



# 24th ANNUAL GENERAL MEETING

KUALA LUMPUR BAR



THURSDAY, 25 FEBRUARY 2016  
02:00 PM @ AUDITORIUM, WISMA MCA  
JALAN AMPANG, KUALA LUMPUR

24th  
ANNUAL  
GENERAL  
MEETING  
KUALA LUMPUR BAR

# KUALA LUMPUR BAR COMMITTEE 2015/16



L to R (Front):

Mary Tan (Executive Director), Jeremiah R Gurusamy (Rep. To Bar Council),  
Ravinder Singh Dhaliwal (Chairman), Goh Siu Lin (Honorary Secretary), Harleen Kaur

(Back):

Alex Anton Netto, Foong Cheng Leong, Choo Dee Wei, Abd Shukor Tokachil, Alwin Rajasurya,  
Jacky Loi Yap Loong, Lim Chi Chau, Shashi Devan Thalmalingam, Vinu Kamalanathan

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# CHAIRMAN'S REPORT



**Ravin Singh**  
Chairman

## A. INTRODUCTION

It has been my privilege to serve as Chairman of the Kuala Lumpur Bar Committee ("KLBC") this term and I verily believe that the members of the KLBC have discharged their duties honestly, diligently and responsibly.

## B. HONORARY SECRETARY AND CO-OPTED MEMBERS

At its first meeting on 17 February 2015, the KLBC appointed Goh Siu Lin as its Honorary Secretary with Abd Shukor Tokachil and Jacky Loi Yap Loong being co-opted as members of the KLBC under Section 73(vii) of the Legal Profession Act 1976.

## C. CASUAL VACANCY IN THE KLBC

Siti Munirah Maarof who was elected to serve as a member of the KLBC for the term 2015/16 at the 23<sup>rd</sup> Annual General Meeting of the Kuala Lumpur Bar on 12 February 2015, vacated her said position on 1 October 2015 as she had moved to practise in the State of Selangor. Pursuant to Section 75(1) of the Legal Profession Act 1976, Jacky Loi Yap Loong was appointed to fill the casual vacancy.

## D. KLBC ACTIVITIES

### i) Monthly Activities Report and communicating information to members

The KLBC continued to keep members apprised of its activities through its monthly activities report that is uploaded to the KL Bar Blog. It further continued to maintain the use of twitter and facebook as additional channels to communicate information to members besides the normal e-mail blasts.

### ii) Annual Get-together between the KLBC and Selangor Bar Committee ("SBC")

Hosted by the SBC this term, the Annual Get-together between the KLBC and SBC was held on 24 April 2015 at the Merchant Lounge, Hotel Armada Petaling Jaya. This Annual Meet was for the office bearers of the KLBC and SBC for the new term to get to know each other and to discuss how to work closely to cater to the mutual needs of members of both the Kuala Lumpur Bar and Selangor Bar. As in the past, this Meet had certainly enhanced and strengthened the existing good relationship between the KLBC and SBC.

### iii) Other Events

Besides participating in many events organised by the Bar Council, the KLBC also participated in the following events at the invitation of the respective Bodies:

- **The Legal Profession Qualifying Board**  
CLP 2014 Convocation on 26 March 2015.
- **Kuala Lumpur Court**  
Hari Raya Reception on 6 August 2015.
- **Judicial and Legal Training Institute (ILKAP)**  
ILKAP Speaker Series: Judicial Transformation on 11 September 2015.
- **Malaysian Current Law Journal**  
Official Opening of the Malaysian Legal and Corporate Conference 2015 on 7 October 2015.

- **Companies Commission of Malaysia**

Annual Dialogue on 15 December 2015.

**iv) KLBC Meetings**

As at 31 December 2015, the KLBC met 10 times and the attendance of each member was as follows:

Ravinder Singh Dhaliwal (Ravin)	- 10
Goh Siu Lin	- 8
Harleen Kaur (Leena)	- 7
Vinu Kamalanathan	- 7
Foong Cheng Leong	- 7
Choo Dee Wei	- 7
Lim Chi Chau	- 8
Alwin Rajasurya	- 10
Alex Anton Netto	- 7
Shashi Devan Thalmalingam	- 10
Jacky Loi Yap Loong	- 9
Abd Shukor Tokachil	- 3
Siti Munirah Maarof	- 5

*(Resigned from the KLBC on 1 October 2015)*

Jeremiah R Gurusamy, Kuala Lumpur Bar's representative on the Bar Council, was invited to attend the KLBC meetings as an observer and also to report to the Bar Council on relevant matters as and when pertinent and necessary. He attended all the 10 meetings and worked closely with the KLBC.

**v) Finance, Subscription and Non-subscription Income**

The financial position of the KLBC remains healthy and stable with a sum of RM1,743,087 in Fixed Deposit. Details of the financial position are set out in the Audited Accounts ending 31 December 2015.

The subscription for the year 2015 was fixed at RM125 at the last AGM on 12 February 2015. At the closing of the KLBC's financial year on 31 December 2015, 187 members were in arrears of the 2015 subscription.

This term, the KLBC managed to raise a total of RM147,539 from sponsorships, website and newsletter advertisements, PDC seminars and talks held by other subcommittees.

**E. SUBCOMMITTEES**

12 subcommittees were established to facilitate the organisation of the KLBC's various activities and to cater to the needs of members. The subcommittees were ably led by the following members:

**i) Civil Practice Committee**

Harleen Kaur (Leena)

**ii) Corporate and Conveyancing Practice Committee**

Jacky Loi Yap Loong

**iii) Criminal Practice Committee**

Lim Chi Chau

**iv) Environmental Committee**

Alex Anton Netto

**v) Information Technology Committee**

Foong Cheng Leong

**vi) Professional Development Committee**

Goh Siu Lin

- vii) **Publications Committee**  
 Siti Munirah Maarof (Resigned on 1 October 2015)
- viii) **Pupils Committee**  
 Shashi Devan Thalmalingam
- ix) **Social, Arts and Recreation Committee**  
 Vinu Kamalananthan
- x) **Sports Committee**  
 Alwin Rajasurya
- xi) **Young Lawyers Committee**  
 Choo Dee Wei
- xii) **Legal Aid**  
 Abd Shukor Tokachil

The accompanying subcommittees' reports are a reflection of the many activities undertaken by the subcommittees. Fuller accounts of the activities are provided in the reports of the respective subcommittees but the following are worthy of mention:

- **Complaints Log created by the Civil Practice Committee**  
 The Chairperson of the Civil Practice Committee, Leena, must be commended for coming up with a Complaints Log to better manage complaints received from members. This would also ensure that the Secretariat and the Civil Practice Committee have a continuous record regardless of who is chairing the said subcommittee. The Complaints Log would also assist any new Chairperson helming the Civil Practice Committee as the status of each complaint would be updated in the Complaints Log.
- **Practical Workshops on Conveyancing Practice**  
 The Corporate & Conveyancing Practice Committee had once again held two successful Two-Day Practical Workshops on Conveyancing Practice this term. They had successfully held two similar workshops in the last term. Congratulations for a job well done.
- **Checklists for Conveyancing Transactions at the Wilayah Land Office**  
 Another laudable effort, mooted by its Chairperson Jacky Loi, the Corporate & Conveyancing Practice Committee came up with checklists on the required procedures and/or documents for registration at the Wilayah Land Office in the hope to address the issue where members may not be aware of possible change of requirements at the Wilayah Land Office until the stage of registration. The checklists are currently pending verification and approval by the Wilayah Land Office. Once approved, the checklists would be uploaded to the KL Bar Website and updated regularly.
- **Curbing the touting problem at the Kuala Lumpur Court**  
 The Criminal Practice Committee, led by its Chairperson Lim Chi Chau, had worked hard to address the touting problem at the Kuala Lumpur Court. Though there was no concrete solution yet, but steps had been taken by the Kuala Lumpur Court to create the awareness and warning members of the public about touts. The matter is still being pursued by the Criminal Practice Committee.
- **Lawyers' access to their clients at the Dang Wangi Remand Centre and Jinjang Detention Centre**  
 Lawyers were now allowed access to their clients at the Dang Wangi Remand Centre and Jinjang Detention Centre, thanks to the efforts of the Criminal Law Committee in taking up the issue with the IPD of Dang Wangi and Sentul. There is however a simple procedure to be adhered to which had been notified to members via e-blast on 10 June 2015 and 14 September 2015.
- **Reading Materials for Sungai Buloh Prison Campaign**  
 Organised for the second time by the Criminal Practice Committee (the first one being in 2011), this Campaign brought in over 1,000 books and magazines for the inmates in the Sungai Buloh Prison.

- **Environmental Awareness Series**

The Environmental Committee was reinstated this term after a two-year hiatus. Helmed by Alex Netto, the Environmental Committee embarked on a project to create environmental awareness amongst members by issuing write-ups and videos about the environment with suggested steps that lawyers could take to make a difference and it was named the Environmental Awareness Series.
- **Law Firm Recycling Initiative**

Another commendable effort by the Environmental Committee to encourage law firms to recycle, two recycling companies that have a history of servicing law firms and able to appreciate sensitive documents were secured to assist law firms with the recycling of their sensitive court and office documents at a special rate.
- **Revamping of the KL Bar Website and Membership And Payment System**

Two major revamping exercises were carried out this term, led by Foong Cheng Leong, Chairperson of the Information Technology Committee; revamping of the KL Bar Website and the Secretariat's Membership Management And Payment System ("MAPS"). The KL Bar Website was being revamped from scratch with integration of a payment gateway, iPay88, for the convenience of members in making payments for seminars and events. As for MAPS, once completed, the system would synchronise with the membership database of the Bar Council. This would eliminate data entry and ensure that members' data is always up-to-date.
- **Kuala Lumpur Bar Mobile Application ("KL Bar App")**

The developing of the KL Bar App is underway, thanks to Foong Cheng Leong for his invaluable input and assistance. It is the hope of the KLBC that this App would make it convenient for members to select the events that they would like to attend, register and pay for the same through their smart phones.
- **Professional Development Programmes**

The Professional Development Committee, in particular the Chairperson Goh Siu Lin, must be congratulated for the many professional development programmes that were organised for the term especially the increase in the number of seminars and workshops on rights of children as well as gender discrimination which included an overview of CEDAW Jurisprudence and capacity building of lawyers to assist victims of human-trafficking.
- **Questionnaire for law firms offering places for pupillage**

Recognising the many problems faced by pupils in selecting the right firm to serve their pupillage, the Pupils Committee Chairperson Shashi Devan, painstakingly came up with a comprehensive questionnaire for law firms offering places for pupillage through the KL Bar Website, to fill out. However, law firms are given the option to choose whether or not to complete the questionnaire which would be incorporated into the vacancy section of the new KL Bar Website.
- **Legal Career Forum**

With the success of the first Legal Career Forum held the year before, the Pupils Committee together with the Young Lawyers Committee in collaboration with eLawyer, a legal recruitment and consultancy firm, held a second Legal Career Forum on 12 December 2015. Legal practitioners from different sized firms shared their work experiences, the various work expectations of the different sized firms and challenges faced when setting up one's own practice at this year's forum. It provided the participants who were young lawyers a better understanding of the career paths on offer.
- **Kuala Lumpur Bar Grand Prix 2015**

The Social, Arts & Recreation Committee successfully organised a go-karting tournament named, "Kuala Lumpur Bar Grand Prix 2015". Held on 9 May 2015 at the Shah Alam Stadium Go-Kart Circuit, the tournament attracted seven teams comprising four drivers each.
- **KL Bar Night 2015**

The KL Bar Night, one of the flagship events of the KLBC, was successfully held on 28 November 2015 at Ciao Ristorante. Kudos to Vinu Kamalanathan, Chairperson of the Social, Arts & Recreation Committee, and his organising team for making it happen. The night saw some tradition being brought back into this annual event with many members turning up in their best traditional outfits in line with the theme, "Celebrating any and all things which make us Malaysians". Special thanks go to all the firms and members who supported the event and to all our sponsors for their generous contribution towards the event.

- **The Kuala Lumpur-Selangor Bar Games Guideline**  
 Alwin Rajasurya, Chairperson of the Sports Committee, must be commended for taking on the task of drafting the guidelines to make the yearly games between the Kuala Lumpur Bar and Selangor Bar uniform. The Guideline was signed between both State Bar Committees at the Annual Joint Committee Get-Together on 24 April 2015.
- **Bowling Tournament**  
 Credit must be given to the Sports Committee for reintroducing the game of bowling. A Bowling Tournament was successfully held on 6 June 2015 at Sunway Megalanes, Sunway Pyramid. This tournament attracted 19 teams comprising three players per team.
- **1st Mini Sports Day - Malacca Bar vs Kuala Lumpur Bar**  
 At the invitation of the Malacca Bar, the Sports Committee gathered players from the Kuala Lumpur Bar and travelled to Malacca to play against the Malacca Bar in Men's Futsal, Ladies Futsal and Badminton in this inaugural Mini Sports Day on 19 September 2015. This is certainly the first step towards having games with other State Bars besides the Selangor Bar.
- **KL Bar Run 2016**  
 Following the highly successful inaugural Run held on 25 January 2015, the Sports Committee with Lilian Lee as the Race Director, is organising the second KL Bar Run which will be held on 10 January 2016, also at Lake Gardens. 65 teams comprising four runners each had signed up for the Run.
- **Charity Night 2015**  
 The Young Lawyers Committee, led by its Chairperson Choo Dee Wei and Organising Chair Rachel Tan, must be lauded for yet another successful Charity Night raising RM51,418.21 in aid of The KL KRASH PAD, a teen centre located in the capital city's Chow Kit area to meet the needs and rights of vulnerable and at-risk urban poor teens.
- **Community Projects**  
 Another laudable noble effort by the Young Lawyers Committee; they volunteered at Pertiwi Soup Kitchen to help distribute food to the homeless and visited Pusat Jagaan Baitul Amal Petaling Jaya, a safe home for children from broken and poor homes, to have a small Hari Raya celebration with the children residing there.

## **F. OBITUARIES**

The KLBC records with deep sorrow the passing of the following members of the Kuala Lumpur Bar in the year 2015:

Dato' Abdullah bin Ngah on 1 March 2015  
 Vincent Tan Zhi Chao on 6 March 2015  
 Mohd Hazzan bin Md Pauzi on 16 March 2015  
 Asbir Kaur Sangha on 8 April 2015  
 Shamsufan Shamsuddin bin Alias on 12 April 2015  
 Dato' Dr Sir Peter Mooney on 27 April 2015  
 Mohd Nashir bin Hussin on 7 May 2015  
 Yip Fook Thai on 23 May 2015  
 Satthiyasilan a/l S.A. Shamugam on 24 May 2015  
 Ajit Kumar Hastir on 26 May 2015  
 Dato' Choong Phooi Ying on 29 May 2015  
 Adri Amrul bin Ariffin on 10 June 2015  
 Juriyah @ Juraiyah bt Jamaluddin on 10 September 2015  
 Satgurunathan a/l Nagalingam on 12 September 2015  
 Khoo Phaik See on 26 September 2015  
 Dato' Wan Nik bin Wan Ismail on 6 October 2015  
 Balakisnan a/l Appalanaido on 19 October 2015  
 K. Sothinathan Kanagasingam on 24 October 2015  
 Ravi Muniandy on 27 October 2015  
 Alexis Diana a/p Alexander Gerald on 5 November 2015  
 Ameenuddin Mohamed Ibrahim on 10 November 2015



Except for Dato' Dr Sir Peter Mooney where a special Reference Proceeding will be held by the Bar Council, two sessions of Reference Proceedings in respect and memory of the abovenamed members and Datuk Leong Tang Chong who departed on 1 May 2014 will be held on 19 and 26 February 2016 at 9:00 am at the Kuala Lumpur High Court. Both Proceedings will be presided by Y.A. Datuk Hanipah binti Farikullah.

#### **G. SECRETARIAT**

The Secretariat supports the work of the KLBC and its subcommittees. Except for Legal Aid which has its own staff, the projects and activities of the other 11 subcommittees were coordinated and managed by the Secretariat staff. With a strength of just 12 persons, the Secretariat staff had worked tirelessly throughout the year to ensure the smooth running of the Secretariat and the Bar Room and that all projects and activities were successfully carried out besides performing other regular functions such as keeping records of meeting proceedings, processing Petitions for Admission to the Bar, collecting annual subscriptions, maintaining the accounts, register of members, website and other social media of the Kuala Lumpur Bar, attending to day-to-day enquiries from members of the Bar, pupils-in-chambers and members of the public, just to name a few.

The KLBC is fortunate to have a group of loyal and dedicated staff, the majority of whom have served the KLBC (and prior to 1992, the Selangor & Federal Territory Bar Committee) for many years. Allow me to append below their names, designation and years of service:

Mary Tan, Executive Director – 39 years  
Melissa Linda Dass, Senior Assistant Director – 9 years  
Norhayati Rahmad, Assistant Director – 7 years  
Uvanarajan Sinniah, Executive Officer – 27 years  
Siti Affaeza Bolot, Finance and Admin Officer – 11 years  
Indira Angappan, Admission Officer – 18 years  
Rosilawati Ibrahim, Membership Officer – 19 years  
Masni Abu Bakar, Administrative Assistant – 22 years  
R. Jayasangari @ Jayashree, Administrative Assistant – 3 years  
Vasanthe Kumari, Administrative Assistant (based in the Bar Room) – 3 years  
Yazid Yusof, Logistics Assistant – 31 years  
Silmah Salisin, General Office Assistant – 3 years

As always, the Secretariat staff works very closely with the KLBC in striving to serve the Kuala Lumpur Bar better and provide members with a more effective and efficient Secretariat. We welcome feedback and suggestions on ways that we can assist members and increase the effectiveness and efficiency of the Secretariat.

#### **H. ACKNOWLEDGEMENT AND CONCLUSION**

At the beginning of this term, as promised, I had attended all the first meetings of the individual subcommittees of the KLBC. At these meetings, I had the pleasure of meeting all the members who had interest in serving and pledged their time to the Kuala Lumpur Bar. I would like to thank each and every one of the subcommittee members for all their time and effort that they have put in to serve the Bar. Their efforts have not gone unnoticed.

My team who was successful at the last Kuala Lumpur Bar Annual General Meeting to become members of the KLBC, including our two co-opted members, have put in loads of time to carry out their projects as well as attending our Committee meetings. These thankless tasks are time consuming and dedication has always been a prerequisite. I take this opportunity to personally thank all the members of the KLBC and the co-opted members for giving it their all and I look forward to working with all of you in the future.

I have said this time and again that the Secretariat of the Kuala Lumpur Bar is the backbone of our State Bar. Mary Tan (Executive Director) and her team never cease to impress with their effectiveness, persistence to get the job done as well as their dedication to the Bar year after year. Many of our Secretariat Staff have been with the Bar Committee longer than most of us have been in practice. To Mary and her team, it has been a great pleasure and we are all enormously appreciative of the great work you do.

It would be remiss of me if I do not make special mention of two individuals who have been my confidants and pillars of support in times of tough decision making as well as assisting me whenever I was inundated. The Kuala Lumpur State Bar Representative to the Bar Council, Jeremiah Gurusamy and the Honorary Secretary of the KLBC, Goh Siu Lin have both been extremely supportive and dependable to me personally as well as to the KLBC this last year and I thank them both for their support.

Finally, to the members of the Kuala Lumpur Bar, we thank you for placing your faith in us to serve the Bar. I hope that we have lived up to every expectation. We thank you for all your support and we look forward to serving the Bar again in years to come.

Thank you.

**Ravin Singh**

Chairman

Kuala Lumpur Bar Committee 2015/16

**SECRETARIAT STAFF**



Mary



Melissa Dass



Norhayati



Rajan



Siti Affaeza



Indira



Roslawati



Masni



Jayashree



Yazid



Silmah



Vasanthe

## CIVIL PRACTICE COMMITTEE

**Harleen Kaur (Leena)**  
Chairperson



The Civil Practice Committee (“CvPC”) continues its objective of resolving the judicial and administrative issues faced by members of the Kuala Lumpur Bar.

### MEETING WITH THE MANAGING JUDGES OF THE KUALA LUMPUR COURTS

A meeting was held on 23 January 2015 at 3:00 pm at Bilik Gerakan, Aras 3, Pejabat Ketua Pendaftar, Istana Kehakiman, Putrajaya. The meeting was attended by all three Managing Judges, the Director and the related Deputy Registrars of the Kuala Lumpur Courts. The Kuala Lumpur Bar Committee (“KLBC”) was represented by the then members of the KLBC 2014/15, HR Dipendra, Goh Siu Lin, Jacky Loi Yap Loong, Shashi Devan Thalmalingam, Lim Chi Chau, Foong Cheng Leong and then member of the CvPC 2014/15, Ajeet Kaur. The meeting was chaired by Y.A. Tan Sri Hasan bin Lah.

Issues discussed during the meeting include the hasty disposal of cases by Judges, Written and/or Oral Submissions, Witness Statements, Fixing of Trial/Hearing Dates, Mediation, Transcribing, E-Filing System and Conduct of Court staff at the RKKK counter. The Judges also raised the issue of lawyers double parking their cases.

### CIVIL PRACTICE COMMITTEE SURVEY 2015

The survey was conducted for the purpose of gauging members’ level of satisfaction and confidence when dealing with the Judicial and Court Officers. A survey was conducted in 2014 but due to the poor response (with 22 returned forms), the CvPC decided to re-issue the same survey in 2015 and to collate the combined response (39 returned forms).

### 2ND MEETING WITH THE MANAGING JUDGES

We requested for another meeting with the Managing Judges to deal with new complaints received as well as to follow up on the previous issues raised during the meeting on 23 January 2015. The second meeting with the Managing Judges was held on 14 August 2015 at 10:00 am at Bilik Gerakan, Aras 3, Pejabat Ketua Pendaftar, Istana Kehakiman, Putrajaya. The meeting was chaired by Y.A. Dato’ Azahar bin Mohamad, Managing Judge of the Kuala Lumpur Civil Division and attended by Y.A. Datuk Zaharah binti Ibrahim, Managing Judge of the Commercial Division and Puan Ai Baishah binti Hj Abd Manan, Director of the Kuala Lumpur Courts as well as the Managing Judge of the Kuala Lumpur Subordinate Courts. Also in attendance were the related Deputy Registrars. The Kuala Lumpur Bar Committee was represented by Ravin Singh and Harleen Kaur (Leena).

We followed up on issues concerning Written Simultaneous Submissions, Witness Statements, Hearing of Appeals from Subordinate Courts, Fixing of Dates for Hearing/Trial. New matters raised concerned Staggered Scheduling, matters before Registrars, Delay in the Extraction of cause papers, Oral Submissions, Subordinate Court Mentions and problems related to e-filing. The Judges also raised some issues relating to Case Management, Opposing lawyers not cooperating, Construction Courts and lawyers demanding extractions less than 24 hours after filing. Summary of the complaints and particulars of the outcome was forwarded to members via e-mail circular dated 4 September 2015.

### Committee Members

Aaron Mathews  
Ajeet Kaur a/p Nika Singh  
Caroline Goh Seow Siang  
Chan Chun Lam  
Eyza Farizan Mokhtar  
Goh An Nee  
HR Dipendra  
Harvinder Singh  
Juliana Johari  
Kenny Wong  
Samreet Singh Sagoo  
Srividhya Ganapathy  
Soong Hou Ming

### COMPLAINTS LOG

A Complaints Log has been created to allow for better record keeping and to assist future CvPCs. This term, the CvPC received approximately 13 complaints regarding approximately 20 issues. All these issues have been raised with the Managing Judges and where relevant forwarded to our counterparts at the Selangor Bar Committee. We are pleased to report that most of the complaints have been resolved. Approximately three issues are yet to be resolved and we have recently escalated a fresh complaint. We shall follow up on these and the status will be logged in the Complaints Log for the incoming CvPC to refer to.

### CONCLUSION AND APPRECIATION

We would like to record our thanks and appreciation to members for cooperating with us and trusting us with their concerns.

#### Harleen Kaur (Leena)

Chairperson

Civil Practice Committee



## CORPORATE AND CONVEYANCING PRACTICE COMMITTEE

**Jacky Loi Yap Loong**  
Chairperson



The Corporate and Conveyancing Practice Committee (“CCPC”) maintained its main objective of resolving problems and issues faced by the corporate and conveyancing practitioners with various stakeholders, including the relevant government agencies namely Companies Commission of Malaysia, the Land Offices of Federal Territory Kuala Lumpur and Selangor and Inland Revenue Board, Malaysia.

Since taking office, CCPC has requested and received feedback from our members on the problematic issues encountered during practice. CCPC has also met nine times to date, held activities beneficial to corporate and conveyancing practitioners and requested for meetings with the relevant government agencies to address the problematic issues compiled. CCPC has the following meetings and activities in the term 2015/16:

### **PRACTICAL MODULE FOR TRANSACTIONS AT THE WILAYAH LAND OFFICE**

From the feedback given by our members, CCPC observed that many a time changes in procedures and/or requirements of documents for registration at the Wilayah Land Office are not known to our members. To keep up with the changes and ensure our members are well informed, CCPC has decided to prepare a practical module to be verified and endorsed by the Wilayah Land Office. The module aimed to cover all changes in procedures and/or requirements of documents for registration of certain common transactions at the Wilayah Land Office from time to time.

The module is specifically tailored for the Wilayah Land Office and serves as a checklist on the required procedures and/or documents for registration. So far, to name a few, CCPC has prepared the modules for applications for Consent for Transfer, Transfer, Charge, Discharge of Charge, Entry and Withdrawal of Caveat and Change of Name.

The modules will be put up at the Kuala Lumpur Bar Website and updated regularly once they are verified and endorsed by the Wilayah Land Office.

### **MEETING WITH THE WILAYAH LAND OFFICE**

CCPC met the Management of the Wilayah Land Office on 24 November 2015 at 2:30 pm in Rumah Persekutuan, Wilayah Persekutuan Kuala Lumpur. The meeting was well attended by representatives from the CCPC and Selangor Bar Conveyancing & SRE Committee. CCPC was represented by KLBC Chairman Ravin Singh, KLBC Honorary Secretary Goh Siu Lin, CCPC Chairperson Jacky Loi and CCPC members Ow Hui Ching and Sarah Kambali.

CCPC raised all the issues gathered from the feedback given by members and also took the opportunity to present the abovesaid practical module for the Wilayah Land Office’s comments, verification and endorsement.

### **Deputy Chairperson**

Ong June Siang

### **Committee Members**

Chia Kim Meang  
Chong Wai Kuan  
Crystel Lee Yen Ru  
Daphne Lew Chah Yee  
Dennis Teoh  
Jacenta James  
Kenny Wong  
Lam Kah Huey  
Lee Peck Ha  
Leong Pei Lee  
Loh Chang Woo  
Matthew Lee Kuang Wei  
Musyriyah binti Abdul Malek  
Nahzatul Ain binti Mohd Khalid  
Ow Hui Ching  
R Yogeswari  
Rachel Tan Mei Chien  
S Wendy a/p Subramaniam  
Sarah Kambali  
Susan Joseph  
Vinu Kamalanathan  
Wan Kuraishah binti Wan Talib  
Zenathnara a/p Narayanasamy

### **Observers**

Aisyah binti Mansor  
Bee Teent  
Bryan Ng  
Teo Kui Cheng  
Lim Li Fong  
Sony Siew Tse Jie  
Wong Kah Ming (Benjamin)  
Victoria Lee Zhan Ten

### **TWO-DAY PRACTICAL WORKSHOP ON CONVEYANCING PRACTICE**

CCPC had successfully organised this workshop twice for the year on 28 and 29 May 2015 and 8 and 9 October 2015.

Both workshops were held at the KL Bar Auditorium from 9:00 am till 4:30 pm with 55 and 24 participants respectively. CCPC plans to organise similar workshops in the future.

### **UPCOMING EVENTS**

#### **SEMINARS**

##### **Seminar on “Acting For The Bank Financing Purchases From Developers”**

This seminar, to be presented by Lee Peck Ha and another speaker, is scheduled to be held on 1 March 2016.

##### **Two-Day Practical Workshop on Conveyancing Practice**

Another instalment of the workshop is scheduled for 5 and 6 April 2016

### **CONCLUSION AND APPRECIATION**

I would like to record my thanks and appreciation for all your feedback, time and support given to the activities of the CCPC throughout the 2015/16 term.

#### **Jacky Loi Yap Loong**

Chairperson

Corporate and Conveyancing Practice Committee



# CRIMINAL PRACTICE COMMITTEE

**Lim Chi Chau**  
Chairperson



The Criminal Practice Committee (“CPC”) continues its main objectives of:

- overcoming the issues and problems faced by criminal law practitioners with the related agencies namely the Judiciary, Attorney General’s Chambers and the Police;
- encouraging more young lawyers to participate in criminal practice by conducting talks, seminars and running the criminal law and practice mentoring programme.

To date, the CPC had met nine times since taking office and, in addition, had requested and attended meetings with related agencies. Those meetings and activities organised within the term of 2015/16 were as follows:

## CPC MENTORING PROGRAMME

CPC continued the mentoring programme for another year. Registration for both mentors and mentees remained open throughout the year and currently there are 12 mentors and 34 mentees. CPC maintained the Google calendar that was created in the last term in which mentees could check the mentors’ Court schedule. The calendar was updated on a monthly basis. CPC will work together with the Yayasan Bantuan Guaman Kebangsaan (“YBGK”) by providing mentoring assistance to YBGK lawyers who need mentors when handling YBGK files.

