MINUTES OF THE 60TH ANNUAL GENERAL MEETING (AGM) OF THE SELANGOR BAR HELD ON THURSDAY, 27th FEBRUARY 2025 HYBRID.

At 2.30pm the meeting was called to order with a quorum of 460 members followed by the national anthem. The Chairman requested all present to observe a minute of silence as a mark of respect in reference for all members who have passed on since the date of the last AGM, namely, Dato' Sri Punidanathan a/l Velupillai, Mohd Nizam bin Khamis, Abdul Shukor bin Abdul Karim, Ibrahim bin Hashim, Ben George a/l Jacob George, Mazlifah Binti Dato' Mohd Johari, Eric @ Eric Johnson a/l S.P. Crais, Balbir Singh a/l Peraim Singh, Ashokvijay J. Sanghrajka, Datin Gurmit Kaur d/o Gurbakhes Singh, Mahfuzah binti Abdul Rahman, Tun Abdul Daim b Zainuddin, Palanisamy a/l Muniandi, Norazmi Bin Daud, Dato' Mohamad Jazamuddin Bin Hj. Ahmad Nawawi and Zamani Bin Dol Mat.

Before proceeding with the agendas, the Chairman requested all the pupils to be seated at the chairs which are red in color and the members to be seated at other seats. The Chairman then reminded the members that the meeting is only for Selangor Bar members.

The Chairman then requested that all the phones to be muted. Before proceeding the meeting, the Chairman addressed the house rules and stated that Section 70 of the Legal Profession Act 1976 states that the Selangor Bar's AGM is only for the members of the Selangor Bar state members. He added that registration has taken place outside the hall and for some reason if there are any non-Selangor bar members, he politely requested for the non-members to leave the hall.

ITEM 1 OF AGENDA:

To consider, and if approved, to adopt the minutes of the 59th Annual General Meeting held on Thursday, 22nd February 2024

1.1 The Chairman referred to page 2 of the report to approve the minutes and Watson Peters proposed Item 1 & 2 to be discussed together.

1.2 Vishnu Kumar informed the Chairman that item 1 is for members to go through the minutes and correct it if need be and to be approved and seconded by members. Hence, as a result of the approval, any matter arising from the approval will be raised as a separate matter and it is how it is done conventionally and the right way to do it.

1.3 The Chairman took note and informed the floor that Item 1 & 2 will be discussed separately.

1.4 As there were no amendments to the minutes of the 59th Annual General Meeting, the minutes were approved and adopted, proposed by Dato' Joy Appukutan and seconded by Muniandy Vestanathan.

<u>ITEM 2 OF AGENDA:</u>

To discuss matters arising there from.

2.1 Dato' Rajpal Singh queried the Chairman what is the purpose of running the hybrid AGM meeting when there is no Movement Control Order (MCO), no pandemic and even the Selangor Bar' Annual Dinner & Dance was held physically. He continued that the upcoming Malaysian Bar's AGM are going to be conducted physically and lawyers all over the country are going to find their way to attend.

2.2 Dato' Rajpal Singh continued that to say that we will have more representation at the AGM is not a good reason to do so. He then referred to page 16 of the report and informed that members faced problem with the Wi-Fi connection and link during the last AGM. During elections, many members lost their Wi-Fi connection and could not log back in time to vote. He added that many members could not speak out through the system and they were asked to write their question in the chat box and not all questions were answered. Dato' Rajpal Singh queried the Chairman as to why we need a hybrid meeting this time around and the purpose. He continued to query the Chairman is this meeting valid if any one (1) member could not vote because of the link.

2.3 The Chairman replied that it was the committee's decision to have the AGM on hybrid basis for various reasons. He continued that there are 553 members who are attending the meeting via online which has outnumbered the 100 odd members who attended physically which is 5 times more. The Chairman continued, historically from the year 2015 to the year 2019, the number of members attended the AGM meeting were 171, 167, 172, 162 and 221 respectively. He continued that we had a reason to have the AGM online because of the pandemic where 423 members attended via online in the year 2020. The number of members attending the AGM increased to 611 post-pandemics in the year 2021 followed by 689 members in 2022, 546 members in 2023, 796 members in 2024 and a rough estimation of 800 plus members for 2025 due to the hybrid meeting. The Chairman added, the Selangor Bar belongs to everybody and not for only those who are attending physically.

2.4 The Chairman then read out the comment from a member who attended online namely Saraswathy Shirke Deo; 'Please be informed that many of us are unable to attend physically as we just finished our court matters. So, please just understand that we need a hybrid meeting to allow us to participate. Members not being able to vote this round is speculative. Please don't revisit the decision at this juncture'.

2.5 The Chairman further informed, we have 9 districts and 12 courts where members are scattered around Selangor including places such as Sungai Besar, Kajang, Bangi, Kuala Kubu Bahru, Telok Datok and a small town called Sungai Pelek. The Chairman added, therefore, there is nothing unusual for having a hybrid AGM and this matter should not be revisited. We even have the court proceedings/trials via online. The Chairman informed that it is fair that members are allowed to participate in the AGM and appreciate the current technology where everybody has the opportunity to attend.

2.6 Dato' Rajpal Singh informed that the Chairman did not answer his question. He then raised his concern about the members who lost their Wi-Fi connection and could not log in and vote and it is not speculative. He added, during his chairmanship in 2008, there were 300 out of 2500 members who attended the AGM physically and the reason why the Malaysian Bar and other state bars are not following because they know that there will be issues and not everyone will be able to attend via online.

2.7 Bernard Scott informed the Chairman that for those who have issues pertaining to the Wi-Fi connection, they should attend the AGM physically and the argument is a very speculative.

2.8 Maniggandan Gopalan informed the Chairman that he is attending the SBC's AGM for the first time and so does many other members. He added that he was assisting Mr. Biliwi Singh whom is a senior member to register via the zoom link but couldn't. He continued that even if the members have attended physically, they still need to register via online which they find it difficult as the zoom link could not be accessed and the service provider was unable to resolve the matter. He then sought for clarification from the Chairman.

2.9 Yohendra Nadarajan informed the Chairman that he is present physically but until now not able to enter the meeting via online and queried whether he can vote or not.

2.10 The Chairman queried him as to why he did not meet the service provider outside.

2.11 Yohendra Nadarajan replied that the service provider said that they could not resolve the matter as it is his handphone problem. He then queried the Chairman as to how would members vote if they could not register.

2.12 Dato' Rajpal Singh informed the Chairman that those who stay in Sungai Besar who are having issues to log in could not come here physically in time.

2.13 The Chairman informed that he did not get any complaint from online.

2.14 Dato' Rajpal Singh replied that if a member could not access the link, how do they complaint on the matter via online.

2.15 Ron Ong Kit Wee informed the Chairman and the members present that members having issues to log in, can contact him and his team of five staff who will assist to log in and read out his handphone number; 016-6264184.

2.16 Komathi Arunasalam informed the Chairman that this is an AGM and it is not proper for the Chairman to request the members to resolve the issue with the service provider as the members are having the issues with the Selangor Bar and not the service provider. She added that the AGM has started and members are still facing issues to log in. Those who have registered are unable to attend as the link provided is not functioning. It is the responsibility of the Selangor Bar to answer and not the service provider.

2.17 A.G Kalidas informed the Chairman that members are facing issues with the online meeting and proposed to the Chairman to regularise the meeting by putting up a vote on the issue and continue with the meeting. He continued that the progression made by the committee is admirable and by right every member of the Selangor Bar should be voting even by way of ballot.

2.18 He continued that many laws have been amended to give way to virtual proceedings but not the Legal Profession Act 1976 (LPA). During pandemic, we used the doctrine of necessity and we do not know whether that necessity exist now. He added that first we must lobby to amend the law, as we have 500 plus members signed in via online to attend the meeting which is very good but we can't contravene the law. He added that it is a grey area and do not know whether the committee have obtained any opinion or not on this matter. He added that it is entirely up the Chairman and the committee to put it to vote and regularise the meeting.

2.19 Watson Peters informed the Chairman that the issue should not be dissented to other arena and it should be resolved there. He continued that he agreed with Dato' Rajpal Singh that what happens to members who can register log in but can't vote and according to the Chairman it is mandatory to vote via online. He added that he also could not log in even he is physically there and the Chairman can't act in a way to invalidate this meeting. He added that the responsibility on the Chairman at that point of time is huge. He added that the Chairman may have decided in the best interest of the bar but unfortunately the online system does not help progress the best interest of the bar.

2.20 Watson Peters informed further that he did not agree with the proposal made by A.G Kalidas in order to rectify the matter as he thinks nothing can be done. He added, the meeting should either be called off or proceed with the meeting at the risk of getting it nullified. He added that admirable work has been done on best of intentions but we have to look into this issue now.

2.21 Ananthasivam informed the Chairman that to save this meeting from being invalidated, it is better to adjourn the meeting for a short while in order to rectify the issue.

2.22 The Chairman informed the floor that at the moment, according to the technical providers there are no one pending for the online registration and the entire secretariat staff are outside the hall assisting members in registering the link and we are not getting any more complaints. The Chairman continued that complaints are coming only from the floor not from the online platform.

2.23 Dato' Rajpal Singh replied how could a member lodge a complaint if he/she could not even register.

2.24 The Chairman requested for any member on the floor to see the technical staff / secretariat staff outside the hall in order to resolve the issue. He added that members who can't join via online can contact the secretariat.

2.25 Dato' Rajpal Singh informed that members have contacted the Secretariat and the staffs they have informed that they are not in charge of the online system and to contact the service providers here.

2.26 Jude Peters informed the Chairman that he has registered online and in the online meeting but the screen has been frozen for a long time.

2.27 The Chairman requested him to see the service provider.

2.28 Jude Peters informed that he has signed in but his screen is frozen and there are messages in the chat box by other members on the same issue.

2.29 The Chairman informed the floor that they had a hybrid AGM meeting last year and there is a progression on the service provider system for this year.

2.30 Dato' Rajpal Singh queried the Chairman whether it is the same service provider.

2.31 The Chairman replied that it is a different service provider. The Chairman continued that we have the service providers present because we wanted to improve the online system. He added that the current service provider is much better and there is progression and it is a mere technical glitch. He added that he did not receive any objections last year and by convention we have accepted this mode from 2022. He then informed the floor that this should not be an issue at this stage. If there were to be a serious objection, members should have written in to the Secretariat before the AGM but nothing came forth. Therefore, the meeting will proceed accordingly.

2.32 Salim Bashir informed the Chairman to maintain decorum and advice members not to shout from the place they are seated and use the microphone provided in front.

2.33 The Chairman took note and informed the floor not to raise their voice or shout from their seats and to use the microphone if need to raise any issues. The Chairman added if the meeting is going to be dragged in this manner, it will take a very long time.

2.34 Watson Peters queried the Chairman whether we have dealt with Item 2 of the Agenda.

2.35 The Chairman replied that we just did unless anything further to discuss under Item 2.

2.36 Kokila Vaani informed the Chairman that the Selangor Bar and the KL Bar are having AGM on the same day and with 3 motions being debated. She hoped that the next committee to take note on the matter as it is conventional that many of the Selangor Bar members are also the members of the KL Bar and we do not fix AGM on the same day.

2.37 The Chairman took note and informed all the members that there are another 3 state bars who are having AGM on the same day which are Malacca, Negeri Sembilan and KL.

ITEM 3 OF AGENDA:

To consider the Reports on the activities of the Selangor Bar for the year 2024/2025

3.1 Chairman's Report

3.1.1 Watson Peters complimented the Chairman's report and further referred to page 43 and commented on the sentence "This sub-committee had excelled well and have done their best throughout this term" which have been repeated on the next pages for each sub-committee's report. He then queried the Chairman whether the Chairman believes that all the sub-committees had excelled well as per the report.

3.1.2 The Chairman replied in affirmative.

3.2 Civil Practice and Court Liaison

3.2.1 Dinesh Kannen referred to Item 1 on page 63 and commented on the issue of joint petitions being heard at the Sessions Courts. He queried whether the issue had been resolved, as in July 2024 he encountered a situation where a Sessions Court Judge indicated that all advocates must be robed. He further queried the Chairman as to whether there is any circular issued on this matter.

3.2.2 The Chairman replied that many members facing similar issues would contact the Chairman or other committee members directly, and the issue would then be addressed. He further added that, going forward, any member encountering such issues should contact the Committee, the Secretariat, or send an email so that the Committee may promptly look into the matter.

3.2.3 Dinesh Kannen responded that members could not be expected to contact the Chairman, the Committee, or the Secretariat during hearings and anticipate that the issue would be resolved immediately.

3.2.4 The Chairman informed that he has an able committee and that there have been no instances of this issue occurring previously. He added that, should such an issue arise, members may test the efficiency of the incoming committee.

3.2.5 Wee Su Lin informed that Dinesh Kannen's question was not answered properly by the Chairman. She further informed the Chairman, if the issue has been resolved, Dinesh Kannen would not have faced the issue again and there should be a circular by the Selangor Bar or any commitment by the court regarding the matter. She continued that the Chairman cannot expect the members upon panicking after the judge asks the members to be in robed to contact the Chairman or the committee.

3.2.6 The Chairman replied that the committee only received one complaint regarding the matter and the committee is of the view that it is an isolated issue, hence, there was no circular issued. Since the issue has been raised again, the upcoming committee will look into the matter and if the issue arises again, members should inform the committee and the committee will immediately look into it.

3.2.7 Vishnu Kumar referred to Item 9 on page 64 and commented on the impracticality of sending emails to the respective officer when calls by members to the Court go unanswered. He stated that, in emergency situations, the first course of action for lawyers is to contact the Court by telephone, and such calls must be made available without excuse, particularly as there are two staff stationed at the Court's reception counter from 8.00 a.m. to 4.15 p.m. He further queried when emails sent by members to the Courts are actually attended to. Vishnu Kumar added that phone calls must be answered by the Courts and informed the Chairman that the incoming Committee must look into the matter and ensure that calls are attended to, as this is non-negotiable. The Chairman took note.

