



SELANGOR BAR REPRESENTATIVE



Eugene Roy Joseph

For the current term under review the Selangor Bar Committee Chairman and I represented the Selangor Bar in the Bar Council.

I was subsequently appointed to serve as the Co Deputy Chairperson for the Intellectual Property Committee.

The Bar Council (BC) involved itself in organising many activities and various issues. Some of the highlighted activities and issues are as follows:

1. Intellectual Property

The BC IP Committee together with the Bar Council Mediation Committee, has formed an IP-Mediation Task Force Subcommittee to present white paper proposal to submit to the Judiciary for proposal for mediation in the IP dispute resolution process.

On 18 July 2024, I attended a “Courtesy Visit and Presentation with External Agencies Together with the Ministry of Education”, organised by the Daily School Management Section, Ministry of Education (“MOE”) at Putrajaya, to propose a collaboration with MOE to organise an “IP Awareness for Schools” programme. The objective is to encourage more innovation and IP awareness from primary and secondary students and basic appreciation of IP laws and how to protect their creative ideas. There is also another plan to have a booth to engage with public to increase IP awareness during the world IP day on 26.4.2025.

I attended a “Public Consultation on Design Law Treaty” on 29th October 2024 to provide any feedback on the Design Law Treaty (DLT), whereby the said treaty aims to harmonise and streamline the global system for industrial design protection with the intention of making them easier and faster for designers to safeguard their creative works both domestically and internationally.



2. Legal Profession (Amendment) Bill 2023

The Amendments to the LPA passed first reading on 2 Dec 2024 at Dewan Rakyat and second reading on 9 Dec 2024. The LPA Amendments were subsequently tabled and approved at the Dewan Negara on 17 Dec 2024.

Once into force, lawyers will have the alternative to establish limited liability law partnerships under the Legal Profession Act 1976 in conjunction with Limited Liability Partnerships Act 2012.

The amendments also expands the regulatory scope of the Bar Council to include payment of fees, salaries , allowance and the working conditions of both lawyers and pupils.

Meanwhile, the Committee on Reform to the Legal Sector (CReLS) will proceed to consider the next stage of LPA Amendments parked under 11 working groups namely i) Training and Admission of Lawyers, ii) Special Admission of Advocates & Solicitors and the Issuance of Practising Certificates, iii) Privileges of Advocates and Solicitors , iv) International Matters and Foreign Lawyers, v) Malaysian Bar, vi) Professional Practice, Etiquette, Conduct and Discipline of Advocates and Solicitors and Clerks, vii) Professional Indemnity Insurance viii) Disciplinary Proceedings and Restoration Proceedings ix) Remuneration of Advocates and Solicitors , Recovery and Taxation of Costs, x) Miscellaneous & Transitional Provisions and xi) Group Practice/ Technology / Limited Liability Partnerships/ Other Modes of Organising Practice.

3. Professional Indemnity

This committee was renamed from PII Committee to PI Committee on 20.4.2024 as a move towards achieving self-indemnity.

The PI Committee needed to oversee the services of two PI Insurance Scheme Brokers namely the Marsh Insurance Brokers (Malaysia) Sdn Bhd that managed the 2024 PI Insurance Scheme and the newly appointed Aon Insurance Brokers that is taking over the scheme with a negotiated lower 2025 PII premium payable amount of RM1,007.00.

The PI Committee is considering the option of increasing the mandatory PII of RM250,000 whereby appropriate coverage will be included to keep in light with current trends.

The PI Committee is working towards a blueprint to realise a PI Fund / Self Indemnity Fund that includes ensuring an entity that will be professionally managed to ensure sustainability of the fund and subject to proper scrutiny from Bar Council to protect the interests of Members of the Bar.



4. Anti -Touting

The Anti -Touting Committee recognises the inherent challenges to address touting despite the existence of rules and laws and the Malaysian Bar's Complaints, Intervention and Compensation Fund Department.

The Committee is examining Ruling 14.23, 17.08 and Rule 51 of the Legal Profession Act 1976 of the *Legal Profession (Practice and Etiquette) Rules 1978* and considering models from neighbouring countries pertaining to the sharing of fees among lawyers for client referrals and professional business developments standards within the legal profession.

A Closed Door Forum that includes legal within the legal community, the judiciary, and government agencies to be held this year to develop effective strategies to address touting concerns.