## MEETINGS WITH THE POLICE

### Dang Wangi District

A meeting with the ACP of IPD Dang Wangi was held on 8 May 2015 at 3:00 pm. KLBC was represented by the KLBC Chairman, Honorary Secretary and CPC Chairperson.

The issues discussed during the meeting include, difficulties of lawyers meeting their clients before their Remand Proceedings, locating clients who were arrested and detained by the police, locating the officers-in-charge of the investigation papers and lock-up and problems with touts. An e-blast was sent on 10 June 2015 notifying members of the outcome of the issues that were discussed.

### Sentul District

Meeting with the IPD Sentul was held on 24 July 2015. KLBC was represented by KLBC Chairman, Honorary Secretary and CPC Chairperson. Similar issues which were raised during the meeting with IPD Dang Wangi were discussed and IPD Sentul agreed to adopt the similar arrangements we made with IPD Dang Wangi and also provided us with the contact numbers of the respective officers-in-charge. An e-blast notifying members of the outcome was sent on 14 September 2015.

## TOUT

CPC has been meeting with the Judiciary and the Bar Council level by making proposals and suggestions on how to solve touting problems in the Kuala Lumpur Courts. A meeting with the representatives of the Kuala Lumpur Courts was held on 20 October 2015 to discuss and decide on the next course of action. The meeting was attended by KLBC Chairman and CPC Chairperson. As at the date of this report, CPC together with YBGK are designing an Anti-

## Committee Members

Farhan Read  
Hue Kok Chung  
Jacky Loi Yap Loong  
James FC Fong  
Khor Boon How  
Saha Deva Arunasalam  
Sivanesan Nadarajah  
Viknesvaran a/l Kanapathipillai

## Observers

Lee Teong Hooi  
Shamsul Sulaiman



Touting Poster which will be posted outside all the Criminal Courts in Kuala Lumpur to educate the public regarding Touts.

#### **WATCHING BRIEF FOR INQUEST INVOLVING DEATH IN CUSTODY AND DURING ARREST**

Pursuant to the decision made by the Bar Council, CPC had written to the Head of the Prosecution Unit (KUP) seeking details of on-going inquests and new inquests and provided volunteer lawyers to represent the Bar Council in the inquests.

#### **READING MATERIALS FOR SUNGAI BULOH PRISON CAMPAIGN**

CPC decided to organise this Campaign which was first initiated in 2011. The Campaign started with an e-blast appealing to members to donate reading materials to two collection centres namely the KL Bar Secretariat and the Bar Room at the Kuala Lumpur Court Complex. The Campaign was held for a month commencing from 7 September 2015.

CPC is currently working with LexisNexis Malaysia, which held their own Book Drive, on a visit to the Sungai Buloh Prison to have a joint event of handing over the collected reading materials from the Campaign and Book Drive. The event is scheduled to be held on 19 February 2016.

#### **COMPILATION OF THE NUMBER OF CASES FROM THE KUALA LUMPUR HIGH COURT ASSIGNED TO ASSIGNED COUNSEL IN KUALA LUMPUR FOR THE PAST THREE YEARS**

CPC had taken on the task of compiling the statistics on the number of assigned cases offered from the Kuala Lumpur High Court to each and every Assigned Counsel in Kuala Lumpur for the past three years as there were members complaining that they have not been receiving any assigned cases from the said Court. The statistics had been compiled and the issue would be raised with the relevant Authorities at the Kuala Lumpur High Court.

#### **COMPILATION OF UNREPORTED CRIMINAL CASES**

CPC had also taken on the task of compiling criminal cases where decisions were overturned at the appellate stage but no written grounds of judgments were given. CPC had sent an e-blast to members and written to senior criminal law practitioners requesting for details of such cases. The response however was not encouraging.

#### **SEMINAR**

A seminar on "Drug Trafficking: Trials and Appeals" was organised on 12 December 2015 from 9:00 am to 2:00 pm at the KL Bar Auditorium, 4th Floor, Wisma Hangsam, No. 1 Jalan Hang Lekir, 50000 Kuala Lumpur.

The seminar was presented by Dato' Rajpal Singh and Hisyam bin Abdullah @ Teh Poh Teik. Dato' Rajpal spoke on "Trials" and Hisyam spoke on "Appeals". The seminar was moderated by Amrit Pal Singh and was a success with 46 participants.

#### **YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK) MEETINGS**

CPC was invited to attend two of these meetings which was held on 25 June 2015 and 30 September 2015, both at the Kuala Lumpur Attorney General's Chambers, Chase Perdana, Damansara Heights. CPC was represented by its Chairperson in the second meeting. These state level meetings were attended by enforcement agencies including the Police and Officers from the Kuala Lumpur Courts.

#### **MEETING WITH THE MANAGING JUDGE OF THE KUALA LUMPUR CRIMINAL COURTS**

CPC had written to the Managing Judge requesting for a meeting to discuss the setting up of a Working Committee on Pre-trial Case Management and Plea Bargaining.

The Judiciary had verbally reverted requesting the CPC to prepare a proposal on the matters. The meeting will be scheduled once the proposal is ready.

#### **CONCLUSION AND APPRECIATION**

I would like to record my thanks and appreciation to the CPC members for their time, support and cooperation rendered throughout the term 2015/16.

#### **Lim Chi Chau**

Chairperson

Criminal Practice Committee



## ENVIRONMENTAL COMMITTEE

**Alex Anton Netto**  
Chairperson



The Environmental Committee (“EC”) was revived this year after a two-year hiatus. The EC decided to give special emphasis to environmental issues and how the legal fraternity can help, either directly or indirectly, in protecting our delicate environment.

The EC’s terms of reference/objectives for 2015 were:

1. To work with key players in the industry and in the government on key environment issues and to hopefully assist in the development of environmental practice in Malaysia;
2. To review and to propose relevant changes to Malaysian Legislations affecting the environment with a view to an efficient and concerted protection of the environment;
3. To promote and hopefully inculcate the integration of society and the environment.

### KL CAR FREE MORNING ON 19 APRIL 2015

This was the first event which was organised by the EC and the KL Bar Members’ response to it was positive. The EC encouraged its members to participate in this initiative by Dewan Bandaraya Kuala Lumpur, where, on the first and third Sunday of every month, a number of roads in and around Kuala Lumpur become car free zones for a few hours to encourage people to come out and jog, rent and ride a bicycle, rollerblade etc. The EC continued to support this endeavour on a monthly basis.

### ENVIRONMENTAL AWARENESS SERIES

The EC decided to issue succinct write-ups with short videos about our environment with suggested steps that our fraternity could take to make a difference. The objective is simple. EC wants to change the way people think about the environment. However, before we talk about plastics and recycling, the question we need to ask ourselves is “Why should I care (so much) about the environment?”

Thus, the Environmental Awareness Series was born. The first was sent via e-blast on 11 June 2015 and to date the EC had issued four such write-ups.

### LAW FIRM RECYCLING INITIATIVE

EC managed to secure two recycling companies in Kuala Lumpur that have a history of servicing law firms and able to appreciate sensitive documents, to assist law firms with the recycling of their sensitive court and office documents at a special rate. Both companies agreed to put up advertisements via our e-newsletter. The companies were MyShred Mobile Services and Aylin Secure Shred.

EC is currently in the second phase of the initiative i.e. getting law firms to channel monies that they receive for recycling to the KL LAC and sourcing for service providers that pay for recycling.

### Committee Members

Andreanna Ten Maven  
Chen Yu Szen  
Choo Dee Wei  
Dalveena Korotana  
Ernest Jai Kumar Azad  
Jacenta James  
Jeremy Chong  
John Ramesh Das a/I Mohana Das  
Joshua Beni Chris Teoh  
Kenny Wong  
Khor Boon How (Bruno)  
Ku Amirul Faiz bin Ku Seman  
Lim Fang Hui  
Rajsurian Pillai a/I Chellappa Pillai  
Shankar Govinath a/I Balachandran  
Siddiq Rafee  
Tasha Chandra  
Vivekananda a/I Sukumaran

### Observers

Arina Ong  
Dinesh Muthal  
Gilfred Ho  
Goh Hsio Tung  
Kishori Soosan Patnaikk  
Loo Yee Pei  
Tisya Yunus  
Siew Mei

## ONGOING AND UPCOMING EVENTS

### PETITION CUM PLEDGE TO DISCOURAGE THE CONSUMPTION OF FOIE GRAS

This project witnesses a collaborative effort between the Kuala Lumpur and Selangor Environmental Committees. It is a two prong approach, i.e. awareness as to what is foie gras and the methods employed in the production of the same and second, the drawing up of the Petition cum Personal Pledge to make an informed decision when ordering foie gras. At the date of this report being written, this is still an ongoing project.

### GREEN INITIATIVE COMPETITION (AMONG KL LAW FIRMS)

This was meant to be a competition to crown the 'greenest' firm in Kuala Lumpur. The project was still in the planning stages

## CONCLUSION AND APPRECIATION

I would like to record my thanks and appreciation for your time and support rendered to the activities of the EC throughout the 2015/16 term.

### Alex Anton Netto

Chairperson

Environmental Committee



## INFORMATION TECHNOLOGY COMMITTEE

**Foong Cheng Leong**  
Chairperson



The Information Technology and Publications Committee was renamed the Information Technology Committee (“ITC”) this term and continued to push for reforms and changes within the KL Bar’s IT framework. The KL Bar Blog ([www.klbar.blogspot.com](http://www.klbar.blogspot.com)) was actively used to upload monthly activity reports and event reports.

The KL Bar Website ([www.klbar.org.my](http://www.klbar.org.my)), KL Bar Facebook Group (KL Bar FB Group - [www.facebook.com/groups/208444762526623/](http://www.facebook.com/groups/208444762526623/)) and Twitter Account (<http://twitter.com/klbar>) were also utilised to disseminate information to members and also to publicise events.

Using these Internet Tools, the ITC continued to explore advertising incomes on our website in order to bring more income to the KL Bar. In 2015, the ITC managed to generate an income of RM20,740 from the Vacancies and Classifieds on the KL Bar Website and through KLBC e-blasts.

### REVAMPING THE KL BAR WEBSITE

The design of the KL Bar Website was last updated in 2009 at the cost of RM15,200. Hence, the ITC felt that it was time to revamp the design of the website to reflect the changes in the current website design trends.

The ITC has engaged Scellus to revamp the KL Bar Website using WordPress as its Content Management System. It will also allow users to book and pay for events via the new website.

### INTEGRATION OF GATEWAY PAYMENT SYSTEM - IPAY88

The ITC decided to implement an online payment system for seminars and events on the KL Bar Website with iPay88. This new system will be reflected in the new website.

### UPGRADING THE SERVER FOR MAPS AT THE SECRETARIAT

The current KLBC’s electronic membership management and payment system (known as MAPS) was built in 2002 at the cost of RM50,000. MAPS is outdated and there is no longer support available for the system. The server hosting MAPs is also having major hardware issues and may fail anytime. As such, we have upgraded the server and are developing a new membership management system.

We have engaged the services of Brainymations Studio Sdn Bhd to build the membership management system which will synchronise with the membership database of the Bar Council. This would be beneficial not only to the Secretariat as there would be no data entry on its part, but also to members as they need not inform the Secretariat of any changes of their status or details in the future once the new membership management system is completed.

### DIGITALISATION OF THE KL BAR RECORDS

The KL Bar Secretariat has in storage a few thousand physical files which mainly consist of petition files of members dating back to the 1960s.

As these files were taking up space in the new Secretariat, we have taken steps to digitalise these files before disposing of them. To date we have managed to scan 20,300 files. We are

### Deputy Chairperson

Anita Gerewal

### Committee Members

Aaron Mathews

Amir Bahari

Arina Ong Xin Yi

Dinesh a/l Muthal

Janet Toh Yoong San

Lynn Foo

Sharon Chien

Sheelan Arjunan

Sri Sarguna Raj

now scanning the 2014 files. Files dating beyond the 1970s will be shredded and recycled. For files dating from the 1970s and before, they will be kept by the Secretariat in its archives for their historical value.

#### **IT FORUM**

The ITC will be organising a Forum on Technology for Lawyers on 19 January 2016. This forum will discuss the latest technology and innovation available or affecting the legal industry. Various electronic platform providers have been invited by the ITC to introduce their services to members of the Bar which will be beneficial to their practice.

#### **APPRECIATION**

The projects of the ITC could not have been carried out without the strong and genuine interest of our ITC members who continued to assist and work behind the scenes to get the projects running and going. The ITC members have continued to be supportive and helpful.

#### **Foong Cheng Leong**

Chairperson

Information Technology Committee

## PROFESSIONAL DEVELOPMENT COMMITTEE

**Goh Siu Lin**  
Chairperson



The Professional Development Committee (“PDC”)’s main objective was to continue to offer members and pupils, through its legal education programmes, the opportunity to fortify their basic legal skills and to keep themselves abreast of developments in various areas of practice. The PDC strives to organise various legal education programmes for both members of the Bar and pupils-in-chambers.

The PDC has collaborated with the Association of Women Lawyers (“AWL”) to organise the KL Bar-AWL Activist Series on human rights issues at no cost for members of the Bar, pupils-in-chambers and law students to attend.

This year, the PDC has organised 30 events in total, covering a wide range of topics as listed in the following page.

The response to the events has continued to be encouraging and it is our hope that members would participate in these programmes to enhance their professional development.

We would like to invite experienced practitioners to come forward to serve in the PDC and/or to volunteer as speakers. Please feel free to contact me with your views or suggestions on how we can improve the quality and relevancy of the PDC Programmes for 2016.

**Goh Siu Lin**

Chairperson

Professional Development Committee

**Committee Members**

Amir Bahari  
Balasundran a/l Chinnathamby  
Balwant Singh Sidhu  
Edham Reza Shah  
Foo Siew June  
G Nanda Goban  
Gershon Isidore Wilfred  
Gopala Krishnan K. Sundaram  
Gregory Vinesh Das  
HR Dipendra  
Jeremiah R Gurusamy  
Kenny Wong  
Kiattilin Sommat  
Sasha Lian Shar Hoong  
Tan Hao Wei  
Wong Tat Chung

**Observer**

Selvaraja a/l Chinniah

NO.	DATE	TOPIC	SPEAKER(S)
1	13.01.2015	Accounting and Finance for Lawyers (Part 1)	Lim Kien Chai
2.	14.01.2015	Termination for Convenience Clause in Construction Contracts: A Matter of Good Faith	Dr Cheong May Fong
3.	20.01.2015	Accounting & Finance for Lawyers (Part 2)	Lim Kien Chai
4.	27.01.2015	KL Bar-AWL Activist Series: Legal Case Management Support for Victims of Human Trafficking	Daniel Lo
5.	10.02.2015	The Future of the Legal Practice	Abdul Kadir Kassim Syed Naqiz Shahabuddin
6.	13.02.2015	KL Bar-AWL Activist Series: UPR - Promoting, Protecting and Fulfilling Human Rights in Malaysia	Honey Tan Lay Ean
7.	17.02.2015	Drafting Commercial Contracts	Jeremiah R Gurusamy
8.	09.03.2015	GST and Business Contracts	Thenesh Kannaa
9.	17.03.2015	Law of Joint Ventures	Lim Kien Chai
10.	24.03.2015	Managing Office and Clients' Accounts	Lim Kien Chai
11.	26.03.2015	Personal Data Protection Act	Jeremiah R Gurusamy
12.	21.04.2015	Trending Cases in the Malaysian IP Landscape	Professor Ida Madieha Azmi
13.	08.05.2015	Equity and Trusts in Malaysia: Profits from Bribes and Construction Trusts - Personal or Proprietary Claims	Harcharan Singh
14.	12.05.2015	Law of Parallel Imports in the Context of Trademark Infringement and Passing Off	Ng Kim Poh
15.	19.05.2015	Understanding Annual Reports and Its Financial Statements	Lim Kien Chai
16.	22.05.2015	Islamic Wills	Amir Bahari
17.	30.06.2015	KL Bar-AWL Activist Series: An Introduction to Children's Rights in Malaysia	Sharmila Sekaran
18.	01.07.2015	Goods and Services Tax: Some Issues Arising on Implementation	Dr Arjunan Subramaniam
19.	07.07.2015	Memorandum of Understanding	Lim Kien Chai
20.	31.07.2015	Business Development for Young Lawyers	Foong Cheng Leong
21.	12.08.2015	KL Bar-AWL Activist Series: Capacity Building for Lawyers to Work with Victims of Human Trafficking	Anderson Selvasegaram Tharini Cecil Daniel Lo Goh Siu Lin
22.	18.08.2015	Public Forum: Prevention of Terrorism Act 2015 (Revival of ISA?); and Amendments to Sedition Act 1948	Edmund Bon Tai Soon Syahredzan Johan Firdaus Husni
23.	19.08.2015	Shareholders Remedies: How to Slay a Dragon	Lee Shih
24.	26.08.2015	KL Bar-AWL Activist Series: CEDAW Jurisprudence	Shanthi Dairiam
25.	18.09.2015	Islamic Finance: An Introduction to Sukuk	Kelvin Loh Hsien Han
26.	22.09.2015	Managing Office and Client's Accounts of a Law Firm	Lim Kien Chai
27.	06.10.2015	The Role of Lawyers in the Implementation of GST	Thenesh Kannaa
28.	17.11.2015	How to Read and Understand YOUR Firm's Financial Statements	Lim Kien Chai
29.	24.11.2015	Drafting Commercial Contracts	Jeremiah R Gurusamy
30.	08.12.2015	The Acquisition and Disposal of Shares in Real Property Companies of RM2.00 as the Paid up Capital	Lim Kien Chai



**UPCOMING SEMINARS**

<b>NO.</b>	<b>DATE</b>	<b>TOPIC</b>	<b>SPEAKER(S)</b>
1	12.01.2016	Accounting and Finance for Lawyers	Lim Kien Chai
2.	13.01.2016	Personal Data Protection Act	Jeremiah R Gurusamy
3.	27.01.2016	Fundamentals of Bankruptcy Proceedings	Trevor Jason Mark Padasian
4.	28.01.2016	One-Day Seminar on Family Law - How to Handle Divorce Proceedings	Lee Peck Ha
5.	16.02.2016	Malaysian lawyers in practice abroad (China)	Will Fung
6.	17.02.2016	Tax Savings for Partners	Lim Kien Chai
7.	24.02.2016	Feminist Perspective of Law	Meera Samanther
8.	26.02.2016	KL Bar-AWL Activist Series: Sexual Harassment	Lee Wei San
9.	04.03.2016	Tax Treatment of Compensation of Loss of Employment	Renganathan Kannan
10.	08.03.2016	Managing Office and Clients' Accounts	Lim Kien Chai
11.	18.03.2016	Registration of Foreign Marriages and Divorces of Malaysian - Is Registration a Requirement for Validity of a Malaysian Marriage	Balwant Singh Sidhu
12.	22.03.2016	Employment Law	Mehala Marimuthoo
13.	23.03.2016	Construction Industry Payment and Adjudication Act	Shamsul Bahrain
14.	01.04.2016	Bankruptcy - Law and Practice	Lua Ai Siew
15.	08.04.2016	Real Property Gains Tax	Rajagopal Nadassan
16.	10.05.2016	Understanding Annual Reports and Its Financial Statements	Lim Kien Chai
17.	13.05.2016	Arbitration Practice	Preetha Pillai Elaine Yap
18.	19.07.2016	Memorandum of Understanding	Lim Kien Chai
19.	27.09.2016	Law of Joint Ventures	Lim Kien Chai
20.	08.11.2016	The Acquisition and Disposal of Shares in Real Property Company of RM2.00 as the Paid Up Capital	Lim Kien Chai
21.	06.12.2016	How to Read and Understand YOUR Firm's Financial Statements	Lim Kien Chai



## PUPILS COMMITTEE

**Shashi Devan a/l Thalmalingam**  
Chairperson



This term, the Pupils Committee focused on resolving problems faced by pupils during their pupillage. This exercise is in line with the substratum on which this subcommittee was formed. Encouraged and motivated by the wise direction and keen interest of the KLBC Chairman, Ravin Singh, towards the progress of pupils, the Pupils Committee with the help of the KL Bar Secretariat had compiled the regular complaints made by pupils and documented the same for the inspection and subsequent action of the KLBC.

Most complaints were received at the Monthly Pupils Introduction Session and once again these regular sessions had proven to be the forum most convenient for pupils to express and share their pupillage experience. For those pupils who wished to remain anonymous, they were encouraged to e-mail the Chairperson of the Pupils Committee directly and this communication channel was used regularly by pupils to have their complaints heard.

The Pupils Committee had found that most of the complaints were repetitive and may be summarised into three main areas, namely:

- i) Problems when dealing with the Petitions for Admission Registry at the RKKK Division of the Kuala Lumpur High Court ("RKKK Registry");
- ii) Breakdown or lack of communication and guidance by pupil-masters; and
- iii) Working hours, working conditions and stipend.

Recently, we have received reports that pupils were being sued by their pupil-masters. This is a serious matter and has been brought to the attention of the KLBC. The Pupils Committee is investigating these reports and will decide on the next course of action after deliberating with the KLBC.

This was extremely disappointing and such practice should stop immediately. Rest assured that the Pupils Committee is looking into these reports seriously and will not hesitate to report such actions to the relevant bodies.

Complaints that were compiled would be elevated and reported to the relevant administering bodies at the appropriate forum. Last term, the Pupils Committee met with the Managing Judge of the RKKK Division of the Kuala Lumpur High Court and reported the complaints made against the staff at the RKKK Registry. Action was taken by the Managing Judge to resolve those issues. However, that measure had proven to be an interim measure. The Pupils Committee will be seeking a permanent solution from the Court to protect the welfare of the pupils.

Moving forward, once again, the Pupils Committee maintained that pupils should be more involved in the activities and events organised by the KLBC and its subcommittees as this would increase interaction between members of the Bar and pupils.

The Pupils Committee believed that this would boost the confidence of pupils and get them familiar and accustomed to the traditions at the Bar through sharing of experiences with senior members of the Bar. It would also result in pupils being better prepared and informed about

### **Deputy Chairperson**

Shankar Govinth a/l Balachandran

### **Secretary**

Lim Soo Wen

### **Assistant Secretary**

Chloe Yap Jia Yien

### **Head of Special Projects Committee**

Rajsurian Pillai  
Arina Ong Xin Yi

### **Head of Social Arm**

John Ramesh Das a/l Mohana Das

### **Publications Committee**

Lim Zi Han  
Chen Yu Szen  
Christine Chan

### **Committee Members**

Ahmad Faris Izzuddin bin Abd Kahar  
Aimi Nadirah binti Sahadan  
Alex Anton Netto  
Anne Sangeetha Sebastian  
Ariffin bin Haron  
Dinesh Nandrajog  
Jenna Beh Huey Ching  
Kenny Wong  
Lim Chun Loong  
Melissa Lim  
Michelle Yoong Sook Yan  
Mohd Noor Eswanddy bin Johan  
Muhammad Faqrol Syazreen bin Mohd Ghause  
Natalie Lim  
Noor Farah binti Abdul Ghafor  
Nur Khairunnisa binti Zainal Abidin  
Samantha Chew Sweet Wern  
Sasha Lian Shar Hoong  
Shahira binti Firhat  
Syafiqah binti Johari  
Tharssyne Subramaniam  
Tuan Nur Hanis binti Tuan Ibrahim

**Committee Members**

Vanessa Lee Su Vin  
 Victoria Yap  
 Vinu Kamalanathan

the legal profession and this would facilitate their transition from a pupil to a respected member of the Bar.

To achieve this, the Pupils Committee would continue to organise outdoor activities in collaboration with the Social, Arts & Recreation Committee to allow for an informal platform for interaction amongst members of the Bar and pupils.

Continuing with the tradition, the Pupils Committee worked closely with the Young Lawyers Committee to organise activities and events. We are grateful for their support and thank them profusely.

We continue to recruit members and welcome any member who wishes to contribute to the positive progression of the Pupils Committee.

**OUR EVENTS AND ACTIVITIES FOR TERM 2015/16**

**PUPILS INTRODUCTORY SESSIONS (“PI SESSIONS”)**

The PI Sessions are conducted every month and attendance is compulsory. These sessions are designed to introduce the Malaysian Bar, the Bar Council and the Kuala Lumpur State Bar Committee to the pupils. It allows pupils to share any problems that they have encountered and their experience during their pupillage. The PI Sessions are usually conducted by the Pupils Committee Chairperson. At almost every session, the Chairman and members of the KLBC will take a few minutes to address the pupils and give them invaluable advice that would resonate in their future at the Bar.

The PI Sessions for this term and the relevant statistics are as follows (at the time of writing this report):

<b>DATE</b>	<b>PUPILS ATTENDED</b>
12 March 2015	67
9 April 2015	82
7 May 2015	80
4 June 2015	76
2 July 2015	73
6 August 2015	62
3 September 2015	79
1 October 2015	81
12 November 2015	69
3 December 2015	66

**PUPILS WORKSHOPS**

The Pupils Workshops are a series of workshops focused to deliver concise and succinct lectures on a particular area of practice in a bid to introduce that area of practice to a pupil and at the same time, to equip a pupil with the practical aspect of that area’s operation of the law while improving the pupils’ legal knowledge and skills.

The following Workshops were conducted this term:

DATE OF WORKSHOP	TOPIC	SPEAKERS
4 March 2015	Conveyancing	Michael Leow Yon Meng
2 April 2015	Civil Litigation	Colin Andrew Pereira Sanjeev Kumar Rasiah
20 May 2015	Corporate	Sheba Gumis
29 June 2015	Criminal Litigation	Lim Chi Chau Farhan Read
5 August 2015	Public Interest Litigation	New Sin Yew
9 September 2015	Conveyancing	Michael Leow Yon Meng
28 October 2015	Civil Litigation	Colin Andrew Pereira Sanjeev Kumar Rasiah
25 November 2015	Corporate	Sheba Gumis
29 December 2015	Criminal Litigation	Lim Chi Chau Farhan Read

#### **TRIP TO CHILLING WATERFALLS, KUALA KUBU BHARU**

To get away from the hustle and bustle of the city and practice and chill out, the Pupils Committee organised a hiking trip to Chilling Waterfalls at Kuala Kubu Bharu. 11 pupils and lawyers participated in this hiking trip which was held on 25 July 2015. Though it was a tough and gruelling hike, the breathtaking waterfalls made it all worth our while and everyone had a truly enjoyable time. A full report of the event was posted on the KL Bar Blog and e-mailed to members on 7 September 2015.

#### **KL BAR - ELAWYER LEGAL CAREER FORUM**

Jointly organised by the Pupils Committee and Young Lawyers Committee in collaboration with eLawyer, a legal recruitment and consultancy firm, the above Forum, which attracted 49 participants, was held on 12 December 2015 from 8:30 am to 1:30 pm at the LAC Training Room. Speaking at the Forum were Mathew Thomas Philip, Vasanthi Rasathurai and Eddie Law who shared their work experiences, the various work expectations of the different sized firms and challenges faced when setting up one's own practice. It provided the participants who were young lawyers a better understanding of the career paths on offer. The forum was moderated by Choo Dee Wei.

#### **THE LUNCHEON: A TASTE OF THE BAR VI**

The Luncheon: A Taste of the Bar VI, will be held at the grandiose President's Room of the Royal Selangor Club at Dataran Merdeka, Kuala Lumpur on 30 January 2016.

#### **ORATORY CONTEST**

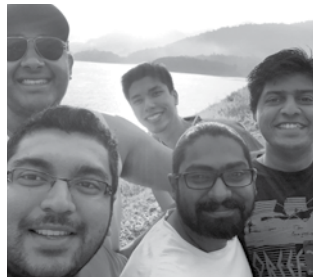
The Pupils Committee will be reviving the Oratory Contest for the Dato' Dr Peter Mooney Trophy which was last held in 2006. The Contest is scheduled to be held on 12 March 2016.

#### **Shashi Devan**

Chairperson

Pupils Committee





## SOCIAL, ARTS AND RECREATION COMMITTEE

**Vinu Kamalanathan**  
Chairperson



### TRAIL RUNNING

The trail run was held on Saturday, 18 April 2015 at Taman Rimba Kiara, TTDI (on Jalan Haji Openg) at 7:15 am. 12 members of the Bar and pupils participated in this run.

### KUALA LUMPUR BAR GRAND PRIX 2015

On 9 May 2015, the KLBC Social, Arts and Recreation Committee ("SARC") organised the Kuala Lumpur Bar Grand Prix 2015 at the Shah Alam Stadium Go Kart Circuit. A total of seven teams comprising four drivers each participated in this event.

The Grand Prix commenced at 9:00 am with the Endurance Race where each team was required to complete as many laps as possible within 60 minutes and the top three teams would be declared winners. The top three winners were:

1. Racing Lawyer Team 1;
2. Shenanigans; and
3. Fast & Fabulous.

The Grand Prix then continued with the Sprint Race where each team was required to designate a driver to participate in an eight lap race. The winners for the Sprint Race were:

1. Shenanigans;
2. Dare Devils; and
3. Fast & Fabulous.

About 12:00 noon, the SARC Chairperson presented the trophies to the winners for both the Endurance Race and the Sprint Race. The event came to a close at about 12:15 pm.