3.2.8 Salim Bashir referred to page 67 and congratulated the Committee and the organising sub-committee for the successful organisation of the Selangor Bar Law Conference 2024. He stated that he was one of the moderators and observed that there were 20 speakers in total, of whom 16 were judges. He commented that, in such circumstances, the event might more aptly be called as a Judges' Conference rather than a Selangor Bar Law Conference. He then proposed that the incoming committee enhance future conferences by including more speakers from among members of the bar, particularly members of the Selangor Bar, and avoid an over representation of judges as speakers. He further suggested that, if necessary, the organising sub-committee could take guidance from the Malaysian Bar, AIAC, or other relevant organisations on the effective organisation of conferences. Salim Bashir also remarked that, at the same conference, two lawyers who spoke on criminal law did not perform well.

3.2.9 The Chairman replied that the committee did not receive any complaints from participants who attended the conference regarding the need to have more lawyer speakers as opposed to judges as speakers.

3.2.10 Salim Bashir responded that the issue should not be approached solely on the basis of whether formal complaints were received, as the views expressed reflected the concerns of members of the Selangor Bar. He urged that the matter be taken seriously and that the committee learn from other organisers. He added that even the Malaysian Bar had not conducted conferences at such a level. Salim Bashir further requested that the committee look into the matter and not rely on the absence of complaints from participants as justification to proceed in the same manner.

3.2.11 The Chairman further informed the members that he is surprised on the complaint because there was no such complaint last year despite the conference is progressing every year.

3.2.12 Some members of the floor commented to the Chairman to regard the issue as a view instead of a complaint and the Chairman took note.

3.2.13 The Chairman further informed that the committee had taken note of the views expressed and that the incoming committee may consider increasing the number of speakers from the bar to be equal to the number of judges. He added that it was not the case that the organising sub-committee did not know how to run a conference, and noted that the committee had managed to achieve a more balanced representation of lawyers and judges as speakers at a subsequent conference, the Selangor Bar Employment Law Conference. The committee has accepted the view and it is a matter of improving the conference for the subsequent years.

3.2.14 A.G. Kalidas referred to item 13 in page 65 and informed the Chairman that he does not understand as to the complaint and requested for a clarification and what was resolved as stated in the said item as 'Peguam/TPR'.

3.2.15 A.G. Kalidas later informed the Chairman that in order to maintain the decorum, there is no need to be offensive and defensive as to the meeting. He continued that Salim Bashir merely proposed a suggestion to the incoming committee.

3.2.16 The Chairman replied that he took note of the suggestions but he needed to explain the views of the committee.

3.2.17 The Chairman then informed A.G. Kalidas that the complaint was regarding the parking issues at Petaling Jaya court where the issue has been resolved by allocating more parking for lawyers at Level 2 and Level 2A with the signage of 'Peguam/TPR."

3.3 Criminal Practice and Court Liaison

3.3.1 Salim Bashir referred to page 84 to page 89 of the report and congratulated the sub-committee for organising many talks. He then referred to the meetings held with the respective authorities but none was stated in the report. He then queried the Chairman as to the issues that was raised, the reply and whether the issues have been resolved.

3.3.2 The Chairman replied that circulars on the outcome of the meetings have been issued except for the meeting with Chief Police Officer of Selangor and meeting with the Pengarah Pendakwaan Negeri which were held few weeks ago. The reports for both meetings have not been approved yet as the secretariat were packed with compilation of annual reports, AGM preparations and so forth. He continued that the draft circular is ready but was not able to proof read it. The current committee will assist the incoming committee to proof read the said reports before the circulars can be issued.

3.3.3 Salim Bashir proposed to the Chairman for the Criminal Law and Court Liaison Sub-Committee (CPCL) or any incoming sub-committee to follow the good practice of the Civil Law and Court Liaison Sub-Committee by listing all the complaints.

3.3.4 The Chairman replied that the incoming committee will take note. The Chairman further informed Salim Bashir that the reports of meetings were not incorporated into the report because circulars have been issued after the meetings.

3.3.5 Salim Bashir informed that it is a good a practice to resemble the circulars into the annual report for members who do not have the privilege to look at the circulars.

3.3.6 The Chairman agreed and informed that the reason as to why the circulars were not incorporated into the annual report is because some of the issues may be a current issue for the members to know at that point of time and it is irrelevant for the issues to be reported again in the annual report.

3.4 Dana Bantuan Guaman Selangor (DBGS)

3.4.1 Ramesh Lachmanan referred to page 90, paragraph 4.12 and informed that he did raise the question at the last AGM and queried the Chairman about the details of the DBGS fund. He referred further to paragraph 4 in page 95 and queried the Chairman on the amount of RM127,004.02 and queried whether it was solely paid to lawyers. The Chairman replied that it is the payments to lawyers and the staff in charge (operating cost) of running the said programme.

3.4.2 Ramesh Lachmanan then referred to page 92 and informed that according to the report there are only 16 lawyers in record we have conducted 32 cases in 2024 and RM127,04.02 has been paid and requested for details of the payment. He added further that he did asked the same questions at the last AGM but do not see the answers in the accounts. He requested for the details of the payment made and to whom it was paid.

3.4.3 The Chairman replied that there is nothing to conceal and many lawyers has been paid off for the program and the list of members whom been paid is not with the committee at the moment and will provide the list if Ramesh Lachamanan would like to view it. The Chairman added that Ramesh Lachmanan’s views will be looked into by the incoming committee.

3.4.4 Ramesh Lachmanan replied, the same question was raised last year and Yu Ai Ting informed him that the incoming committee will take into account and it was not done and now the Chairman is giving the same answer. He then queried as to when the members are going to get an answer.

3.4.5 Sandosh Ananthan proposed to the Chairman to move on with the agenda as many members are waiting and maybe the committee can provide the details requested by Ramesh Lachmanan later or offline.

3.4.6 Ananthasivam informed the Chairman that Ramesh Lachamanan never indicate that the committee concealed anything but the Chairman has used certain phrases which are not the actual words spoken by previous speakers. He then urged the Chairman to consider using his words carefully. The Chairman took note.

3.4.7 Watson Peters pointed to the Chairman with regard to the question raised by Ramesh Lachmanan in page 19, paragraph 4.12 and informed the Chairman that Ramesh Lachmanan has requested to keep the DBGS money in a separate account from the Selangor Bar's money as it is the Selangor State Government's money. He then requested the Chairman as to what transpired since then, in terms of classification and usage of the DBSG money.

3.4.8 The Chairman informed that the matter will be answered during the audited accounts being presented later.

3.4.9 Watson Peters queried Ramesh Lachmanan whether he agrees.

3.4.10 The Chairman informed Ramesh Lachmanan that the account will be put up later in order to answer his question.

3.4.11 Ramesh Lachmanan replied that he has raised the same question at the last AGM.

3.4.12 Ramesh Lachmanan continued that the said programme involves the Selangor Bar's money and the Selangor state government's money which should have been reported in detail. He continued that he did raise the issue at the last AGM but the current accounts do not reflect it. He added that 32 cases has been done by 16 lawyers in record, and they were paid RM127, 004.02 which is very concerning because it is the state government's money.

3.4.13 Kokila Vaani expressed her view that putting up an account for Ramesh Lachmanan's question is inadequate as other members need to be informed as well. She requested the Chairman to clarify the details on the DBGS report in page 94 where she does not see the details for the year 2023. She continued that the report is insufficient and inadequate.

3.4.14 Kokila Vaani referred to paragraph 3 in page 92 and commented that the fees has been increased from RM1,500.00 to RM3,000.00 per case and she is well aware as she was part of the pioneers of the DBGS programme. She added that it should have been part of the MOU and she is not sure as to why the initial MOU and the latest MOU is not produced for the viewing of the members. She proposed the Chairman to start explaining on DBGS cases for 2023 as it is not reported in detail.

3.4.15 The Chairman replied that the report in page 94 is reporting for whatever has taken place in the year of 2024 and it will not reflect 2023.

3.4.16 With regards to the MOU, the Chairman informed that UPEN has agreed to continue with the programme but pending signing off by the Bar Council (BC). The Chairman continued that the incoming committee will be able to look into the matter and proceed with it.

3.4.17 Dinesh Kannen referred to page 94 and informed that the discrepancy of the number for Syariah cases in 2024 which stated in table 1 is 3 cases but stated as 2 cases in table 2 of the same page.

3.4.18 The Chairman informed Dinesh Kannen that the committee took note of his comment.

3.4.19 Kokila Vaani informed that her query was not answered by the Chairman. She referred to table 2 in page 94 and informed that it should have been construed in detail similar to the table 1 for the year 2022 as per the title or it is more acceptable if the table detailed out the cases for the year 2023.

3.4.20 Kokila Vaani informed the Chairman that it is important for the MOU to be reported because the terms will inform the amount of the disbursements by the Selangor State government and the duration of the DBGS programme as there are not many members who are aware of the commencement of the said programme and when it will end.

3.4.21 Kokila Vaani added that among most, the Chairmen who was instrumental, Salim Bashir and A.G. Kalidas, have entered into an MOU for three (3) years which ends in May 2025. She added that we were informed that there will be an MOU but were not informed on the details. She then sought clarification from the current committee whether it ends in May 2024 or May 2025.

3.4.22 Kokila Vaani continued that now we were informed that BC must sign the MOU which is pending, and queried whether will it change the current position with the Selangor state government and she is very concerned regarding the answers by the current Selangor Bar Committee.

3.4.23 Kokila Vaani continued that if there is a new MOU, there should be an extra page on the report stating that a new 2024/25 MOU to be continued for 3 years. She added that she was helming this project and the total amount funded by the Selangor State government was RM3,000,000.00.

3.4.24 She then referred to paragraph 4 of page 95 and informed that the initial payment of RM300,000.00 given by the state government. She continued that the reporting is not right because members of the Selangor Bar has given one term to the committee to come up with a proper DBGS report but unfortunately the report in page 94-95 did not reflect the same.

3.4.25 Gabriel Susayan referred to page 94 and sought clarification from the Chairman on the difference between the total number of cases in paragraph 2 (table 2) where the total cases stated from 2022-2024 is 76 and the total number of cases stated in paragraph 3 in page 95 is 78 cases. He then queried the Chairman whether it was an error.

3.4.26 The Chairman replied that there were 2 cases withdrawn hence it is not reflected in the report.

3.4.27 Navin Punj referred to paragraph 4 in page 95 and informed the Chairman that the "Baki" for 2024 is ought to be RM363,758.57 instead of RM366,758.57.

3.4.28 The Chairman replied that the amount of RM366,758.57 is correct. He added that if Navin Punj needs further clarification, they will put up a chart to clarify the matter.

3.4.29 Surendran informed the Chairman that the comment made by Navin Punj showed that it is not a technical error but the calculation was wrong as there is an additional amount of RM3,000.00.

3.4.30 K.A. Ramu referred to paragraph 3 in page 92 and queried the Chairman as to who are the 10 skilled lawyers as mentioned in the said paragraph because the Selangor Bar have around 7600 lawyers and how do the committee open the programme for the lawyers to participate.

3.4.31 The Chairman replied that a circular has been issued to members to come forward and apply for the said programme.

3.4.32 With regard to the DBGS programme, Salim Bashir informed the Chairman that there were guidelines in the MOU with a clause saying that non-committee member(s) could be invited to sit in the 'Pengurusan Tertinggi" DBGS. He then requested the Chairman whether he would want to revive the said practice as previous committees have done the same.

3.4.33 The Chairman informed the members that this concern was not raise last year and since it has been raised now, the incoming committee will look into the clauses of the particular agreement and they will do the needful accordingly.

3.4.34 Kokila Vaani queried the Chairman as to when the new or the current DBGS programme ends. She added that the members should be made aware and if the agreement ends in May 2025, she is of the opinion that there is a discrepancy in the grant which amounts to RM2.4 million.

3.4.35 The Chairman replied that the contract expires in 25th August 2025.

3.4.36 A.G. Kalidas queried the Chairman about the MOU's expiry date and whether there is a new term in the MOU.

3.4.37 The Chairman replied that there is a new term in the MOU and it ends on 25th August 2025 and there will be a continuity.

3.4.38 A.G. Kalidas sought clarification from the Chairman as it is confusing.

3.4.39 The Chairman informed that the MOU is ending on 25th August 2025 and the current grant amounts to RM800,000.00 and not RM3 million. He continued that the state government has released the first payment amounting to RM300,000.00 followed by another amount of RM300,000.00 and there is another balance of RM200,000.00 which is pending.

3.4.40 A.G. Kalidas informed the Chairman that the members deserve to know the reason as to why the grant money was reduced from RM3 million to RM800,000.00.

3.4.41 The Chairman replied that it was reduced by the state government.

3.4.42 A.G. Kalidas queried further what is the reason of the reduction and what did the committee did to ensure it is not reduced further. He then sought clarification from the Chairman on the MOU which is with the BC and when did the committee passed the MOU to BC for signing. He continued that the Chairman have mentioned earlier to the members that the MOU is ending in August 2025 and there is another MOU given to the BC pending for execution. A.G. Kalidas queried further whether there is another MOU.

3.4.43 The Chairman replied that the first MOU has been signed and Kokila Vaani knew about it.

3.4.44 A.G. Kalidas informed that he also knew about the first MOU.

3.4.45 The Chairman informed that the second MOU is pending for signing by BC. He added that we are waiting for the signed MOU to be sent to us to forward it to the state government. He continued that the grant amount was reduced by the state government without any reason and it was informed that it was a decision by the MKN.

3.4.46 Mr. A.G. Kalidas queried the Chairman as to whether the signing of the MOU is pending due to the reduction in the grant.

