration Rules of the London Court of International Arbitration. These proceedings stem from several points of disagreement under a Settlement Agreement signed in 2020 between the Government of Malaysia, 1Malaysia Development Berhad (1MDB) and Goldman Sachs. What appeared as a resolution to 1MDB's financial entanglement with Goldman Sachs has morphed into this contentious arbitration. In October 2023, the Government received an arbitration notice from Goldman Sachs, to which it responded the following month. The arbitration proceedings are now in progress.
25. To give some flavour of the complexity in this dispute without giving away arbitration confidentiality in short, the settlement between Malaysia and Goldman Sachs involved a substantial USD2.5 billion cash payment and a guarantee by Goldman Sachs of the return of up to USD1.4 billion in 1MDB bond-linked assets to Malaysia. The settlement also included a provision for a one-time USD250 million interim payment, contingent on Malaysia not receiving at least USD500 million in assets by August 2022. The heart of the dispute hinges on whether Malaysia, by the stipulated date, indeed

recovered the necessary USD500 million and, consequently, whether Goldman Sachs is obligated to make the agreed interim payment.

26. As we are aware, this case is one among many arising from the fallout of the 1MDB saga, presenting complexities and sensitivities that necessitate effective coordination among relevant stakeholders and agencies to galvanize the preparation of Malaysia's case against Goldman Sachs in defending Malaysia's rights. This is obviously an important case for Malaysia, and the AGC is spearheading the action on behalf of the Government with international legal counsels and counsel for 1MDB. It is to be underlined that the Government is committed to achieving a fair and just resolution to the dispute.

YAA, YA, Ladies and Gentlemen,

27. Proudly, AGC has successfully obtained the approval from the Cabinet to amend the **Mutual Assistance in Criminal Matters Act 2002 [Act 621]** and has tabled the Mutual Assistance in Criminal Matters (Amendment) Bill 2023 for first reading on 27 November 2023. The proposed amendments were to improve the provisions of

Act 621 in providing mutual legal assistance (MLA) in criminal matters.

28. As the Attorney General (myself), being the central authority for the MLA in criminal matters, it is worth to mention here, throughout 2023, AGC has received 96 MLA requests from several countries, amongst others are Poland, Vietnam, and the United States of America, primarily to provide evidence on criminal matters. Malaysia has also made 21 MLA requests to obtain evidence on criminal matters from few countries such as Singapore, Indonesia and France.
29. AGC has also successfully involved in the working visit and signing of the MLA Treaty between Malaysia and Uzbekistan headed by the then Solicitor General in Tashkent, Uzbekistan in June 2023. We have also conducted the 1st round of negotiations for the bilateral Extradition Treaty between Malaysia and Algeria in July 2023 and series of negotiations of the ASEAN Extradition Treaty in March, June, September, and December 2023.

YAA, YA, Ladies and Gentlemen,

30. Apart from that, AGC was involved in various significant policy-making Committees, namely—

(a) with regard to human rights and international organisation matters, AGC participates in the Human Rights Council (HRC) sessions every year, participated in the 61st annual session of the Asian-African Legal Consultative Organisation (AALCO) in Bali, Indonesia, attends the Senior Officials of Commonwealth Law Ministers Meeting (SOLM) every 2 years, and participated in the 111th Session of the International Labour Conference (ILC) and the Malaysia-European Free Trade Area Economic Partnership Agreement (MEEPA) both held in Geneva, Switzerland;

(b) as for international criminal matters, AGC successfully negotiated and signed the Treaty on the International Transfer of Prisoners (ITOP) between the Government of Malaysia and the Government of Brunei Darussalam on 3 August 2023;

- (c) AGC has also actively participated in the negotiation of the draft Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes;
- (d) the Special Council on Implementation of Malaysia Agreement 1963 and its sub-committees, where AGC is involved in various negotiations and consultations conducted between the Federal Government and the State Governments of Sabah and Sarawak, on claims to restore the status of Sabah and Sarawak as envisaged in the Malaysia Agreement 1963;
- (e) AGC has assisted the Federal Territories Shari'ah Prosecution Department Division to amend several provisions of the Shari'ah laws in the States to curb Shari'ah criminal offences published in social media to ensure that the proposed amendments are enforceable and comply with the Hukum Syarak. Currently, the matter is pending for the Conference of Malay Rulers's deliberations; and
- (f) I am also very proud to mention here that three (3) senior officers from the AGC, namely the Head of Shari'ah and

Harmonisation of Law Division, the Deputy Head Civil I, Civil Division and the Head of Constitutional Research Unit, Research Division have been appointed as members of the *Jawatankuasa Mengkaji Kompetensi Dewan Undangan Negeri (DUN) Untuk Menggubal Undang-Undang Islam* to study the competencies of State Legislative Assembly in enacting Islamic laws.

YAA, YA, Ladies and Gentlemen,

31. As of December 2023, the total number of legal and judicial officers is **2,197** inclusive of **1,524** legal officers in AGC (including cadre and secondment) and **673** judicial officers. For the Litigation Sector, throughout the year 2023, we have succeeded to dispose a total of **265,108** criminal and civil cases.

32. In 2023, AGC through the Judicial and Legal Service Commission (SPKP) has recruited **130** new legal officers and they have been placed in several Divisions in AGC, courts and various ministries or agencies as cadre and secondment officers.