### ANNUAL BLOOD DONATION DRIVE

SARC, in collaboration with Kelab Sukan Kebajikan dan Rekreasi Mahkamah Kuala Lumpur (KESMA) and with the assistance of the National Blood Bank, organised the Annual Blood Donation Drive on 27 May 2015. Held at Level 2 of the Kuala Lumpur Court Complex at Jalan Duta, this year's Blood Donation Drive saw 113 people coming forward to support the event. Unfortunately, only 95 were eligible to donate with 18 being rejected for various reasons such as they were either underweight, having high blood pressure or low blood pressure or had lived in the United Kingdom from 1980 till 1996 or in Europe between 1980 until the present.

A big thank you to the members of the Bar, Court staff and members of the public who nobly came forward to participate in this Blood Donation Drive. A total of 95 units of blood were collected from the caring donors.

### SOCIAL GET-TOGETHER

The first social get-together for the term 2015/16 was held on 12 June 2015 at Rils, Bangsar. Done in a casual setting, 30 members of the Bar turned up for this event.

### Committee Members

Alex Anton Netto  
Alvin Oh  
Alyshea Low Khye Lyn  
Azreen binti Mohd Zainal Anuar  
Choo Dee Wei  
Darren N Punai  
Darshendev  
Dinesh Muthal  
Dinesh Nandrajog  
Gajendran Balachandran  
Gilfred Ho Mong Han  
Jacenta James  
John Ramesh Das a/l Mohana Das  
Joshua Beni Chris Teoh  
Khaizan Sharizad Ab Razak  
Lim Chi Chau  
Logananth Gunasagaram  
Nimalan Devaraja  
Rishikessingam  
Shashi Devan a/l Thalmalingam  
Tariq Azfar bin Maketab  
Tisya Yunus

**KL BAR NIGHT 2015**

The KL Bar Annual Dinner named, "KL Bar Night", was held on 28 November 2015 at Ciao Ristorante. About 300 guests including former Bar Presidents and former KLBC Chairmen attended the event. The guests were treated to a delectable buffet spread coupled with free flow of selected beverages. The night kicked off with a stirring dhol performance followed by entertainment by a live band that played up to the night's theme, "Celebrating any and all things which make us Malaysians". Many of our members turned up dressed in their best traditional outfits making the night, truly a Malaysian night.

**Vinu Kamalanathan**

Chairperson

Social, Arts and Recreation Committee







## SPORTS COMMITTEE

**Alwin Rajasurya**  
Chairperson



### 30 MAY 2015

#### 3RD KL BAR FUTSAL COMPETITION 2015

The 3rd KL Bar Futsal Competition 2015 was held at Sports Arena, Sentosa. A total of 22 teams participated in the event and the winners were: Mens' Category - Victorious Secret 2 (1st placing); Victorious Secret 1 (2nd placing); TRG Bar (3rd placing); Zaid Ibrahim & Co. (4th placing). Mens (Plate) - Wakeel FC (1st placing); CPD (2nd placing). Ladies' Category - The Kickers (1st placing); Boomfica (2nd placing). Best Firm Team - Zaid Ibrahim & Co. Best Player - Tay Zi Li (Zaid Ibrahim & Co.).

### 6 JUNE 2015

#### KL BAR BOWLING TOURNAMENT

The KL Bar Bowling Tournament was held at Sunway Megalanes, Sunway Pyramid. A total of 19 teams participated in the event and the winners were: Best Team Overall - TRG Bar A (1st placing); Icepick Willie (2nd placing); Rilek Je (3rd placing). Best Male Player - Mohammad Afiq Ammar (Rilek Je). Best Female Player - Ghasidah binti Jusoh (TRG Bar A). Best Firm Team - Rilek Je - Khairul A & Co. (1st placing); Spare Rib - Chooi & Co. (2nd placing); Alley Gator - Lee Hishammuddin Allen & Gledhill (3rd placing).

### 1 AUGUST 2015

#### INTERSTATE BAR GAMES

The 2015 Interstate Bar Games was hosted by the Perak Bar and held in Ipoh. The KL Bar participated in all the sports namely ladies futsal, basketball, badminton, golf, netball, football and volleyball and emerged second overall after being edged out by the Selangor Bar by two points; Selangor Bar - 26 points and KL Bar - 24 points.

### 19 SEPTEMBER 2015

#### 24TH SPORTS CARNIVAL - KL BAR VS ROYAL SELANGOR CLUB

The 24th Annual Sports Carnival between the KL Bar and Royal Selangor Club ("RSC") for the Y.A. Tan Sri Dato' Harun Hashim Challenge Trophy was held on 19 September 2015. The Series ended in a 4-4 tie with the KL Bar winning at cricket, pool, darts and "boat race" and the RSC winning at badminton, tennis, soccer and hockey. The End-of-Games and Prize-Giving Dinner was well attended.

### 5 DECEMBER 2015

#### KL BAR OPEN POOL TOURNAMENT 2015 - SINGLES WITH HANDICAP

16 players participated in this Tournament which was held at 5ive Star Snooker & Pool Club, Subang Jaya. The results were as follows: Winner - Peter-Douglas Ling; Runner-up - Sean Yeow; Semifinalists - Michael Tan, Eugene Teo; Quarterfinalists - Anand Ponnudurai, Ong Yee Shin, Khor Boon How, Mah Zhun Kit.

### 19 DECEMBER 2015

#### 1ST MINI SPORTS DAY BETWEEN KL BAR AND MALACCA BAR

This 1st Mini Sports Day, hosted by the Malacca Bar, was held at Kompleks Sukan Batu Berendam, Malacca. Three sports were played namely badminton, men's futsal and ladies futsal. Malacca Bar emerged winner in this inaugural series winning at badminton (4-1) and

#### Committee Members

Adam Lee Leong Soon  
Alex Nandaseri De Silva  
Amrit Pal Singh  
Anand Ponnudurai  
Aneera Chowdhury  
Aric Wong Fong Chin  
Chai Phing Zhou  
Debbie Woo  
Dennis Yuean Jin Han  
Effa Anuar  
Emellia Shariff  
Furley Lim  
Grace Subathirai  
HR Dipendra  
James FC Fong  
Janet Chai  
Jeannie Chong  
Jeremy Phang  
Joshua Tay H'ng Foong  
Karthigaibalan Kanthabalan  
Khairul Idham  
Kin Fai, Low  
Lesley Lim Ai Li  
Lilian Lee  
Lim Soo Wen  
Lim Zi Han  
Muhendaran Suppiah  
N Rajesvaran Nagarajan  
Ng Sui May  
Ng Yueng May  
Peter-Douglas Ling  
Rachel Yap Yen Siang  
Ravinder Singh Dhaliwal  
Sathyananthan Sinnappan  
Shankar Govinth a/l Balachandran  
Shim De Zhen  
Sivaruben Balasekaran  
Sri Sarguna Raj  
Stanislaus Vethanayagam  
Tan Hui Xian  
Vincent Tey Wei Seng  
Vinu Kamalanathan  
Vivekananda Sukumaran  
Wan Syariah Razman

men's futsal (15-7). KL Bar won at ladies futsal (6-2). 30 members from the KL Bar Contingent attended the End-of-Games Dinner.

**10 JANUARY 2016**  
**2ND KL BAR RUN \***

Like the inaugural Run, this 2nd KL Bar Run will also be held at the Lake Gardens. It is organised with the aim to encourage running as a form of healthy sport activities amongst the members of the Bar and in line with the call for #FitMalaysia as spearheaded by the Ministry of Youth and Sports. Mixed teams of 4-persons run a relay and the Run caters to both competitive and social runners. The fanciest dressed team of runners will also receive a special prize.

**16 JANUARY 2016**  
**15TH KL-SELANGOR BAR GAMES 2016\***

It is the KL Bar's turn to be host. The following sports are to be played:

- a) Netball;
- b) Men's Futsal;
- c) Women's Futsal;
- d) Football Premier;
- e) Volleyball;
- f) Golf; and
- g) Badminton - 3 men's doubles and 2 mixed doubles.

(\*denotes at the time of writing this report, with event details to be confirmed/finalised)

**Alwin Rajasurya**

Chairperson  
Sports Committee

**Committee Members**

Yeoh Cho Kheong





## YOUNG LAWYERS COMMITTEE

**Choo Dee Wei**  
Chairperson



The KLBC Young Lawyers Committee (“YLC”) continues to strive to create a platform for young lawyers to contribute back to the Bar.

The YLC sub-units were revamped and renamed sectors this term with focus not only on promoting the continued professional development of young lawyers in their practice but also providing opportunities to give back to society and strengthening ties with other professions. The sectors were:

- 1. Welcome and Become Sector**  
Maintaining and promoting the YLC Facebook Page and promoting events.
- 2. Professional Growth Sector**  
Organising Seminars and Workshops for young lawyers and pupils.
- 3. Young Professionals Alliance Sector**  
Liaising with members of other professions namely the Pharmacists, Engineers, Accountants and Doctors. We hope to extend the invitation for the Alliance to more professions.
- 4. Community and Family Sector**  
Organising trips to Old Folks Homes, Children’s Homes, etc.
- 5. Sanctuary and Peace Sector**  
Organising the Sanctuary for the term and fun events for the YLC and young lawyers.
- 6. Charity Night Sector**  
Organising the Charity Night.

The YLC also had a Representative who sat in the National Young Lawyers Committee - Rajsurian Pillai.

It has been and will continue to be that members are always encouraged to come up with ideas for activities and given the liberty to run such activities.

The activities carried out for the year were:

### **YLC SEMINAR ON AN INTRODUCTION TO EMPLOYMENT LAW**

This seminar was presented by Vinu Kamalanathan on 9 January 2015 at the KL Bar Auditorium from 3:00 pm to 6:15 pm. The seminar was attended by 33 participants.

### **YLC SEMINAR ON UNDERSTANDING GST**

This seminar was presented by Dr Arjunan Subramaniam on 16 January 2015 at the KL Bar Auditorium from 10:30 am to 12:00 pm. The seminar was attended by 152 participants. The seminar covered, “Introduction”; “Registration”; “Taxable Periods”; “Scope of GST”; “Input Tax - Meaning”; “Output Tax - Meaning”; “Operation of GST”; “Fees”; “Deposits”; “Clients Money

### **Deputy Chairs**

#### **- Welcome and Become Sector**

Tisya Yunus  
Henry Ting

### **Deputy Chair**

#### **- Charity Night Sector**

Rachel Tan Mei Chew

### **Deputy Chair**

#### **- Community and Family Sector**

Jacenta James

### **Deputy Chair**

#### **- Professional Growth Sector**

Kiattilin Somat

### **Deputy Chair**

#### **- Sanctuary and Peace Sector**

Tasha Prasheela Chandra

### **Deputy Chairs**

#### **- Young Professionals**

#### **Alliance Sector**

Dinesh Muthal  
Sasha Lian Shar Hoong

### **NYLC Rep.**

Rajsurian Pillai

on Deposit for Earning Interest”; “Costs”; “Reimbursements”; “Disbursements”; “Selling a Law Firm as a Going Concern - Section 68”; “Credit Note/Debit Note”; and “Out of Court Settlements”.

#### **YLC SEMINAR ON ADVOCACY FOR YOUNG LAWYERS**

This seminar was presented by Brendan Navin Siva on 6 February 2015 at the KL Bar Auditorium from 2:30 pm to 5:30 pm. The seminar was attended by 33 participants.

#### **YLC INTRODUCTION TO THE LEGAL PROFESSION TO LAW UNDERGRADUATES AT TAYLOR’S LAW SCHOOL**

This event was held on 21 March 2015 at the Lakeside Campus of Taylor’s University and was attended by 40 students.

#### **YLC SEMINAR ON INSIGHTS TO GST APPEAL PROCESSES AND JURISPRUDENCE OF TAX STATUTE INTERPRETATION**

This seminar was presented by S Saravana Kumar and Siti Fatimah Mohd Shahrom on 25 May 2015 at the KL Bar Auditorium from 2:30 pm to 5:00 pm. The seminar was attended by 15 participants. The seminar covered the following topics, “An overview of the Goods and Services Tax (“GST”) regime in Malaysia”; “The GST appeal process, including appearances before the GST Appeal Tribunal”; “Judicial review as a remedy to resolve GST controversies”; “Application for an error or mistake and the relief available”; “Challenging adverse advance rulings and technical rulings by the Royal Malaysian Customs”; and “Appreciating the judicial developments in Malaysia in respect of interpreting taxing statutes”.

#### **YLC SANCTUARY**

16 young lawyers attended the Sanctuary which was held on 13 and 14 June 2015 at the Asian Waterpark Village, Puchong.

#### **VOLUNTEERING AT THE PERTIWI SOUP KITCHEN**

25 lawyers volunteered to help serve some 450 people in the streets of Jalan TAR and Jalan Tun Tan Cheng Lock. The programme, held on 26 June 2015, ran from 9:00 pm to midnight.

#### **YLC SEMINAR ON THE CONSTRUCTION OF THE PAYMENT AND ADJUDICATION ACT**

This seminar was presented by Anilraj Verdamanickam on 14 July 2015 at the KL Bar Auditorium from 2:30 pm to 4:30 pm. The seminar was attended by 16 participants. The seminar covered the following topics, “A review of the salient provisions of CIPAA”; “Discussion on the ‘lacunas’ of CIPAA”; and “Brief examination of the case laws”.

#### **YLC RAYA VISIT TO PUSAT JAGAAN BAITUL AMAL**

The YLC organised a visit to Pusat Jagaan Baitul Amal Petaling Jaya (“Home”) which is located in Petaling Jaya on 26 July 2015 to have a small Hari Raya celebration with the children residing there. The home currently houses about eight children ranging from the ages of two to 11 years old and they are well taken care of by a small team of caretakers and a part-time resident cook. The children staying at the safe home came mainly from broken homes, were subjected to neglect or abuse, and/or single parent households who are poor and unable to support themselves and their child.

#### **YLC CHARITY NIGHT**

The 11th consecutive Charity Night themed, “Charity Night 2015 and the Beat Goes On!” was held on 8 August 2015 at Pavillion@KLRC (Kuala Lumpur Regional Centre for Arbitration, Bangunan Sulaiman, Jalan Sultan Hishamuddin) from 7:00 pm onwards, and featured performances by young lawyers competing to raise the most funds for charity. The money raised this year was in Aid of The KL KRASH PAD, a teen centre located in the capital city’s Chow Kit area to meet the needs and rights of vulnerable and at-risk urban poor teens. The Centre offers teens with alternatives to risky behaviour that may expose them to gangs, violence, crime, substance abuse and the risk of HIV infection.

#### **YLC SEMINAR ON LEGAL DUE DILIGENCE: THE NECESSARY EVIL OF MERGER AND ACQUISITIONS**

This seminar was presented by Addy Herg on 13 November 2015 at the KL Bar Auditorium from 3:00 pm to 5:00 pm. The seminar was attended by 69 participants. The seminar covered the following topics, “Introduction”; “Purpose of Legal Due Diligence”; “Understanding the objectives”; “The various aspects of legal due diligence investigations”; “Connecting the dots”; “Legal analysis and legal opinion”; “The applicable law and legal documents”; “Risk management and documentation”; “Accomplishing the objective”; and “Updates and improvement”.

#### **YLC SEMINAR ON BLOWING AND TROLLING - INTERNET FREEDOM IN MALAYSIA**

This seminar was presented by New Sin Yew on 20 November 2015 at the KL Bar Auditorium from 2:30 pm to 4:30 pm. The seminar was attended by 20 participants. The seminar covered the following topics, “Fundamental liberties and the Federal Constitution”; “Interpretation of the Constitution”; “The Sedition Act 1948”; “Communications and Multimedia Act 1998 - Blocking of websites and improper use of network service”; “Penal Code - Extra territorial offences, offences against the State and use of SOSMA”; “Criminal Procedure Code - Computerised data and interception of communication”; “Evidence Act - Reversal of burden of proof”; and “Case

study - BFM Kupas Hudud Isi Periuik Nasi case, Sarawak Report website ban, Bersih 2.0 website ban, Alivivi's case, Ali Abd Jalil's case and other internet related cases".

**YLC SEMINAR ON MARRIAGES, RELATIONSHIPS AND WOMEN'S RIGHTS**

This seminar was presented by Honey Tan Lay Ean on 20 November 2015 at the KL Bar Auditorium from 5:30 pm to 7:00 pm. The seminar was attended by 33 participants. The seminar started with a brief history of the Law Reform (Marriage & Divorce) Act 1976 before delving into how marriage affects your rights as a woman.

**CHEQUE PRESENTATION TO KL KRASH PAD**

The cheque presentation of the proceeds from the Charity Night to KL KRASH PAD was held on 15 December 2015 at 3:00 pm at Yayasan Chow Kit. The YLC managed to raise RM51,418.21 at the Charity Night in August.

**UPCOMING EVENTS**

Seminars and Workshops for the term:

NO.	DATE AND TIME	PARTICULARS	SPEAKER
1.	19 February 2016 2:30 pm to 5:00 pm	Defamation Law	Alwin Rajasurya
2.	TBC	Opinion Writing	Mariette Peters

**APPRECIATION**

These projects cannot be carried out without the strong and genuine interest as well as the enthusiasm of our members who continue to assist and work behind the scenes to get the projects running and going. The YLC Deputy Chairs and members have continued to be supportive and helpful.

**Choo Dee Wei**

Chairperson  
Young Lawyers Committee









# BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

**Abd Shukor Tokachil**  
Chairperson



## 1. REPORT OF MANAGEMENT PANEL

2015 marks the 10th year I have been with the Bar Council Legal Aid Centre (Kuala Lumpur) ("KLLAC"). It is indeed an honour for me to be part of KLLAC and to be able to work together with people that are the backbone of the Legal Aid Centre. It is truly amazing.

The progress of KLLAC since I joined in 2006 until now is tremendous. Each year, the number of the clients that walk in to the Legal Aid Centre keep increasing immensely. With the introduction of Yayasan Bantuan Guaman Kebangsaan (YBGK), the functions of the Centre has expanded and yet the very basic and core functions of the Centre remain.

I must say that the smooth running of the Centre is impossible without the presence of the Executive Director and the staff. Their jobs have essentially made my duty as the Chairperson of the KLLAC easy and less stressful. The day to day running of the programmes are successful because of these people.

I must also extend my heartfelt gratitude to the team i.e. the office bearers and the committee members that constantly come up with ideas and programmes to be conducted by the KLLAC. Of course, the assistance of the pupils-in-chambers who carry out their compulsory legal aid duty is also important. Without them, many of the programmes of the Centre would not materialise or be implemented.

Last but not least, the very foundation of the Centre is to provide free legal advice and legal representation to those in need, without taking into consideration their religion, race or differences. This however is impossible without the assistance from all volunteer lawyers who without fear and favour and without being paid are always willing to come to the Centre and assist the clients. To all of the people I mentioned above, I must thank you from the bottom of my heart.

I do hope and wish that the KLLAC will continue to grow and flourish and that all the people who assist the Legal Aid Centre continue with their dedication and support.

Thank you.

**Abd Shukor Tokachil**  
Chairperson  
Bar Council Legal Aid Centre (Kuala Lumpur)

## THE PANEL

**Honorary Secretary**  
Collin Arvind Andrew

**Assistant Honorary Secretary**  
Elaine Gan Peay Er

**Treasurer**  
Kiran Kaur Ram

**Panel Members**  
Shairahatul Adora Yusof  
Darren Teo Sze Hoong  
Genevieve Tan  
Joachim Francis Xavier  
Kenneth Koh Zhong Wey  
Michael Kong Feng Nian  
Keong Ming Wai  
Paannimalar a/p Paramasivan  
Samantha Chong Yin Xin  
Terrence Lee Ro Hui  
Farida Binti Mohammad

**2. BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)  
YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK)  
ANNUAL REPORT JANUARY TO OCTOBER 2015  
STATISTICS ON CLIENTS**

**A. LAC CLIENTS**

<b>A.</b>	<b>CLINIC/PROGRAMME</b>	<b>CLIENTS 2014 (JAN-DEC)</b>	<b>CLIENTS 2015 (JAN-OCT)</b>
1.	Sungai Buloh Remand (non-citizen)	141	65
2.	Kajang Women (non-citizen)	45	19
3.	Kajang Men (non-citizen)	0	1
4.	LAC Walk in clients	2309	1697
5.	Syariah Clinic	78	37
6.	LAC/SIS	516	355
7.	LAC/AWAM	290	193
8.	CLAC	17	-
9.	LAC/WAO	80	69
10.	LAC/Tenaganita	1878	2100
11.	LAC/UNHCR	5148	2978
	<b>Total</b>	<b>10502</b>	<b>7514</b>

**B. YBGK CLIENTS**

<b>B.</b>	<b>CLINIC/PROGRAMME</b>	<b>CLIENTS 2014 (JAN-DEC)</b>	<b>CLIENTS 2015 (JAN-OCT)</b>
1.	Sungai Buloh Remand (Citizen)	613	725
2.	Kajang Women (Citizen)	90	85
3.	Kajang Juvenile (Citizen) + (Non-Citizen)	331	325
4.	Kajang Men (Citizen)	26	6
5.	Juvenile Remand Home	99	124
6.	Dock Brief Programme	2693	1988
7.	YBGK Walk in Clients	674	831
8.	Arrest	83	-
9.	Remand	17860	13760
	<b>Total</b>	<b>22469</b>	<b>17844</b>

**C. LAC + YBGK CLIENTS**

<b>C.</b>	<b>LAC &amp; YBGK CLIENT GRAND TOTAL</b>	<b>CLIENTS JAN-DEC 2014</b>	<b>CLIENTS JAN-OCT 2015</b>
1.	Sub Total LAC Clients	10502	7514
2.	Sub Total YBGK Clients	22469	17844
<b>3.</b>	<b>Grand Total LAC &amp; YBGK Client's</b>	<b>32971</b>	<b>25358</b>

**STATISTICS ON FILES**

		<b>AS AT DECEMBER 2014</b>			<b>AS AT OCTOBER 2015</b>		
	<b>CATEGORY</b>	<b>OPENED/ RETURNED</b>	<b>ASSIGNED/ SETTLED</b>	<b>UNASSIGNED</b>	<b>OPENED/ RETURNED</b>	<b>ASSIGNED/ SETTLED</b>	<b>UNASSIGNED</b>
A	LAC Files						
1	Criminal Files	2	2	-	1	1	-
2	LAC Employment Files	14	14	-	13	13	-
3	LAC Family Files	35	35	-	58	55	3
5	Syariah Files	6	6	-	1	1	-
6	MISC Files	4	4	-	-	-	-
	<b>Sub-Total KLLAC</b>	<b>61</b>	<b>61</b>	<b>-</b>	<b>73</b>	<b>70</b>	<b>3</b>

<b>B</b>	<b>YBGK FILES</b>						
	<b>CRIMINAL – YBGK FILES</b>	<b>AS AT DECEMBER 2014</b>			<b>AS AT OCTOBER 2015</b>		
	<b>CATEGORY</b>	<b>OPENED/ RETURNED</b>	<b>ASSIGNED/ SETTLED</b>	<b>UNASSIGNED</b>	<b>OPENED/ RETURNED</b>	<b>ASSIGNED/ SETTLED</b>	<b>UNASSIGNED</b>
1	• YBGK LAC Walk in Files	217	202	15	138	137	1
	• YBGK Prisons Files	231	215	16	403	396	7
	<b>Sub-Total YBGK</b>	<b>448</b>	<b>417</b>	<b>31</b>	<b>541</b>	<b>533</b>	<b>8</b>

C	LAC & YBGK FILES	OPENED/ RETURNED	ASSIGNED/ SETTLED	UNASSIGNED	OPENED/ RETURNED	ASSIGNED/ SETTLED	UNASSIGNED
1	Sub Total LAC Files	61	61	-	73	70	3
2	Sub Total YBGK Files	448	437	11	541	533	8
3	Grand Total LAC & YBGK Files	509	498	11	614	603	11

### 3. REPORT ON LEGAL AWARENESS PROGRAMME (ORIENTATION)

*Report prepared by Secretariat*

#### Co-project Heads

Joachim Francis Xavier  
Kenneth Koh Zhong Wey

#### Committee Members

Ravinder Singh Dhaliwal  
Vernon Jude Samuel

#### Role and Importance

The Legal Awareness Programme is one of the most significant programmes run by the Bar Council Legal Aid Centre. It aims to provide understanding, awareness and it prepares pupils for what is expected during their 14 days duty. The programme also introduces the different clinics available at the Bar Council Legal Aid Centre.

#### Goals/ Purpose of the Programme

The purpose of the Legal Awareness Programme is to extend the knowledge and to create understanding of being a responsible advocate and solicitor to the society. It aims to expose pupils to human rights, justice and most importantly the importance of being committed towards aiding people.

#### Activities

As of 30 November 2015, the programme has conducted sessions specialised in preparing pupils who are about to take part in the programme.

#### a) Orientation

Eight sessions were held by committee members to train pupils from Batch 83, 84, 85 and 86. The sessions utilised a participatory methodology, incorporating group dynamics, open discussions, human rights awareness and input and the various programmes run by the KLLAC.

The orientation session were facilitated by Kenneth Koh Zhong Wey, Joachim Francis Xavier, Ravinder Singh Dhaliwal, Vernon Jude Samuel and Gurpreet Kaur Sidhu.

#### b) Exit-Evaluation Sessions

Six sessions were held from Batch 83, 84 and 85 in the KLLAC Programmes. The sessions are designed to appreciate the help and input given by pupils and to talk about their experiences throughout their 14 days of legal aid duty.

With the increasing numbers of pupils each year, 2015 has also been a hectic year for this committee. The committee hopes its members will continue to show their support, commitment and dedication during the years to come.

#### 4. REPORT FOR THE DOCK BRIEF PROGRAMME

*Report prepared by Secretariat*

##### **Co-project Heads**

Collin Arvind Andrew

Darren Teo

##### **Introduction**

The Dock Brief Programme first started in 1989 at Jalan Raja Magistrates Court. In the beginning, it started with two courts with four pupils on duty. Now it covers 14 courts with 75 pupils to assist local and foreign clients, including juveniles.

The pupils are trained to develop both advocacy and interview skills. The services for criminal cases provided under this programme include mitigation, bail application and other related advices.

In ensuring that the pupils are equipped with adequate knowledge and skills, senior lawyers are invited by the committee to conduct trainings. This year, GK Ganesan, Jerald Allen Gomez, Kitson Foong and Lim Chi Chau have conducted the trainings. In addition to the trainings given by the senior lawyers, the committee also conducted role-play and mock-trial during the trainings to ensure that the pupils have a better understanding of the Dock Brief programme.

Until mid-year 2015, the committee had:

1. Two committee meetings to discuss the various matters pertaining to the programme and Action Plans for the year 2015.
2. The committee also conducted four Dock Brief Training Programmes for the pupils from Batches 82, 83, 84 and 85. A total of 257 pupils attended the said trainings.
3. The committee also conducted four Mid Term Reviews for the pupils of this Programme.
4. As at 31 October 2015, the programme has provided legal representation to 1,957 clients in the Kuala Lumpur Criminal Magistrates Courts at Jalan Duta.

##### **Meeting with Judiciary and Police Officer In Charge of Court**

The committee is in the midst of gathering the issues that need the attention of the Court and determining the appropriate time to meet the Judiciary and Police Officer in charge of Court.

#### 5. REPORT ON PRISONS PROGRAMME

*(YBGK Pilot Programme – Ravi Nekoo, Stephanie Bastian)*

The Prisons Programme in 2005 consisted of the following:

- a) Sungai Buloh Remand Prison (Citizen)
- b) Sungai Buloh Remand Prison (Migrant)
- c) Kajang Women's Remand Prison (Citizen)
- d) Kajang Women's Remand Prison (Migrant)
- e) Kajang Juvenile Remand Prison
- f) Juvenile Remand Home Programme

The Prisons Programme was conducted by the Prison Committee and assisted by Pupils who visited the prisons once in two weeks to interview the prisoners and to assess the level of legal aid and assistance the prisoner needed.

In early 2015 proposals were made and discussed to incorporate the Bar Council Legal Aid Prisons Programme under the Yayasan Bantuan Guaman Kebangsaan (YBGK) legal aid scheme.

Hence during the first six months (January – June 2015) of the year, the prison programme was conducted under the Bar Council Legal Aid Programme and from 1 July 2015 the Prisons Programme was being conducted by YBGK.

The terms of the programme under YBGK are as follows:

1. That it is a pilot project for six months for KL inmates.
2. That it is to be conducted at Sungai Buloh Prison and Kajang Prison and Kajang Women's Prison.
3. It is to apply to all Malaysian citizens and migrants under the age of 18 years old.
4. To introduce a Standard Operating Procedure (SOP).

During the first part of the year (January – June 2015) under the Bar Council Legal Aid Centre (Kuala Lumpur), a total of 35 visits were made to the prisons and a total of 741 prisoners were interviewed.

In the second half of the year (July – October 2015), the total number of visits to the prison was 18 and the number of prisoners interviewed was 552.

## 6. REPORT ON LAC WALK IN CLINIC

*Report prepared by Secretariat*

### Walk-In Clinic - Assistance

The Legal Aid Clinic operates from the KLLAC office every Monday to Friday from 10:00 am to 4:30 pm. Individuals from different walks of life including mentally challenged clients come to the centre with various issues and problems.

The clinic adopts the policy of assisting clients with legal and non-legal problems. The non-legal problems are often referred to the relevant government agencies and NGOs.