3.4.47 The Chairman replied that it is partly to address the reduction and they have incorporated Syariah cases into the DBGS programme. He continued that there is also increment on the amount of fees paid to the DBGS lawyers from RM1,500.00 to RM3,000.00 per case.

3.4.48 A.G. Kalidas queried the Chairman as to how long it has been pending with the BC for signing.

3.4.49 The Chairman replied that it has been pending for one week.

3.4.50 Kokila Vaani sought the confirmation from the Chairman that the grant money from the state government amounts to RM3 million for the DBGS programme which was executed by A.G Kalidas, Salim Bashir, herself, the current Chairman, Yu Ai Ting and the current committee, has been reduced to RM800,000.00.

3.4.51 The Chairman replied that he has confirmed about the matter earlier.

3.4.52 Kokila Vaani requested the Chairman to re-confirm the matter.

3.4.53 The Chairman re-confirmed. Kokila Vaani thanked the Chairman.

3.4.54 Choy Kian You sought clarification from the Chairman whether the MOU pending signing is an extension or only amendments to the previous MOU.

3.4.55 The Chairman replied that the first MOU has expired.

3.4.56 Choy Kian You then queried whether is it because the MOU is going to expire on 25th August, 2025.

3.4.57 The Chairman explained that it has expired and the state government sent an email confirming that despite the MOU has expired the DBGS programme still continues. He continued that they have also issued a subsequent MOU which carries the amendments which he has informed earlier. The Chairman added, the second MOU is expiring on 25th August 2025.

3.4.58 Choy Kian You then queried the Chairman as to when the first MOU expired.

3.4.59 The Chairman replied that it expired in August 2023.

3.4.60 Choy Kian You informed the Chairman that members need to know the sequence of the MOU. The Chairman took note.

3.4.61 Choy Kian You referred to the table in page 95 and informed that a proper presentation is needed. He further added the first allocation of RM300,000.00 was made in 2022, whilst on the slide, the payment was in fact made in 2021. He then informed the Chairman that there is a need of proper reflection of the data on the documents otherwise it will be a misrepresentation to the members.

3.4.62 Choy Kian You then referred to the slide presentation and commented that the shortfall of RM3,000.00 is actually the refunded fee for a returned file taken by a DBGS lawyer on 31st October, 2024. The said amount is part of the RM127,004.02 which is an expenditure in 2024 and it must be rightfully deducted from the said amount in order to show an accurate expenditure.

3.4.63 Choy Kian You informed the Chairman that it is very pertinent that the MOU be shared with the members as members should know the contents of the MOU. He continued that when we received the grant, are we required to audit the accounts because there is no reflection of the said account in the audited accounts of the SBC. He added that it is important for the auditors to certify that the accounts of DBGS are in order and it can as simple breakdown which is being shown on the projector as it will give confidence to the members and to the public who expect the legal services.

3.4.64 The Chairman replied that the accounts have been audited by UPEN and the incoming committee will incorporate the breakdowns it in the report.

3.4.65 Al-Sabri referred to the table in page 95 where he compared the expenditures of the DBGS grant in 2022 (RM15,563.46), 2023 (RM93,673.95) and 2024 (RM127,004.02). He added that it shows that the grant money was underutilised, hence it could be the reason why it is being reduced by the state government. He further queried whether there was any problem with utilising the amount and what is the plan in the future to maximise the utilisation of the fund money.

3.4.66 The Chairman replied that it is underutilised.

3.4.67 Al Sabri informed that if there is a problem of utilising the amount, the state government will definitely slash the grant amount and they should not be blamed.

3.4.68 The Chairman informed that there are difficulties in getting lawyers to do the legal work.

3.4.69 Al-Sabri replied that he is confident that there are lawyers who are willing to take up the cases.

3.4.70 The Chairman replied that circulars have been issued but unfortunately the response was not encouraging.

3.4.71 Al-Sabri informed the Chairman that the incoming committee should look into the matter and they need to maximise the utilisation of the fund in order to get more funds or otherwise, the fund will be reduced by the state government.

3.4.72 The Chairman replied that the grant funds are available for utilisation. However, there are currently insufficient briefs to be taken up, resulting in the grant being underutilised.

3.4.73 Al-Sabri responded that there are members of public who deserve a legal representation through this programme, therefore the incoming committee should look into as to how to publicise the said programme which eventually could lead to increase of the grant money.

3.4.74 The Chairman informed that the advertisement are being conducted by the state government and members of public who qualify for this facility must be referred to us by the Aduns office.

3.4.75 Al-Sabri then informed that his concern is about the grant money which could eventually be reduced further. The Chairman took note.

3.4.76 Sandosh Ananthan informed that the party that can be aggrieved for this situation is the state government as they are the party who provided the grant money. He added further, the incoming committee should address and improve the matter in the future. He then proposed to the Chairman to move on with the other matters as it is already late.

3.4.77 The Chairman informed the members that the committee took note of all the concerns.

3.4.78 Kokila Vaani informed the Chairman that she wished to urge the committee not to relinquish the RM2.2 million grant, which is exclusive to Selangor Bar lawyers, and stressed that the grant should not be given away. The Chairman took note.

3.5 District Representative

3.5.1 Yohendra Nadarajan referred to page 98 and informed the Chairman that there is no report and merely pictures of the committee at each 'Meet Us & Tell us' session. He continued that a proper report should have been produced and the feedback/complaints gathered and members' concerns. He added that the same comment was made at last year's AGM and nothing was done.

3.5.2 The Chairman referred to the comments made by Watson Peter earlier that every sub-committee has performed well in this term, he did not say the same for this sub-committee. The Chairman agreed to the comment made by Yohendra Nadarajan and informed that the incoming will look into it.

3.5.3 Dato' Rajpal Singh then informed the Chairman that he was the one who initiated the said sub-committee during his Chairmanship in 2008. He added that the members of the sub-committee should be the eyes and the ears for the Chairman for each district and proposed that the incoming committee to look into the matter and be more vigilant for the interest of all the members of the Bar.

3.5.4 The Chairman took note and informed that most of the times the committee will be there but no members turn up. He added that the response was not good, hence the number of the visits to the courts has deteriorated. He added further that most of the times, members tend to call the committee directly on the phone for issues to be resolved instead of meeting them.

3.6 Publication

3.6.1 With regard to the softcopy of the AdRem magazine which was disseminated to members 1 day before the AGM, Dato' Rajpal Singh informed that there were many pictures similarly to the annual report which replicates a photo album. He added that there is duplication of photos in the report and the AdRem magazine which is a waste of papers hence the cost.

3.6.2 Dato' Rajpal Singh further queried about Cik Adlin as mentioned in page 171 of the report and sought clarification from the Chairman on the role of Cik Adlin whether she is a lawyer or paid to write/edit the interviews.

3.6.3 The Chairman replied that he agreed with Dato' Rajpal Singh that pictures have been duplicated and the committee took note. He informed further that Cik Adlin is the editor who edits the entire Ad Rem magazine for the Bar.

3.6.4 Dato' Rajpal sought clarification again from the Chairman about Cik Adlin.

3.6.5 The Chairman replied that Cik Adlin is not a member of the bar and she is an external editor and appointed by the committee to edit all the contents in the magazine.

3.6.6 Dato' Rajpal Singh queried the Chairman as to how much the payment made by the committee to Cik Adlin.

3.6.7 The Chairman replied RM1,000.00 per interview.

3.6.8 Dato' Rajpal Singh queried the Chairman with regard to the past Editorial Board for the AdRem magazine which consist of all the past Chairmen and it was discontinued. He further informed that the Editorial Board did not ask for any money and queried as to how much in total was paid to Cik Adlin. He further informed that the member who started AdRem magazine was Mr. Biliwi Singh and he was removed as an Editor.

3.6.9 The Chairman replied that Cik Adlin was paid RM3,000.00 in total for 3 interviews.

3.6.10 Annou Xavier informed the Chairman that he would like to invite all the members to see the contents from page 130 to page 170 and he further informed that is it not similar to a school book. In fact, the pages show that there are many talks and seminars organised under the Professional Development sub-committee which have been attended by the members and congratulated the committee for doing a good job for the betterment of members.

3.7 Sports, Recreation & Games

3.7.1 Vishnu Kumar recorded his appreciation to all the members who participated in the sports competition representing the Selangor Bar Committee. The Chairman thanked him.

3.8 Young Lawyers & Pupils

3.8.1 Salim Bashir queried the Chairman as to the reason of few pupils being called to the Bar at Shah Alam court which is lesser as opposed to pupils being called to the Bar at the KL court. He further queried whether the figures mentioned in page 207 that approximately 500 pupils were admitted to the bar are the exact figures and whether there are confined to the whole Peninsular of Malaysia or the Selangor state only.

3.8.2 The Chairman replied that the figures stated are correct and it is only confined to Selangor. He then informed that he personally attends the introductory sessions with pupils every month and has impressed upon them to be called at the Shah Alam court because they could get a shorter date for their long call but unfortunately the pupils prefer to be called in the KL court because the setting in KL court which is better for their photography session. Nevertheless, the number of pupils called to the Bar at Shah Alam court has slightly increased for the past two months since then.

3.9 Selangor Bar Representative

3.9.1 Salim Bashir referred to paragraph 12 in page 211 and queried the Chairman whether the Criminal Law Committee as stated in the report is the Selangor Bar Criminal Law Sub-Committee or the Criminal Law Committee, BC who agreed on the AI sentencing. He continued if it refers to the BC, he requested the Selangor Bar Representative to address the matter to the members.

3.9.2 The Chairman replied that he was the Chair for the Criminal Law Committee, BC earlier. However, this term the Chairman of the Selangor Bar Committee was not offered any leadership position in the Bar Council, hence he may not be able to answer the question. He then proposed for the Bar Representative to address the matter.

3.9.3 Eugene Roy informed Salim Bashir that the paragraph 12 refers to the Criminal Law Committee, Bar Council who agreed in the matter.

3.9.4 Kokila Vaani informed the Chairman that she would want to assist Eugene Roy explaining about the sentencing database meeting and also to answer Salim Bashir's query. She continued that she did raise an objection in the meeting held by the Bar Council on 14/02/2025 but the Criminal Law Committee, BC has affirmed it as it is the way forward. Kokila Vaani expressed her view to Salim Bashir that that there is nothing wrong about the report.

3.9.5 A.G Kalidas informed that if it is about the AI sentencing software database which they are using, we need to know the basis of the algorithm behind the AI sentencing system and whether it is inherently bias to age, race, etc. before the judiciary starts to use it. He queried further what are they feeding in the system to get the results and whether the BC has been invited and shown as to how the system works and used and then only the public will have confidence in the system.

3.9.6 A.G. Kalidas added that Selangor must be represented and the Chairman must not say that he is not the Chair of any committee as he is a Council member as it is his right as an elected member. This is a pertinent question which will affect the members of the public and suggested for the incoming committee or the BC to issue a circular to the members on the system, the parameters, etc.

3.9.7 Muniandy Vestanathan requested the Chairman to explain as to why he did not answer to A.G. Kalidas's query as to why he could voice out the matter at BC.

3.9.8 Vishnu Kumar raised a point of order and informed that the said question cannot be answered as there will be violation of Section 76 (2) of the Legal Profession Act 1976 and reminded the Chairman that he could inadvertently disclose some of the discussions which is prohibited as per the provision of law mentioned earlier. The Chairman thanked Vishnu Kumar.

3.9.9 The Chairman then informed Muniandy Vestanathan that he could not elaborate in view of the Section 76 (2) of the Legal Profession Act 1976.

3.9.10 Muniandy Vestanathan then sought clarification on the fact that the Chairman was the Chair of the Criminal Law Committee, Bar Council.

3.9.11 The Chairman replied he will answer when the time comes subsequent to the meeting.

3.9.12 Raspreet Kaur referred to paragraph 16 in page 212 and queried Eugene Roy as to what were the prior engagements of the Risk Committee and the outcomes regarding the minimum requirement to set up a law firm. She further queried on the update of the meeting mentioned in paragraph 17 in page 212 especially on the E-Filling issues and on the updated meeting which is due this month and CAPCHA.

3.9.13 Eugene Roy replied that the Bar Council is continuing with the engagement with lawyers on their concerns regarding the matter.

3.9.14 Raspreet Kaur informed that Eugene Roy did not answer her query.

3.9.15 Farez Jinnah offered to assist Eugene Roy to answer the query as he is a Council member too. He added that we are facing issues with the EFS, CAPCHA, pupils access as well and a BC meeting is coming on the 28/02/2025 and these issues are going to be discussed and hopefully the Selangor Bar can update the members.

ITEM 4 OF AGENDA:

To consider, and if approved, to adopt the Audited Accounts of the Selangor Bar for the year ending 31st December, 2024.

4.1 Watson Peters queried the Chairman whether the RM1 million fund from the state government was treated in a different account or it was treated as the Selangor Bar's money.

4.2 The Chairman handed over Item 4 of the agenda to the Honorary Secretary, Yu Ai Ting.

4.3 Yu Ai Ting then tabled the Audited Accounts of the Selangor Bar for the year ending 31st December, 2024.

4.4 Watson Peters raised a point of order and repeated his earlier query to Yu Ai Ting.

4.5 Yu Ai Ting replied that the money of RM300,000.00 granted by the state government was credited into the Selangor Bar's account in 2021. She continued that the Selangor Bar has only one account, hence there is no separate audited account for the grant money but she separated the DBGS money, the expenses and the subscription money which is from the same account.

4.6 Watson Peters queried Yu Ai Ting where is the government money reflected in the accounts.

4.7 Yu Ai Ting replied that the money is reflected in Item 8 of the account in page 227 under 'Current Liabilities'.

4.8 Watson Peters then queried as to how the money granted by the government for the DBGS programme can be treated as liability and whether we have to repay the government.

4.9 Yu Ai Ting replied that if the fund is not utilised, we have to repay back to the government and for time being we do not want to treat it as income of the Selangor Bar.