33. In 2023, to ensure human capital in the Legal and Judicial Service is at the best level, AGC has implemented **131** job rotations involving **603** legal officers from all grades. This includes **586** legal and judicial officers and cadre officers in various ministries or agencies as well as **17** legal officers who have been posted as secondment.
34. These job rotations provide opportunity for legal officers to gain experience and acquire knowledge in multiple legal disciplines in litigation, advisory, legislation and judicial which is useful and beneficial in the long term career development of the legal officers in the Legal and Judicial Service.

Environmental Protection and Malaysia's Commitment

35. As we all are aware, the importance of environmental protection cannot be neglected in any circumstances. To honour our commitment in environmental protection and climate change at the international parlance, Malaysia as a responsible State had taken the initiative to reduce climate change impacts by ratifying the Rio Convention, the Kyoto Protocol and the Paris Agreement in 1994, 1999 and 2016, respectively.

36. As a matter of fact, Malaysia has no specific legislation to address the climate change. Hence, I am pleased to announce the **National Climate Change Bill** is being drafted based on the United Nations Framework Convention on Climate Change (UNFCCC) obligations to address the issues and Malaysia's obligations under the Paris Agreement that relate to the greenhouse gas emissions. This Bill is scheduled to be tabled in Parliament, together with the climate change policy in year 2025.

The Way Forward – 2024

YAA, YA, Ladies and Gentlemen,

37. Come what may, ultimately our collective aim is to promote justice in line with the legal maxim "justice should not only be done, but must undoubtedly and manifestly be seen to be done.". This past one year had witnessed the three components in the administration of justice – the Judiciary, the AGC and the Bar, working together as a testament of our resilience and tenacity as a legal community.
38. We must therefore send the same message to the public that with the start of the new legal year 2024, the three components in the

administration of justice indeed echo the same aspiration, desire and vision to uphold the rule of law and to maintain integrity of the legal profession.

39. I must impress here that the best way to maintain confidence in the justice system is to enhance the existing cooperation between the Judiciary, AGC and the Bar to deliver justice. I do not wish to see a decline in public confidence in any of these three components, as the public views us as interrelated and not distinct.
40. Hence, the Judiciary, the AGC and the Bar must come together with one vision and one aim, and join hands to create a conducive working environment towards attaining justice.
41. On this note, let me proudly acknowledge the collaboration between the AGC and the Judiciary on information and communication technology (ICT), in particular the e-filing and Electronic Filing System (EFS) maintained by the Judiciary. With assistance from the Information Technology Section, Management Division AGC and e-Court Division, Office of the Chief Registrar of the Federal Court, we are embarking on an integration between our i-AGC with the e-court system. This will enable AGC officers to conduct e-review proceedings either by using the i-AGC or the EFS system.

42. I am pleased to mention that our ongoing and future development plans also include relocating existing Deputy Public Prosecutors' offices from court houses and government buildings to separate premises. I am also proud to announce here that AGC will relocate the entire AGC Kuala Lumpur Branch office from Wisma Chase Perdana to Menara MATRADE, Kuala Lumpur and the Selangor State Prosecution's Office from the Selangor State Secretary Office to the Ideal Convention Centre (IDCC) in Shah Alam. In addition, AGC is planning to get new premises for the State Prosecution's office in Sabah, namely Lahad Datu and Sandakan, in Perak (Teluk Intan), and in Selangor (Ampang and Selayang).

Conclusion

YAA, YA, Ladies and Gentlemen,

43. With that in mind, allow me to conclude with a pledge on AGC's commitment towards ensuring a fair, transparent and efficient delivery of the justice system in Malaysia. The AGC's role in the justice system is not merely to win at all costs, but to prosecute or

conduct cases fairly, independently and transparently based on evidence.

44. I am thus reminded of my duties with this humble quote from the Quran, in **Surah al-Ahzab verse 70** and **Surah an-Nisa' verse 135**, in which Allah SWT, the Most Gracious and Most Merciful commanded to this effect:

“O you who believe! Keep your duty to Allah and fear Him, and speak (always) the truth.”

(al-Ahzab 33:70)

“O you who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your kin...”

(an-Nisa' 4:135)

45. It is worth to mention here, I am humbled and pleased to witness how hardworking my officers had been throughout the year 2023 in providing comprehensive and valuable in-depth research inputs on plethora of issues of law including legal historical background which certainly deserves recognition in my speech. My officers have

remained steadfast in our line of duty and we have striven to uphold the rule of law throughout the years. Whenever necessary, this duty also extends to defending the independence and sanctity of the judiciary against any threat.

46. Lastly, I would like to extend my good wishes on this new year to all members of the legal fraternity and everyone present for a more peaceful and harmonious year ahead. With that, allow me to cite one of my favourites poem entitled '**Dreams**' by an American poet, Langston Hughes (1901-1967). This poem encourages us to have dreams, vision and aspiration—

***Hold fast to dreams
For if dreams die
Life is a broken-winged bird
That cannot fly.***

***Hold fast to dreams
For when dreams go
Life is a barren field
Frozen with snow.***

47. As a final parting word, may I end my speech with the following *pantun*;

***AGC, Badan Kehakiman dan Majlis Peguam,
Tiga badan seiring bersama,
Menjaga prinsip kepentingan awam,
Sejahtera rakyat untuk selama.***

***Ketua Hakim Negara adil saksama,
Presiden Bar bijak laksana,
OLY menyantun kita bersama,
Moga silatullahim kekal sentiasa.***

48. *Wabillahi taufik wal hidayah, wassalamualaikum warahbatullahi
wabarakatuh.*

Thank you for your patience.

AHMAD TERRIRUDIN BIN MOHD SALLEH

THE ATTORNEY GENERAL OF MALAYSIA

15 JANUARY 2024