5. AMLA [Data and Compliance Report ("DCR") 2024]

To assist Members in preparing for the submission of DCR , BC issued Circular No 324/2024 summarised several key preparatory steps whereby Firms were advised to appoint a Compliance Officer ("CO") and to contact Bank Negara Malaysia if they didn't receive any email to provide the CO code.

To further assist Members, the BC organised a Webinar on DCR Clinic 2024 on 6 Dec 2024 to provide members with detailed guidance on the DCR submission process.

6. Personal Data Protection - Code of Practice

The BC Ad Hoc Committee is in the midst of preparation of a Code of Practice that addresses compliance with the PDPA by law firms as data users.

The objective of this Code of Practice is to set out requirements expected of law firms when handling personal data. Upon obtaining the requisite approvals under the PDPA, further information will be issued to members.

7. Signboard of Law firm

Following the decision of High Court in Shah Alam on 25.7.2024, the Bar Council has issued a Circular No. 299/2024 on 24.9.2024 that maintains the position that law firms do not need to apply to local councils for signboard licences.



8. Google Form for complaint

Legal Profession Committee has introduced a new platform via Google form at the Malaysian Bar website to allow submission of enquiries with all relevant details for any possible breach/non-compliance of the LPA.

9. Law firm's Name

The Bar Council has revoked Ruling 2.02 of the Rules and Rulings, whereby now firms do not need to prior approval of the Bar Council to use a vernacular language version of the firm's name.

10. Confidentiality of Court Recording

Members of the Bar and pupils in chambers are reminded that Court Recording Transcriptions and recordings of online court proceedings can only be used solely for transcription purpose and any misuse of these recordings or transcriptions may constitute misconduct under the LPA.

11. Review of deposit

Legal Profession Committee has initiated a review of the Accountant's Report Rules 1990, Solicitors' Account Rules 1990, and Solicitors' Accounts (Deposit Interest) Rules 1990 to ensure they are align with the current practices in the legal profession.

12. Sentencing Database

The Judiciary invited Criminal Law Committee for a briefing on the court sentencing database, which aims to provide judicial sentencing decisions while preserving judges' discretion. A soft launch is planned for February 2025.

The Judiciary stated that the system will undergo refinement during the pilot phase by taking into account all relevant stakeholders but aims to begin at lower courts with constant monthly meeting with all stakeholders.

13. Klang High Court

For the present moment, the Klang High Court causing some trial dates to be fixed in 2028. The Judiciary is looking into the matter and hopeful it can be solved within the first quarter of 2025.



14. Template against Sexual Harassment

BC has issued Circular No 358/2024 titled “Template Policy for Protection against Harassment in the Workplace” on 5 Nov 2024 and encourage law firms to take proactive steps to implement a policy against sexual harassment within their own law firms, by adopting a provided template policy or implementing a policy of their own.

15. Personal Injury Compendium

The BC Personal Injury Claims & Awards Committee is reviewing a new Compendium of Personal Injury Awards (2025) (“Compendium”) which is a concise yet comprehensive guide which meant as a guide for judges and lawyers since last review on 2018. This new Compendium is expected to be ready by 1st quarter of 2025.

16. Discussion on Minimum requirement to set up Law firm

The Risk Committee will continue to engage with BC and all State Bars in order to arrive to a suitable outcome that will include any minimum of practising, attending required courses pertaining to accounts and operational issues and others.

17. E- Filing Issues

Current Issues pertaining to pupils ID to attend e reviews , members of the Bar not able to attend E- reviews if the matter is in a location other than where their firm’s branch is located and CAPCHA issue are being addressed and a updated meeting is due this month of February 2025.

18. Asean Lawyers League

A protem committee will be set up to draft constitution and consider viable options for the establishment of ASEAN Lawyers League with the intention of networking and building business rapport and ties with lawyers in the ASEAN region.

19. Acknowledgement

I am truly humbled and honoured to be given the opportunity by members to serve as the Bar Representative and elected together with the Chairman Mr Mk Thas and the current team of Selangor Bar Committee.



I wish to record my appreciation to Selangor Bar Chairman, everyone serving as Selangor Bar Committee and secretariat staff as everyone committed their own time, effort and work in our mutual intention to serve Selangor Bar to the best of our abilities.

Report submitted by,

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Selangor Bar Representative to the Bar Council