4.10 Watson Peter queried again as to how we treat the said money as it does not state anywhere in the accounts reflecting this amount.

4.11 Yu Ai Ting replied that we did not put it under a separate heading for DBGS because Selangor Bar has only one account, hence only one audited accounts is prepared.

4.12 Watson Peter informed that he understands but can Yu Ai Ting show in the accounts where does the money is reflected.

4.13 Yu Ai Ting replied that it is reflected in page 227, Item 8 under 'Other payables and accounts' amounting to RM475,900.00 and the details at Item 8 is in page 239.

4.14 Watson Peters further queried whether the whole sum was treated as liability or the money which was not expended as liability.

4.15 Yu Ai Ting answered that only the sum of money which was not expended was treated as liability.

4.16 Watson Peters queried further as to how the sum of the money which was expended has been treated.

4.17 Yu Ai Ting replied that the sum of money which was expended has been treated as expenses.

4.18 Watson Peters queried where is the expended sum treated as expenses reflected in the accounts. He then referred to page 241, Administration and General Expenses and queried as to where is it reflected.

4.19 Yu Ai Ting replied that it is not reflected in there.

4.20 Watson Peters then queried where is the money reflected in the accounts.

4.21 Yu Ai Ting replied that the accounts only reflect the balance of DBGS fund. She continued that base on the calculation in the accounts, it will not reflect the expenses which consist of monies paid out to lawyers and expenses of running the programme.

4.22 Watson Peters queried whether it is an off-account matter as not reflected in the accounts. He added that money comes in the account and we have paid out and it should be reflected.

4.23 Yu Ai Ting replied that it was not specifically mentioned in the account.

4.24 Watson Peters informed that he is perplexed that it is not reflected in the accounts. He queried further whether it is kept separately. He added that Yu Ai Ting have informed that it is all merged into one account, and as such it must be reflected in the audited accounts as Selangor Bar has only one set of accounts.

4.25 Yu Ai Ting replied that it is not stated specifically in the accounts except for the subscription money and the expenses because the DBGS money is not an income to the Selangor Bar. She added, the Selangor Bar only holds to the grant money as a stakeholder.

4.26 Watson Peters then questioned the rationale behind putting the non-used grant money as a liability which means part of the money is already reflected in the accounts.

4.27 Yu Ai Ting replied that it is reflected as liability as it is a money which we are going to use later.

4.28 Dato' Rajpal Singh informed that the grant money of RM300,000.00 was received from the state government into the Selangor Bar's only account. Hence, it should be reconciled in the audited accounts and should be reflected somewhere in the said accounts. Otherwise, something is wrong in the audited accounts.

4.29 Yu Ai Ting replied that that the account has been as such from the beginning of the said programme.

4.30 Dato' Rajpal Singh informed Yu Ai Ting that this is a very important issue and the committee should have been more prepared and consulted the accountants before the AGM.

4.31 Choi Kian You informed that it is not wrong to keep separate book keeping for different accounts with only one bank account. He continued that maybe it is how it has been done previously and there is nothing wrong for the purpose of accountability and auditing. He continued that the committee can always seek advice from accountants whether could we receive money from a 3rd party and hold it as a stakeholder and keep separate books to reflect that figure.

4.32 He added that in the report at page 95 it is stated that we have received RM600,000.00 so far, but a member not knowing about the programme do not know what that money is all about. It is correct to park the unused money as liability under item 8 at page 227 but there should at least a description as to the money similarly to the expenditure of the same money.

4.33 He then suggested to the committee to separate the book keeping simply because the balance 'Baki' as of 31st December, 2023 as stated in page 95 of the report amounting to RM190,762.59 should tally with the balance at page 227 at the end of 2023 as there is a rough difference of RM30,000.00. He continued that members are not disputing but too many questions arises looking at how the accounts is presented. Hence, the committee must really consider keeping 2 books separately and do not mix the funds.

4.34 Annou Xavier referred to page 229 and informed the floor that the Selangor Bar has a surplus of RM201,000.00 and recorded his appreciation and congratulated the committee.

4.35 Ramesh Lachmanan informed Yu Ai Ting that this is the reason as to why he requested to keep the accounts separately previously.

4.36 Yu Ai Ting replied that she took note and will inform the incoming committee to follow Choi Kian You's suggestion.

4.37 Ramesh Lachmanan then referred to Item 1 page 230 – 'Purpose of the Selangor Bar Committee that the principal activities of the Selangor Bar are subscriptions from members and there has been no significant change in the nature of these activities during the year'. He informed that there is a change that this account now is also comprise of the other funds from the state government but the committee has informed that we are not getting any other fund except the subscriptions from members. He then queried as to how are we going to adopt and approve these accounts now.

4.38 Watson Peters informed that the accounts must be clear for understanding for those members who do not know accounts. He requested for an explanation on the flow of the grant money as it was not reflected on the audited accounts and how the expenditure of the same money was treated as it does not tally. He added that the audited accounts must be relooked and suggested that it is not proper to approve the accounts today.

4.39 Watson Peters then queried whether the auditor is present in the meeting today.

4.40 Yu Ai Ting replied that he is not present and we are checking whether the auditor can join the meeting via online.

4.41 Watson Peters then referred to paragraph 5 and paragraph 6 in page 224. He commented on the contradictions of the statements made in the report prepared by the auditor. He then queried whether these audited accounts reflect the various expenditures incurred by the committee.

4.42 Yu Ai Ting responded in the affirmative.

4.43 Watson Peters informed that the contents of the 2 paragraphs are wrong and queried whether the auditor will join the meeting today.

4.44 Yu Ai Ting replied that they are trying to get the auditor to join via online in order to explain.

4.45 Raspreet Kaur queried whether is it correct to conclude that whatever money received for DBGS was not audited.

4.46 Yu Ai Ting replied that it was audited by UPEN every year.

4.47 Raspreet Kaur informed that it is not reflected in the Selangor Bar's audited accounts despite being audited by UPEN.

4.48 Yu Ai Ting replied that they will inform the auditor to include the DBGS account as a separate audited account.

4.49 Navin Punj referred to paragraph 4.17 & 4.18 in the page 20 and informed that it is stated that there were no results from the audit and this year we do not have the audited report.

4.50 Yu Ai Ting replied that the audit stated in the minutes is not about the audited accounts. She continued that the audit was conducted by UPEN which was queried by Navin Punj at the last AGM after the visit to the secretariat.

4.51 Navin Punj informed that Yu Ai Ting just informed the floor that this report comes from the UPEN's report with regard to the DBGS programme.

4.52 Yu Ai Ting clarified that the Selangor Bar sends the DBGS report including all expenses to UPEN every month, hence the account for DBGS is audited every month by UPEN. As for the Selangor Bar's audited accounts, it does not specifically mention with regard to DBGS money and the balance money was put in the account as accrual and liability. She continued that in the future if the programmes ends, the unutilised DBGS money will be returned back to the state government, hence, it is a liability to the Selangor Bar.

4.53 Watson Peters informed the Chairman that if the queries were not answered satisfactorily, he may suggest for the audited accounts not to be adopted and approved.

4.54 Yu Ai Ting informed Watson Peters that they have contacted the auditors to join the meeting.

4.55 Watson Peters then informed Yu Ai Ting to ask the auditors to come and deal with all the queries raised by the members in the meeting.

4.56 Kee Mohd Thariq sought clarification that the RM300,000.00 received from the state government was not recorded as income.

4.57 Yu Ai Ting replied that it was recorded as accrual.

4.58 Kee Mohd Thariq informed that it does make sense as it does not reflect as income in page 228 under the statement of income and expenditure. Therefore, whatever expenses used from the said fund does not reflect in the expenditure.

4.59 Yu Ai Ting replied in the affirmative.

4.60 Kee Mohd Thariq informed further that it is reflected in page 227 as other payables and accruals amounting to RM475,900.00 which is under equity and liabilities comes to RM1,860.249.00. He added under accounting terms the total liability and total asset should be balanced and he assumed that the RM300,000.00 is in the cash and bank balances amounting to RM1,794,714.00.

4.61 Yu Ai Ting replied in the affirmative.

4.62 Kee Mohd Thariq clarified whether the balance money is recorded in the cash and bank balances.

4.63 Watson Peters informed the committee that Kee Mohd Thariq is trying to assist the committee and does agree with Kee Mohd Thariq that the total assets and total liabilities are balanced but queried as to how the grant money be treated as an asset when the money does not belong to the Selangor Bar.

4.64 Yohendra Nadarajan informed that all these queries raised should have been clarified before the AGM, hence there is a need for the auditor to come and explain.

4.65 The Chairman replied, it has been stated that they are trying to contact the auditor to come and there is no need to repeat the same issue as it is a waste of time and requested everyone to be patient.

4.66 Raspreet Kaur queried whether does it state anywhere in the MOU that any unutilised grant money should be refunded back to the state government. She continued further whether the usage of the money is being reported to the state government on a monthly basis or on a yearly basis.

4.67 Yu Ai Ting replied that the usage of the money is being reported to the state government on a monthly basis.

4.68 Raspreet Kaur then replied that in that sense, there should not be an issue for Yu Ai Ting to explain the matter to all the members.

4.69 The Chairman informed Raspreet Kaur that with regards to all the questions raised, the committee was of the view that the audited accounts has been reported the same way last year and as for this year, the committee has taken note and will get guidance from the auditor to incorporate all the suggestions proposed by the members.

4.70 Raspreet Kaur informed the Chairman that the answer given was not good enough.

4.71 Datuk Joy Appukuttan raised a point of order to the Chairman and informed that this audited accounts has been circulated to all members of the Selangor Bar earlier and any member could have written in for clarification from the committee but it was not done. He then requested to move on with the meeting as we have 3 motions to look into.

4.72 Dato' Rajpal Singh agreed with Datuk Joy Appukuttan and requested to move on with the next agenda while we wait for the auditor to come.

4.73 Choi Kian You informed the Chairman that earlier Annou Xavier informed that the cash flow has increased by RM200,000.00 and he was curious with the balance cash flow of RM 1,794,714.00 in page 229 which appears the same under the current assets in page 227.

4.74 Choi Kian You then requested Yu Ai Ting to confirm whether the figure of RM 1,794,714.00 under current asset in page 227 is the same figure under cash and balance in page 229.

4.75 Yu Ai Ting replied in the affirmative.

4.76 Choi Kian You then informed the members that the increase amount of cash and balance that the Selangor Bar has as mentioned by Annou Xavier earlier was not a surplus but it was the grant money of RM300,000.00 that was parked as asset and liability in the said account. He then requested the committee to confirm it.

4.77 Ananthasivam informed the Chairman that there is a lack of clarity in the audited accounts as the committee is struggling to answer the queries. He added that asking the auditor to be present now is not going to work as the auditor should have been invited before the meeting started.

4.78 The Chairman informed Ananthasivam that they are trying to contact the auditor to join via online and requested the members to be patient.

ITEM 5 OF THE AGENDA:
To fix annual subscription for the year 2025.

5.1 With regard to fixing the annual subscription for the year 2025, the Chairman informed the members that the despite having many queries on the audited accounts, the committee have gone through the accounts and firmly believe that the accounts has been well managed without huge expenses taking place.

5.2 The Chairman informed the members that the Selangor Bar Committee did not break any FDs and well managed all the expenses. He then recorded his appreciation to the Honorary Secretary and every committee member in ensuring their activities/programmes were managed tightly.

5.3 The Chairman informed the members that the committee has decided not to charge members any additional fees for the LexisNexis (LN) online legal services. The Chairman then recorded his appreciation to A.G Kalidas, Bernard Scott, Kokila Vaani and Murali Velautham for ensuring the continuance of the LN services to members.

5.4 The Chairman informed further that the Selangor Bar Committee is proposing for the subscription fees to be retained at RM200.00. The Chairman queried whether there are any objections or anyone abstaining to the proposal.

5.5 Dato' Rajpal Singh proposed the subscription fees to be retained at RM200.00. A.G Kalidas seconded.

5.6 Kokila Vaani informed that the cost of LN services for the last year was RM594,000.00 and queried whether is it the same this year.

5.7 The Chairman replied in the affirmative.

ITEM 6 OF THE AGENDA:
To Consider Motion/s tabled

6.1 The Chairman informed the members that Motion 1 is from page 4 to 8 and has been considered by the committee and proposed by the Honorary Secretary, Yu Ai Ting and she will address this motion.

6.2 Yu Ai Ting referred to the motion and informed the members that the BC has send a letter on 23rd January, 2024 enclosing the Contracts Guideline and part of the said guideline which is applicable to the SBC with regard to the extra ordinary contract and contracts valued more than RM150,000.00 and above. She added that the only contract which the SBC has with a value of more than RM150,000.00 is LN online search.

6.3 She continued that as we all know, the SBC has subscribed to the LN since 2018 and every year we will obtain the mandate from members to renew the subscription. She added that last year we have obtained the mandate from members to renew the said subscription for 2 years which is effective from 1st March 2024 and ending in 28th February, 2026.

6.4 Annou Xavier requested to project the Motion on the screen for the benefit of every member present. Motion 1 was projected on the screen.

6.5 At the SBC's AGM last year a motion was tabled and the committee obtained a mandate from the members to renew the LN contract for 2 years. She continued that we are of the view that the Contract Guidelines are against the LPA where in Section 73, paragraph 5; the power of the state bar to promote and safeguard the interest of advocate and solicitor who are members of the state bar. Therefore the Contract Guidelines is not in line with the power the state bar has.

6.6 Upon obtaining the mandate from members at the AGM to renew the LN contract, the BC has censured the Chairman for not complying with the said guidelines. She added that we have sought opinion with regard to the Contract Guideline and referred to section 78 of the LPA whereby the opinion has clearly state that the Contract Guideline which limit and curtail the power of the state bar as SBC is ultra vires the LPA and as such the SBC is not bound by the said guidelines.