### Purpose of Walk-In Clinic

While the fundamental objective of the clinic is to offer legal assistance to clients, the programme has also been an eye opener to pupils and lawyers on the various issues faced by the public. It educates pupils and lawyers on the importance of providing assistance to those in need. Moreover, it teaches them to be more responsible towards the society at large. The programme manages to develop a sense of social obligation in pupils who come to understand the importance of human rights, justice and the rule of law.

### Pupils Trained By LAC Clinic In Year 2015

NO	BATCH	LAC CLINIC	SYARIAH CLINIC	YBGK PROGRAMME	NGO PROGRAMME			TOTAL TRAINED
					AWAM	SIS	WAO	
1	Batch 82	20	5	25	12	4	4	282
2	Batch 83	25	7	30	12	4	4	
3	Batch 84	15	5	25	12	4	4	
4	Batch 85	15	5	25	12	4	4	
		<b>75</b>	<b>22</b>	<b>105</b>	<b>48</b>	<b>16</b>	<b>16</b>	

### LAC Clinic's Sincere Gratitude

The entire committee is actively involved (with the assistance of LAC Officers) in training pupils. We are indebted to our volunteer lawyers who have taken the time from their busy schedule to train pupils on weekdays and Saturdays. The trainers that have provided their assistance are as follows:

NO	TOPIC	SPEAKERS
1.	Family Law	Ong Cin Siong
2.	Employment Law	Chandrasegaran
3.	Criminal Law & Civil Procedures	Sivanesan Nadarajah
4.	Family Law & Domestic Violence	Lalitha Nagamuthu
5.	Civil Procedures	William Foo Hiap Chong
6.	Family Law & Domestic Violence	Kasthuri Krishnan
7.	Criminal Law	Ravinder Singh Dhaliwal
8.	Civil Law	Harleen Kaur

### Statistics

- A. Table A shows the interviews conducted and legal representation given by LAC Clinic from 1 January 2015 to 30 October 2015.

<b>AS AT 30 OCTOBER 2015 TOTAL WALK IN CLIENTS 1699</b>	Legal representation	71
	Follow up cases	137
	No Jurisdiction, Merits, Area of Law	159
	Referrals	48
	Mean Test Rejected	38
	KIV	440
	Legal Intervention	2
	Walk in client at Dock Brief room	354
	Advice Only	450

### Area of Law Handled Under LAC Clinic

- B. Table B shows the number of cases under the different areas of law.

NO	AREAS OF LAW	NUMBER OF CASES
1	Family	349
2	Employment	147
3	Criminal (migrant)	26
4	Civil: Small Claims, Debt Collection	237
5	MISC: Conveyancing, motor-vehicle accidents, property	286
6	Housing/Tenancy	160
7	Public Interest Litigation	0
<b>Total</b>		<b>1205</b>



### **Conclusion**

LAC Clinic has grown tremendously since its inception in 1998. There are many reasons behind the continuous success of the clinic. The secretariat head, staff and most importantly our volunteer lawyers have continuously handled files (71 files opened in 2015), provided legal advice and opinions which are the backbone of the programme. Each of them played a vital role in the success of the programme and it can be said that each and every one of them has contributed to the growth of the organisation.

## **7. REPORT ON LAC/SYARIAH CLINIC**

*Report prepared by Secretariat*

Aim of the Syariah Clinic is to provide free legal service to the public in need and to give them better understanding on the principle and procedures of Syariah Laws. It also guides them in getting proper assistance and fair trial from the respective Syariah Court.

The Syariah Clinic operates from the Secretariat and is open to public from Monday to Friday, 10:00 am to 4:30 pm. The Syariah Clinic at the KLLAC is supervised by experienced Syariah Lawyers and manned by the pupils-in-chambers who are doing their legal aid duty for 14 days.

The pupils-in-chambers are given a half-day training focusing on the Syariah Civil and Procedures. They also undergo a one-day training with the Legal Aid Clinic providing them with a basic training on interviewing techniques as well as taking part in discussion on criminal, employment and family related laws.

Since the Legal Aid Clinic runs alongside with the Syariah Clinic, the pupils in Syariah Clinic also assist in interviewing civil clients. Their duties include interviewing walk-in clients, conducting means test and giving appropriate advice as and when required upon due clarification with Volunteer Lawyers. It is our utmost belief that there is a need for us to provide this service to anyone who falls within the means test.

The number of public requesting for Syariah services is low compared to Legal Aid Clinic. Most of the cases that came in to the centre are mostly for divorce, kembali taat, pengesahan cerai, maintenance and matrimonial property claims.

However, the number of clients fluctuates. We are having increasing number of clients who come for advice regarding divorce procedures, fasakh application, custody, hadnanah, matrimonial application intestacy matters and execution proceedings. Statistic for the year 2015 shows that there was a total of 37 walk-in clients with 1 file opened.

We hope that in forthcoming years, we will be able to conduct more awareness programme in educating the public on their rights entrusted under the Syariah Law and to introduce the available services offered by the clinics to the public in need.

We would also extend our thanks to the Management Panel, Staff of the KLLAC, Syariah Committee Members, the Volunteer Lawyers and participating pupils for their interest, commitment and endless support in running the Syariah Clinic smoothly.

## **8. REPORT ON COMMUNITY LEGAL AID CLINIC**

*Report prepared by Project Head*

### **Committee Members**

Preetam Kaur (Adviser)

Genevieve Tan Gaik May (Project Head)

Pramodini Nair (Alternate Head)

Mathew Lee

Kamala Saraswathy

Kasthuri Krishnan

The committee finally found new members to continue the activities of the Community Legal Aid Clinic ("CLAC") with Pramo, Kasthuri and Kamala who are eager to run some of the projects for CLAC and they also suggested to Gene Tan that they will bring more volunteer lawyers to assist in the activities.

The activities are:

1. CLAC's committee meeting held on 24 April 2015 (Friday) at 6:30 pm at KLLAC. Six lawyers attended and five sent their apologies but they pledged their support to serve the marginalised communities.
2. Pilot Outreach Clinic at Welfare Department Kuala Lumpur held on 6 April 2015 (Monday) at 2:00 pm with major success and the officers from Welfare requested us to draft simple leaflets in Bahasa Malaysia and other vernacular languages to cater for the public.
3. Submission to MP for their approval on the setting up of legal clinics with PT Foundation, SEED Foundation, PAMT and WAKE.

Other potential activities are the Welfare KL Outreach Clinic once in week (upon approval from MP), HIV Bill, drafting of leaflets for JKM project, hosting network gathering with partner NGOs and importantly holding watching brief for community cases for non-action of police cases or Courts (upon approval from MP).

Our project head, Gene Tan was also selected by the US Embassy of Malaysia to participate in their premier programme, the International Visitor Leadership Programme, in various States across the US in June 2015 for the human rights and pro-bono work carried out via the Bar Council and Legal Aid Centre. Unfortunately, due to personal reasons, Gene Tan had to pull out from the trip at the last minute.

We also assisted about 57 cases for remand through YBGK and KLLAC and assisted by our staff coordinator.

We extend our appreciation to all the old as well as new members who helped to run the CLAC committee.

## 9. REPORT ON LAC/AWAM/WAO/SIS CLINIC

*Report prepared by Secretariat*

The need for protection and to address the various issues affecting women brought upon the inception of few women based non-governmental organisations including All Women's Action Society (AWAM), Women's Aid Organisation (WAO) and Sisters In Islam (SIS). AWAM has played an important role in advocating issues relating to women i.e. gender based violence and also it has pushed for law reform to address issues relating to women. AWAM played an important role in the enactment of Domestic Violence Act 1994 and the inclusion of the word "gender" in Article 8 of the Federal Constitution. AWAM's work is not limited to advocacy and law reform. They organise a wide range of activities among which are conducting training on rape awareness, anti-sexual harassment policy, women's leadership, etc. They also provide counselling and legal aid services to survivor of gender based violence.

WAO is also actively involved in addressing the various issues relating to women. In addition to creating general awareness about issues concerning women, the service of WAO includes providing shelter for abused women and their children. They also conduct counselling service.

Sisters In Islam (SIS) is another important organisation which is primarily involved in the protection of Muslim women from discrimination in Syariah Courts and also to accord them protection in matters concerning Islamic law. They conduct negotiations with the relevant authorities to bring about law reforms and also provide legal advice to Muslim women on Syariah law matters.

KLLAC has been working hand in hand with the above mentioned organisations and assigns pupils to these organisations under the compulsory legal aid programme. Pupils help these organisations in running of the organisations' programmes and are involved in both the legal and non-legal work of the organisations. In addition to giving legal advice, they assist the organisations with research, advocacy outreach, etc.

Table 1: No of Pupils for Each Batch

PROGRAMME	BATCH 82	BATCH 83	BATCH 84	BATCH 85
AWAM	6	6	6	5
WAO	3	3	3	2
SIS	3	3	3	2
<b>TOTAL</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>9</b>

Prior to commencement of duty, each batch of pupils would attend a training, in which representatives from each NGO briefed them on their respective duties which they were to perform. During the 7th week of each batch, a Mid-Term Review would be conducted where the pupils shared their experiences and also any shortcomings they faced during their legal aid duty. The representatives from each NGO would also give feedback regarding the performance of the pupils.

Table 2: Number of clients handled each month by each NGO

PROGRAMME	JAN	FEB	MAC	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT
AWAM	20	15	15	15	20	18	28	20	19	23
WAO	14	2	10	7	5	9	4	7	5	6
SIS	44	32	53	46	27	28	40	38	21	26

Table 3: Total Number of Clients handled by each NGO from January-October 2015

PROGRAMME	TOTAL CLIENTS
AWAM	193
WAO	69
SIS	355

The amount of clients handled by SIS is the highest where there were a total of 355 clients followed by AWAM, 193 clients and WAO, 69 clients. The pupils gave legal advice to walk-in clients as well as to those who called in to the NGOs' centre. They also conducted legal research for the respective NGO. Besides that, they were involved in field work such as helping clients to lodge police reports and rescuing them from their home.

Both the NGOs and the pupils have given positive feedback about the programme and they have both gained from the programme.

## 10. REPORT ON TENAGANITA

*Report prepared by Secretariat*

Tenaganita is a non-governmental organisation which promotes equality and upholds human rights. They are primarily involved in protection of rights of workers, migrants and refugees. The KLLAC works together with Tenaganita by providing pupils-in-chambers to Tenaganita.

Four batches of pupils were allocated to Tenaganita from January to October 2015. This can be seen in the following Table 1.

BATCH	82	83	84	85
Number of Pupils	15	20	20	15

Table 1: No of Pupils for Each Batch

Prior to commencement of their legal aid duty in Tenaganita, the pupils had to go through two days of training where they were introduced to Tenaganita and the work of Tenaganita. They were also given training on interviewing skills, negotiating skills and documentation skills and relevant areas of law such as Anti Trafficking Law and Employment Law. The pupils also had to attend a mid-term review conducted at about 7th week of their duty. During the mid-term review, any shortcomings faced by the pupils and Tenaganita would be discussed and any improvement that could be made to the programme would be discussed as well.

CASES	NEW CASES	6P FRAUD CASES	OLD CASES	CALLS RECEIVED	TOTAL NO OF CASES
No of Cases	400	180	120	1400	2100

Table 2: Cases attended from January to November 2015

The pupils attended to clients throughout the year and among the problems faced by the clients include unpaid wages, physical abuse, human trafficking, extortion and forceful extension of contract.

Pupils were given a wide range of jobs to deal with during their legal aid duty with Tenaganita which included researching for facts, making calls to confirm details, documenting, lodging police reports and assisting in matters pertaining to immigration. Besides that, pupils were also required to facilitate discussions and provide legal advice and assistance between employer and survivor.

The pupils have been very happy with the programme and some have continued to volunteer with Tenaganita upon completion of the compulsory legal aid duty. Tenaganita was also happy with the performance of the pupils and was very thankful for having them.

## 11. REPORT ON UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

*Report prepared by Secretariat*

United Nations High Commissioner for Refugees (“UNHCR”) plays a vital role to accord recognition and also protection to refugees in Malaysia. UNHCR basically conducts interviews for asylum seekers and determine their refugee status and takes care of the welfare of the refugees until they are resettled to a host country.

The KLLAC works together with UNHCR in giving assistance to the refugees in Malaysia. The KLLAC assigns a number of pupils to UNHCR who will then assist UNHCR. Table one summarises the number of pupils allocated to UNHCR. Only 15 pupils were allocated to UNHCR during batch 82 because there were insufficient pupils.

The legal aid duty of the pupils starts off with a whole day training whereby the pupils are introduced to UNHCR and their role in UNHCR. A mid-term review is conducted at around the 7th week of the programme to allow both the representatives from UNHCR and pupils to give their feedback about the programme.

BATCH	82	83	84
Number of Pupils	15	20	25

Table 1: No of Pupils for Each Batch

A total of 2978 clients were seen by the pupils from January to August 2015. Highest number of clients was seen in January 2015 where 444 clients were seen and lowest number of client was seen in the month of July where only 281 clients were attended to.

MONTH	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	TOTAL
No of Client	444	350	420	416	440	327	281	300	2978

Table 2: No of Clients Seen Each Month

The pupils basically attended to clients who walked into UNHCR office. The pupils would interview them, take down their particulars and claims. The clients mostly visit the office for problems such as marital problem, domestic violence, robbery, wrongful detention, etc. The pupils were also taken to detention centres to conduct interview and seek release of the refugees in the detention centres.

This programme has been able to give insights to pupils of the problems and status of refugees in Malaysia and the pupils have generally been satisfied with the programme.

## **12. REPORT ON URGENT ARREST**

*Report prepared by Secretariat*

### **Introduction**

The KLLAC, when requested, provides legal assistance and representation to those participating in rallies and marches. More commonly known as the “Urgent Arrest Team”, the KLLAC calls for lawyers who are trained in urgent arrest to volunteer their service to assist those who are arrested, with a view to provide legal representation during the arrest and remand hearing of these arrested people.

In the calendar year 2015, the YBGK (KL) was asked to stand by with an urgent arrest team on three instances namely:

1. Bersih 4 rally held on 29 and 30 August 2015
2. Anti-Trans Pacific Partnership Agreement (TPPA) held on 20 November 2015
3. 808 #AtTheEdge held on 8 August 2015

During the Bersih 4 rally, the YBGK (KL) had set up its secretariat at the Bar Council Malaysia, while for the other rallies, the lawyers were allowed to remain at their homes and be called upon should they be needed.

Fortunately during all three rallies, there were no unwanted incidents and the Urgent Arrest Team was not called upon to act.

## **13. REPORT ON ATTACHMENT PROGRAMME**

*Report prepared by Secretariat*

“Many have been nurtured or brought up to believe that they can and should strive to make a difference in the lives of others”.

The KLLAC provides an avenue for students from public and private universities and colleges to realise their potential as capable individuals to make a difference in the lives of those who are in need. The attachment programme run by the Secretariat of the KLLAC is channelled towards students who are given the opportunity to participate in the various programmes (“Programmes”) organised by the Centre. These include:

- (a) Legal Aid Centre (“LAC”) Clinic (where clients are interviewed by pupils and given advice and assistance);
- (b) Dock Brief Programme (where pupils-in-chambers will conduct mitigation and bail applications);
- (c) Prisons Programme (where pupils-in-chambers will conduct interviews with prisoners); and
- (d) Non-Governmental Organisations (NGOs) such as the All Women’s Action Society Malaysia (“AWAM”), Women’s Aid Organisation (“WAO”), Sisters in Islam (“SIS”), United Nation High Commissioner for Refugees (“UNHCR”), Tenaganita and Pink Triangle Foundation (where pupils-in-chambers will assist and/or conduct interviews with less fortunate and distressed clients).

In addition to the above Programmes, students are also expected to be involved in the day-to-day activities of the Centre, such as trainings conducted by the Centre and to conduct researches on a wide array of legal matters.

Attachment students have the option to engage in the Programme for a week, or for as long as up to two months. Upon completion of the attachment programme, each attachment student will be awarded with a certificate from the Centre.

Listed below are the various colleges, universities and firms that have participated in the attachment programme for the year 2015:

- i. University of Malaya (UM);
- ii. International Islamic University Malaysia (IIUM);
- iii. Taylor’s University College;
- iv. Zaid Ibrahim & Co; and
- v. Skrine.

## **14. REPORT ON YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK)**

*Report prepared by Secretariat*

### **1. Introduction**

It was revealed in Parliament in November 2009 that accused persons were unrepresented in 84,376 out of 108,528 criminal trials that took place in the magistrates court in 2008. This was because there were a large number of people who did not receive legal assistance from the two main providers of legal aid in Malaysia - The Government Legal Aid Department and the Bar Council Legal Aid Programme due to limited resources.

The Yayasan Bantuan Guaman Kebangsaan ("YBGK") was set up to plug this gap. The suggestion of setting up the YBGK arose during a meeting between the Prime Minister and members of the Bar Council on 7 January 2010. YBGK was officially launched on 25 February 2011 by the Prime Minister and commenced operations on 2 April 2012.

YBGK provides free legal assistance in criminal proceedings to all Malaysians at the Police Stations at remand hearings and when they are charged in Court. In order to be represented at trials and appeals, the client must have a salary of less than RM36,000 per year. The YBGK is facilitated by the Bar Council YBGK Steering Committee and supported by the Bar Council YBGK Secretariat located at the KLLAC. The existing Bar Council State Legal Aid Centres serve also as the offices of the YBGK.

### **2. YBGK Statistics**

YBGK Kuala Lumpur covers five IPDs and one IPK. The five IPDs are Dang Wangi, Brickfields, Cheras, Putrajaya and Sentul. YBGK Kuala Lumpur also covers three Remand Courts in Jinjang, Dang Wangi and Putrajaya.

In the past ten months (January to October 2015), YBGK lawyers from KLLAC have attended to 13,760 persons at the Remand Courts. The lawyers have also assisted 1,986 persons who were charged and needed assistance with mitigation and bail applications.

In addition, 541 criminal files have been opened and assigned to YBGK lawyers during the same period.

### **3. YBGK Training for Lawyers**

In the year 2015, a total of 10 YBGK Trainings for Lawyers were carried out in both East and West Malaysia. A more stringent measure has been taken this year by introducing assessment test where only those participants who passed the assessment test will qualify to become YBGK lawyers. Part 3 of the YBGK Training which consists of criminal defence advocacy has also been extended to two-days training with more intensive training, interactions and group presentations.

As of October 2015, a total of 361 lawyers were trained for Part 1 and 2, and 82 lawyers for Part 3 which brings the grand total of YBGK lawyers trained to 2,183.

### **4. Audit**

In order to ensure the quality of work done by YBGK lawyers, an Audit Committee was set up in February 2015 by the Bar Council YBGK Steering Committee. This committee consists of auditors who are trained and appointed and who will make visits to remand centres to audit the YBGK lawyers on duty. These YBGK lawyers will then be called for a meeting with the committee based on their performance. As of October 2015, three audits have been conducted in both Kuala Lumpur and Selangor.

### **5. YBGK Pupils Programme**

Due to the extensive scope and educational experience provided by the YBGK programme, the KLLAC introduced a YBGK pupils Programme in 2013. Under this programme, pupils are exposed to various aspects of criminal law and proceedings.

The pupils assist with interviewing clients, legal interventions work, monitoring at the Remand Courts and Police Stations and administrative duties. The pupils are also required to carry out research on various aspects of the criminal justice system and make proposals and recommendations for law reform.

Each batch of this programme consists of about 15 to 20 pupils. The pupils are briefed about YBGK and trained in criminal law and proceedings.

**6. Training of Trainers (TOT)**

The YBGK Secretariat also carries out training of trainers (“TOT”) for selected volunteer YBGK lawyers. The reason for this training is to increase the current pool of trainers to assist the existing trainers and committee members to carry out its activities. Currently, there are 11 volunteer YBGK lawyers who have been trained and are actively involved in the training for lawyers. A total of three trainings took place this year.

**7. KUP Meetings**

The State LACs, by virtue of being involved in the YBGK programme, attends meetings with the State Ketua Unit Pendakwaan (KUP). At these meetings, the head of the KUP chairs the meeting which is attended by police officers, enforcement agencies, the judiciary and other parties.

The purpose of these meetings is for all parties involved in the YBGK programme to discuss and coordinate the YBGK activities. All parties are encouraged to find solutions and make proposals to address any difficulties faced by all the departments.

**8. MH 370**

This issue of MH 370 initially started when firms from other countries wanted to intervene and take up cases for families of MH 370 victims in Malaysia. The YBGK Board requested YBGK to assist the next of kin of the passengers of MH 370 in obtaining declarations of presumption of death. YBGK and Bar Council have agreed to assist the families of MH 370 victims.

A team of lawyers are handling the cases and enquiries by the families of the victims. With the increased number of families of the MH370 victims stepping forward to obtain the declaration, two trainings on obtaining declarations of assumption of death were held this year to invite and train more YBGK lawyers to take up MH370 cases.

**9. Pardons Board**

In light of the movement against death penalty globally, the YBGK embarked on a project to assist death row prisoners in writing their pardon’s petition.

The YBGK conducted training for YBGK lawyers to write pardon’s petition who eventually assisted the prisoners in writing their pardon’s petition. YBGK has written pardon’s petition for about 40 death row inmates from three different prisons (Alor Setar, Taiping, Simpang Renggam). YBGK is also planning to visit more prisons and provide assistance in writing pardon’s petition for more death row inmates in the near future.

**10. Secretariat for YBGK**

The KLLAC as an initiating party of the YBGK programme also finds itself in a coordinating position in relation to several aspects of the YBGK programme. The KLLAC acts as a secretariat for YBGK in liaising with other State LACs mainly for policy, administrative and training purposes.

The KLLAC also networks with relevant authorities and departments to ensure the smooth running of the YBGK programme.

The KLLAC also liaises with the YBGK office which is currently in KLRCAs in terms of registration of YBGK lawyers, the checking of claims and payments to lawyers and the implementation of standard operation procedures.

**11. Conclusion**

The YBGK programme commenced on 2 April 2012 and has been in operation for about two and a half years and it is an ongoing developing project. From a situation where 80% of people were not represented in Magistrates courts, today thousands of people facing criminal proceedings daily in Kuala Lumpur and other States are assisted by the YBGK Programme.

Overall, YBGK has brought significant shift to the Criminal Legal System. It provides a comprehensive and sustainable legal aid programme for those encountering the criminal justice system.

# LAPORAN Pengerusi

## A. PENGENALAN

la merupakan satu penghormatan untuk saya berkhidmat sebagai Pengerusi Jawatankuasa Bar Kuala Lumpur ("KLBC") penggal ini dan saya sesungguhnya percaya bahawa ahli-ahli KLBC telah melaksanakan tugas mereka dengan jujur, tekun dan bertanggungjawab.

## B. SETIAUSAHA KEHORMAT DAN AHLI YANG DILANTIK

Pada mesyuarat yang pertama pada 17 Februari 2015, KLBC telah melantik Goh Siu Lin sebagai Setiausaha Kehormat. KLBC juga melantik Abd Shukor Tokachil dan Jacky Loi Yap Loong sebagai ahli-ahli KLBC di bawah Seksyen 73(vii) Akta Profesion Undang-undang 1976.

## C. KEKOSONGAN KASUAL DI KLBC

Siti Munirah Maarof yang dipilih untuk berkhidmat sebagai ahli KLBC bagi penggal 2015/16 pada Mesyuarat Agung Tahunan ke-23 Bar Kuala Lumpur pada 12 Februari 2015, telah mengosongkan jawatan beliau pada 1 Oktober 2015 kerana telah berpindah untuk beramal di Negeri Selangor. Menurut Seksyen 75(1) Akta Profesion Undang-Undang 1976, Jacky Loi Yap Loong telah dilantik untuk mengisi kekosongan kasual tersebut.

## D. AKTIVITI-AKTIVITI JAWATANKUASA

### i) Laporan Aktiviti-aktiviti Bulanan dan Makluman kepada ahli-ahli

KLBC terus memastikan ahli-ahli dimaklumkan mengenai aktiviti-aktivitinya melalui laporan aktiviti-aktiviti bulanan yang dimuatnaik ke Blog Bar Kuala Lumpur. Ia juga terus menggunakan twitter dan facebook sebagai saluran-saluran alternatif untuk menyampaikan makluman kepada ahli-ahli selain dari e-makluman yang biasa.

### ii) Perjumpaan Tahunan antara KLBC dan Jawatankuasa Bar Selangor ("SBC")

Dihoskan oleh SBC pada penggal ini, perjumpaan tahunan antara KLBC dan SBC telah diadakan pada 24 April 2015 di Merchant Lounge, Hotel Armada Petaling Jaya. Perjumpaan tahunan ini adalah untuk para ahli jawatankuasa KLBC dan SBC di penggal yang baru untuk mengenali antara satu sama lain dan untuk berbincang bagaimana untuk bekerjasama dalam memenuhi keperluan-keperluan ahli-ahli kedua-dua Bar Kuala Lumpur dan Selangor. Seperti sebelum ini, perjumpaan ini telah pasti mempertingkatkan dan memperkukuh hubungan baik yang sedia ada antara KLBC dan SBC.

### iii) Acara-acara Lain

Selain mengambil bahagian dalam pelbagai acara yang dianjurkan oleh Majlis Peguam, KLBC juga telah mengambil bahagian dalam acara-acara berikut atas jemputan Badan-badan yang berkaitan:

- **Lembaga Kelayakan Profesion Undang-Undang**  
Majlis Konvokesyen Peperiksaan Sijil Amalan Guaman 2014 pada 26 Mac 2015.
- **Mahkamah Kuala Lumpur**  
Majlis Jamuan Hari Raya pada 6 Ogos 2015.
- **Institut Latihan Kehakiman dan Perundangan (ILKAP)**  
ILKAP Speaker Series: Judicial Transformation pada 11 September 2015.
- **Malaysian Current Law Journal**  
Pembukaan Rasmi Konferens Undang-Undang dan Korporat 2015 pada 7 Oktober 2015.
- **Suruhanjaya Syarikat Malaysia**  
Dialog Tahunan pada 15 Disember 2015.



**iv) Mesyuarat-mesyuarat KLBC**

Sehingga 31 Disember 2015, KLBC telah bermesyuarat 10 kali dan kehadiran setiap ahli adalah seperti berikut:

Ravinder Singh Dhaliwal (Ravin)	-	10
Goh Siu Lin	-	8
Harleen Kaur (Leena)	-	7
Vinu Kamalanathan	-	7
Foong Cheng Leong	-	7
Choo Dee Wei	-	7
Lim Chi Chau	-	8
Alwin Rajasurya	-	10
Alex Anton Netto	-	7
Shashi Devan Thalmalingam	-	10
Jacky Loi Yap Loong	-	9
Abd Shukor Tokachil	-	3
Siti Munirah Maarof	-	5

*(Meletakkan jawatan dari KLBC pada 1 Oktober 2015)*

Jeremiah R Gurusamy, wakil Bar Kuala Lumpur ke Majlis Peguam telah dijemput untuk menghadiri mesyuarat KLBC sebagai pemerhati dan juga untuk melaporkan kepada Majlis Peguam tentang perkara-perkara yang berkaitan dan apabila perlu. Beliau menghadiri kesemua 10 mesyuarat dan telah bekerja rapat dengan KLBC.

**v) Kewangan, Yuran dan Pendapatan Bukan Yuran**

Kedudukan kewangan KLBC kekal stabil dengan jumlah RM1,743,087 dalam Simpanan Tetap. Kedudukan kewangan terperinci dinyatakan dalam Akaun Teraudit berakhir 31 Disember 2015.

Yuran bagi tahun 2015 telah ditetapkan pada RM125 di Mesyuarat Agung yang lepas pada 12 Februari 2015. Pada penutupan tahun kewangan KLBC pada 31 Disember 2015, terdapat 187 orang ahli yang masih belum menjelaskan yuran mereka bagi tahun 2015.

Penggal ini, KLBC telah berjaya menjana sebanyak RM147,539 dari tajaan-tajaan, pengiklanan di laman sesawang dan surat berita, seminar-seminar dan ceramah-ceramah anjuran PDC dan jawatankuasa-jawatankuasa kecil yang lain.

