

# **THE LEGAL SERVICES IN MALAYSIA AND THE KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION**



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PRESIDENT, MALAYSIAN BAR**

# MALAYSIA'S FUSED LEGAL PROFESSION



## THE MALAYSIAN BAR

### the Formation

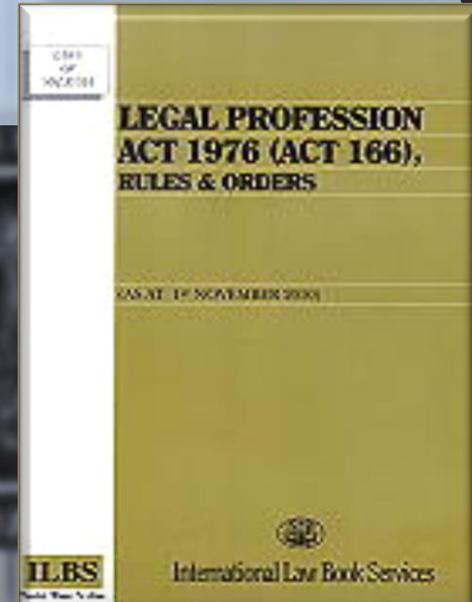
Established as a statutory body under the **Advocates & Solicitors' Ordinance 1947**  
(subsequently replaced by the **Legal Profession Act 1976**)

### the Objective

An independent Bar with a primary aim of upholding the cause of justice\*, protecting the interests of the legal profession and the public

\* S 42 (1) (a)

In the East Malaysia states of Sabah & Sarawak lawyers are members of Sabah Law Association & Advocates' Association of Sarawak respectively...however membership is not compulsory



# COMPOSITION OF LEGAL PROFESSION



## Membership of the Bar

	No. of lawyers	%
<b>Male</b>	<b>8,339</b> <b>(37.6% under 40)</b>	<b>48</b>
<b>Female</b>	<b>9,043</b> <b>(62% under 40)</b>	<b>52</b>
<b><i>Total</i></b>	<b>17,382</b>	<b>100</b>

As at October 2016

# COMPOSITION OF LEGAL PROFESSION



## Firm Size

Law Firm Banding	No. of law firms	%
1 - 5	4,970	89
6 - 30	584	10.45
31 and above	30	0.55
<i>Total</i>	<b>5,584</b>	<b>100</b>

As at October 2016



# THE BAR COUNCIL

**38** Members

manage the affairs and execute the functions of the Malaysian Bar

**2** Members

Immediate Past President and Vice President

**12** Members

elected throughout Peninsular Malaysia (via postal balloting)

**12** Chairpersons

of State Bar Committees

**12** Representatives

elected to represent State Bar Committees



MALAYSIAN BAR  
ADVOCATES & SOLICITORS DISCIPLINARY BOARD

[ LEMBAGA TATATERTIB PEGUAM-PEGUAM ]



## Receives complaints on professional misconduct

**Statutory body  
independent from the  
Bar Council  
S93 LPA**

**Independence  
ensures  
transparency and  
accountability**

**BC does not exert  
any right / control  
over investigation  
process**

### Penalties / Punishments S100(8) LPA:

**Reprimand or censure of advocate & solicitor / Fine or penalty /  
Suspension (not > 5 years) / Striking-off the Roll**



# LIBERALISATION OF LEGAL SERVICES

## the **BIG** picture

### **LAWS GOVERNING FOREIGN FIRMS & FOREIGN LAWYERS**

- Part IVA of Legal Profession Act 1976 (Act 166)
- Legal Profession (Licensing of International Partnerships and Qualified Foreign Law Firms and Registration of Foreign Lawyers) Rules 2014
- Guidance Notes For Applicants
- Came into force on 3 June 2014

### **LICENSE CATEGORIES**

- Qualified Foreign Law Firm
- International Partnership
- Foreign Lawyers (can be employed by QFLF, IP and MLF)

### **THE PROCEDURES**

- Bar Council Malaysia
- Selection Committee

# Licensing Categories



**QFLF** (Qualified Foreign Law Firm)

: Foreign Law Firm on Stand Alone Basis

**IP** (International Partnership)

: Joint Venture Law Firms

**FL** (Foreign Lawyers)

: Foreign Lawyers practicing in...