6.7 On 13th July, 2024, the Chairman of the SBC has been censured for alleged breach of collective responsibility and Contract Guidelines in allowing the Motion to be tabled and the Motion to censure was carried by the President of BC. She then read the Resolution of paragraph 1 & 2 to the members and informed that there is an amendment to paragraph 1 which is to replace 'M.K. Thas' with 'Mahakalithas Paramasamy (M.K. Thas)'. She then passed the meeting to the Chairman.

6.8 Gabriel Susayan informed that he does not understand Motion 1 and sought clarification from Yu Ai Ting whether the Motion is regarding the Lexis Nexis or regarding the Contract Guidelines by the BC or whether the motion is regarding the censure against the Chairman. He queried further whether the censure was against the Chairman of the Selangor Bar or the censure was against M.K. Thas.

6.9 Gabriel Susayan added that at the last AGM of the SBC, the Secretary of the BC was evicted from the hall on the premise that they are not the members of the Selangor Bar. On 23rd January, 2024 the Selangor Bar received an email from the BC enclosed with a letter dated 22nd January, 2024 on the Contract Guidelines. He added that the SBC has in its possession the letter very much before the last SBC's AGM in February, 2024. He added that he has no clue of the existence of such guidelines, whether or not the guidelines is proper, we will look into it later.

6.10 Gabriel Susayan informed further that if the Secretary of the Bar Council or any Council members were given opportunity to address the issue, the members would have questioned them then but the members were denied of that opportunity. He continued that now the SBC is coming to the members reproducing the guidelines and furthermore the SBC has not exhibited the full guidelines sent by the BC to all the members despite the fact that the guidelines was received before the last AGM.

6.11 Gabriel Susayan informed further, when Muniandy queried to the Chairman regarding the sentencing database, Vishnu Kumar has stopped the Chairman as he is bound by the Section 76 of the LPA. The Motion proposed by Yu Ai Ting has also breached the same section as to how she got the information by providing the statements in paragraph 14, 15 & 16. He informed further that he stood to be corrected by the previous Presidents, Chairman, BC members whether this is violating Section 76.

6.12 Gabriel Susayan then queried the Chairman whether the Contract Guidelines were decided unanimously or by majority at BC. He added, if the guidelines were decided by majority, there must be some members who objected to the guidelines but if the guidelines were decided unanimously, that means every member has agreed including the elected Chairman of the Selangor Bar and the Bar Representative. He queried further at what basis the SBC is asking the members present to revoke these guidelines now.

6.13 Gabriel Susayan requested to be guided by Vishnu Kumar about the guidelines and mentioned that the guidelines does not prohibit the SBC to engage a contract with LN, but they have stated that the contract is for extraordinary contract with a value of RM150,000.00 and above. He informed further that based on the guidelines, nothing stops the incoming Chairman to negotiate with

LN, and then approach BC for their approval. He added that the SBC has the mandate of the members to negotiate with LN and get BC for their approval and in the event, BC refuses, we ask for explanation.

6.14 BC must provide a valid reason as 8000 over members of the Selangor Bar have validated the renewal of the contract with LN and who is BC to stop us. He added that this matter should be ventilated and debated at BC and not the SBC's AGM as fellow members do not have powers. Therefore, we do not need to declare the guidelines as null and void. He informed the Chairman that Selangor Bar is a creature of the statute and has the absolute power under Section 73 (5) of the Legal Profession Act 1976.

6.15 Bernard Scott informed the members with regard to the history of the LN online services which started from a negotiation with LN in 2017 by him during the Chairmanship of A.G. Kalidas and after 9 months of negotiation the contract was signed. Every Chairman since then have approved the services and was approved by the members present at the AGMs. He added that in 2019 the BC has approached LN and an agreement was signed with a condition that it is approved at the Malaysian Bar's AGM. Before the AGM, the motion on the subscription of LN services to its members was withdrawn because of alleged breaching of the Competition Act. Nevertheless, the SBC continued to renew the agreement with LN to provide the online service to our members.

6.16 He then informed that he fully supports this Motion as this Contracts Guidelines does not supersede the Section 73 (5) of the LPA. Therefore, Selangor Bar has the rights to enter into contract. With regard to the censure against the Chairman for alleged breach of collective responsibility, the Chairman needs to answer to appease the members.

6.17 Datuk Joy Appukuttan informed that the major concern is that BC does not take away our rights to LN services. He was unsure about the legality of the guidelines imposed by the BC against the state bars as nothing could hinder a state bar from doing the best for its members. The need for BC's approval for contracts is questionable to him. He added further that he supports the Motion if the censure against the Chairman was due to continuing with LN services.

6.18 Datuk Joy Appukuttan expressed his hope for the incoming committee and the incoming Bar Representative to represent the Selangor Bar members' interest at its best and vote in support of this motion.

6.19 Annou Xavier informed the members that he will support the Motion and informed that it was Salim Bashir's idea and AG Kalidas made it into a reality and continued by Bernard Scott. At last year's AGM, the members mandated the committee to continue with LN services for 2 years for the best interest of the members with the best price. He added the BC came with the contract guidelines only after six years of the SBC's ongoing agreement with LN. Annou Xavier informed that this is a human rights motion and urged every member present to support it.

6.20 Wee Su Lin informed that she was outraged on the censure against the Chairman of the Selangor Bar for promoting the interest of the members. She raised her concern and informed the floor that the members do not know what transpired in the BC due to the restriction provided in Section 76 (2) of the LPA 1976 which hinders the members of the Selangor Bar to know the details of the censure and the discussion that led to such decision by the BC.

6.21 She added it is one sided as we do not have anyone from the BC to enlighten the members of the Selangor Bar on the reason for the censure. Even if the Motion is being brought up in the Malaysian Bar AGM, the BC would not be able to comment because they too, are bound by Section 76 (2) of the LPA 1976. Hence, this meeting is a wrong forum to discuss on this Motion and any issues related to the censure should have been raised in the BC.

6.22 Komathi Arunasalam queried the Chairman about the WhatsApp text messages that has been circulated last two days before the AGM in regard to the LN services. She then read out a portion of the text message; "Namun kemudahan ini kini berada dalam ancaman besar (LN). Jika pasukan Yu Ai Ting tidak dipilih dalam pilihanraya esok, terdapat kemungkinan besar bahawa kemudahan ini akan ditarik balik atau kosnya akan meningkat secara mendadak". She added that she does not know where this WhatsApp message originated from but she queried the Chairman, if the LN agreement is until 2026, whether the said message is related to this meeting or the election later.

6.23 The Chairman informed that as a point of order, none of the members are privy to the WhatsApp text message that was going around and we are not bound by it.

6.24 Komathi Arunasalam informed that as a matter of point of order as well, if the LN contract is valid, this kind of WhatsApp would not be sent regardless of who sent it and it is the Chairman's responsibility to address this issue and inform the members that the Selangor Bar is not in favor of this message.

6.25 The Chairman again informed Komathi Arunasalam that as a point of order, she was not entitled to raise the issue in the meeting, hence it was a wrong forum to discuss the matter.

6.26 Dinesh Nandrajog informed the Chairman that the narrative with regard to the Motion should be set right. He added, LN services has nothing to do with the Motion because it has been voted on during the last AGM and the contract continued till 2026 and whether the Motion is passed or not would not affect the subscription of the LN.

6.27 Dinesh Nandrajog continued further that the Motion is only on the Contracts Guideline and the censure. Unfortunately, the members have not been appraised to the full facts as to why the guidelines have been imposed, whether the guidelines have been imposed and why the censure has been imposed against the Chairman. Hence members cannot be put to task into voting for something they do not know without this vital information.

6.28 Dinesh Nandrajog then quoted Section 76 of LPA as mentioned by Vishnu Kumar where the Chairman is bound not to reveal the details to the members therefore members could not be expected to vote for something they do not know of.

6.29 The Chairman replied that he will answer the question without bordering the said Section.

6.30 Dinesh Nandrajog informed the Chairman that he humbly urged Yu Ai Ting, the proposer of this Motion to withdraw as it lacks facts that the members need to comprehend.

6.31 Gregory Dass informed that he is objecting to the Motion due to two reasons. Firstly, it appears that there is a lack of facts and the Motion is principally founded based on the legal opinion that has not been produced or annexed and the relevant parts of the opinion is not part of the Motion. Therefore, members may not be in a position to whether or not to support this Motion.

6.32 Gregory Dass continued that the second reason is due to the provision of Section 73 of the LPA which has been interpreted that any state bar committee is fully autonomous to the Bar Council. The state bar committee is a separate entity entirely to the BC. He then queried whether the SBC or the legal opinion consider the case of Pahang Bar Committee vs Joseph Au (1979) where the court rejected the argument that the state bar committee is a separate entity to the Bar Council and queried whether this case was taken into account by the legal opinion or the committee. In light of the fact that we already have a court decision on this matter, the Motions' interpretation of Section 73 appears to him as problematic. Hence, he urged the members to vote against the motion.

6.33 Kokila Vaani informed the Chairman that she needed to correct the statement made by Bernard Scott or Annou Xavier earlier regarding the historical background of the LN contract. She informed the members that LN started during AG Kalidas' chairmanship and continued by Bernard Scott and there was no Motion at the time. The Motion was only tabled during the chairmanship of AG Kalidas, Murali and lastly during her chairmanship in 2022 until the current Chairman has been given a two-year contract for the LN.

6.34 Kokila Vaani thanked Dinesh Nandrajog for his statement earlier that this Motion has nothing to do with the LN agreement so we do not instill fear in our members. She then expressed her concern that it is unfair for Yu Ai Ting as the proposer because she did not sit in the Council unlike the Chairman and the Bar Representative hence, she may not be appraised of the facts on what transpired in the Council.

6.35 Farez Jinnah informed the Chairman that he is a Council member for this term and last term. He continued that the Contract Guidelines have been approved in July 2023 and was made known to all the members of the bar via a circular that the said guidelines have been circulated to all the state bar committees. He added, the last day to a file a Motion at the last SBC's AGM was 14th February, 2024 which was within the knowledge of the Chairman and the Bar Representative. Hence, this Motion if related to the Contract Guidelines ought to be dealt with at the last AGM.

6.36 Farez Jinnah then informed the Chairman that members do not know whether the agreement has been signed and the BC also do not know about the matter because no one has seen the agreement. It may look as if the SBC does not letting members know whether the agreement has been executed and nowhere in the current Motion the issue is addressed. Now, the SBC wants to take the position that the Contract Guidelines are not applicable thus can do whatever they want based on the power conferred in Section 73 of the LPA which is contrary to what has been said by Gregory Dass earlier.

6.37 Farez Jinnah informed the Chairman that there must be a limit to the power. He added, the issue regarding the Contract Guidelines is not a public knowledge but it is between the Bar Council and the State Bar Committees. However, it only come to knowledge that there is such guidelines since 13th February 2024. At this meeting now, the SBC via Motion 1 is requesting members to come to a conclusion without having a look at the Contract Guidelines which is wrong.

6.38 He continued further that unfortunately members do not know about the censure against the Chairman and the Chairman may have chosen to explain to the committee but not the members who do not know what actually transpired. Therefore, it is unfair to request the members to decide on the matter in order to serve the Chairman's interest. He humbly requested the committee to consider retracting Motion 1 and deal with it at the appropriate forum.

6.39 Yohendra Nadarajan informed that all his points have been voiced out by the previous speakers as there is no clarity on the said Motion. He then urged the Chairman to withdraw the motion and to debate it at a proper forum.

6.40 Datuk Joy Appukuttan referred to paragraph 7.49, 7.51 in page 30 and para 7.54 in page 31 and informed the Chairman that Vishnu Kumar and Dato' Rajpal Singh have raised this issue regarding the Contract Guidelines at the AGM last year. He informed further that the underlying issue is regarding the continued agreement with LN which is coming for a renewal next year and the matter need to be dealt right away before any other third party outside the ambit of the Selangor Bar like BC who will dictate the terms to the Selangor Bar Committee. He added, if the said Motion is not dealt properly, it will affect the contract with LN in the future. He then requested everyone to support and vote for it.

6.41 Dato' Rajpal Singh echoed to the comments made by Datuk Joy Appukuttan and referred to paragraph 7.54 in page 31 and informed that he already proposed for the Chairman to strongly request for the BC to revisit the Contract Guidelines. With regard to the censure against the Chairman, he informed that he and Vishnu Kumar would like to propose amendments to the motion, subject to the Chairman's agreement.

6.42 Salim Bashir informed that he is in support of the Motion and informed the floor that Section 73 of LPA is not the only provision there is. He added that legal capacity are actually been awarded to the state bar committees by virtue of numerous other provisions in the LPA which gives legal capacity to a state bar committee to enter into an agreement with a 3rd party and to have power to possess assets such as Section 60, Section 60A (6), Section 71(6) and Section 149 of the LPA. He added, all the said provisions have to be read together with Section 73 in particular sub section (1),(2) and (5). He added that the dominance of Section 73 seems to give the implied power for the state bars to enter into an agreement to provide amenities for the members. He added that a mere guideline could not take away the rights of a state bar under Section 73.

6.43 Salim Bashir quoted the case of Michael Joseph vs Majlis Peguam Malaysia (2022) where the court decided that the BC does not have power to issue guidelines unless there is an express provision in the LPA to do so by authorising it. The BC can make rules confining for limited purposes only for procedural matters without affecting substantial rights of the state bars under the LPA. The said guidelines cannot override the broad ambit of the LPA by imposing restrictions and narrowing the rights of state bars.

6.44 Salim Bashir added that this is a clear case of taking away the autonomy power of the state bars. He added that the court's direction or judgment had not been taken into account by the Council members during this term. BC imposing guidelines and overriding the power of the state bars and there is a possibility of other state bar Chairman be censured in the future. He added that he is perplexed that the SBC need to get the approval of the BC on the renewal of the LN services. He further added that if the state bar is unable to sign the agreement as it is not a legal entity, the BC may sign it instead, but cannot reject a state bar's request for approval unless there is a valid reason to do so. Salim Bashir then sought clarification from the Chairman and stated that the committee had requested the Bar Council to sign the agreement, but the request was refused.