**E. JAWATANKUASA-JAWATANKUASA KECIL**

12 jawatankuasa-jawatankuasa kecil telah ditubuhkan untuk memudahkan penganjuran pelbagai aktiviti-aktiviti KLBC dan untuk memenuhi keperluan ahli-ahli. Jawatankuasa-jawatankuasa kecil dipimpin oleh ahli-ahli yang berkebolehan iaitu:

**i) Jawatankuasa Amalan Sivil**

Harleen Kaur (Leena)

**ii) Jawatankuasa Amalan Korporat dan Konveyansing**

Jacky Loi Yap Loong

**iii) Jawatankuasa Amalan Jenayah**

Lim Chi Chau

**iv) Jawatankuasa Alam Sekitar**

Alex Anton Netto

**v) Jawatankuasa Teknologi Maklumat**

Foong Cheng Leong

**vi) Jawatankuasa Pembangunan Profesional**

Goh Siu Lin

**vii) Jawatankuasa Penerbitan**

Siti Munirah Maarof (Meletakkan jawatan pada 10 Oktober 2015)

- viii) **Jawatankuasa Pelatih Dalam Kamar**  
Shashi Devan Thalmalingam
- ix) **Jawatankuasa Sosial, Kesenian dan Rekreasi**  
Vinu Kamalananthan
- x) **Jawatankuasa Sukan**  
Alwin Rajasurya
- xi) **Jawatankuasa Peguam Muda**  
Choo Dee Wei
- xii) **Bantuan Guaman**  
Abd Shukor Tokachil

Laporan-laporan jawatankuasa kecil yang di sertakan bersama menggambarkan aktiviti-aktiviti yang dilaksanakan oleh jawatankuasa-jawatankuasa kecil. Laporan terperinci aktiviti-aktiviti disediakan dalam laporan jawatankuasa-jawatankuasa kecil masing-masing tetapi berikut wajar di beri perhatian:

- **Log Aduan ciptaan Jawatankuasa Amalan Sivil**  
Pengerusi Jawatankuasa Amalan Sivil, Leena, mesti dipuji kerana mewujudkan Log Aduan untuk menguruskan dengan lebih baik aduan-aduan yang diterima daripada ahli-ahli. Ianya juga memastikan Sekretariat dan Jawatankuasa Amalan Sivil mempunyai rekod yang berterusan tanpa mengira siapa yang mempengerusikan jawatankuasa kecil tersebut. Log Aduan juga akan membantu mana-mana Pengerusi baru menerajui Jawatankuasa Amalan Sivil kerana status setiap aduan akan dikemas kini dalam Log Aduan.
- **Bengkel Praktikal berkenaan Amalan Konveyansing**  
Jawatankuasa Amalan Korporat dan Konveyansing sekali lagi telah mengadakan dua Bengkel Praktikal Dua-Hari berkenaan Amalan Konveyansing yang berjaya di penggal ini. Mereka telah berjaya mengadakan dua bengkel yang sama di penggal lepas. Tahniah atas perlaksanaan tugas dengan cemerlang.
- **Senarai semak bagi Urusniaga Konveyansing di Pejabat Tanah Wilayah**  
Satu lagi usaha patut dipuji, diilhamkan oleh Pengerusinya Jacky Loi, Jawatankuasa Amalan Korporat dan Konveyansing mengemukakan senarai semak mengenai prosedur yang diperlukan dan/atau dokumen untuk pendaftaran di Pejabat Tanah Wilayah dengan harapan untuk menangani isu di mana ahli mungkin tidak sedar perubahan keperluan di Pejabat Tanah Wilayah sehingga peringkat pendaftaran. Senarai semak sedang menunggu pengesahan dan kelulusan oleh Pejabat Tanah Wilayah. Sebaik sahaja diluluskan, senarai semak akan dimuat naik ke Laman Sesawang Bar Kuala Lumpur dan dikemas kini secara berkala.
- **Membendung masalah Ulat di Mahkamah Kuala Lumpur**  
Jawatankuasa Amalan Jenayah, yang diketuai oleh Pengerusinya Lim Chi Chau, telah bekerja keras untuk menangani masalah Ulat di Mahkamah Kuala Lumpur. Walaupun tidak ada penyelesaian konkrit lagi, tetapi langkah-langkah telah diambil oleh Mahkamah Kuala Lumpur untuk mewujudkan kesedaran dan amaran kepada orang ramai mengenai ulat-ulat. Perkara ini masih sedang diusahakan oleh Jawatankuasa Amalan Jenayah.
- **Akses Peguam kepada anak guam mereka di Pusat Reman Dang Wangi dan Pusat Tahanan Jinjang**  
Peguam-peguam kini dibenarkan berjumpa anak guam mereka di Pusat Reman Dang Wangi dan Pusat Tahanan Jinjang, terima kasih kepada usaha-usaha Jawatankuasa Amalan Jenayah kerana membangkitkan isu tersebut dengan IPD Dang Wangi dan Sentul. Namun begitu ada satu prosedur mudah yang perlu dipatuhi yang telah dimaklumkan kepada ahli-ahli melalui e-makluman pada 10 Jun 2015 dan 14 September 2015.
- **Kempen Bahan Bacaan untuk Penjara Sungai Buloh**  
Dianjurkan buat kali kedua oleh Jawatankuasa Amalan Jenayah (yang pertama adalah pada tahun 2011), Kempen ini berjaya mengumpul lebih 1,000 buku dan majalah untuk banduan-banduan di Penjara Sungai Buloh.
- **Siri Kesedaran Alam Sekitar**  
Jawatankuasa Alam Sekitar telah dikembalikan semula di penggal ini selepas terhenti selama dua tahun. Diterajui oleh Alex Anton Netto, Jawatankuasa Alam Sekitar telah memulakan satu projek untuk meningkatkan kesedaran

alam sekitar di kalangan ahli-ahli dengan mengeluarkan penulisan dan video mengenai alam sekitar dengan langkah-langkah yang dicadangkan agar peguam turut serta membuat perbezaan dan ianya dinamakan Siri Kesedaran Alam Sekitar.

- **Inisiatif Kitar Semula Firma Guaman**

Satu lagi usaha terpuji oleh Jawatankuasa Alam Sekitar yang menggalakkan firma-firma guaman untuk mengitar semula, dua syarikat kitar semula yang mempunyai sejarah pemberi khidmat kepada firma guaman dan dapat menghargai dokumen sensitif telah dicagarkan untuk membantu firma guaman dengan kitar semula dokumen sensitif mahkamah dan pejabat mereka dengan kadar yang istimewa.

- **Penyusunan semula laman sesawang Bar Kuala Lumpur dan Sistem Keahlian Dan Pembayaran**

Dua tugas perubahan besar telah dijalankan di penggal ini diketuai oleh Foong Cheng Leong, Pengerusi Jawatankuasa Teknologi Maklumat; penyusunan semula laman sesawang Bar Kuala Lumpur dan Sistem Pengurusan Keahlian Dan Pembayaran ("MAPS") kelolaan Sekretariat. Laman Sesawang Bar Kuala Lumpur sedang dirombak dari awal dengan integrasi gerbang pembayaran, iPay88, untuk keselesaan ahli membuat pembayaran untuk seminar dan acara. Bagi MAPS, apabila siap kelak, sistem ini akan menyelaraskan dengan pangkalan data keahlian Majlis Peguam. Ini akan menghapuskan kemasukan data dan memastikan bahawa data-data ahli adalah sentiasa terkini.

- **Aplikasi Mobil Bar Kuala Lumpur ("KL Bar App")**

KL Bar App sedang dalam pembangunan, terima kasih kepada Foong Cheng Leong atas input yang tidak ternilai dan bantuannya. Ianya adalah harapan KLBC yang aplikasi ini akan memudahkan para ahli untuk memilih acara-acara yang mereka ingin hadir, mendaftar dan membayar untuk yang sama melalui telefon pintar mereka.

- **Program Pembangunan Profesional**

Jawatankuasa Pembangunan Profesional, khususnya Pengerusinya Goh Siu Lin, mesti diucapkan tahniah untuk pelbagai program pembangunan profesional yang dianjurkan untuk penggal ini terutamanya peningkatan dalam bilangan seminar dan bengkel mengenai hak kanak-kanak serta diskriminasi jantina termasuk yang gambaran keseluruhan Perundangan CEDAW dan pembinaan keupayaan peguam untuk membantu mangsa-mangsa pemerdagangan manusia.

- **Soal selidik untuk firma guaman yang menawarkan tempat untuk latihan dalam kamar**

Menyedari banyak masalah yang dihadapi oleh pelatih-pelatih dalam memilih firma yang sesuai untuk menjalani tempoh latihan dalam kamar mereka, Pengerusi Jawatankuasa Pelatih Dalam Kamar Shashi Devan, telah dengan cermat dan teliti menyediakan satu soal selidik menyeluruh bagi firma guaman yang menawarkan tempat untuk latihan dalam kamar di Laman Sesawang Bar Kuala Lumpur, mengisi. Walau bagaimanapun, firma guaman diberi pilihan untuk memilih sama ada untuk melengkapkan soal selidik tersebut yang akan dimasukkan ke dalam seksyen kekosongan Laman Sesawang baru Bar Kuala Lumpur.

- **Forum Kerjaya Perundangan**

Dengan kejayaan Forum Kerjaya Perundangan pertama yang diadakan pada tahun lepas, Jawatankuasa Pelatih Dalam Kamar dan Jawatankuasa Peguam Muda dengan kerjasama eLawyer, sebuah firma rekrutmen guaman dan konsultansi, telah mengadakan Forum Kerjaya Perundangan kedua pada 12 Disember 2015. Pengamal Undang-Undang dari firma berbeza saiz berkongsi pengalaman kerja mereka, pelbagai jangkaan kerja daripada firma bersaiz berbeza dan cabaran yang dihadapi semasa menubuhkan firma sendiri, di forum tahun ini. Ia memberi peserta-peserta yang merupakan peguam muda satu pemahaman lebih baik terhadap laluan kerjaya yang ditawarkan.

- **Grand Prix Bar Kuala Lumpur 2015**

Jawatankuasa Sosial, Kesenian dan Rekreasi berjaya menganjurkan kejohanan go-kart dinamakan, "Grand Prix Bar Kuala Lumpur 2015". Diadakan pada 9 Mei 2015 di Litar Go-Kart Stadium Shah Alam, kejohanan ini menarik tujuh pasukan yang terdiri daripada empat pemandu setiap satu pasukan.

- **Malam Bar Kuala Lumpur 2015**

Malam Bar Kuala Lumpur, salah satu acara utama KLBC, telah berjaya diadakan pada 28 November 2015 di Ciao Ristorante. Tahniah kepada Vinu Kamalanthan, Pengerusi Jawatankuasa Sosial, Kesenian dan Rekreasi dan pasukan penganjur beliau yang telah berjaya melaksanakannya. Malam ini menyaksikan beberapa tradisi yang dibawa semula ke dalam acara tahunan ini dengan kebanyakan ahli hadir berpakaian dalam pakaian tradisional terbaik mereka selaras dengan tema, "Meraikan apa-apa dan semua benda yang menjadikan kita Rakyat Malaysia". Terima kasih khas kepada semua firma-firma dan ahli-ahli yang menyokong acara ini dan kepada semua penaja-penaja atas sumbangan

mudah hati mereka terhadap acara tersebut.

- **Garis Panduan Sukan Bar Kuala Lumpur-Selangor**

Alwin Rajasurya, Pengerusi Jawatankuasa Sukan, mesti dipuji kerana mengambil tugas merangka garis panduan untuk membuat sukan tahunan di antara Bar Kuala Lumpur dan Bar Selangor seragam. Garis Panduan telah ditandatangani antara kedua-dua Jawatankuasa Bar Negeri pada Perjumpaan Tahunan Jawatankuasa Bersama pada 24 April 2015.

- **Kejohanan Bowling**

Kredit harus diberikan kepada Jawatankuasa Sukan kerana memperkenalkan semula permainan bowling. Satu Kejohanan Bowling telah berjaya diadakan pada 6 Jun 2015 di Sunway Megalanes, Sunway Pyramid. Kejohanan ini telah menarik 19 pasukan yang terdiri daripada tiga pemain setiap pasukan.

- **Hari Sukan Mini Pertama - Bar Melaka lwn Bar Kuala Lumpur**

Atas jemputan Bar Melaka, Jawatankuasa Sukan mengumpul pemain dari Bar Kuala Lumpur dan menuju ke Melaka untuk bertanding dengan Bar Melaka dalam acara-acara Futsal Lelaki, Futsal Wanita dan Badminton sempena Hari Sukan Mini yang julung kali pada 19 September 2015. Ini sudah tentu langkah pertama ke arah bersukan dengan Bar Negeri lain selain Bar Selangor.

- **Larian Bar Kuala Lumpur 2016**

Berikutan kejayaan besar Larian pertama yang diadakan pada 25 Januari 2015, Jawatankuasa Sukan dengan Lilian Lee sebagai Pengarah Larian, akan menganjurkan Larian Bar Kuala Lumpur kedua yang akan diadakan pada 10 Januari 2016, juga di Taman Tasik Perdana. 65 pasukan terdiri daripada empat pelari bagi setiap pasukan telah mendaftar untuk Larian tersebut.

- **Malam Amal 2015**

Jawatankuasa Peguam Muda, yang diketuai oleh Pengerusinya Choo Dee Wei dan Pengerusi Penganjur Rachel Tan, perlu dipuji atas satu lagi Malam Amal yang berjaya dengan koleksi dana RM51,418.21 bagi membantu KL KRASH PAD, satu pusat remaja yang terletak di kawasan Chow Kit di pusat bandar untuk memenuhi keperluan dan hak remaja yang terdedah dan berisiko.

- **Projek-projek Komuniti**

Satu lagi usaha murni oleh Jawatankuasa Peguam Muda yang patut dipuji; mereka menjadi sukarelawan di Pertiwi Soup Kitchen untuk membantu mengedarkan makanan kepada golongan gelandangan dan melawat Pusat Jagaan Baitul Amal Petaling Jaya, sebuah rumah yang selamat untuk kanak-kanak miskin dan dari keluarga yang berpecah belah, untuk menyambut perayaan Hari Raya kecil dengan kanak-kanak yang tinggal di sana.

## F. OBITUARI

KLBC dengan dukacitanya merakamkan peninggalan ahli-ahli Bar Kuala Lumpur dalam tahun 2015:

Dato' Abdullah bin Ngah pada 1 Mac 2015  
 Vincent Tan Zhi Chao pada 6 Mac 2015  
 Mohd Hazzan bin Md Pauzi pada 16 Mac 2015  
 Asbir Kaur Sangha pada 8 April 2015  
 Shamsuflam Shamsuddin bin Alias pada 12 April 2015  
 Dato' Dr Sir Peter Mooney pada 27 April 2015  
 Mohd Nashir bin Hussin pada 7 Mei 2015  
 Yip Fook Thai pada 23 Mei 2015  
 Satthiyasilan a/l S.A. Shamugam pada 24 Mei 2015  
 Ajit Kumar Hastir pada 26 Mei 2015  
 Dato' Choong Phooi Ying pada 29 Mei 2015  
 Adri Amrul bin Ariffin pada 10 Jun 2015  
 Juriyah @ Juraiyah bt Jamaluddin pada 10 September 2015  
 Satgurunathan a/l Nagalingam pada 12 September 2015  
 Khoo Phaik See pada 26 September 2015  
 Dato' Wan Nik bin Wan Ismail pada 6 Oktober 2015  
 Balakisnan a/l Appalanaido pada 19 Oktober 2015  
 K. Sothinathan Kanagasingam pada 24 Oktober 2015  
 Ravi Muniandy pada 27 Oktober 2015

Alexis Diana a/p Alexander Gerald pada 5 November 2015  
Ameenuddin Mohamed Ibrahim pada 10 November 2015

Kecuali Dato' Dr Sir Peter Mooney di mana Istiadat Reference khas akan diadakan oleh Majlis Peguam, dua sesi Istiadat Reference bagi menghormati dan memperingati ahli-ahli yang dinamakan di atas dan Datuk Leong Tang Chong yang meninggal dunia pada 1 Mei 2014 akan diadakan pada 19 dan 26 Februari 2016 jam 9.00 pagi di Mahkamah Tinggi Kuala Lumpur. Kedua-dua prosiding ini akan dipersidangkan oleh Y.A. Datuk Hanipah binti Farikullah.

#### **G. SEKRETARIAT**

Sekretariat menyokong tugas KLBC dan jawatankuasa-jawatankuasa kecil. Kecuali Bantuan Guaman yang mempunyai kakitangan mereka sendiri, projek-projek dan aktiviti-aktiviti 11 jawatankuasa-jawatankuasa kecil dikordinasikan dan diuruskan oleh kakitangan Sekretariat. Dengan hanya kekuatan 12 orang, kakitangan Sekretariat bekerja keras sepanjang tahun untuk memastikan kelancaran urusan di Sekretariat dan Bilik Peguam dan semua projek-projek dan aktiviti-aktiviti dapat dilaksanakan dengan jayanya selain melaksanakan fungsi tetap yang lain seperti menyimpan rekod bagi prosiding mesyuarat, memproses Petisyen Kemasukan ke Bar, mengumpul yuran tahunan, menguruskan akaun, pendaftaran ahli, laman sesawang dan media sosial Bar Kuala Lumpur yang lain, melayani pertanyaan daripada ahli-ahli Bar, Pelatih-pelatih dalam kamar dan orang ramai, ianya antara beberapa tugas mereka.

KLBC bernasib baik kerana mempunyai sekumpulan kakitangan yang setia dan berdedikasi, majoriti daripada mereka telah berkhidmat dengan Jawatankuasa Bar Kuala Lumpur (dan sebelum 1992, Jawatankuasa Bar Selangor dan Wilayah Persekutuan) selama bertahun-tahun. Izinkan saya menambah di bawah nama-nama, jawatan dan tempoh perkhidmatan mereka:

Mary Tan, Pengarah Eksekutif – 39 tahun  
Melissa Linda Dass, Penolong Pengarah Kanan – 9 tahun  
Norhayati Rahmad, Penolong Pengarah – 7 tahun  
Uvanarajan Sinniah, Pegawai Eksekutif – 27 tahun  
Siti Affaeza Bolot, Pegawai Kewangan dan Pentadbiran – 11 tahun  
Indira Angappan, Pegawai Kemasukan – 18 tahun  
Rosilawati Ibrahim, Pegawai Keahlian – 19 tahun  
Masni Abu Bakar, Pembantu Tadbir – 22 tahun  
R. Jayasangari @ Jayashree, Pembantu Tadbir – 3 tahun  
Vasanthe Kumari, Pembantu Tadbir (Bilik Peguam) – 3 tahun  
Yazid Yusof, Pembantu Logistik – 31 tahun  
Silmah Salisin, Pembantu Pejabat Am – 3 tahun

Seperti biasa, kakitangan Sekretariat bekerja rapat dengan KLBC dalam usaha memberikan khidmat kepada Bar Kuala Lumpur dengan lebih baik dan menyediakan Sekretariat yang lebih berkesan dan cekap. Kami mengalu-alukan maklum balas dan cadangan yang boleh membantu ahli-ahli dan meningkatkan keberkesanan dan kecekapan Sekretariat.

#### **H. PENGHARGAAN DAN KESIMPULAN**

Pada awal penggal ini, sepertimana janji saya, saya telah menghadiri kesemua mesyuarat pertama jawatankuasa-jawatankuasa kecil KLBC. Pada mesyuarat-mesyuarat tersebut, saya berpeluang berjumpa semua ahli-ahli yang mempunyai minat untuk berkhidmat dan berjanji untuk meluangkan masa mereka untuk Bar Kuala Lumpur. Saya ingin mengucapkan terima kasih kepada setiap ahli-ahli jawatankuasa kecil atas masa dan usaha yang telah mereka berikan untuk berkhidmat kepada Bar. Usaha-usaha mereka pasti disedari.

Pasukan saya yang berjaya pada Mesyuarat Agung Tahunan Bar yang lepas untuk menjadi ahli-ahli KLBC, termasuk kedua-dua ahli dilantik, telah meluangkan banyak masa untuk melaksanakan projek-projek mereka dan juga menghadiri mesyuarat-mesyuarat Jawatankuasa kami. Tugas-tugas berat ini memakan masa dan dedikasi merupakan prasyarat utama. Saya mengambil kesempatan ini secara peribadi mengucapkan terima kasih kepada ahli-ahli KLBC dan ahli-ahli yang dilantik kerana memberikan segala kesungguhan mereka dan saya berharap dapat bekerja dengan anda semua pada masa hadapan.

Saya telah berkata berkali-kali bahawa Sekretariat Bar Kuala Lumpur merupakan tulang belakang kepada Bar Negeri kami. Mary Tan (Pengarah Eksekutif) dan pasukannya tidak pernah berhenti menyerlah dengan keberkesanan, kegigihan mereka untuk melaksanakan tugas dengan sebaik mungkin serta dedikasi mereka kepada Bar tahun demi tahun. Ramai daripada kakitangan Sekretariat kami telah bersama Jawatankuasa Bar lebih lama daripada kebanyakan kita telah dalam amalan undang-undang. Kepada Mary dan pasukannya, ia merupakan satu penghargaan dan pengalaman terbaik dan kami amat

menghargai kerja-kerja hebat yang telah anda lakukan.

Saya akan di anggap cuai jika saya tidak menyebut dua individu khas yang telah menjadi orang kepercayaan dan tiang-tiang sokongan saya semasa membuat keputusan yang sukar dan juga membantu saya setiap kali saya memerlukan bantuan. Wakil Bar Negeri Kuala Lumpur ke Majlis Peguam, Jeremiah Gurusamy dan Setiausaha Kehormat KLBC, Goh Siu Lin kedua-dua boleh diharapkan dan telah banyak memberi sokongan kepada saya secara peribadi dan juga kepada KLBC sepanjang tahun lepas dan saya berterima kasih kepada mereka kedua-duanya atas sokongan mereka.

Akhir sekali, kepada ahli-ahli Bar Kuala Lumpur, kami mengucapkan terima kasih kerana meletakkan kepercayaan anda terhadap kami untuk berkhidmat kepada Bar. Saya berharap bahawa kami telah melaksanakan setiap jangkauan tugas. Terima kasih di atas sokongan anda dan kami berharap untuk berkhidmat kepada Bar sekali lagi pada tahun-tahun akan datang.

Terima kasih.

**Ravin Singh**

Pengerusi

Jawatankuasa Bar Kuala Lumpur 2015/16

## JAWATANKUASA AMALAN SIVIL

Jawatankuasa Amalan Sivil ("CvPC") meneruskan objektifnya untuk menyelesaikan isu-isu perundangan dan pentadbiran yang di hadapi oleh ahli-ahli Bar Kuala Lumpur.

### MESYUARAT BERSAMA HAKIM-HAKIM PENGURUS MAHKAMAH KUALA LUMPUR

Satu mesyuarat telah diadakan pada 23 Januari 2015 jam 3:00 petang di Bilik Gerakan Aras 3, Pejabat Ketua Pendaftar, Istana Kehakiman, Putrajaya. Mesyuarat ini telah di hadiri oleh ketiga Hakim-Hakim Pengurus, Pengarah dan Timbalan-timbalan Pendaftar yang berkaitan dari Mahkamah-mahkamah Kuala Lumpur. Jawatankuasa Bar Kuala Lumpur ("KLBC") telah diwakili oleh HR Dipendra, Goh Siu Lin, Jacky Loi Yap Loong, Shashi Devan Thalmalingam, Lim Chi Chau, Foong Cheng Leong (ahli-ahli KLBC 2014/15) dan Ajeet Kaur (ahli CvPC 2014/15). Mesyuarat telah di pengerusikan oleh Y.A. Tan Sri Hasan bin Lah.

Isu-isu yang dibincangkan termasuk pelupusan terburu-buru kes oleh Hakim-hakim, penghujahan bertulis dan/atau lisan, Penyata Saksi, Penetapan Tarikh Perbicaraan/Pendengaran, Pengantaraan, Transkripsi, Sistem E-Filing dan Perlakuan kakitangan mahkamah di kaunter RKKK. Hakim-hakim juga membangkitkan isu peguam-peguam penjadualan kes-kes mereka.

### KAJISELIDIK AMALAN SIVIL 2015

Kajiselidik telah diadakan dengan tujuan untuk mendapatkan tahap kepuasan dan keyakinan ahli-ahli Bar apabila mereka berurusan dengan Mahkamah dan pegawai-pegawainya. Satu kajiselidik telah diadakan pada tahun 2014, walau bagaimanapun, berikutan sambutan sangat tidak memberangsangkan (dengan hanya 22 respons), CvPC memutuskan untuk membuat kajiselidik semula pada 2015 dan telah mengumpul and mengambil kira kesemua respons (berjumlah 39).

### MESYUARAT KEDUA BERSAMA DENGAN HAKIM-HAKIM PENGURUS

Kami telah memohon untuk mengadakan satu mesyuarat susulan bersama dengan Hakim-hakim Pengurus untuk menangani aduan-aduan baru yang diterima dan juga tindakan susulan ke atas isu-isu dibangkitkan semasa mesyuarat pada 23 Januari 2015 yang lalu. Mesyuarat kedua bersama Hakim-hakim Pengurus telah diadakan pada 14 Ogos 2015 pada jam 10:00 pagi di Bilik Gerakan, Aras 3, Pejabat Ketua Pendaftar, Istana Kehakiman, Putrajaya. Mesyuarat ini dipengerusikan oleh Y.A. Dato' Azahar bin Mohamad, Hakim Pengurus Bahagian Mahkamah Sivil Kuala Lumpur dan dihadiri oleh Y.A. Datuk Zaharah binti Ibrahim, Hakim Pengurus Bahagian Dagang, Puan Al Baishah binti Hj Abd Manan, Pengarah Mahkamah Kuala Lumpur serta Hakim Pengurus Mahkamah Rendah. Timbalan-timbalan Pendaftar yang berkaitan juga turut hadir. Jawatankuasa Bar Kuala Lumpur diwakili oleh Ravin Singh dan Harleen Kaur (Leena).

Kami membuat susulan mengenai isu-isu Penyerahan Bertulis secara serentak, Penyata Saksi, Pendengaran Rayuan-rayuan daripada Mahkamah Rendah, Penetapan Tarikh untuk Perbicaraan/Pendengaran. Perkara-perkara baru yang dibangkitkan berkenaan Penjadualan berperingkat, perkara-perkara dihadapan Pendaftar-pendaftar, Kelewatan dalam Pengekstrakan kertas-kertas kausa, Penyerahan Oral, Sebutan di Mahkamah Rendah dan masalah-masalah berkaitan dengan e-filing. Hakim-hakim juga menimbulkan beberapa isu-isu yang berkaitan dengan Pengurusan Kes, Peguam kedua belah pihak tidak bekerjasama,

#### Pengerusi

Harleen Kaur (Leena)

#### Ahli-ahli Jawatankuasa

Aaron Mathews  
Ajeet Kaur a/p Nika Singh  
Caroline Goh Seow Siang  
Chan Chun Lam  
Eyza Farizan Mokhtar  
Goh An Nee  
HR Dipendra  
Harvinder Singh  
Juliana Johari  
Kenny Wong  
Samreet Singh Sagoo  
Srividhya Ganapathy  
Soong Hou Ming

Mahkamah Pembinaan dan peguam menuntut pengekstrakan kurang daripada 24 jam selepas pemfailan. Ringkasan daripada aduan dan butir-butir hasil mesyuarat telah dikemukakan kepada ahli-ahli melalui pekelliling e-mel bertarikh 4 September 2015.

#### **LOG ADUAN**

Satu Log Aduan telah diadakan untuk membolehkan penyimpanan rekod yang lebih baik dan untuk membantu CvPC akan datang. Penggal ini, CvPC menerima kira-kira 13 aduan yang membangkitkan lebih kurang 20 isu. Kesemua isu-isu ini telah dibangkitkan dengan Hakim Pengurus dan di mana perlu dihantar kepada rakan-rakan sejawatan di Jawatankuasa Bar Selangor. Kami gembira untuk melaporkan bahawa kebanyakan aduan telah diselesaikan. Hanya lebih kurang tiga isu yang belum diselesaikan dan kami baru-baru ini memanjangkan satu aduan baru. Kami akan mengambil tindakan susulan dan status-status akan dimasukkan ke dalam Log Aduan untuk rujukan CvPC yang akan datang.

#### **KESIMPULAN DAN PENGHARGAAN**

Kami ingin merakamkan ucapan terima kasih dan penghargaan kepada ahli-ahli atas bekerjasama dan kepercayaan mereka kepada kami dengan masalah-masalah mereka.

#### **Harleen Kaur (Leena)**

Pengerusi

Jawatankuasa Amalan Sivil



# JAWATANKUASA AMALAN KORPORAT DAN KONVEYANSING

Jawatankuasa Amalan Korporat dan Konveyansing ("CCPC") mengekalkan objektif utamanya untuk menyelesaikan masalah dan isu-isu yang dihadapi oleh pengamal korporat dan konveyansing dengan pelbagai pihak berkepentingan, termasuk agensi-agensi kerajaan yang berkaitan iaitu Suruhanjaya Syarikat Malaysia, Pejabat Tanah Wilayah Persekutuan Kuala Lumpur dan Selangor dan Lembaga Hasil Dalam Negeri, Malaysia.

Sejak memegang jawatan, CCPC telah meminta dan menerima maklum balas daripada ahli mengenai isu-isu bermasalah yang dihadapi dalam amalan ini. CCPC juga telah bermesyuarat sebanyak sembilan kali setakat ini, aktiviti yang diadakan memberi manfaat kepada pengamal korporat dan konveyansing dan meminta mesyuarat dengan agensi-agensi kerajaan yang berkaitan untuk menangani isu-isu bermasalah yang telah dikenalpasti. CCPC telah menghadiri mesyuarat-mesyuarat dan menganjurkan aktiviti-aktiviti berikut sepanjang penggal 2015/16:

## MODUL PRAKTIKAL UNTUK URUSNIAGA DI PEJABAT TANAH WILAYAH

Dari maklumbalas yang diberikan oleh ahli-ahli kami, CCPC mendapati bahawa sebarang perubahan dalam prosedur dan/atau keperluan dokumen untuk pendaftaran di Pejabat Tanah Wilayah tidak diketahui oleh ahli-ahli Bar. Untuk memastikan sebarang perubahan dan memastikan ahli-ahli kami mendapat maklumat, CCPC telah memutuskan untuk menyediakan satu modul praktikal untuk disahkan dan diperakui oleh Pejabat Tanah Wilayah. Modul ini bertujuan untuk merangkumi semua perubahan dalam prosedur dan/atau keperluan dokumen untuk pendaftaran urusan niaga umum tertentu di Pejabat Tanah Wilayah dari masa ke semasa.