Malaysian Law Firm

Foreign Law Firm

International Partnership

# **KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION**



# What is the KLRCA?

**The Kuala Lumpur Regional Centre for Arbitration is the only regional, independent, neutral, international comprehensive Alternative Dispute Resolution Centre for the Asia-Pacific Region (AALCO Centre).**

**Since the year 2010, KLRCA has gained from strength to emerge on par with other international institutions in the world.**

**With the support and guidance of the Malaysian Government, KLRCA is well on its way to establish itself and Malaysia as a premier destination for foreign investment and dispute resolution.**



**WHY CHOOSE THE KLRCA AS THE  
ARBITRAL INSTITUTION?**

# **KLRCA's Advantages**

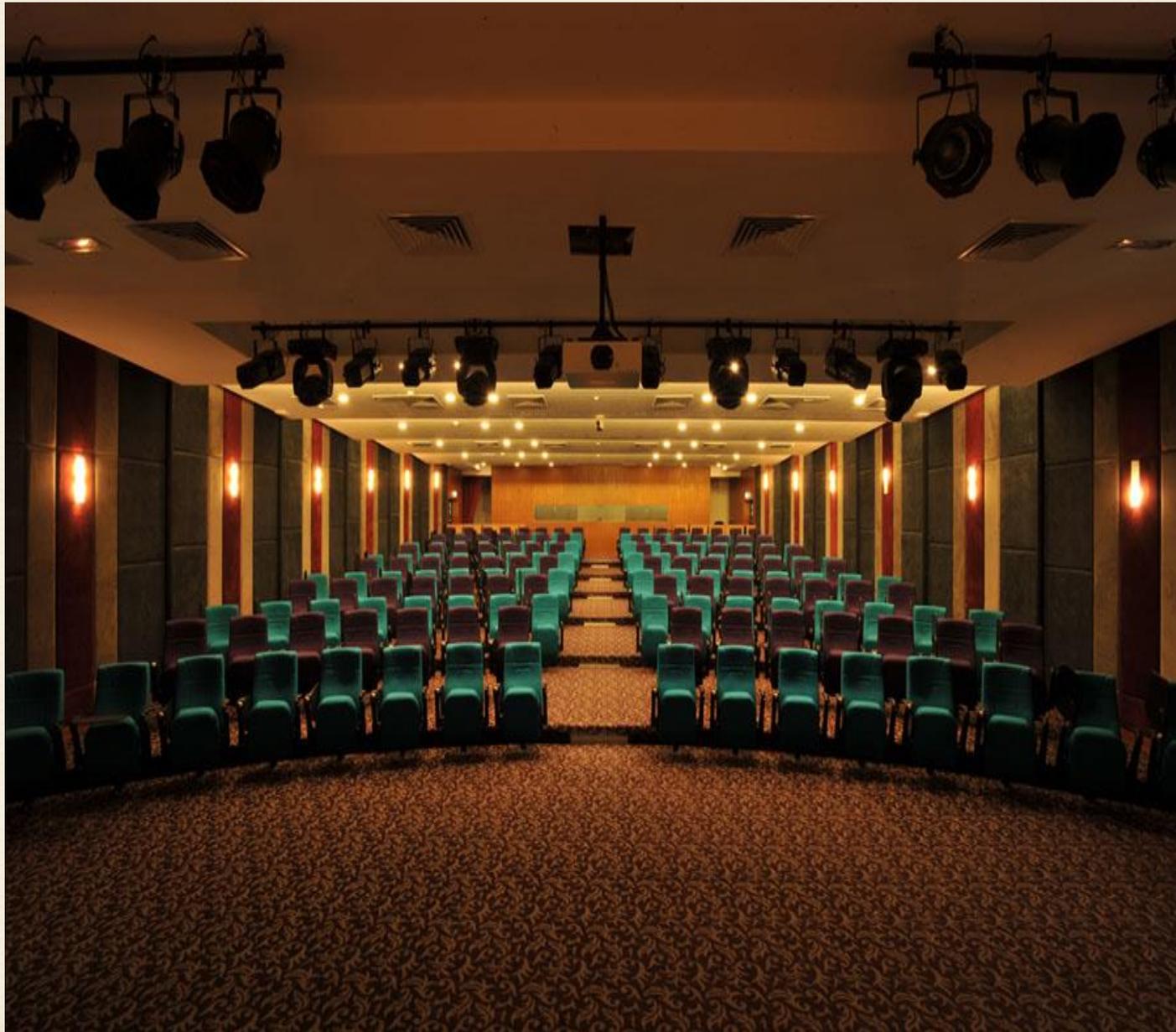
- **Cost effective**
- **Malaysia is a signatory to the New York Convention**
- **Strong judicial support – doctrine of non-interference**
- **Fly-in fly-out provision in Malaysia (no withholding taxes on arbitrators)**
- **Independent institution and Regional powerhouse with focus on ADR in the region**
- **KLRCA enjoys immunity and privilege as an international organization under the International Organizations (Privileges and Immunities) Act 1992**
- **Sensitivity to local community needs and issues**
- **Provides complete ADR services as opposed to other arbitral institutions across the world**

# **KLIRCA FACILITIES**

# Bangunan Sulaiman



# Auditorium



# Large hearing room (22 pax)



# Consultation Room



# Specialized ADR & Construction Law Library



# Arbitrator's Lounge



**THANK YOU**