6.45 The Chairman replied that the agreement was sent to BC for signing but the decision of the President is not to sign at all and he signed it. He added further that the mere fact of the contracts guideline is illegal, null and void.

6.46 Salim Bashir urged the members to vote in support of the motion by having some amendments made to the prayer of the motion which will be suggested by Vishnu Kumar.

6.47 Azira Aziz informed the Chairman that she supports the Motion and applauded the Selangor Bar Committee for the LN services and hope for the agreement to be continued. She then informed that other members of the bar do not have the same facility and suggested to the Chairman to cooperate with other state bars during the renewal of the contract tenure in 2026 collectively as a Malaysian Bar. She informed further that she was of the opinion that it is not right to see the BC as the enemy because they are our fellow brothers and sisters and the incoming committee should look into it.

6.48 Vishnu Kumar informed the Chairman that he agreed to all the recitals in the Motion except the prayers of the Motion. He informed further that the issue of the power to enter into contract and the issue of the Contract Guidelines which contravenes the LPA was already addressed at the last AGM. He added that briefly, the Contract Guidelines was issued, a motion was put before the house, members passed the motion, entered into contract and the Chairman was censured.

6.49 Vishnu Kumar then referred to para 7.38 and 7.39 in page 27 and para 7.49, 7.50 and 7.51 in page 30. He informed the Chairman that Section 149 of the LPA allows the BC and state bars to hold assets without further act and compliance, therefore it means that by allowing state bars to hold assets, it allows the state bar to enter into contracts.

6.50 He quoted Section 70 of the LPA regarding the passing of accounts where it is also in relation to assets. He added, the powers are given by the statute and only the Parliament can remove the statute and restrict the powers. Therefore, the BC cannot restrict or limit the powers of the state bars.

6.51 Vishnu Kumar informed the Chairman that the case of Pahang State Bar vs Joseph Au (1979) did not consider Section 149 and therefore obiter. He added, had the Section 149 has been argued, the decision could be different.

6.52 Vishnu Kumar added further that no Chairman should be censured irrespective of their personalities or which state they are. The powers of state bar are to be jealously guarded, not to be traded, not to be bargained with and not to be discussed. He informed the Chairman that the power is protected and the state bar decides with the power which was given by the Parliament.

6.53 Vishnu Kumar informed further that he agreed to what Gabriel Susayan has said earlier and proposed to amend the first prayer of the Motion. The amended prayer is, "the BC Contract Guidelines limiting the powers of the Selangor Bar including restricting Selangor Bar powers to enter into contracts is contravention of the LPA and consequently the censure by the BC against the Chairman of Selangor Bar Committee, M.K. Thas for alleged breach of the guidelines which contravenes the LPA is wrong".

6.54 He informed further, the second prayer of the Motion is not needed because Selangor Bar is not there to deliberate our powers and are not sub servient to BC. Our powers are not subsidiary to BC and are not to be parted with.

6.55 The Chairman queried Vishnu Kumar whether the second prayer should be removed.

6.56 Vishnu Kumar replied that it is pointless as the power of the state bar should not be deliberated by others.

6.57 The Chairman informed that the Contract Guidelines is determined by the BC irrespective of the legality of it. We are a committee similarly to other state bar committees which comes under the BC. He then queried whether we as a state bar committee inform the BC that we will not follow the said guidelines.

6.58 Vishnu Kumar replied in the affirmative and we are not speaking about the committee but the state bar which is an entity and need a committee to run it. Furthermore, the BC could not argue as to why their approval is required by the state bar committee as the state bar has the autonomy and do not subject that to any guidelines by anyone including BC. We do not need the second prayer of the Motion as there is no need for deliberation as we follow the law with the powers given to the state bar. He added if the committee wants to enter into a contract, bring it to the attention of the house for deliberation/approval.

6.59 The Chairman then asked Vishnu Kumar whether this would place the incoming Chairman at risk.

6.60 Vishnu Kumar replied that he understands the predicament which the Chairman faced or any other state bar Chairman. The fact that the BC has taken the action of censuring the Chairman is by virtue of Section 103C and Section 103D of the LPA where a complaint is filed under Sec. 99 with the Disciplinary Board against an Advocate & Solicitor. The DB upon recommendation from the DC. If found guilty, the said lawyer can be penalised with a censure/reprimand, fine up to RM50,000.00, suspension up to 5 years or struck off practice. He added that only the DB has the power to censure the Chairman and not the BC. In his opinion, the BC has used up the powers of the DB. As to the Contract Guidelines, the BC has used up the powers of the state bar, Section 149 of the LPA which is not correct.

6.61 Vince See informed that he did not agree to Azira Aziz's suggestion earlier i.e. for the Selangor Bar to corporate with other state bars for the negotiation on the LN online services and requested the incoming committee not consider it due to the competition law reasons.

6.62 Bernard Scott referred to Azira Aziz's suggestion and informed that he has personally contacted the President of the Malaysian Bar to offer his service to negotiate with LN. He continued that he agreed to adopt the amendments proposed by Vishnu Kumar and he proposed to add "and the BC to revokes the censure on the record".

6.63 Dato' George Varughese informed that there had been enough discussion on the said Motion and the issue on breach of competition law is not part of the Motion at all. He then proposed to display the amendments made and see whether the members and committee are agreeable and if need be we can put it to a vote as it is already late.

6.64 The Chairman then queried Vishnu Kumar whether the amendments made as displayed on the screen was correct.

6.65 Dato' Rajpal informed the Chairman that he supported the amendments but he sought for clarification whether the correct wordings would be "censure against the Chairman of Selangor Bar Committee for breach of guidelines" or "censure against the Chairman of Selangor Bar Committee for breach of collective responsibility".

6.66 The Chairman replied that both is correct.

6.67 Dao' Rajpal Singh informed that we should rephrase it.

6.68 The Chairman informed all the members of the floor about the amendments and queried them whether they can read the amended motion displayed on the screen.

6.69 Annou Xavier informed the Chairman that the amendments proposed by Vishnu Kumar was good but some members present are unsure with regard to the censure and the nature of the censure. He then proposed to add the wordings of "and/or any other actions" after the wordings of "consequently the censure".

6.70 The Chairman queried Vishnu Kumar and Bernard Scott whether the wordings proposed by Annou Xavier can be added to the amended motion. The Chairman then informed Annou Xavier that it was the first time in the history that a Chairman of a state bar was not accorded a position at the BC and this amendment will cover that.

6.71 Salim Bashir queried the Chairman as to the consequence of the censure faced by the Chairman.

6.72 The Chairman informed Salim Bashir that he could not answer the query by virtue of Section 76 of the LPA but he expressed his concern for the incoming Chairman if the matter is not being fixed.

6.73 Dato' George Varughese queried the Chairman whether the committee was agreeable to the amended motion as members present have agreed.

6.74 Datuk Joy Appukuttan proposed the Chaiman to inform the members whether the committee is adopting the proposed amendments to the motion.

6.75 The Chairman in response to Dato' George Varughese and Datuk Joy Appukuttan's request, informed the members that the committee agreed to adopt the proposed amendments. The Chairman then queried all the members present whether there are any objection to the amendments or to the Motion in entirety as there would not be a need for a vote if there was none.

6.76 Dato' Rajpal Singh informed the Chairman that it must put to vote.

6.77 The Chairman agreed.

6.78 Ananthasivam informed the Chairman about his reservation on the Motion because he was of the opinion that there was a lot of information that is hidden within the BC's deliberation and he reminded the floor that we must be cautious and take note that not all is being presented.

6.79 The Chairman informed Vishnu Kumar that there was a member online proposed to change the word "therefore" with the word "further" and queried Vishnu Kumar whether the word needs to be changed.

6.80 Vishnu Kumar replied that the word needs to be maintained because the first prayer stands alone based on the statute and the second prayer is just urging.

6.81 The Chairman agreed.

6.82 Vincent See then informed the Chairman to delete the word "Selangor Bar Committee" on the prayer of the motion because it will be redundant. He proposed the wordings to be "Therefore, it is hereby resolve:" instead of

"Therefore, it is hereby resolve that the Selangor Bar Committee:". Vishnu Kumar agreed to Vincent See's proposal.

6.83 The amended prayer of Motion 1 is as below:

1. *The Bar Council Contract Guidelines which limits the powers of the Selangor Bar, including Selangor Bar Committee's power to enter into contracts is in contravention Legal Profession Act 1976 and consequently the censure by the Bar Council against the Selangor Bar Committee Chairman, Mr Maha Kalithas a/l Pramasamy (M K Thas), for alleged breach of the Contract Guidelines which contravenes the Legal Profession Act 1976, is unlawful, null and void.*

2. *Further, the Selangor Bar urges the Bar Council to revoke the Contract Guidelines and the said censure.*

6.84 The Chairman informed that the service providers are setting up the online polling and everyone will be given 5 minutes to cast their votes.

6.85 The Chairman then informed the members on the result of the poll as follows:

For : 322/446
Against : 35/446
Abstaining : 39/446

The Chairman informed that Motion 1 is carried.

6.86 The Chairman then referred to Motion 2 and requested Navin Punj to address the members.

6.87 Navin Punj referred to paragraph (v) in page 11 of the Motion and informed the members that the motion is essentially about the practice directions to be implemented throughout the courts in Selangor for the investigation papers (IP) to be presented in court by 9.30am. He informed further that it happened more often in lower courts where the courts are in session, judges are ready, DPPs are present, OKTs are present except the investigating papers. Reason being the said papers are held with the investigating officers (IO).

6.88 He then informed that the he sought the members to pass this Motion in order to have a practice direction that IPs must be in court latest by 9.30am. In fact, there certain sessions court judges who practice this but not all courts.

6.89 Navin Punj further informed that there is a practice direction where when the accused and lawyers are present, their cases ought to be called first as compared to the cases where the accused are unrepresented.

6.90 The Chairman then queried to the floor whether there are any comments to Motion 2.

6.91 Salim Bashir complimented Navin Punj for the motion and informed the Chairman that the motion should be approved by the house because the IPs will be together with the IOs. He proposed to the committee to raise this issue at the meetings with the court, the police and the PPN for the IPs to be in early in order for the matters to be called early i.e. 9.30am as to not keep the lawyers waiting.

6.92 Salim Bashir commented further with regard to the Practice Directions where it should be for every courts in Peninsular Malaysia. He proposed to the Chairman to raise this issue during the meeting with the State Court Director (Pengarah Mahkamah Negeri) for them to implement the Practice Directions in the courts. He added further that all these issues are for the Criminal Sub-committee of the SBC to take it up with the relevant authorities.

6.93 Dato' George Varughese informed the Chairman that he agreed with Salim Bashir's proposal that a Practice Direction should not be limited to courts in Selangor only. He added that in his opinion, the SBC would not have the power or influence to speak to state Directors throughout the country and proposed that we amend the motion to say 'Therefore, it is hereby RESOLVED that, Selangor Bar urges the Malaysian Bar to engage with'.

6.94 Dato' Rajpal Singh proposed the amendment to the prayer of the motion to be "Therefore, it is hereby RESOLVED that, Selangor Bar urges the Malaysian Bar".

6.95 Dato' George Varughese then proposed to amend the wordings to "Therefore, it is hereby RESOLVED that, Selangor Bar urges the Bar Council". He further explained that the reason of his proposed amendment is because the word Malaysian Bar includes the Selangor Bar and only the BC can take such action.

6.96 Dato' Rajpal Singh then proposed to amend the wordings "throughout the courts" to "throughout the courts of Semenanjung Malaysia".

6.97 S. Ravichandran then proposed to amend the words "courts" to "judiciary".

6.98 The Chairman then queried to Navin Punj again whether he was agreeable to the amendments and Navin Punj agreed.

6.99 The amended prayer of Motion 2 is as below:

Therefore, it is hereby resolved that the Selangor Bar urges the Bar Council to approach/engage the judiciary to implement a mandatory practice direction throughout the Courts of Peninsular Malaysia for Investigating Papers to be presented in court(s) (Lower and High Court) by 9.30am and that for cases where lawyers are present be called upon promptly and ought to have priority over cases where the accused person(s) are unpresented.

6.100 The Chairman informed all the members that the poll is ready and members were given five (5) minutes to cast their votes. He then informed that members can start casting their votes.

6.101 The Chairman informed the members that the result of the voting is ready and as is as follows:

For : 448/521
Against : 15/521
Abstain : 58/521

The Chairman informed the members that the Motion 2 is carried.

6.102 The Chairman referred to Motion 3 and requested Ee Eng Joo to address the Motion.

6.103 Ee Eng Joo introduced himself to the members and proposed to amend the prayer of the Motion 3. He proposed to add the sentence "subject to the financial position of the Selangor Bar" at the end of the final paragraph of the motion.

6.104 Dato' Rajpal Singh informed the Chairman that the reason Motion 3 came about was because some of the members who were involved in sports were not reimbursed and the committee could possibly be controlling the finances. He then informed that sport has been an important part of the Selangor Bar and we have been one of the best teams in the Interstate Bar Games and many other competitions. We have the Muker Cup, KL vs Selangor Bar Games, Malacca vs Selangor Bar Games, etc. and urged the incoming committee to support the members representing Selangor Bar's sports team.

6.105 The Chairman replied that Cassandra Thomazios and Nurul Izzati was the Co-Chairpersons for the Sports Sub-Committee and they had put up a budget for the games. For example, the budget for the MyBar Games (Interstate Bar Games) was a total of RM27,900.00 in which RM3,700.00 was spent on transportation, RM19,000.00 for training, RM3,700.00 for t-shirts and RM1,500.00 for meals. The Chairman added that monies were spent for the games and the committee is not being thrifty. We make sure that the players are taken care and at the same time the budget is tightened to be able to give other services to members as not all members will participate in sports.