Modul ini yang disesuaikan khusus untuk Pejabat Tanah Wilayah dan berfungsi sebagai senarai semak mengenai prosedur yang diperlukan dan/atau dokumen untuk urusan pendaftaran. Setakat ini, CCPC telah menyediakan modul-modul bagi permohonan Persetujuan Pindahmilik, Pindahmilik, Gadaian, Melepaskan Gadaian, Memasukan dan Menarik Balik Kaveat dan Menukar Nama.

Modul ini akan dimuatnaik ke Laman Web Bar Kuala Lumpur dan dikemas kini secara tetap apabila mereka telah disahkan dan diperakui oleh Pejabat Tanah Wilayah.

## MESYUARAT DENGAN PEJABAT TANAH WILAYAH

CCPC bertemu dengan Pengurusan Pejabat Tanah Wilayah pada 24 November 2015 pada jam 2:30 petang di Rumah Persekutuan, Wilayah Persekutuan Kuala Lumpur. Mesyuarat tersebut telah dihadiri oleh wakil-wakil dari CCPC dan Jawatankuasa Konveyansing & SRE Bar Selangor. CCPC diwakili oleh Pengerusi Jawatankuasa Bar Kuala Lumpur ("KLBC") Ravin Singh, Setiausaha Kehormat KLBC Goh Siu Lin, Pengerusi CCPC Jacky Loi dan ahli-ahli CCPC Ow Hui Ching dan Sarah Kambali.

CCPC membangkitkan semua isu-isu yang telah diperolehi dari maklumbalas yang diberikan oleh ahli-ahli Bar dan mengambil peluang ini untuk membentangkan modul praktikal yang dinyatakan untuk mendapat komen, pengesahan dan perakuan Pejabat Tanah Wilayah.

## BENGKEL PRAKTIKAL DUA-HARI BERKENAAN AMALAN KONVEYANSING

CCPC telah berjaya menganjurkan bengkel tersebut sebanyak dua kali bagi tahun ini pada 28 dan 29 Mei 2015 dan 8 dan 9 Oktober 2015.

### Pengerusi

Jacky Loi Yap Loong

### Timbalan Pengerusi

Ong June Siang

### Ahli-ahli Jawatankuasa

Chia Kim Meang

Chong Wai Kuan

Crystel Lee Yen Ru

Daphne Lew Chah Yee

Dennis Teoh

Jacenta James

Kenny Wong

Lam Kah Huey

Lee Peck Ha

Leong Pei Lee

Loh Chang Woo

Matthew Lee Kuang Wei

Musyrifah binti Abdul Malek

Nahzatul Ain binti Mohd Khalid

Ow Hui Ching

R Yogeswari

Rachel Tan Mei Chien

S Wendy a/p Subramaniam

Sarah Kambali

Susan Joseph

Vinu Kamalananthan

Wan Kuraishah binti Wan Talib

Zenathnara a/p Narayanasamy

### Pemerhati

Aisyah binti Mansor

Bee Teent

Bryan Ng

Teo Kui Cheng

Lim Li Fong

Sony Siew Tse Jie

Wong Kah Ming (Benjamin)

Victoria Lee Zhan Ten

Kedua-dua bengkel telah diadakan di Auditorium Bar Kuala Lumpur dari jam 9:00 pagi hingga 4:30 petang masing-masing dengan 55 dan 24 peserta. CCPC merancang untuk menganjurkan bengkel-bengkel yang sama di masa akan datang.

## **ACARA AKAN DATANG**

### **SEMINAR**

#### **Seminar Bertajuk “Acting For Bank Financing Purchases From Developers”**

Seminar ini yang akan dibentangkan oleh Lee Peck Ha dan seorang penceramah lain, dijadualkan pada 1 Mac 2016.

#### **Bengkel Praktikal Dua-Hari Berkenaan Amalan Konveyansing**

Satu lagi bengkel dijadualkan pada 5 dan 6 April 2016.

### **KESIMPULAN DAN PENGHARGAAN**

Saya ingin merakamkan ucapan terima kasih dan penghargaan saya atas semua maklum balas anda, masa dan sokongan yang diberikan kepada aktiviti-aktiviti CCPC sepanjang penggal 2015/16.

#### **Jacky Loi Yap Loong**

Pengerusi

Jawatankuasa Amalan Korporat dan Konveyansing

# JAWATANKUASA AMALAN JENAYAH

Jawatankuasa Amalan Jenayah ("CPC") terus objektif utamanya:

- mengatasi isu-isu dan masalah yang dihadapi oleh pengamal undang-undang jenayah dengan agensi-agensinya yang berkaitan iaitu Badan Kehakiman, Jabatan Peguam Negara dan Polis;
- menggalakkan peguam muda untuk mengambil bahagian dalam amalan jenayah dengan mengadakan ceramah, seminar dan menjalankan undang-undang dan amalan program mentor jenayah.

Setakat ini, CPC telah bermesyuarat sebanyak sembilan kali sejak memegang jawatan dan, di samping itu, telah memohon dan telah menghadiri mesyuarat-mesyuarat dengan agensi-agensinya yang berkaitan. Mesyuarat-mesyuarat dan aktiviti yang dianjurkan sepanjang tempoh 2015/16 adalah seperti berikut:

## MENTOR PROGRAM CPC

CPC meneruskan program mentor untuk setahun lagi. Pendaftaran untuk kedua-dua mentor dan mentee masih dibuka sepanjang tahun dan pada masa ini terdapat 12 mentor dan 34 mentee. CPC mengekalkan Kalendar Google yang diwujudkan di penggal lalu di mana mentee boleh menyemak jadual Mahkamah mentor. Kalendar ini telah dikemaskini pada setiap bulan. CPC akan bekerjasama dengan Yayasan Bantuan Guaman Kebangsaan ("YBGK") dengan menyediakan bantuan mentor untuk peguam YBGK yang memerlukan mentor apabila mereka mengendalikan fail YBGK.

## MESYUARAT DENGAN POLIS

### Daerah Dang Wangi

Satu mesyuarat dengan ACP IPD Dang Wangi telah diadakan pada 8 Mei 2015 jam 3:00 petang. Jawatankuasa Bar Kuala Lumpur ("KLBC") telah diwakili oleh Pengerusi KLBC, Setiausaha Kehormat KLBC dan Pengerusi CPC.

Isu-isu yang dibincangkan semasa mesyuarat itu termasuklah kesukaran peguam berjumpa anakguam mereka sebelum Prosiding Reman mereka, mengesan anakguam yang telah ditangkap dan ditahan oleh polis, mengesan pegawai-pegawai yang bertanggungjawab ke atas siasatan dan lokap dan masalah dengan ulat-ulat. Satu e-makluman telah dihantar kepada ahli-ahli pada 10 Jun 2015 memberitahu hasil perbincangan isu-isu di atas.

### Daerah Sentul

Mesyuarat dengan IPD Sentul telah diadakan pada 24 Julai 2015. KLBC telah diwakili oleh Pengerusi KLBC, Setiausaha Kehormat KLBC dan Pengerusi CPC. Isu-isu yang sama yang telah menaikkan semasa mesyuarat dengan IPD Dang Wangi telah dibincangkan dan IPD Sentul telah bersetuju untuk menerima pakai peraturan yang serupa yang dibuat dengan IPD Dang Wangi dan bersetuju memberi kami nombor-nombor telefon pegawai-pegawai yang berkenaan. Satu e-makluman memberitahu ahli-ahli hasil perbincangan telah dihantar pada 14 September 2015.

## Pengerusi

Lim Chi Chau

## Ahli-ahli Jawatankuasa

Farhan Read

Hue Kok Chung

Jacky Loi Yap Loong

James FC Fong

Khor Boon How

Saha Deva Arunasalam

Sivanesan Nadarajah

Viknesvaran a/l Kanapathipillai

## Pemerhati

Lee Teong Hooi

Shamsul Sulaiman

## **ULAT**

CPC telah bertemu dengan Badan Kehakiman dan di peringkat Majlis Peguam dengan membuat cadangan dan saranan tentang bagaimana untuk menyelesaikan masalah ulat-ulat di Mahkamah Kuala Lumpur. Satu mesyuarat dengan wakil-wakil Mahkamah Kuala Lumpur telah diadakan pada 20 Oktober 2015 untuk membincangkan dan membuat keputusan mengenai tindakan seterusnya. Mesyuarat ini dihadiri oleh Pengerusi KLBC dan Pengerusi CPC. Pada ketika laporan ini disediakan, CPC bersama-sama dengan YBGK merekabentuk Poster anti-ulat yang akan pampangkan di luar semua Mahkamah-mahkamah Jenayah di Kuala Lumpur untuk mendidik orang ramai mengenai ulat.

## **PEMERHATI BAGI INKUES MELIBATKAN KEMATIAN DALAM JAGAAN DAN SEMASA PENANGKAPAN**

Selaras dengan keputusan yang dibuat oleh Majlis Peguam, CPC telah menulis kepada Ketua Unit Pendakwaan (KUP) untuk mendapatkan butir-butir inkues yang sedang berlangsung dan inkues baru dan menyediakan peguam-peguam sukarela yang mewakili Majlis Peguam dalam inkues-inkues.

## **KEMPEN BAHAN BACAAN UNTUK PENJARA SUNGAI BULOH**

CPC memutuskan untuk menganjurkan kempen ini yang telah dimulakan pada tahun 2011. Kempen ini bermula dengan e-makluman merayu kepada ahli-ahli untuk menderma bahan bacaan ke dua pusat koleksi iaitu Sekretariat Bar Kuala Lumpur dan Bilik Peguam di Kompleks Mahkamah Kuala Lumpur. Kempen ini telah diadakan selama sebulan bermula dari 7 September 2015.

CPC kini bekerjasama dengan LexisNexis Malaysia, yang menganjurkan kempen yang sama, dalam rangka lawatan ke Penjara Sungai Buloh untuk mengadakan majlis penyerahan bersama bahan bacaan yang terkumpul daripada kempen-kempen tersebut. Majlis ini dijadualkan akan diadakan pada 19 Februari 2016.

## **KOMPILASI BILANGAN KES-KES LANTIKAN PEGUAM DARI MAHKAMAH TINGGI KUALA LUMPUR SEPANJANG TIGA TAHUN LEPAS**

CPC telah mengambil tugas untuk menyediakan kompilasi statistik bilangan kes-kes lantikan peguam oleh Mahkamah Tinggi Kuala Lumpur kepada setiap Peguam Lantikan di Kuala Lumpur dalam tempoh tiga tahun yang lalu kerana terdapat ahli-ahli mengadu bahawa mereka tidak langsung menerima sebarang kes dari pihak Mahkamah. Statistik telah dilengkapkan dan isu-isu tersebut akan dibangkitkan dalam mesyuarat dengan pihak yang bertanggungjawab di Mahkamah Tinggi Kuala Lumpur.

## **KOMPILASI KES JENAYAH TIDAK DILAPORKAN**

CPC juga telah mengambil tugas untuk menyediakan kompilasi kes-kes jenayah di mana keputusan yang telah dibalikkan di peringkat rayuan tanpa alasan penghakiman bertulis. CPC telah menghantar e-makluman kepada ahli-ahli dan menulis kepada pengamal-pengamal jenayah kanan meminta butir-butir kes-kes seumpamanya. Walau bagaimanapun maklumbalas dari peguam tidak menggalakan.

## **SEMINAR**

Satu seminar bertajuk "Drug Trafficking: Trials and Appeals" telah dianjurkan pada 12 Disember 2015 bermula jam 9:00 pagi hingga 2:00 petang di Auditorium Bar Kuala Lumpur, Tingkat 4, Wisma Hangsam, No 1 Jalan Hang Lekir, 50000 Kuala Lumpur.

Seminar ini telah disampaikan oleh Dato' Rajpal Singh dan Hisyam bin Abdullah @ Teh Poh Teik. Dato' Rajpal membentangkan topik "Trials" dan Hisyam membentangkan topik "Appeals". Seminar ini telah moderasikan oleh Amrit Pal Singh dan merupakan satu kejayaan dengan 46 peserta.

## **MESYUARAT YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK)**

CPC telah dijemput untuk menghadiri dua mesyuarat ini yang telah diadakan pada 25 Jun 2015 dan 30 September 2015, keduanya diadakan di Pejabat Peguam Negara Kuala Lumpur, Chase Perdana, Damansara Heights. CPC diwakili oleh Pengerusinya dalam mesyuarat kedua. Mesyuarat peringkat negeri ini telah dihadiri oleh agensi-agensi penguatkuasaan termasuk Polis dan Pegawai dari Mahkamah Kuala Lumpur.

## **MESYUARAT DENGAN HAKIM PENGURUS MAHKAMAH JENAYAH KUALA LUMPUR**

CPC telah menulis kepada Hakim Pengurus untuk mengadakan satu mesyuarat untuk membincangkan penubuhan Jawatankuasa Kerja untuk Pengurusan Kes Sebelum Perbicaraan dan Tawaran Rayuan

Badan Kehakiman telah memberi maklum balas secara lisan dan meminta CPC untuk menyediakan kertas cadangan. Tarikh mesyuarat akan ditetapkan apabila kertas cadangan tersebut siap.

**KESIMPULAN DAN PENGHARGAAN**

Saya ingin merakamkan ucapan terima kasih dan penghargaan saya kepada ahli-ahli CPC untuk masa, sokongan dan kerjasama yang diberikan sepanjang tempoh 2015/16.

**Lim Chi Chau**

Pengerusi

Jawatankuasa Amalan Jenayah

# JAWATANKUASA ALAM SEKITAR

Jawatankuasa Alam Sekitar ("EC") telah dihidupkan semula tahun ini selepas dua tahun menyepi. EC memutuskan untuk memberi penekanan kepada isu-isu alam sekitar dan bagaimana pengamal undang-undang boleh membantu, sama ada secara langsung atau tidak langsung, dalam melindungi alam sekitar kita yang rapuh.

Terma rujukan/objektif EC bagi tahun 2015 adalah:

1. Untuk bekerjasama dengan pemain utama dalam industri dan dalam kerajaan mengenai isu-isu utama alam sekitar dan berharap dapat membantu dalam pembangunan amalan alam sekitar di Malaysia;
2. Mengkaji dan mencadangkan perubahan yang berkaitan dengan undang-undang Malaysia yang menjejaskan alam sekitar dengan tujuan untuk perlindungan yang cekap dan bersepadu berkenaan alam sekitar;
3. Untuk menggalakkan dan berharap untuk memupuk integrasi masyarakat dan alam sekitar.

## PAGI BEBAS KERETA KUALA LUMPUR PADA 19 APRIL 2015

Ini adalah acara pertama yang dianjurkan oleh EC dan sambutan ahli Bar Kuala Lumpur adalah positif. EC menggalakkan ahli-ahlinya untuk menyertai inisiatif ini oleh Dewan Bandaraya Kuala Lumpur, di mana, pada hari Ahad pertama dan ketiga setiap bulan, beberapa jalan raya di sekitar Kuala Lumpur menjadi zon bebas kereta untuk beberapa jam untuk menggalakkan orang ramai untuk datang keluar dan berjoging, menyewa dan menunggang basikal, berkasut roda dan sebagainya. EC terus menyokong usaha ini pada setiap bulan.

## SIRI KESEDARAN ALAM SEKITAR

EC memutuskan untuk mengeluarkan penulisan ringkas dengan video pendek mengenai alam sekitar dengan langkah-langkah yang boleh diambil oleh kalangan pengamal undang-undang untuk membuat perbezaan. Objektifnya adalah mudah. EC mahu menukar cara orang berfikir tentang alam sekitar. Walau bagaimanapun, sebelum kita bercakap mengenai plastik dan kitar semula, soalan yang kita perlu bertanya pada diri kita adalah "Mengapa saya perlu mengambil berat mengenai alam sekitar?"

Atas sebab itu, Siri Kesedaran Alam Sekitar dilahirkan. Yang pertama telah dihantar melalui e-makluman pada 11 Jun 2015 dan setakat ini EC telah mengeluarkan empat terbitan sedemikian.

## INISIATIF KITAR SEMULA FIRMA GUAMAN

EC berjaya mendapatkan dua syarikat kitar semula di Kuala Lumpur yang mempunyai sejarah perkhidmatan kepada firma guaman dan dapat menghargai dokumen sensitif, untuk membantu firma guaman dengan kitar semula dokumen-dokumen mahkamah dan pejabat yang sensitif mereka pada kadar yang khas. Kedua syarikat bersetuju untuk meletakkan iklan melalui e-makluman kami. Syarikat-syarikat itu adalah MyShred Mobile Services dan Aylin Secure Shred.

EC kini dalam fasa kedua inisiatif iaitu memajukan kepada firma undang-undang untuk menyalurkan wang yang mereka terima untuk kitar semula kepada Pusat Bantuan Guaman Kuala Lumpur dan mencari sumber pembekal untuk membayar perkhidmatan kitar semula.

### Pengerusi

Alex Anton Netto

### Ahli-ahli Jawatankuasa

Andreanna Ten Maven

Chen Yu Szen

Choo Dee Wei

Dalveena Korotana

Ernest Jai Kumar Azad

Jacenta James

Jeremy Chong

John Ramesh Das a/l Mohana Das

Joshua Beni Chris Teoh

Kenny Wong

Khor Boon How (Bruno)

Ku Amirul Faiz bin Ku Seman

Lim Fang Hui

Rajsurian Pillai a/l Chellappa Pillai

Shankar Govinath a/l Balachandran

Siddiq Rafee

Tasha Chandra

Vivekananda a/l Sukumaran

### Pemerhati

Arina Ong

Dinesh Muthal

Gilfred Ho

Goh Hsio Tung

Kishori Soosan Patnaikk

Loo Yee Pei

Tisya Yunus

Siew Mei

## **ACARA YANG SEDANG DAN AKAN DILAKSANAKAN**

### **PETISYEN DAN IKRAR UNTUK TIDAK MEMAKAN 'FOIE GRAS'**

Projek ini menyaksikan usaha sama antara Jawatankuasa Alam Sekitar Kuala Lumpur dan Selangor. Ia adalah satu pendekatan dua serampang, iaitu kesedaran tentang apa dia foie gras dan kaedah yang digunakan dalam pengeluarannya dan kedua, merangka Petisyen dan ikrar peribadi akan membuat keputusan yang tepat apabila membuat pesanan foie gras. Pada tarikh laporan ini ditulis, ianya masih sesuatu projek yang masih dalam pelaksanaan.

### **PERTANDINGAN INISIATIF HIJAU (ANTARA FIRMA-FIRMA GUAMAN KUALA LUMPUR)**

Ia bertujuan untuk menjadi satu pertandingan untuk memahkotakan firma 'paling hijau' di Kuala Lumpur. Projek ini masih di peringkat perancangan.

### **KESIMPULAN DAN PENGHARGAAN**

Saya ingin merakamkan ucapan terima kasih dan penghargaan saya atas masa dan sokongan yang telah diberikan kepada aktiviti-aktiviti EC sepanjang tempoh 2015/16.

#### **Alex Anton Netto**

Pengerusi

Jawatankuasa Alam Sekitar

# JAWATANKUASA TEKNOLOGI MAKLUMAT

Jawatankuasa Teknologi Maklumat dan Penerbitan telah dinamakan Jawatankuasa Teknologi Maklumat ("ITC") pada penggal ini dan telah meneruskan usaha dalam mereformasikan dan membuat perubahan dalam rangka kerja teknologi maklumat Bar Kuala Lumpur ("KL Bar"). Blog KL Bar ([www.klbar.blogspot.com](http://www.klbar.blogspot.com)) telah digunakan secara aktif untuk memuat naikkan laporan-laporan aktiviti bulanan dan laporan-laporan acara-acara.

Laman Sesawang KL Bar ([www.klbar.org.my](http://www.klbar.org.my)), Kumpulan Facebook KL Bar (KL Bar FB Group - [www.facebook.com/groups/208444762526623/](http://www.facebook.com/groups/208444762526623/)) dan Akaun Twitter (<http://twitter.com/klbar>) juga telah digunakan untuk menyebarkan informasi kepada para ahli dan juga untuk mempublikasikan acara-acara.

Dengan menggunakan kemudahan-kemudahan internet ini, ITC terus meneroka pendapatan melalui pengiklanan di laman sesawang kami untuk menjana pendapatan kepada KL Bar. Pada tahun 2015, ITC berjaya menjana pendapatan RM20,740 dari Jawatan Kosong dan Iklaneka di Laman Sesawang KL Bar dan melalui e-Blast.

## **MENYUSUN SEMULA LAMAN SESAWANG KL BAR**

Reka bentuk Laman Sesawang KL Bar telah dikemaskini pada tahun 2009 dengan kos RM15,200. Justeru, ITC merasakan bahawa sudah tiba masanya untuk merombak reka bentuk laman sesawang untuk menggambarkan perubahan trend reka bentuk laman sesawang semasa.

ITC telah melibat Scellus untuk merombak Laman Sesawang KL Bar menggunakan WordPress sebagai Kandungan Sistem Pengurusan. Ia juga akan membolehkan pengguna untuk membuat tempahan dan membayar untuk acara-acara melalui laman sesawang yang baru.

## **INTEGRASI SISTEM PEMBAYARAN GERBANG - IPAY88**

ITC telah memutuskan untuk melaksanakan sistem pembayaran dalam talian untuk seminar dan acara-acara dalam laman sesawang dengan iPay88. Sistem baru ini akan dapat dilihat dalam laman sesawang yang baru.

## **MENAIK TARAF SERVER UNTUK MAPS DI SEKRETARIAT**

Sistem pengurusan elektronik keahlian dan bayaran semasa Jawatankuasa Bar Kuala Lumpur (dikenali sebagai MAPS) telah dibina pada 2002 dengan kos RM50,000. MAPS adalah ketinggalan zaman dan tidak ada lagi menyokong tersedia untuk sistem. Server untuk MAPS juga mempunyai isu-isu perkakasan utama dan mungkin gagal bila-bila masa. Oleh itu, kami telah menaik taraf server dan sedang membangunkan satu sistem pengurusan keahlian baru.

Kami telah menggunakan perkhidmatan Brainymations Studio Sdn Bhd untuk membina satu sistem pengurusan keahlian baru yang segerak dengan rekod-rekod Majlis Peguam. Ini akan memberi manfaat bukan sahaja kepada Sekretariat kerana tidak perlu ada kemasukan data, tetapi juga kepada ahli-ahli kerana mereka tidak perlu memaklumkan kepada Sekretariat sebarang perubahan status atau maklumat mereka pada masa depan apabila sistem pengurusan keahlian baru bersedia.

### **Pengerusi**

Foong Cheng Leong

### **Timbalan Pengerusi**

Anita Gerewal

### **Ahli-ahli Jawatankuasa**

Aaron Mathews

Amir Bahari

Arina Ong Xin Yi

Dinesh a/I Muthal

Janet Toh Yoong San

Lynn Foo

Sharon Chien

Sheelan Arjunan

Sri Sarguna Raj



### **PENDIGITASIAN REKOD-REKOD KL BAR**

Sekretariat KL Bar telah menyimpan beberapa ribu fail. Fail-fail ini merupakan petisyen ahli-ahli sejak tahun 1960-an.

Memandangkan fail-fail ini mengambil ruang dalam Sekretariat baru, kami telah mengambil langkah-langkah untuk mendigitasikan fail-fail tersebut sebelum melupuskannya. Setakat ini, kami telah berjaya untuk mengimbas 20,300 fail. Kami kini mengimbas fail-fail tahun 2014. Fail-fail yang bertarikh selepas tahun 1970-an akan dipotong dan dikitar semula. Untuk fail-fail bertarikh dari tahun 1970-an dan sebelumnya, ia akan disimpan oleh Sekretariat dalam arkib untuk nilai sejarahnya.

### **FORUM PERUNDANGAN**

ITC akan menganjurkan satu Forum mengenai teknologi untuk peguam-peguam pada 19 Januari 2016. Forum ini akan membincangkan teknologi terkini dan inovasi yang disediakan atau mempengaruhi industri undang-undang. Pelbagai platform elektronik pembekal telah dijemput oleh ITC untuk memperkenalkan perkhidmatan mereka kepada ahli-ahli Bar yang akan memberi manfaat kepada amalan mereka.

### **PENGHARGAAN**

Projek-projek ITC tersebut tidak dapat dilaksanakan tanpa minat yang mendalam dan kukuh oleh ahli-ahli ITC yang terus membantu dan bekerja di belakang tabir bagi memastikan projek-projek terlaksana dengan jayanya. Ahli-ahli ITC terus menerus memberi sokongan dan bantuan sepenuhnya.

### **Foong Cheng Leong**

Pengerusi

Jawatankuasa Teknologi Maklumat

# JAWATANKUASA PEMBANGUNAN PROFESIONAL

Objektif utama Jawatankuasa Pembangunan Profesional ("PDC") adalah bagi terus menawarkan kepada ahli-ahli dan pelatih-pelatih dalam kamar, melalui program-program pendidikan undang-undangnya, peluang untuk memperkukuhkan skil undang-undang asas mereka dan menjadikan diri mereka seiring dengan perkembangan dalam pelbagai bidang amalan. PDC berusaha untuk menganjurkan pelbagai program-program pendidikan undang-undang bagi ahli-ahli Bar dan juga pelatih dalam kamar.

PDC telah berkolaborasi dengan Persatuan Peguam-peguam Wanita ("AWL") bagi menganjurkan Siri-siri Aktivas KL Bar-AWL ke atas isu-isu hak-hak kemanusiaan di tanpa kos untuk ahli-ahli Bar, pelatih dalam kamar dan pelajar undang-undang.

Tahun ini, PDC telah menganjurkan 30 acara secara keseluruhan, yang merangkumi satu rangkaian luas topik-topik seperti yang disenaraikan di mukasurat berikutnya.

Respons yang diterima kepada acara-acara tersebut terus menggalakkan dan adalah harapan kami supaya ahli-ahli akan menyertai program-program ini bagi meningkatkan perkembangan profesional mereka.

Kami ingin menjemput pengamal-pengamal berpengalaman untuk tampil ke hadapan untuk berkhidmat dalam PDC dan/atau secara sukarela menjadi penceramah. Sila hubungi saya dengan pandangan-pandangan atau cadangan-cadangan anda bagaimana kami dapat memperbaiki kualiti dan kerelevanan Program-program PDC bagi tahun 2016.