6.106 The Chairman informed further that the latest event organised by the SBC was the Fun Run and it was a disappointment. He continued that initially we charged RM75.00 per person and subsequently the committee made a decision to absorb the cost for the members of the Selangor Bar. On the day of the event, 25 members did not turn up and wasted the resources.

6.107 He added, that the current committee has done its role but it is not being seen by the members. The Chairman then referred to the proposed motion and informed all the members that the incoming committee should prudently spend similar to the current committee. He further added that prudent management of the budget is the reason why the Selangor Bar has been able to provide LN online services to members without any additional charges for the past two years

6.108 Surendran informed the Chairman that he fully supports the motion without the proposed amendment and he agreed with Dato' Rajpal Singh. He informed further that sports is fundamental to a member of the bar regardless of any state. It is an honor and privilege to represent the state bars or the Malaysian Bar, hence the members cannot be burdened especially for a young member if they need to travel far and it should be fully funded.

6.109 He continued that the proposed amendment should not be made and the motion should stay as its original form as it should not be based on the financial position of the Selangor Bar. He added that previously the SBC did not face any financial problems to fund the games or the participants provided they turn up. This will in return restrict a young lawyer to participate in the said games in the future. He added that there should not be an amended to the Motion and he supports the original Motion.

6.110 With regard to the recent MyBar Games held in Penang, Surendran informed that the accommodation was subsidised by the Malaysian Bar and after the games, the players were required to submit the receipts to their convenors. After submitting the receipts, there were calls made to players to verify whether or not participants actually stayed in the hotel to claim the accommodation.

6.111 Surendran added that he found it to be very offensive because it attacked the integrity of the members who spent 3 days representing the state bar. Members produced the receipt of the accommodation and need not to justify that they actually stayed there. He added that the incoming committee should look into this issue.

6.112 The Chairman queried whether the matter has been addressed to the Sports Co-Chairpersons.

6.113 Surendran replied that he was unsure about it.

6.114 The Chairman replied that the said motion has been proposed by the proposer, Ee Eng Joo and it is up to him.

6.115 S. Ravichandran informed that the Bar Council has sports fund hence they can finance the sporting events. He then proposed to amend the motion with adding the word ‘selected’ and to have a selection process to every sport in order to avoid ‘free loaders’ and wasting resources. He further informed that many did not turn up for the Fun Run because it was free and there is no penalty. He added that he was a convenor for the MyBar Games and he has to import runners from other state bars.

6.116 He informed further that there must be a proper selection process and those members who have been selected can justify for the fund. He continued that he agreed with Surendran with regard to the motion to be in its original wordings as the Selangor Bar has the financial capacity to fund sports events.

6.117 S. Ravichandran then informed that he was very sad to see the state of trophies which has been sponsored for certain games and are just collecting dust at the Secretariat. He proposed to the committee to activate and resume some of the games with regard to the said trophies especially for golf and chess. He urged the incoming committee to look into this issue and finance should not be a restriction to revive the games.

6.118 Surendran informed the Chairman that he agreed with S. Ravichandran’s suggestion with regard to the selection process. He then proposed that the incoming committee provide a specific registration form for members to sign up for any sports event, with payment to be made upon registration regardless of whether the member ultimately attends the event. He added that the committee is empowered to issue an invoice to the registered members in order to avoid the waste of resources.

6.119 The Chairman informed Surendran that the incoming committee will look into the matter.

6.120 Hisyam Hedzril informed that he is the seconder of Motion 3 and he agreed with S.Ravichandran's comments. He informed further that members who have passed the selection must be fully funded. He added that he is a darts player and was only subsidised RM120.00 for the games in Penang. He added that it was burdensome to members especially the young lawyers who have spent their time, petrol and accommodation.

6.121 He then commented on some remarks made by certain members via online that they had to fork up their own money and they have been participating in the game since the 90s and the current generation is being too demanding. He added further that senior lawyers should understand the current inflation and cost. He further informed the Chairman that the transportation and accommodation should be at least fully funded by the committee.

6.122 Kokilavani Vaani informed the Chairman that she do not agree with the proposed amendment to the Motion 3 and it should be maintained with the original version.

6.123 S. Ravichandran proposed to the Chairman to amend the wordings on the prayer of the motion to "registered and selected members of the Selangor Bar to participate".

6.124 The Chairman responded, he personally agrees with the amendment proposed by Ee Eng Joo due to a briefing at BC of increasing RM10.00 for the MyBar Games. He added that the Malaysian Bar does not fully sponsor the cost of organising the MyBar Games and it is only been subsidised. Hence, to demand the Selangor Bar to fully subsidise will compel the incoming committee to increase the subscription fee.

6.125 The Chairman added, the subscription fee remains because the committee was being thrifty whereby, they absorbed the cost from other events in order to maintain the subscription fee of RM200.00 for all the members. The Chairman added further that the LN online services costs almost RM100.00 per member and with the remaining RM100.00, the committee is running the secretariat and most of the profits are obtained from the programmes that the committee runs.

6.126 He continued that he has discussed with the committee on the funds that have been accumulated. He added that the SBC building is deteriorating and there will be a lot of expenses going to take place which the committee need to consider.

6.127 S. Ravichandran proposed to the Chairman to amend the prayer of the motion again to "registered and /or selected members of the Selangor Bar to participate".

6.128 Cassandra Thomazios then proposed to amend the prayer to "registered, selected and have participated".

6.129 Surendran proposed to amend the wordings to "registered and/or selected and participated". Surendran informed the Chairman that the fact that the incoming committee may be burdened and therefore may increase the subscription fee is an argument to be debated on a different day because the proposed amendment will hinder many young lawyers from participating in sports. He continued that for sports such as golf, players are not fully funded and they use their own money to pay for certain items. But it will be a burden to the younger golfers if it is not fully funded. He added that the Selangor Bar has been losing to the KL Bar for the past 3 to 4 years and he was of the opinion that it is time for the Selangor Bar to take back the trophy.

6.130 The Chairman informed that the respective motion's target is to take care 165 members who have participated in sports representing Selangor Bar. As for golf, the Selangor Bar has subsidised RM250.00 per golfer for 20 golfers as opposed to 10 golfers from the KL Bar. He added that out of the 20 golfers, 4 did not turn up and there was no refund made to the Selangor Bar.

6.131 Surendran responded to the Chairman that he understands the situation and proposed that if it is opened for a selection whereby it is fully funded as per the proposal, Selangor Bar may have 50 potential golfers and could pick the best player from the selection. He added, KL Bar may have 10 golfers but that 10 golfers are the top tier golfers. As for the Selangor Bar, we may only need 5 best golfers out of the 20 golfers from the selection. Surendran further added that if the Selangor Bar were to implement this, it could increase our chances of winning the next tournament.

6.132 The Chairman informed that this is the right forum for him to address the financial position of Selangor Bar throughout his experience with the assistance of Yu Ai Ting as the Honorary Secretary in running the Secretariat. He added that the MyBar Games is an annual event, and with only 165 members participating, the cost involved is substantial.

6.133 The Chairman further added that the incoming committee must operate in a manner similar to the current committee to ensure financial stability. Otherwise, there may be an increase in the subscription fee next year.

6.134 Salim Bashir expressed his sympathy to the Chairman for explaining the financial position of the Selangor Bar to all the members. He added that there is no need for the Chairman to explain it. He added that the motion is very clear and the players are not requesting for an exponential sum from the SBC. He added that from the audited accounts, there is an increase of RM60,000.00 for sports alone which is a contribution from the SBC.

6.135 Salim Bashir continued that the motion demands for the Selangor Bar to consider a full funding subject to the financial position of the Selangor Bar. Therefore, it is for the committee to decide and he informed the Chairman that he hopes that the matter can be put to a vote.

6.136 The Chairman took note and queried Ee Eng Joo whether he agrees to the amendment motion.

6.137 Ee Eng Joo replied he agreed to the suggestion by Surendran and would like to maintain the original motion.

6.138 A.G. Kalidas urged Ee Eng Joo to change his mind and we must have some trust on the incoming committee and let them exercise their discretion.

6.139 Kokila Vaani informed that she agrees with original motion and agreed that the SBC is helping the members and making the decision for the incoming committee. Therefore, it is only fair if the sports and the athletes of the Selangor Bar be given the same consideration. She informed further that she is certain that the incoming committee would be able to help the sports and the athletes in Selangor Bar.

6.140 The Chairman queried Ee Eng Joo whether he agrees on the Motion.

6.141 Ee Eng Joo informed the Chairman that he maintained all the proposed amendments.

6.142 The amended prayer of Motion 3 is as below:

Therefore, it is hereby resolved that all sporting activities in which members of the Selangor Bar are registered and/or selected and participated either as individuals or teams, be fully funded by the Selangor Bar subject to the financial position of the Selangor Bar.

6.143 The Chairman reminded all the members that polling has commenced and were given 3 minutes to cast their votes.

6.144 Annou Xavier informed the Chairman that the proposer and the seconder of Motion 3 are the members of the darts team and they have won the second-place last year at the MyBar Games.

6.145 The Chairman acknowledged and informed that they were kind enough not to claim from the Selangor Bar.

6.146 The Chairman informed the members that the result of the voting is ready and is as follows:

For : 305/509
Against : 171/509
Abstain : 33/509

The Chairman informed further that the Motion 3 is carried.

ITEM 4 : Continuation

4.79 The Chairman queried the floor as to whether Watson Peters was present in the hall, as the auditor was in attendance.

4.80 Dato' Rajpal Singh informed that he has left.

4.81 The Chairman informed the members that the accountant is here to answer the queries. He then queried the floor whether is there anyone else apart from Watson Peters that ought to seek clarification on the account or else, he would like for the members to proceed in approving the audited accounts.

4.82 Kee Mohd Tariq then informed the Chairman that he satisfied with the audited accounts.

4.83 The audited accounts were then approved, proposed by Kee Mohd Tariq and seconded by Ajeet Kaur.

4.84 The Chairman informed all the members that there is a typo error on Item 7 in page 33. The Chairman informed all the members that before moving on, he would like to declare that the committee for the term 2024/25 is hereby dissolved.

4.85 A.G. Kalidas recorded his appreciation to the Chairman and the committee. The Chairman thanked AG Kalidas.

4.86 Salim Bashir recorded his appreciation to the Chairman and the committee. The Chairman thanked Salim Bashir.

4.87 Dato' George Varughese then informed the Chairman that the Chairman cannot dissolve the committee at this stage.

4.88 The Chairman queried Dato' George Varughese on the reason.

4.89 Dato' George Varughese informed that it is because the Chairman's task is not over yet until the next committee is elected. He added that there cannot be an interim committee without the new committee members hence there is no need to dissolve the committee.

4.90 Kokila Vaani informed the Chairman as a point of order she should have raised this issue much earlier and expressed her view that the subscription fee cannot be decided without taking a vote. Even though it is unanimous, the vote from the members is needed.

4.91 The Chairman then queried Vishnu Kumar whether he has something to say but was interjected by Lawrence who informed the Chairman that he would like to address the members on the issue of Professional Indemnity Insurance (PII) for the interest of the members.

4.92 The Chairman then queried Lawrence as to how long did he need to address the issue and Lawrence replied that he needed 5 minutes to address the issue.

4.93 The Chairman informed all the members that Lawrence needed 5 minutes to address the issue on PII but members on the floor requested for Lawrence to address the issue after the election.

4.94 Vishnu Kumar referred to Dato' George Varughese's remark earlier and informed the Chairman that the correct procedure to be done by the Chairman is to thank the committee members first, followed by all the committee members leaving the table and the Chairman can then continue to preside the meeting i.e. the elections as the Chairman is not going for elections. He added that the issue that Lawrence wanted to address should be done under Item General of the agenda as we must follow the agenda.

4.95 The Chairman then sought confirmation with all the members regarding the subscription fee.

4.96 The members replied that it is passed.

4.97 The Chairman thanked all committee members and the Bar Representative for their contributions during the term, and also expressed appreciation to Thinnagaran from the Secretariat for assisting with the AGM. He further informed members that Afifuddin Afifi, Cassandra Lee, Nurul Izzati, and Prabagaran from the committee were unable to attend the meeting.

ITEM 8 OF THE AGENDA:

To elect one (1) member as Chairman of the Selangor Bar Committee for the year 2025/2026.

8.1 The Chairman convened the meeting and called for the nomination for Chairman of the Selangor Bar Committee for the ensuing year.

8.2 Dato' Rajpal Singh proposed to the Chairman to extend the time of the voting for elections.

8.3 The Chairman agreed and proposed seven (7) minutes for the election of Chairman and Bar Representative and ten (10) minutes for committee members. Dato' Rajpal Singh agreed.

8.4 Salim Bashir proposed to the Chairman that, for convenience, Item 9 be taken up immediately after Item 7 of the Agenda, to which the Chairman agreed.

8.5 Yohendra Nadarajan was proposed by Dato' Rajpal Singh and seconded by Cyrus Tiu Foo Wei.

8.6 Yu Ai Ting was proposed by Ambiga Rajendran and seconded by Chan Chee Tong.

8.7 Dato' Suraj Singh proposed for the nominations to be closed, seconded by Nurul Muhaniza.

8.8 Dato' Suraj Singh proposed to the Chairman for Yohendra Nadarajan and Yu Ai Ting to speak a few words to the members.

8.9 The Chairman agreed and informed all the members that the polling is ready.

8.10 Yohendra Nandarajan came forward and addressed the members followed by Yu Ai Ting.

8.11 Dato' Rajpal Singh suggested to appoint two (2) scrutineers to view the voting process.

8.12 The Chairman informed that it is done via online as such we do not need scrutineers. He then announced that the poll is ready and seven (7) minutes were given to members to cast their votes via online including members who were present physically.

8.13 Raspreet Kaur proposed to the Chairman for the votes to be displayed on the screen for transparency.

8.14 The Chairman informed the members that the secretariat staff are to monitor and the final result will be disclosed once the 7 seven minutes is up.

8.15 The Chairman then informed the members that the result of the votes as follows:

Yohendra Nadarajan : 324/648
Yu Ai Ting : 324/648

The Chairman informed, since it is a tie vote hence there is a need for a recount.

8.16 Dato' George Varughese informed the Chairman that there is no need for a recount because there is nothing wrong with the voting. He proposed that the presiding Chairman has the casting vote unless there is a default in the voting.

8.17 Some members on the floor then responded to Dato' George Varughese that the Chairman has voted earlier.

8.18 Dato' George Varughese informed that it is the right procedure and the presiding Chairman has the casting vote.

8.19 A.G. Kalidas expressed his agreement with Dato' George's and informed the Chairman that if such situation happens in BC, there is a ruling to govern such situations.

8.20 Dato' George Varughese informed that there is such a ruling that governs the state bar as well for meetings. Hence, it gives the rights to the Chairman to cast a casting vote in situation as such. It could be the Chairman himself or any other member who presides the meeting.

8.21 Vishnu Kumar read out Section 70 (3) of the LPA where it clearly states that the presiding member shall have a casting vote in the event there is an equality of votes.

8.22 The Chairman queried whether he can meet Yohendra Nadarajan.

8.23 Vishnu Kumar read out the provision again to the Chairman and the members present.

8.24 Chan Chee Tong urged the Chairman to make a decision.

8.25 Komathi Arunasalam expressed her view that any decision made by the Chairman now would be conflicted thus, she proposed for another member from the floor to chair the meeting.

8.26 Salim Bashir read out Section 70 (3) again and explained the situation to the Chairman. He then informed the Chairman to make a decision or to abstain from voting.

8.27 Dato' George Varughese disagreed with Salim Bashir and further explained that casting vote does not mean abstaining from voting but to make the ultimate decision as per the interpretation of the Act. Therefore, the Chairman need to cast his casting vote.

8.28 The Chairman took note and agreed. The Chairman informed the members that he will take the advice made by Dato' George Varughese and make a decision.

8.29 Dato' Suraj Singh interjected and informed that this is the first time this situation has happened and, in the past, we used to have an independent scrutineer to decide impartially without his/her vote.

8.30 Dato' Suraj Singh then queried the Chairman whether the Chairman has voted earlier.

8.31 The Chairman replied in the affirmative.

8.32 Dato' Suraj Singh informed that, since the presiding Chairman has cast his vote, he has participated in the voting and is therefore no longer neutral.

8.33 Dato' George Varughese informed that this cannot be the case, as any Chairman who is a member of the Selangor Bar is entitled to vote in the first round, and the casting vote is an additional vote. He then urged the Chairman to exercise his casting vote and proceed.

8.34 The Chairman then announced that he voted for Yu Ai Ting to be the Chairman of Selangor Bar.

8.35 A.G. Kalidas informed the Chairman that the Chairman's decision is respected but he respectfully requested for the Chairman to step down and invite another person to preside the meeting in order to avoid speculations.

8.36 The Chairman agreed and invited Dato' George Varughese to preside over Items 8, 9 & 10 of the agenda.

8.40 A.G. Kalidas thanked the Chairman and the Chairman thanked him back.

ITEM 9 OF THE AGENDA:

To elect one (1) member to represent Selangor Bar on the Bar Council for the year 2025/2026

9.1 Dato' George Varughese informed that it has been agreed that we will preside with Item 9 first before Item 8 of the agenda. He then called for the nomination of candidates for Selangor Bar's Representative to the Bar Council for the ensuing year.

9.2 Bernard Scott was proposed by Chan Chee Tong and seconded by Tay Hock Loong.

9.3 Dato' Rajpal Singh was proposed by Vishnu Kumar and seconded by Salim Bashir.

9.4 Dato' George Varughese queried whether there is any more nominations and if none, we can proceed to close the nominations.

9.5 Kokila Vaani then proposed to close the nomination and seconded by Raspreet Kaur.

9.6 Dato' George Varughese informed the members that the polls will be ready soon. He then invited to say a few words to the members.

9.7 Dato' Rajpal Singh and Bernard Scott came forward and addressed the members.

9.8 Dato' George Varughese informed that voting is ready and members can cast their votes.

9.9 Raspreet Kaur proposed for the results of the votes to be shown on the screen for transparency reason.

9.10 Dato' George Varughese replied that it is not necessary as there will be no manipulation and the votes will be shown on the projector. He then requested members to be patient and informed that the results will be displayed once the voting is finished.

9.11 Dato' George Varughese then informed the members that the result is as follow:
Dato' Rajpal Singh : 364/640
Bernard Scott : 276/640

9.12 Dato' George Varughese announced that Dato' Rajpal Singh is the Selangor Bar Representative for the year 2025/2026.

<u>ITEM 8 OF THE AGENDA:</u>

To elect ten (10) members as members of the Selangor Bar Committee for the year 2025/2026.

8.1 Dato' George Varughese called for nominations for ten (10) committee members for the year 2025/2026.

8.2 The following candidates were nominated for election as committee members physically:

No.	Name	Proposed By	Seconded By
1.	Bylian Kuo Yih Shiuan	Kokila Vaani	Cyrus Tiu Foo Woei
2.	Richard Teh Tai Sheng	Lan Wai Chan	Chan Chee Tong
3.	Ilyani Khuzairi	Yohendra Nandarajan	Navin Punj
4.	Ron Ong Kit Wee	Tay Hock Loong	Chow Yu Jiin
5.	Muniandy Vestanathan	Afiq Yahawa	K. A Ramu
6.	Nurul Muhaniza	Chan Chee Tong	Cassandra Thomazios
7.	Naveen Chandra Bose	Lingeswaran	Rajo Kupan
8.	Komathi Arunasalam	Maniggandan Gopalan	Kishorthan
9.	Hisyam Hedzril Bin Nor Hasyim	Ee Eng Joo Jeremy	Cyrus Tiu Foo Woei

8.3 Navin Punj informed Dato' George Varughese that the members online were asking whether they are entertained.

8.4 Dato' George Varughese instructed the staff to check the chat box, write the nomination down and give it to him later. The nominations continued as below:

No.	Name	Proposed By	Seconded By
10.	Dato' Gobinath Mohanna	Hariharan	Mohanna Rengasamy
11.	Christopher Joseph	Ambiga Rajendran	Yu Ai Ting

12.	Dinesh Nandrajog	Gregory Dass	Christina Lau Zhai Yan
13.	Christina Lau Zhai Yan	Dinesh Nandrajog	Gregory Dass
14.	Cyrus Tiu Foo Woei	Bylian Kuo Yih Shuan	Annou Xavier
15.	Alfred Chong	Yohendran Nadarajan	Cyrus Tiu Foo Woei
16.	Navin Punj	Kokila Vaani	Dato' Rajpal Singh
17.	K. Theivaendran	Dato' Rajpal Singh	Y. Sheelan
18.	Hong Aan Yik Anthony	Tay Hock Loong	Annou Xavier
19.	Lim Shiaw Yong Melissa	Dato' Gobinath Mohanna	Chan Chee Tong
20.	Haji Zainal Abidin	Ron Ong Kit Wee	Yu Ai Ting
21.	Kee Mohd Tariq	Bernard Scott	Lim Shiaw Yong Melissa
22.	Samry Bin Masri	Rozuddin	Syafiqah Abd. Razak

8.5 Mohd Tariq informed Dato' George Varughese that there are nominations from online and Dato' George Varughese took note. Dato' George Varughese informed that there are duplications of the nominations via online hence he would not go through it again.

8.6 Dato' George Varughese reconfirmed all the nominations with the members, and the members affirmed them.

8.7 Dato' George Varughese then informed the members that we have 2 more nominations through the chat box. The first one is, Samry Bin Masri, proposed by Rozuddin and seconded by Syafiqah Abd. Razak and the second one is, Syahrul Syazwan proposed by Ruzaini Md. Nor and seconded by Anne Varughese. Syahrul Syazwan declined the nomination. Dato' George Varughese took note.

8.8 Dato' George Varughese informed the members that we have received 22 nominations in total and all the members are entitled to vote up to a maximum of 10 candidates.

8.9 Dato' George Varughese informed the members that the votes will be put up on the screen and he reminded the members to vote up to a maximum of 10 candidates. He further informed that if the number of votes exceeds 10, there is a possibility that they may be declared spoiled.

8.10 Dato' George Varughese informed the members that the poll is ready and requested the members to cast their votes.

8.11 Dato' George Varughese informed the members that the total number of votes casted was 625. He then announced the results of the election for committee members and declared the ten members with the highest number of votes as the elected Selangor Bar Committee members of the ensuing term, as follows:

No.	Name	Votes
1.	**Richard Teh**	**353**
2.	**Bylian Kuo Yih Shuan**	**259**
3.	**Haji Zainal Abidin**	**257**
4.	**Nurul Muhaniza**	**245**
5.	**Ron Ong Kit Wee**	**244**
6.	**Navin Punj**	**240**
7.	**Christopher Joseph**	**228**
8.	**Navin Chandra Bose**	**218**
9.	**Dinesh Nandrajog**	**214**
10.	**Cyrus Tiu Foo Woei**	**213**
11.	Dato' Gobinath Mohanna	212
12.	Muniandy Vestanathan	209
13.	Christina Lau Zhai Yan	207
14.	Kee Mohd Tariq	198
15.	Lim Shiaw Yong Melissa	177
16.	Ilyani Khuzairi	172
17.	Hisyam Hedzril	168
18.	Komathi Arunasalam	161
19.	K. Thevandran	158
20.	Alfred Chong	154
21.	Samry Bin Masri	113
22.	Hong Aan Yik	76

8.12 Dato' George Varughese thanked all the members and invited the Chairman to continue with rest of the agenda.

8.13 Dato' Rajpal Singh thanked Dato' George Varughese for presiding the election and the former Chairman, M K Thas.

ITEM 10 OF AGENDA: General

10.1 Yu Ai Ting invited Lawrence to address the issue he wanted to address earlier i.e. the issue of Self Indemnity Fund (SIF).

10.2 Lawrence informed members that he is going to speak on the SIF which will benefit all members. He continued that SIF has actual financial impact on each and every member of the bar. It was muted by Ragunath Kesavan in 2015 and is provided under Section 78 A(12) of the LPA. It is very important to us as to determine the extensive powers of the BC. He has served the Professional Indemnity Committee, BC for more than 30 years and the Professional Indemnity Scheme was implemented in 1993. During the presidency of Ragunath Kesavan, we decided to shift to SIF scheme which was then approved at the Malaysian Bar's AGM in 2009.

10.3 Lawrence continued that prior to 2009, the insurance provider was London Lloyds but the premiums were inconsistent and the Malaysian Bar had no control over the scheme which was the PII Scheme (Professional Indemnity Insurance).

10.4 Lawrence continued that they collated the data and eventually shift it to SIF. Basically, we poll our resources together which is similar to a mutual fund where the fund is used to indemnify the Advocates and Solicitors who have claims by a third party or their clients against them.

10.5 In 2015, we had collected a sum of around RM25 million and decided its time to move and started drafting the rules which was subsequently submitted to the Attorney General's office (AG). Discussion was held with them and finally approval was obtained from the AG in 2022.

10.6 Unfortunately, thereafter there was a change in Presidency and Karean Cheah was elected as the President of the Malaysian Bar. It was supposedly to be signed by her and returned to AG's office to be gazetted and for the SIF to be launched in 2023.

10.7 President Karen Chia did not sign it and came up with a new resolution in Malaysian Bar's AGM in 2023 where she insisted for a further study on SIF to be done. The Chairman of the PII Committee, BC insisted for SIF to be implemented in 2025 but Karen Cheah objected. Hence, the broker has changed and the PII was extended until 2025.

10.8 Lawrence added that the members of PII Committee have left and a new committee was set up with representatives from the state bars and hardly anyone of them had knowledge of the scheme. SIF can't operate without the approval from the President by virtue of the rules.

10.9 Lawrence added that at a Town Council Meeting was held in November 2024, Anand Raj mentioned of a new structure and the previous President and the committee were accused of not really having a look at the scheme. There were inadequacies in the scheme, and therefore a new committee was needed to develop a revised scheme, which would require amendments to the LPA.

10.10 Therefore, he and few other members will be moving a motion during at the upcoming Malaysian Bar AGM i.e. to require the BC to implement SIF in 2026 unless they have an alternate SIF scheme ready to be implemented. He continued that the alternate scheme, among other changes, must include a reduction in the premium paid by members. However, the scheme has not yet been presented to the Malaysian Bar, nor has it been approved.

10.11 Lawrence then informed the members that we are absolutely certain that nothing is going to happen by 2026 and can expect the PII scheme to continue. BC could not answer when they were queried when the new SIF Scheme will be implemented.

10.12 Lawrence urged all the members to support the motion which is going to be put forward at the upcoming Malaysian Bar's AGM. He continued that the motion urges for the SIF rules approved by the AG to be returned to AG's office signed by the Malaysian Bar President in order for it to be gazetted.

10.13 The motion also urges to invite brokers by tender to be the managers of the SIF scheme, implement the SIF scheme as per the resolution in 2009 for year 2026.

10.14 Lawrence then requested the members of the Selangor Bar to come forward and support this motion for the benefit of every member as the reduction of the premium is very substantial

10.15 He then requested the new committee, the Chairman Yu Ai Ting and Dato' Rajpal Singh as the Selangor Bar Representatives as not to accept anything from the BC to endorse. He added that we are paying roughly RM25 million to RM26 million per annum and the lost ratio is around RM10 million to RM12 million.

10.16 He expressed his gratitude to the Chairman and members for the opportunity to address the issue.

10.17 The meeting ended at 9.40pm.

YU AI TING
HONORARY SECRETARY
SELANGOR BAR COMMITTEE