## **Goh Siu Lin**

Pengerusi

Jawatankuasa Pembangunan Profesional

## **Pengerusi**

Goh Siu Lin

## **Ahli-ahli Jawatankuasa**

Amir Bahari

Balasundran a/l Chinnathamby

Balwant Singh Sidhu

Edham Reza Shah

Foo Siew June

G Nanda Goban

Gershon Isidore Wilfred

Gopala Krishnan K. Sundaram

Gregory Vinesh Das

HR Dipendra

Jeremiah R Gurusamy

Kenny Wong

Kiattilin Sommat

Sasha Lian Shar Hoong

Tan Hao Wei

Wong Tat Chung

## **Pemerhati**

Selvaraja a/l Chinniah

NO.	TARIKH	TOPIK	PENCERAMAH
1	13.01.2015	Accounting and Finance for Lawyers (Part 1)	Lim Kien Chai
2.	14.01.2015	Termination for Convenience Clause in Construction Contracts: A Matter of Good Faith	Dr Cheong May Fong
3.	20.01.2015	Accounting & Finance for Lawyers (Part 2)	Lim Kien Chai
4.	27.01.2015	KL Bar-AWL Activist Series: Legal Case Management Support for Victims of Human Trafficking	Daniel Lo
5.	10.02.2015	The Future of the Legal Practice	Abdul Kadir Kassim Syed Naqiz Shahabuddin
6.	13.02.2015	KL Bar-AWL Activist Series: UPR - Promoting, Protecting and Fulfilling Human Rights in Malaysia	Honey Tan Lay Ean
7.	17.02.2015	Drafting Commercial Contracts	Jeremiah R Gurusamy
8.	09.03.2015	GST and Business Contracts	Thenesh Kannaa
9.	17.03.2015	Law of Joint Ventures	Lim Kien Chai
10.	24.03.2015	Managing Office and Clients' Accounts	Lim Kien Chai
11.	26.03.2015	Personal Data Protection Act	Jeremiah R Gurusamy
12.	21.04.2015	Trending Cases in the Malaysian IP Landscape	Professor Ida Madieha Azmi
13.	08.05.2015	Equity and Trusts in Malaysia: Profits from Bribes and Construction Trusts - Personal or Proprietary Claims	Harcharan Singh
14.	12.05.2015	Law of Parallel Imports in the Context of Trademark Infringement and Passing Off	Ng Kim Poh
15.	19.05.2015	Understanding Annual Reports and Its Financial Statements	Lim Kien Chai
16.	22.05.2015	Islamic Wills	Amir Bahari
17.	30.06.2015	KL Bar-AWL Activist Series: An Introduction to Children's Rights in Malaysia	Sharmila Sekaran
18.	01.07.2015	Goods and Services Tax: Some Issues Arising on Implementation	Dr Arjunan Subramaniam
19.	07.07.2015	Memorandum of Understanding	Lim Kien Chai
20.	31.07.2015	Business Development for Young Lawyers	Foong Cheng Leong
21.	12.08.2015	KL Bar-AWL Activist Series: Capacity Building for Lawyers to Work with Victims of Human Trafficking	Anderson Selvasegaram Tharini Cecil Daniel Lo Goh Siu Lin
22.	18.08.2015	Public Forum: Prevention of Terrorism Act 2015 (Revival of ISA?); and Amendments to Sedition Act 1948	Edmund Bon Tai Soon Syahredzan Johan Firdaus Husni
23.	19.08.2015	Shareholders Remedies: How to Slay a Dragon	Lee Shih
24.	26.08.2015	KL Bar-AWL Activist Series: CEDAW Jurisprudence	Shanthi Dairiam
25.	18.09.2015	Islamic Finance: An Introduction to Sukuk	Kelvin Loh Hsien Han
26.	22.09.2015	Managing Office and Client's Accounts of a Law Firm	Lim Kien Chai
27.	06.10.2015	The Role of Lawyers in the Implementation of GST	Thenesh Kannaa
28.	17.11.2015	How to Read and Understand YOUR Firm's Financial Statements	Lim Kien Chai
29.	24.11.2015	Drafting Commercial Contracts	Jeremiah R Gurusamy
30.	08.12.2015	The Acquisition and Disposal of Shares in Real Property Companies of RM2.00 as the Paid up Capital	Lim Kien Chai

**SEMINAR-SEMINAR AKAN DATANG**

<b>NO.</b>	<b>TARIKH</b>	<b>TOPIK</b>	<b>PENCERAMAH</b>
1	12.01.2016	Accounting and Finance for Lawyers	Lim Kien Chai
2.	13.01.2016	Personal Data Protection Act	Jeremiah R Gurusamy
3.	27.01.2016	Fundamentals of Bankruptcy Proceedings	Trevor Jason Mark Padasian
4.	28.01.2016	One-Day Seminar on Family Law - How to Handle Divorce Proceedings	Lee Peck Ha
5.	16.02.2016	Malaysian lawyers in practice abroad (China)	Will Fung
6.	17.02.2016	Tax Savings for Partners	Lim Kien Chai
7.	24.02.2016	Feminist Perspective of Law	Meera Samanther
8.	26.02.2016	KL Bar-AWL Activist Series: Sexual Harassment	Lee Wei San
9.	04.03.2016	Tax Treatment of Compensation of Loss of Employment	Renganathan Kannan
10.	08.03.2016	Managing Office and Clients' Accounts	Lim Kien Chai
11.	18.03.2016	Registration of Foreign Marriages and Divorces of Malaysian - Is Registration a Requirement for Validity of a Malaysian Marriage	Balwant Singh Sidhu
12.	22.03.2016	Employment Law	Mehala Marimuthoo
13.	23.03.2016	Construction Industry Payment and Adjudication Act	Shamsul Bahrain
14.	01.04.2016	Bankruptcy - Law and Practice	Lua Ai Siew
15.	08.04.2016	Real Property Gains Tax	Rajagopal Nadassan
16.	10.05.2016	Understanding Annual Reports and Its Financial Statements	Lim Kien Chai
17.	13.05.2016	Arbitration Practice	Preetha Pillai Elaine Yap
18.	19.07.2016	Memorandum of Understanding	Lim Kien Chai
19.	27.09.2016	Law of Joint Ventures	Lim Kien Chai
20.	08.11.2016	The Acquisition and Disposal of Shares in Real Property Company of RM2.00 as the Paid Up Capital	Lim Kien Chai
21.	06.12.2016	How to Read and Understand YOUR Firm's Financial Statements	Lim Kien Chai

## JAWATANKUASA PELATIH DALAM KAMAR

Pada penggal ini, Jawatankuasa Pelatih Dalam Kamar ("PC") memberikan tumpuan sepenuhnya untuk menyelesaikan masalah yang dihadapi oleh pelatih semasa mereka menjalani latihan dalam kamar mereka. Langkah ini adalah selari dengan matlamat penubuhan Jawatankuasa ini. Langkah ini turut digalakkan dan didorong oleh Pengerusi Jawatankuasa Bar Kuala Lumpur, Ravin Singh, yang memberikan satu halatuju yang berkesan ke arah kemajuan pelatih dalam kamar. Dengan bantuan Sekretariat Bar Kuala Lumpur, PC mengumpul aduan-aduan yang dibuat oleh pelatih-pelatih dalam kamar dan telah didokumenkan untuk pemeriksaan dan tindakan-tindakan selanjutnya daripada Jawatankuasa Bar Kuala Lumpur ("KLBC").

Kebanyakan aduan diterima semasa Sesi Bulanan Pengenalan Pelatih Dalam Kamar. Sekali lagi, sesi yang diadakan dengan kerap ini telah membuktikan bahawa ianya satu forum yang sesuai untuk pelatih-pelatih dalam kamar untuk meluahkan dan berkongsi pengalaman mereka semasa menjalani latihan dalam kamar mereka. Bagi pelatih-pelatih dalam kamar yang tidak mahu identiti mereka diketahui, mereka digalakkan untuk menghantar e-mel terus kepada Pengerusi PC secara langsung malah saluran komunikasi ini kerap digunakan oleh pelatih supaya aduan mereka didengar.

PC mendapati bahawa kebanyakan aduan yang diterima adalah berulang dan boleh diringkaskan kepada tiga isu utama, iaitu:

- i) Masalah apabila berurusan dengan Pejabat Pendaftaran Petisyen Penerimaan Masuk di Bahagian RKKK, Mahkamah Tinggi Kuala Lumpur ("Pendaftaran RKKK");
- ii) Kekurangan komunikasi dan bimbingan oleh pengajar; dan
- iii) Waktu kerja, keadaan tempat kerja dan wang saku.

Baru-baru ini, kami telah menerima laporan bahawa pelatih-pelatih dalam kamar telah disaman oleh pengajar mereka. Ini adalah satu perkara yang serius dan telah dibawa kepada perhatian KLBC. PC sedang menyiasat laporan ini dan akan membuat keputusan mengenai tindakan seterusnya yang akan diambil selepas perbincangan dengan KLBC.

Perkara ini amat mendukacitakan dan amalan sebegini harus dihentikan dengan serta-merta. PC melihat perkara ini dengan serius dan tidak akan teragak-agak untuk melaporkan perkara ini kepada badan-badan yang berkenaan.

Aduan yang dikumpul akan dilaporkan kepada badan-badan berkenaan di forum yang sesuai. Penggal yang lepas, PC telah bermesyuarat dengan Hakim Pengurus Bahagian RKKK Mahkamah Tinggi Kuala Lumpur dan melaporkan aduan yang dibuat terhadap kakitangan di Pendaftaran RKKK. Beberapa tindakan telah diambil oleh Hakim Pengurus bagi menyelesaikan isu-isu tersebut. Walaubagaimanapun, langkah ini hanyalah satu langkah yang sementara. PC akan mencari penyelesaian kekal daripada Mahkamah untuk melindungi kebajikan pelatih-pelatih dalam kamar.

Sekali lagi, PC menegaskan bahawa pelatih-pelatih dalam kamar perlu lebih melibatkan diri dalam aktiviti-aktiviti dan acara yang dianjurkan oleh KLBC dan jawatankuasa-jawatankuasa kecilnya kerana ini akan meningkatkan interaksi antara ahli-ahli Bar dan pelatih-pelatih dalam kamar.

PC percaya bahawa ini akan meningkatkan keyakinan dikalangan pelatih-pelatih dalam kamar

### **Pengerusi**

Shashi Devan a/l Thalmalingam

### **Timbalan Pengerusi**

Shankar Govinth a/l Balachandran

### **Setiausaha**

Lim Soo Wen

### **Timbalan Setiausaha**

Chloe Yap Jia Yien

### **Ketua Unit Projek Khas**

Rajsurian Pillai

Arina Ong Xin Yi

### **Ketua Unit Sosial**

John Ramesh Das a/l Mohana Das

### **Unit Penerbitan**

Lim Zi Han

Chen Yu Szen

Christine Chan

### **Ahli-ahli Jawatankuasa**

Ahmad Faris Izzuddin bin Abd Kahar

Aimi Nadirah binti Sahadan

Alex Anton Netto

Anne Sangeetha Sebastia

Ariffin bin Haron

Dinesh Nandrajog

Jenna Beh Huey Ching

Kenny Wong

Lim Chun Loong

Melissa Lim

Michelle Yoong Sook Yan

Mohd Noor Eswanddy bin Johan

Muhammad Faqrol Syazreen bin Mohd Ghause

Natalie Lim

Noor Farah binti Abdul Gapor

Nur Khairunnisa binti Zainal Abidin

Samantha Chew Sweet Wern

Sasha Lian Shar Hoong

Shahira binti Firhat

Syafiqah binti Johari

Tharssynee Subramaniam

Tuan Nur Hanis binti Tuan Ibrahim

Vanessa Lee Su Vin

**Ahli-ahli Jawatankuasa**

Victoria Yap  
Vinu Kamalanathan

dan membiasakan diri mereka dengan tradisi Bar melalui perkongsian pengalaman dengan para peguam-peguam kanan.

Ini juga akan menyebabkan pelatih-pelatih dalam kamar lebih bersedia dan mengetahui lebih lanjut tentang profesion undang-undang dan ini akan memudahkan peralihan mereka daripada seorang pelatih kepada seorang ahli Bar yang dihormati.

Untuk mencapai matlamat ini, PC akan terus menganjurkan aktiviti luar dengan kerjasama Jawatankuasa Sosial, Kesenian & Rekreasi untuk mewujudkan platform yang informal bagi meningkatkan interaksi di kalangan ahli-ahli Bar dan pelatih-pelatih dalam kamar.

Meneruskan tradisi, PC bekerja secara rapat dengan Jawatankuasa Peguam Muda untuk menganjurkan aktiviti-aktiviti. Kami berterima kasih atas sokongan padu mereka.

Kami terus akan merekrut ahli dan kami mengalu-alukan mana-mana ahli yang ingin menyumbang kepada perkembangan positif PC.

**AKTIVITI DAN ACARA YANG DIKENDALIKAN PENGGAL 2015/16**

**SESI PENGENALAN PELATIH DALAM KAMAR (“SESI PENGENALAN”)**

Sesi Pengenalan dijalankan setiap bulan dan kehadiran adalah wajib. Sesi-sesi ini direka bentuk untuk memperkenalkan Bar Malaysia, Majlis Peguam dan Jawatankuasa Bar Negeri Kuala Lumpur kepada pelatih-pelatih dalam kamar. Ia membolehkan pelatih-pelatih dalam kamar untuk berkongsi masalah yang mereka hadapi dan berkongsi pengalaman mereka semasa latihan dalam kamar mereka. Sesi Pengenalan, biasanya dikendalikan oleh Pengerusi PC. Pada hampir setiap sesi, Pengerusi dan ahli-ahli KLBC akan meluangkan masa bersama dengan pelatih-pelatih dalam kamar dan memberikan mereka nasihat yang tidak bernilai yang akan berguna kepada mereka pada masa hadapan sebagai seorang peguam.

Sesi Pengenalan selama tempoh ini dan statistik kehadiran pelatih-pelatih dalam kamar adalah seperti berikut (pada masa laporan ini ditulis):

TARIKH	KEHADIRAN PELATIH DALAM KAMAR
12 Mac 2015	67
9 April 2015	82
7 Mei 2015	80
4 Jun 2015	76
2 Julai 2015	73
6 Ogos 2015	62
3 September 2015	79
1 Oktober 2015	81
12 November 2015	69
3 Disember 2015	66

**BENGGEL-BENGGEL PELATIH DALAM KAMAR**

Bengkel-bengkel pelatih dalam kamar adalah satu siri bengkel yang memberikan tumpuan untuk menyampaikan kuliah ringkas untuk topik tertentu amalan guaman dan memperkenalkan kawasan tertentu kepada seorang pelatih. Pada masa yang sama, untuk melengkapkan pelatih dengan aspek praktikal disamping meningkatkan pengetahuan undang-undang dan kemahiran pelatih-pelatih dalam kamar.

Berikut adalah bengkel-bengkel yang dijalankan sepanjang penggal ini:

TARIKH	TOPIK	PENCERAMAH
4 Mac 2015	Konveyansing	Michael Leow Yon Meng
2 April 2015	Litigasi Sivil	Colin Andrew Pereira Sanjeev Kumar Rasiah
20 Mei 2015	Korporat	Sheba Gumis
29 Jun 2015	Litigasi Jenayah	Lim Chi Chau Farhan Read
5 Ogos 2015	Litigasi kepentingan awam	New Sin Yew
9 September 2015	Konveyansing	Michael Leow Yon Meng
28 Oktober 2015	Litigasi Sivil	Colin Andrew Pereira Sanjeev Kumar Rasiah
25 November 2015	Korporat	Sheba Gumis
29 Disember 2015	Litigasi Jenayah	Lim Chi Chau Farhan Read

#### **LAWATAN KE AIR TERJUN CHILLING, KUALA KUBU BHARU**

Untuk melepaskan diri dari kesibukan bandar raya dan amalan, PC telah menganjurkan perjalanan mendaki ke Air Terjun Chilling di Kuala Kubu Bharu. 11 pelatih dalam kamar dan peguam menyertai perjalanan mendaki ini yang telah diadakan pada 25 Julai 2015. Walaupun ia adalah pendakian yang sukar dan melelahkan, air terjun yang menakjubkan membuat semuanya berbaloi dan semua orang mempunyai masa yang benar-benar menyeronokkan. Laporan penuh acara ini telah disiarkan di Blog KL Bar dan e-mel kepada ahli-ahli pada 7 September 2015.

#### **FORUM KERJAYA PERUNDANGAN BAR KUALA LUMPUR - eLAWYER**

Dianjurkan bersama oleh PC dan Jawatankuasa Peguam Muda dengan kerjasama eLawyer, sebuah firma rekrutmen guaman dan konsultansi, Forum ini yang menarik 49 orang peserta, telah diadakan pada 12 Disember 2015 jam 8:30 pagi hingga 1:30 petang di Bilik Latihan KLLAC. Penceramah-penceramah Forum adalah Mathew Thomas Philip, Vasanthi Rasathurai dan Eddie Law. Mereka telah berkongsi pengalaman kerja mereka, pelbagai jangkaan kerja firma bersaiz berbeza dan cabaran yang dihadapi semasa menubuhkan firma sendiri. Forum ini memberi peserta-peserta yang merupakan peguam muda satu pemahaman lebih baik tentang laluan kerjaya ditawarkan. Forum ini dimoderasi oleh Choo Dee Wei.

#### **THE LUNCHEON: A TASTE OF THE BAR VI**

PC akan menganjurkan majlis jamuan tengah hari ini di Bilik Presiden, Kelab Diraja Selangor di Dataran Merdeka pada 30 Januari 2016.

#### **PERTANDINGAN PIDATO**

PC akan menghidupkan semula Pertandingan Pidato untuk Piala Pusingan Dato' Dr Peter Mooney yang diadakan terakhir pada tahun 2006. Pertandingan ini dijadualkan berlangsung pada 12 Mac 2016.

#### **Shashi Devan**

Pengerusi

Jawatankuasa Pelatih Dalam Kamar

# JAWATANKUASA SOSIAL, KESENIAN DAN REKREASI

## LARIAN TRAIL

Acara larian trail telah diadakan pada Sabtu, 18 April 2015 di Taman Rimba Kiara, TTDI (di Jalan Haji Openg) pada jam 7:15 pagi. Seramai 12 ahli Bar dan pelatih dalam kamar telah mengambil bahagian dalam larian ini.

## GRAND PRIX BAR KUALA LUMPUR 2015

Pada 9 Mei 2015, Jawatankuasa Sosial, Kesenian dan Rekreasi ("SARC") telah menganjurkan Grand Prix Bar Kuala Lumpur 2015 di litar Go Kart Stadium Shah Alam. Sebanyak tujuh pasukan yang terdiri daripada empat pemandu setiap pasukan telah mengambil bahagian dalam acara ini.

Acara Grand Prix bermula pada jam 9:00 pagi dengan "Endurance Race" di mana setiap pasukan perlu melengkapkan seberapa banyak pusingan yang mungkin dalam tempoh 60 minit dan tiga pasukan yang mendapat tempat teratas akan diisytiharkan sebagai pemenang. Tiga pemenang utama ialah:

1. Racing Lawyer Team 1;
2. Shenanigans; dan
3. Fast & Fabulous.

Acara Grand Prix diteruskan dengan "Sprint Race" di mana setiap pasukan perlu menetapkan pemandu untuk mengambil bahagian dalam perlumbaan lapan pusingan. Pemenang bagi "Sprint Race" ini ialah:

1. Shenanigans;
2. Dare Devils; dan
3. Fast & Fabulous.

Kira-kira pada jam 12:00 tengah hari, Pengerusi SARC telah menyampaikan trofi-trofi kepada para pemenang bagi kedua-dua "Endurance Race" dan "Sprint Race". Acara ini tamat pada kira-kira jam 12:15 tengah hari.

## KEMPEN DERMA DARAH TAHUNAN

SARC dengan kerjasama Kelab Sukan Kebajikan dan Rekreasi Mahkamah Kuala Lumpur (KESMA) dan dengan bantuan Pusat Darah Negara, telah menganjurkan Kempen Derma Darah Tahunan pada 27 Mei 2015. Bertempat di Aras 2, Kompleks Mahkamah Kuala Lumpur di Jalan Duta, Kempen Derma Darah tahun ini menyaksikan seramai 113 orang yang datang ke hadapan untuk menyokong acara tersebut. Namun, hanya 95 orang layak untuk menderma dengan 18 ditolak atas pelbagai sebab seperti sama ada berat badan, mempunyai tekanan darah tinggi atau tekanan darah rendah atau telah bermastautin di United Kingdom dari tahun 1980 sehingga 1996 atau di Eropah di antara tahun 1980 hingga sekarang.

Ribuan terima kasih diucapkan kepada ahli-ahli Bar, kakitangan Mahkamah dan orang ramai yang telah memberi sokongan dan mengambil bahagian dalam Kempen Derma Darah ini. Sejumlah 95 unit darah telah berjaya dikumpul dari penderma-penderma yang pemurah

## Pengerusi

Vinu Kamalanathan

## Ahli-ahli Jawatankuasa

Alex Anton Netto

Alvin Oh

Alyshea Low Khye Lyn

Azreen binti Mohd Zainal Anuar

Choo Dee Wei

Darren N Punai

Darshendev

Dinesh Muthal

Dinesh Nandrajog

Gajendran Balachandran

Gilfred Ho Mong Han

Jacenta James

John Ramesh Das a/l Mohana Das

Joshua Beni Chris Teoh

Khaizan Sharizad Ab Razak

Lim Chi Chau

Loganath Gunasagaram

Nimalan Devaraja

Rishikesh Singam

Shashi Devan a/l Tharmalingam

Tariq Azfar bin Maketab

Tisya Yunus



### **MALAM SOSIAL**

Malam sosial pertama bagi penggal 2015/16 telah diadakan pada 12 Jun 2015 di Rils, Bangsar. Dalam suasana yang santai, 30 ahli Bar telah menghadiri acara ini.

### **MALAM BAR KUALA LUMPUR 2015**

Majlis Makan Malam Tahunan Bar Kuala Lumpur yang di namakan, "Malam Bar Kuala Lumpur", telah diadakan pada 28 November 2015 di Ciao Ristorante. Seramai 300 tetamu termasuk bekas-bekas Presiden Bar Malaysia dan bekas-bekas Pengerusi Jawatankuasa Bar Kuala Lumpur menghadiri acara ini. Para tetamu telah disajikan dengan hidangan bufet yang lazat dan pelbagai minimum terpilih. Malam bermula dengan persembahan dhol yang menarik diikuti dengan hiburan band secara langsung yang memainkan muzik dan lagu-lagu sempena tema malam, "Meraikan apa-apa dan semua benda yang menjadikan kita Rakyat Malaysia". Kebanyakan ahli hadir berpakaian dalam pakaian tradisional terbaik menjadikan malam ini, benar-benar satu malam Malaysia.

### **Vinu Kamalanathan**

Pengerusi

Jawatankuasa Sosial, Kesenian dan Rekreasi

# JAWATANKUASA SUKAN

**30 MEI 2015**

## **PERTANDINGAN FUTSAL BAR KUALA LUMPUR KE-3**

Pertandingan Futsal Bar Kuala Lumpur ke-3 telah diadakan di Sports Arena, Sentosa. Sebanyak 22 pasukan telah menyertai acara ini dan pemenang-pemenang adalah: Kategori Lelaki - Victorious Secret 2 (tempat pertama); Victorious Secret 1 (tempat ke-2); TRG Bar (tempat ke-3); Zaid Ibrahim & Co. (tempat ke-4). Lelaki (Plate) - Wakeel FC (tempat pertama); CPD (tempat ke-2). Kategori Wanita - The Kickers (tempat pertama); Boomfica (tempat ke-2). Pasukan Firma Terbaik - Zaid Ibrahim & Co. Pemain Terbaik - Tay Zi Li (Zaid Ibrahim & Co.).

**6 JUN 2015**

## **PERTANDINGAN BOWLING BAR KUALA LUMPUR**

Pertandingan Bowling telah diadakan di Sunway Megalanes, Sunway Pyramid. Sebanyak 19 pasukan telah menyertai acara ini dan pemenang-pemenang adalah: Pasukan Terbaik Keseluruhan - TRG Bar A (tempat pertama); Icepick Willie (tempat ke-2); Rilek Je (tempat ke-3). Pemain Lelaki Terbaik - Mohammad Afiq Ammar (Rilek Je). Pemain Wanita Terbaik - Ghasidah binti Jusoh (TRG Bar A). Pasukan Firma Terbaik - Rilek Je - Khairul A & Co. (tempat pertama); Spare Rib - Chooi & Co. (tempat ke-2); Alley Gator - Lee Hishammuddin Allen & Gledhill (tempat ke-3).

**1 OGOS 2015**

## **SUKAN ANTARA BAR-BAR NEGERI**

Sukan Antara Bar-Bar Negeri 2015 telah dianjurkan oleh Bar Perak dan dilangsungkan di Ipoh. Bar Kuala Lumpur mengambil bahagian dalam kesemua sukan iaitu futsal wanita, bola keranjang, badminton, golf, bola jaring, bola sepak dan bola tampar dan muncul tempat kedua keseluruhan selepas ditewaskan oleh Bar Selangor dengan perbezaan dua mata; Selangor Bar - 26 mata dan Bar Kuala Lumpur - 24 mata.

**19 SEPTEMBER 2015**

## **KARNIVAL SUKAN KE-24 BAR KUALA LUMPUR LAWAN KELAB DIRAJA SELANGOR**

Karnival Sukan Tahunan Ke-24 antara Bar Kuala Lumpur dan Kelab Diraja Selangor ("RSC") untuk Piala Pusingan Y.A. Tan Sri Dato' Harun Hashim telah dilangsungkan pada 19 September 2015. Siri tersebut berakhir dengan seri 4-4. Bar Kuala Lumpur memenangi acara kriket, pool, dart dan "boat race" dan RSC memenangi acara badminton, tenis, bola sepak dan hoki. Majlis Makan Malam Akhir Sukan dan Upacara Pemberian Hadiah mendapat sambutan yang baik.

**5 DISEMBER 2015**

## **PERTANDINGAN POOL TERBUKA BAR KUALA LUMPUR 2015 - PERSEORANGAN DENGAN HANDICAP**

16 peserta telah menyertai pertandingan ini yang dilangsungkan di 5ive Bintang Snooker & Pool Club, Subang Jaya. Keputusan adalah seperti berikut: Juara - Peter-Douglas Ling; Tempat Kedua - Sean Yeow; Peserta Separuh Akhir - Michael Tan, Eugene Teo; Peserta Suku Akhir - Anand Ponnudurai, Ong Yee Shin, Khor Boon How, Mah Zhun Kit.

**19 DISEMBER 2015**

## **HARI SUKAN MINI ANTARA BAR KUALA LUMPUR DAN BAR MELAKA**

Hari Sukan Mini ini, dianjurkan oleh Bar Melaka, telah dilangsungkan di Kompleks Sukan Batu Berendam, Melaka. Tiga acara sukan dipertandingkan iaitu badminton, futsal lelaki dan futsal wanita. Bar Melaka muncul johan keseluruhan dalam siri pertama ini dengan memenangi

## **Pengerusi**

Alwin Rajasurya

## **Ahli-ahli Jawatankuasa**

Adam Lee Leong Soon

Alex Nandaseri De Silva

Amrit Pal Singh

Anand Ponnudurai

Aneera Chowdhury

Aric Wong Fong Chin

Chai Phing Zhou

Debbie Woo

Dennis Yuean Jin Han

Effa Anuar

Emellia Shariff

Furley Lim

Grace Subathirai

HR Dipendra

James FC Fong

Janet Chai

Jeannie Chong

Jeremy Phang

Joshua Tay H'ng Foong

Karthigaibalan Kanthabalan

Khairul Idham

Kin Fai, Low

Lesley Lim Ai Li

Lilian Lee

Lim Soo Wen

Lim Zi Han

Muhendaran Suppiah

N Rajesvaran Nagarajan

Ng Sui May

Ng Yueng May

Peter-Douglas Ling

Rachel Yap Yen Siang

Ravinder Singh Dhaliwal

Sathyananthan Sinnappan

Shankar Govinath a/l Balachandran

Shim De Zhen

Sivaruben Balasekaran

Sri Sarguna Raj

Stanislaus Vethanayagam

Tan Hui Xian

Vincent Tey Wei Seng

Vinu Kamalanathan

Vivekananda Sukumaran

Wan Syariah Razman

badminton (4-1) dan futsal lelaki (15-7). Bar Kuala Lumpur memenangi futsal wanita (6-2). 30 ahli dari Kontinjen Bar Kuala Lumpur menghadiri Majlis Makan Malam Akhir Sukan.

#### **10 JANUARI 2016**

##### **LARIAN BAR KUALA LUMPUR\***

Seperti Larian yang julung kali, Larian ke-2 ini juga akan diadakan di Taman Tasik Perdana. Larian ini dianjurkan dengan tujuan untuk menggalakkan berlari sebagai satu bentuk aktiviti sukan yang sihat bagi ahli-ahli Bar dan selaras dengan seruan untuk #FitMalaysia yang diterajui oleh Kementerian Belia dan Sukan. Pasukan campuran 4-orang lari berganti-ganti dan larian ini memenuhi keperluan pelari-pelari kompetitif dan social. Terdapat hadiah khas untuk pasukan yang berlari dalam pakaian paling menarik/istimewa.

#### **16 JANUARI 2016**

##### **SUKAN BAR KUALA LUMPUR-SELANGOR SIRI KE-15\***

Adalah giliran Bar Kuala Lumpur menjadi tuan rumah untuk siri ini. Sukan-sukan yang akan dipertandingkan adalah:

- a) Bola Jaring;
- b) Futsal Lelaki;
- c) Futsal Wanita;
- d) Bola Sepak;
- e) Bola Tampar;
- f) Golf; dan
- g) Badminton - 3 beregu lelaki dan 2 beregu campuran.

(\*menunjukkan pada masa menulis laporan ini, dengan butir-butir acara akan disahkan/dimuktamadkan)

#### **Alwin Rajasurya**

Pengerusi

Jawatankuasa Sukan

#### **Ahli-ahli Jawatankuasa**

Yeoh Cho Kheong

# JAWATANKUASA PEGUAM MUDA

Jawatankuasa Peguam Muda ("YLC") terus untuk mewujudkan peluang untuk peguam-peguam muda memberi balik kepada Bar.

Unit kecil YLC telah ditukar dan diberi nama Sektor untuk tahun ini dengan fokus bukan sahaja untuk menggalakkan perkembangan profesional yang berterusan untuk peguam-peguam muda di dalam amalan mereka tetapi juga untuk memberi peluang untuk mereka memberi balik kepada masyarakat dan mengeratkan hubungan dengan ahli-ahli profesional yang lain. Sektor-sektor tersebut adalah:

1. **Sektor *Welcome and Become***  
Mengemaskini dan menggalakkan Facebook YLC dan memberi promosi kepada aktiviti-aktiviti YLC.
2. **Sektor *Professional Growth***  
Menganjurkan Seminar dan Bengkel untuk peguam-peguam muda dan pelatih-pelatih dalam kamar.
3. **Sektor *Young Professionals Alliance***  
Berhubung dengan ahli-ahli profesional lain seperti Farmasis, Jurutera, Akauntan dan Doktor.
4. **Sektor *Community and Family***  
Menganjurkan lawatan ke Rumah Orang Tua dan Kanak-kanak.
5. **Sektor *Sanctuary and Peace***  
Menganjurkan aktiviti-aktiviti rekreasi untuk YLC dan peguam-peguam muda.
6. **Sektor *Charity Night***  
Menganjurkan *Charity Night*.

YLC juga mempunyai seorang wakil di Jawatankuasa Peguam Muda Kebangsaan ("NYLC") - Rajsurian Pillai.

Adalah dan akan berterusan bahawa ahli-ahli YLC sentiasa digalakkan untuk memberi idea-idea untuk aktiviti-aktiviti dan diberi kebebasan untuk mengendalikan aktiviti-aktiviti tersebut.

Aktiviti-aktiviti yang dijalankan bagi tahun ini adalah:

## **SEMINAR BERTAJUK "AN INTRODUCTION TO EMPLOYMENT LAW"**

Seminar ini dikendalikan oleh Vinu Kamalanathan pada 9 Januari 2015 di Auditorium Bar Kuala Lumpur dari 3:00 petang hingga 6:15 petang. Seminar tersebut dihadiri oleh 33 orang peserta.

## **SEMINAR BERTAJUK "UNDERSTANDING GST"**

Seminar ini dikendalikan oleh Dr Arjunan Subramaniam pada 16 Januari 2015 di Auditorium Bar Kuala Lumpur dari 10:30 pagi hingga 12:00 petang. Seminar tersebut dihadiri oleh 152 orang peserta. Seminar tersebut merangkumi, "Introduction"; "Registration"; "Taxable Periods"; "Scope of GST"; "Input Tax - Meaning"; "Output Tax - Meaning"; "Operation of GST"; "Fees";

## **Pengerusi**

Choo Dee Wei

## **Timbalan Pengerusi**

### **- Sektor *Welcome and Become***

Tisya Yunus

Henry Ting

## **Timbalan Pengerusi**

### **- Sektor *Charity Night***

Rachel Tan Mei Chew

## **Timbalan Pengerusi**

### **- Sektor *Community and Family***

Jacenta James

## **Timbalan Pengerusi**

### **- Sektor *Professional Growth***

Kiattilin Somat

## **Timbalan Pengerusi**

### **- Sektor *Sanctuary and Peace***

Tasha Prasheela Chandra

## **Timbalan Pengerusi**

### **- Sektor *Young Professionals Alliance***

Dinesh Muthal

Sasha Lian Shar Hoong

## **Wakil NYLC**

Rajsurian Pillai

“Deposits”; “Clients Money on Deposit for Earning Interest”; “Costs”; “Reimbursements”; “Disbursements”; “Selling a Law Firm as a Going Concern - Section 68”; “Credit Note/Debit Note”; dan “Out of Court Settlements”.

#### **SEMINAR BERTAJUK “ADVOCACY FOR YOUNG LAWYERS”**

Seminar ini dikendalikan oleh Brendan Navin Siva pada 6 Februari 2015 di Auditorium Bar Kuala Lumpur dari 2:30 petang hingga 5:30 petang. Seminar tersebut dihadiri oleh 33 orang peserta.

#### **PENGENALAN KEPADA PROFESION UNDANG-UNDANG UNTUK MAHASISWA UNDANG-UNDANG DI TAYLOR’S LAW SCHOOL**

Aktiviti ini diadakan pada 21 Mac 2015 di Lakeside Campus, Taylor’s University dan dihadiri oleh 40 orang pelajar.

#### **SEMINAR BERTAJUK “INSIGHTS TO GST APPEAL PROCESSES AND JURISPRUDENCE OF TAX STATUTE INTERPRETATION”**

Seminar ini dikendalikan oleh S Saravana Kumar dan Siti Fatimah Mohd Shahrom pada 25 Mei 2015 di Auditorium Bar Kuala Lumpur dari 2:30 petang hingga 5:00 petang. Seminar tersebut dihadiri oleh 15 orang peserta. Seminar tersebut merangkumi, “An overview of the Goods and Services Tax (“GST”) regime in Malaysia”; “The GST appeal process, including appearances before the GST Appeal Tribunal”; “Judicial review as a remedy to resolve GST controversies”; “Application for an error or mistake and the relief available”; “Challenging adverse advance rulings and technical rulings by the Royal Malaysian Customs”; dan “Appreciating the judicial development in Malaysia in respect of interpreting taxing statutes”.

#### **SANCTUARY YLC**

16 peguam muda menghadiri Sanctuary ini yang diadakan pada 13 dan 14 Jun 2015 di Asian Waterpark Village, Puchong.

#### **PROGRAM SUKARELAWAN PERTIWI SOUP KITCHEN**

25 peguam telah menyumbang masa secara sukarela untuk menghidangkan makanan kepada 450 orang di Jalan TAR dan Jalan Tun Tan Cheng Lock. Program ini yang diadakan pada 26 Jun 2015, telah dijalankan dari 9:00 malam sehingga 12:00 pagi.

#### **SEMINAR BERTAJUK “THE CONSTRUCTION OF THE PAYMENT AND ADJUDICATION ACT”**

Seminar ini dikendalikan oleh Anilraj Verdamanickam pada 14 Julai 2015 di Auditorium Bar Kuala Lumpur dari 2:30 petang hingga 4:30 petang. Seminar tersebut dihadiri oleh 16 orang peserta. Seminar tersebut merangkumi, “A review of the salient provisions of CIPAA”; “Discussion on the ‘lacunas’ of CIPAA”; dan “Brief examination of the case laws”.

#### **LAWATAN RAYA KE PUSAT JAGAAN BAITUL AMAL**

YLC menganjurkan lawatan ke Pusat Jagaan Baitul Amal Petaling Jaya yang terletak di Petaling Jaya pada 26 Julai 2015 untuk menyambut Hari Raya dengan kanak-kanak yang tinggal di sana. Tempat tersebut mempunyai lapan orang kanak-kanak yang berumur di antara dua hingga 11 tahun dan dijaga oleh kumpulan kecil penjaga dan pemasak. Kanak-kanak yang tinggal di sana datang dari keluarga retak dan diabaikan atau dipukul.

#### **MALAM AMAL**

Malam Amal ke-11 berturut-turut dengan tema “Charity Night 2015 and the Beat Goes On!” telah diadakan pada 8 Ogos 2015 di Pavillion@KLRC (Kuala Lumpur Regional Centre for Arbitration, Bangunan Sulaiman, Jalan Sultan Hishamuddin) dari jam 7:00 petang, dan mempunyai persembahan oleh peguam muda yang bertanding untuk mendapatkan dana tertinggi untuk kebajikan. Dana yang dikumpulkan adalah untuk membantu The KL KRASH PAD, pusat remaja yang terletak di kawasan Chow Kit untuk membantu mereka yang memerlukannya.

#### **SEMINAR BERTAJUK “LEGAL DUE DILIGENCE: THE NECESSARY EVIL OF MERGER AND ACQUISITIONS”**

Seminar ini dikendalikan oleh Addy Herg pada 13 November 2015 di Auditorium Bar Kuala Lumpur dari 3:00 petang hingga 5:00 petang. Seminar tersebut dihadiri oleh 69 orang peserta. Seminar tersebut merangkumi, “Introduction”; “Purpose of Legal Due Diligence”; “Understanding the objectives”; “The various aspects of legal due diligence investigations”; “Connecting the dots”; “Legal analysis and legal opinion”; “The applicable law and legal documents”; “Risk management and documentation”; “Accomplishing the objective”; dan “Updates and improvement”.

#### **SEMINAR BERTAJUK “BLOWING AND TROLLING - INTERNET FREEDOM IN MALAYSIA”**

Seminar ini dikendalikan oleh New Sin Yew pada 20 November 2015 di Auditorium Bar Kuala Lumpur dari 2:30 petang hingga 4:30 petang. Seminar tersebut dihadiri oleh 20 orang peserta. Seminar tersebut merangkumi, “Fundamental liberties and the Federal Constitution”; “Interpretation of the Constitution”; “The Sedition Act 1948”; “Communications and Multimedia Act 1998 - Blocking of websites and improper use of network service”; “Penal Code - Extra territorial offences, offences against the State and use of SOSMA”; “Criminal Procedure Code - Computerised data and interception of communication”; “Evidence Act - Reversal of burden of

proof”; dan “Case study - BFM Kupas Hudud Isi Peruk Nasi case, Sarawak Report website ban, Bersih 2.0 website ban, Alvivi’s case, Ali Abd Jalil’s case and other internet related cases”.

#### **SEMINAR BERTAJUK “MARRIAGE, RELATIONSHIPS & WOMEN’S RIGHTS”**

Seminar ini dikendalikan oleh Honey Tan Lay Ean pada 20 November 2015 di Auditorium Bar Kuala Lumpur dari 5:30 petang hingga 7:00 petang. Seminar tersebut dihadiri oleh 33 orang peserta. Seminar ini bermula dengan sejarah ringkas Akta Membaharui Undang-Undang (Perkahwinan dan Perceraian) 1976 sebelum menyelidikinya bagaimana perkahwinan memberi kesan kepada hak-hak anda sebagai seorang wanita.

#### **PENYAMPAIAN CEK KEPADA KL KRASH PAD**

Penyampaian cek hasil daripada Malam Amal kepada KL KRASH PAD telah diadakan pada 15 Disember 2015 jam 3:00 petang di Yayasan Chow Kit. YLC berjaya mengumpul RM51,418.21 pada Malam Amal di bulan Ogos.

#### **AKTIVITI-AKTIVITI AKAN DATANG**

Seminar dan Bengkel bagi penggal ini:

<b>NO.</b>	<b>TARIKH DAN MASA</b>	<b>BUTIR-BUTIR</b>	<b>PENCERAMAH</b>
1.	19 Februari 2016 2:30 hingga 5:00 petang	Defamation Law	Alwin Rajasurya
2.	TBC	Opinion Writing	Mariette Peters

#### **PENGHARGAAN**

Projek-projek ini tidak mungkin dapat dilaksanakan tanpa minat ikhlas dan tulus serta semangat daripada ahli-ahli kami yang terus membantu dan bekerjasama untuk memberi kejayaan kepada projek-projek YLC. Timbalan-timbalan Pengerusi dan ahli-ahli YLC telah terus kekal memberi sokongan dan kerjasama.

#### **Choo Dee Wei**

Pengerusi

Jawatankuasa Peguam Muda

# PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KUALA LUMPUR)

## 1. LAPORAN PANEL PENGURUSAN

Kedatangan tahun 2015 menandakan tahun ke-10 saya telah bersama dengan Majlis Peguam Pusat Bantuan Guaman Kuala Lumpur ("KLLAC"). Sesungguhnya ia adalah satu penghormatan kepada saya untuk menjadi sebahagian daripada KLLAC dan dapat bekerja bersama-sama dengan orang-orang yang menjadi tulang belakang kepada Pusat Bantuan Guaman. Ianya sungguh menakjubkan.

Kemajuan yang di bina KLLAC sejak saya menyertainya bermula pada tahun 2006 sehingga kini adalah amat besar. Setiap tahun, bilangan pelanggan yang mengunjungi ke Pusat Bantuan Guaman terus meningkat dan sangat menggalakkan. Dengan pengenalan Yayasan Bantuan Guaman Kebangsaan ("YBGK"), fungsi Pusat telah berkembang pesat dan fungsi asas dan teras Pusat juga terus kekal.

Saya mesti mengatakan bahawa kelancaran Pusat adalah mustahil tanpa kehadiran Pengarah Eksekutif dan kakitangan. Hasil kerja mereka telah pada dasarnya membuatkan tugas saya sebagai Pengerusi KLLAC mudah dan kurang tekanan. Perjalanan program hari demi hari telah berjaya adalah hasil daripada usaha mereka yang tidak pernah putus asa.

Saya juga ingin merakamkan ucapan terima kasih kepada pasukan kita iaitu semua pemegang jawatan dan ahli-ahli jawatankuasa yang sentiasa tampil dengan idea-idea bernas berkenaan dengan program yang akan dijalankan oleh KLLAC. Sudah tentu, bantuan dari pelatih-pelatih dalam kamar yang melaksanakan tugas wajib bantuan guaman mereka juga adalah penting. Tanpa mereka, banyak program Pusat tidak akan menjadi kenyataan atau tidak dapat dilaksanakan.

Akhir sekali, asas bagi segala Pusat adalah untuk memberi nasihat undang-undang percuma dan perwakilan undang-undang kepada mereka yang memerlukan, tanpa mengambil kira agama, bangsa atau perbezaan mereka. Walau bagaimanapun, ini adalah mustahil tanpa bantuan daripada semua peguam sukarela yang tanpa rasa takut dan pilih kasih dan tanpa dibayar sentiasa bersedia untuk datang ke Pusat dan membantu mereka yang memerlukan. Kepada semua yang saya nyatakan di atas, saya ingin mengucapkan setinggi-tinggi penghargaan terima kasih ikhlas daripada lubuk hati saya.

Saya berharap dan menginginkan bahawa KLLAC akan berkembang dan terus berkembang dan berharap agar semua orang-orang yang membantu Pusat Bantuan Guaman meneruskan dedikasi dan sokongan mereka.

Terima Kasih.

### **Abd Shukor Tokachil**

Pengerusi  
Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur)

## PANEL PENGURUSAN

### **Pengerusi**

Abd Shukor Tokachil

### **Setiausaha Kehormat**

Collin Arvind Andrew

### **Timbalan Setiausaha Kehormat**

Elaine Gan Peay Er

### **Bendahari**

Kiran Kaur Ram

### **Ahli-ahli Panel**

Shairatul Adora Yusof

Darren Teo Sze Hoong

Genevieve Tan

Joachim Francis Xavier

Kenneth Koh Zhong Wey

Michael Kong Feng Nian

Keong Ming Wai

Paannimalar a/p Paramasivan

Samantha Chong Yin Xin

Terrence Lee Ro Hui

Farida Binti Mohammad

2. **PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KUALA LUMPUR)  
YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK)  
LAPORAN TAHUNAN JANUARI HINGGA OKTOBER 2015  
STATISTIK KLIEN**

**A. KLIEN LAC**

<b>A.</b>	<b>KLINIK/PROGRAM</b>	<b>KLIEN 2014 (JAN-DIS)</b>	<b>KLIEN 2015 (JAN-OKT)</b>
1.	Tahanan Reman Sungai Buloh (Bukan Warganegara)	141	65
2.	Kajang Wanita (Bukan Warganegara)	45	19
3.	Kajang Lelaki (Bukan Warganegara)	0	1
4.	LAC "Walk in" Klien	2309	1697
5.	Klinik Syariah	78	37
6.	LAC/SIS	516	355
7.	LAC/AWAM	290	193
8.	CLAC	17	-
9.	LAC/WAO	80	69
10.	LAC/Tenaganita	1878	2100
11.	LAC/UNHCR	5148	2978
	<b>Jumlah</b>	<b>10502</b>	<b>7514</b>

**B. KLIEN YBGK**

<b>B.</b>	<b>KLINIK/PROGRAM</b>	<b>KLIEN 2014 (JAN-DIS)</b>	<b>KLIEN 2015 (JAN-OKT)</b>
1.	Tahanan Reman Sungai Buloh (Warganegara)	613	725
2.	Kajang Wanita (Warganegara)	90	85
3.	Kajang Kanak-kanak (Warganegara) + (Bukan Warganegara)	331	325
4.	Kajang Lelaki (Citizen)	26	6
5.	Rumah Tahanan Reman Kanak-kanak	99	124
6.	Program Dock Brief	2693	1988
7.	YBGK "Walk in" Klien	674	831
8.	Tangkapan	83	-
9.	Reman	17860	13760
	<b>Jumlah</b>	<b>22469</b>	<b>17844</b>



**C. KLIEN-KLIEN LAC + YBGK**

<b>C.</b>	<b>JUMLAH KESELURUHAN KLIEN LAC &amp; YBGK</b>	<b>KLIEN 2014 (JAN-DIS)</b>	<b>KLIEN 2015 (JAN-OKT)</b>
1.	Jumlah kecil klien LAC	10502	7514
2.	Jumlah kecil klien YBGK	22469	17844
<b>3.</b>	<b>Jumlah Besar Klien LAC &amp; YBGK</b>	<b>32971</b>	<b>25358</b>

**STATISTIK TERHADAP FAIL**

		<b>SETAKAT DISEMBER 2014</b>			<b>SETAKAT OKTOBER 2015</b>		
	<b>KATEGORI</b>	<b>DIBUKA / DIKEMBALIKAN</b>	<b>DITUGASKAN/ SELESAI</b>	<b>TIDAK DITUGASKAN</b>	<b>DIBUKA / DIKEMBALIKAN</b>	<b>DITUGASKAN/ SELESAI</b>	<b>TIDAK DITUGASKAN</b>
A	File LAC						
1	Fail Jenayah	2	2	-	1	1	-
2	Fail LAC Pekerjaan	14	14	-	13	13	-
3	Fail LAC Kekeluargaan	35	35	-	58	55	3
5	Fail Syariah	6	6	-	1	1	-
6	Fail MISC	4	4	-	-	-	-
	<b>Jumlah kecil BCLAC(KL)</b>	<b>61</b>	<b>61</b>	<b>-</b>	<b>73</b>	<b>70</b>	<b>3</b>

<b>B</b>	<b>FAIL YBGK</b>	<b>SETAKAT DISEMBER 2014</b>			<b>SETAKAT OKTOBER 2015</b>		
	<b>FAIL YBGK - JENAYAH</b>	<b>DIBUKA / DIKEMBALIKAN</b>	<b>DITUGASKAN/ SELESAI</b>	<b>TIDAK DITUGASKAN</b>	<b>DIBUKA / DIKEMBALIKAN</b>	<b>DITUGASKAN/ SELESAI</b>	<b>TIDAK DITUGASKAN</b>
1	• YBGK Fail LAC masuk	217	202	15	138	137	1
	• YBGK Fail Penjara	231	215	16	403	396	7
	<b>Jumlah kecil YBGK</b>	<b>448</b>	<b>417</b>	<b>31</b>	<b>541</b>	<b>533</b>	<b>8</b>

C	FAIL LAC & YBGK	DIBUKA / DIKEMBALIKAN	DITUGASKAN/ SELESAI	TIDAK DITUGASKAN	DIBUKA / DIKEMBALIKAN	DITUGASKAN/ SELESAI	TIDAK DITUGASKAN
1	Jumlah kecil Fail LAC	61	61	-	73	70	3
2	Jumlah kecil Fail YBGK	448	437	11	541	533	8
3	Jumlah keseluruhan File LAC & YBGK	509	498	11	614	603	11

### 3. LAPORAN PROGRAM KESEDARAN UNDANG-UNDANG (ORIENTASI)

*Laporan disediakan oleh Sekretariat*

#### **Ketua Projek Bersama**

Joachim Francis Xavier  
Kenneth Koh Zhong Wey

#### **Ahli-ahli Jawatankuasa**

Ravinder Singh Dhaliwal  
Vernon Jude Samuel

#### **Kepentingan dan Peranan**

Program Kesedaran Undang-undang adalah salah satu program yang paling penting yang dikendalikan oleh Majlis Peguam Pusat Bantuan Guaman. Ia bertujuan memberi kefahaman, kesedaran dan ia turut menyediakan kepada Pelatih dalam Kamar apa yang diharapkan dan diperlukan oleh mereka semasa melalui 14 hari dalam menjalankan tugas mereka. Program ini juga memperkenalkan klinik yang berbeza-beza yang boleh didapati di Majlis Peguam Pusat Bantuan Guaman.

#### **Matlamat / Tujuan Program**

Tujuan Program Kesedaran Undang-undang ini adalah untuk meluaskan pengetahuan dan untuk mewujudkan persefahaman sebagai seorang peguam bela dan peguam cara yang bertanggungjawab kepada masyarakat. Ia bertujuan untuk memberi pendedahan kepada pelatih dalam kamar tentang hak asasi manusia, keadilan dan yang paling penting adalah kepentingan untuk terus komited ke arah membantu orang yang memerlukan khidmat mereka.

#### **Aktiviti-Aktiviti**

Setakat 30 November 2015, program ini telah mengendalikan sesi khusus dalam menyediakan pelatih-pelatih yang telah mengambil bahagian dalam program ini.

##### **a) Orentasi**

Lapan sesi telah diadakan oleh ahli-ahli jawatankuasa untuk melatih murid-murid dari Kumpulan 83, 84, 85 dan 86. Sesi yang digunakan adalah melalui kaedah penyertaan, menggabungkan dinamik kumpulan, perbincangan terbuka, kesedaran hak asasi manusia dan input dan pelbagai program yang dikendalikan oleh KL LAC.

Sesi orientasi telah dibantu oleh Kenneth Koh Zhong Wey, Joachim Francis Xavier, Ravinder Singh Dhaliwal, Vernon Jude Samuel & Gurpreet Kaur Sidhu.

##### **b) Sesi Pengakhiran – Penilaian**

Enam sesi telah diadakan dari Batch 83, 84 dan 85 dalam Program LAC KL. Sesi direka untuk menghargai bantuan dan input yang diberikan oleh pelatih-pelatih dan berkongsi mengenai pengalaman mereka sepanjang 14 hari mereka bertugas di pusat bantuan guaman.

Dengan peningkatan jumlah pelatih-pelatih setiap tahun, menjadikan tahun 2015 juga merupakan tahun yang amat sibuk untuk Jawatankuasa ini. Jawatankuasa berharap ahli-ahlinya akan terus menunjukkan sokongan, komitmen dan dedikasi mereka dalam tahun-tahun akan datang.

#### **4. LAPORAN UNTUK PROGRAM DOCK BRIEF**

*Laporan disediakan oleh Sekretariat*

##### **Ketua Projek Bersama**

Collin Arvind Andrew

Darren Teo

##### **Pengenalan**

Program Dock Brief pertama bermula pada tahun 1989 di Mahkamah Majistret Jalan Raja. Pada mulanya ia bermula dengan 2 mahkamah dengan 4 pelatih dalam kamar bertugas. Kini ia meliputi 14 mahkamah dengan 75 pelatih-pelatih untuk membantu klien-klien dalam dan luar negara, termasuk juvana.

Pelatih-pelatih dilatih untuk melatih mereka bagi membangunkan kedua-dua kemahiran keperguruan dan kemahiran temuduga. Perkhidmatan untuk kes-kes jenayah yang diperuntukkan di bawah program ini termasuklah pengurangan hukuman, permohonan ikat jamin dan nasihat lain yang berkaitan.

Bagi memastikan murid-murid dilengkapi dengan pengetahuan dan kemahiran yang mencukupi, peguam kanan dijemput oleh Jawatankuasa untuk menjalankan latihan. Pada tahun ini, GK Ganesan, Jerald Allen Gomez, Kitson Foong & Lim Chi Chau telah menjalankan latihan. Selain daripada latihan yang diberikan oleh peguam kanan, Jawatankuasa juga telah menjalankan peranan dengan membuat role-play dan perbincangan olok-olok dalam latihan untuk memastikan pelatih-pelatih mempunyai pemahaman yang lebih baik program Dock Brief.

Sehingga pertengahan tahun 2015, Jawatankuasa telah:

1. Mengadakan dua mesyuarat Jawatankuasa untuk membincangkan pelbagai perkara berkaitan dengan program dan pelan tindakan bagi tahun 2015.
2. Jawatankuasa juga telah mengadakan empat latihan Program Dock Brief untuk pelatih-pelatih dari Kelompok 82, 83, 84 dan 85 Seramai 257 pelajar telah menghadiri latihan tersebut.
3. Jawatankuasa juga telah menjalankan empat ulasan separuh penggal untuk pelatih-pelatih bagi Program ini.
4. Pada 31 Oktober 2015, program ini telah menyediakan khidmat guaman kepada 1,957 pelanggan di Mahkamah Majistret Jenayah Kuala Lumpur di Jalan Duta.

##### **Mesyuarat dengan Pegawai Kehakiman & Polis yang bertugas di Mahkamah**

Jawatankuasa ini dalam usaha untuk mengumpulkan isu-isu yang memerlukan perhatian Mahkamah dan menentukan masa yang sesuai untuk berjumpa dengan Badan Kehakiman dan Pegawai Polis yang bertanggungjawab mahkamah.

#### **5. LAPORAN UNTUK PROGRAM PENJARA**

*(YBGK Ketua Program - Ravi Nekoo, Stephanie Bastian)*

Program Penjara pada tahun 2005 terdiri daripada yang berikut:

- a) Reman Penjara Sungai Buloh (Warganegara)
- b) Reman Penjara Sungai Buloh (Warga asing)
- c) Reman Penjara Wanita Kajang (Warganegara)
- d) Reman Penjara Wanita Kajang (Warga asing)
- e) Tahanan Juvana Penjara Kajang
- f) Program Rumah Tahanan Juvana

Program Penjara telah dijalankan oleh Jawatankuasa Penjara dan dibantu oleh pelatih-pelatih yang melawat penjara sekali dalam dua minggu untuk menemubual banduan dan untuk mengakses tahap bantuan guaman dan bantuan terhadap banduan yang diperlukan.

Pada awal tahun 2015 cadangan telah dibuat dan dibincangkan untuk menggabungkan Program Penjara Bantuan Guaman Majlis Peguam dengan Program di bawah Yayasan Bantuan Guaman Kebangsaan (YBGK) Skim bantuan guaman.

Oleh itu dalam tempoh enam bulan pertama (Januari - Jun 2015) tahun ini, program penjara itu telah dijalankan di bawah Program Bantuan Guaman Majlis Peguam dan dari 1 Julai 2015 Program Penjara itu telah dijalankan oleh YBGK.

Syarat-syarat ini di bawah program YBGK adalah seperti berikut:

1. Bahawa ia adalah satu projek perintis untuk enam bulan bagi penduduk di Kuala Lumpur.
2. Bahawa ia akan dijalankan di Penjara Sungai Buloh dan Penjara Kajang dan Penjara Wanita Kajang.
3. Ia adalah untuk memohon kepada semua rakyat dan pendatang ke Malaysia di bawah umur 18 tahun.
4. Untuk memperkenalkan Prosedur Operasi Standard (SOP).

Pada enam bulan pertama tahun ini (Januari - Jun 2015) di bawah Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur), sejumlah 35 lawatan telah dijalankan ke penjara dan seramai 741 banduan telah ditemuramah.

Manakala pada separuh kedua tahun ini (Julai - Oktober 2015) bilangan bilangan lawatan ke penjara adalah 18 dan bekas tahanan yang telah ditemuramah adalah seramai 552 orang.

## 6. LAPORAN WALK-IN KLINIK LAC

*Laporan disediakan oleh Sekretariat*

### **Walk-In Klinik- Bantuan**

Klinik Bantuan Guaman beroperasi dari pejabat Pusat Bantuan Guaman Kuala Lumpur setiap hari Isnin hingga Jumaat 10:00 pagi hingga 4:30 petang. Individu dari pelbagai lapisan masyarakat datang ke pusat ini dengan pelbagai isu dan masalah termasuk klien yang mempunyai masalah mental.

Klinik ini menerima pakai dasar membantu klien yang mempunyai masalah undang-undang dan juga bukan undang-undang. Masalah-masalah yang bukan undang-undang sering dirujuk kepada agensi-agensi kerajaan yang berkaitan dan NGO.

### **Tujuan Walk-In Klinik**

Walaupun objektif utama untuk klinik ini adalah untuk menawarkan bantuan undang-undang kepada klien, program ini juga telah membuka mata kepada pelatih-pelatih dan peguam tentang pelbagai isu yang dihadapi oleh orang ramai. Ia mendidik pelatih-pelatih dan peguam mengenai kepentingan memberi bantuan kepada mereka yang memerlukan. Lebih-lebih lagi, ia mengajar mereka untuk menjadi lebih bertanggungjawab terhadap masyarakat pada umumnya. Program ini berjaya membangunkan rasa tanggungjawab sosial dalam diri pelatih-pelatih yang datang untuk lebih memahami tentang isu kepentingan hak asasi manusia, keadilan dan kedaulatan undang-undang.

### **Pelatih-pelatih yang dilatih oleh Klinik Lac bagi Tahun 2015**

NO	KUMPULAN	KLINIK LAC	KLINIK SYARIAH	PROGRAM YBGK	PROGRAM NGO			Jumlah yang dilatih 282
					AWAM	SIS	WAO	
1	Kumpulan 82	20	5	25	12	4	4	
2	Kumpulan 83	25	7	30	12	4	4	
3	Kumpulan 84	15	5	25	12	4	4	
4	Kumpulan 85	15	5	25	12	4	4	
		<b>75</b>	<b>22</b>	<b>105</b>	<b>48</b>	<b>16</b>	<b>16</b>	

### **Ucapan Ikhlas daripada Lac Klinik**

Seluruh Jawatankuasa terlibat secara aktif (dengan bantuan Pegawai LAC) dalam melatih pelatih-pelatih. Kami terutang budi kepada peguam sukarela yang telah meluangkan masa daripada jadual sibuk mereka untuk melatih pelatih-pelatih pada hari biasa dan Sabtu. Tenaga pengajar yang telah memberikan bantuan mereka adalah seperti berikut:

NO	TOPIK	PENGAJAR
1.	Undang-undang Keluarga	Ong Cin Siong
2.	Undang-undang Pekerjaan	Chandrasegaran
3.	Undang-undang Jenayah & Prosedure Sivil	Sivanesan Nadarajah
4.	Undang-undang Keluraga & Keganasan Rumah tangga	Lalitha Nagamuthu
5.	Prosedur Sivil	William Foo Hiap Chong
6.	Undang-undang Keluraga & Keganasan Rumah tangga	Kasthuri Krishnan
7.	Undang-undang Jenayah	Ravinder Singh Dhaliwal
8.	Undang-undang Sivil	Harleen Kaur

### Statistik

- A. Jadual A menunjukkan temu bual yang dijalankan dan perwakilan undang-undang yang diberikan oleh Klinik LAC dari 1 Januari 2015 hingga 30 Oktober 2015.

<b>SETAKAT 30 OKTOBER 2015 JUMLAH WALK IN KLIEN 1699</b>	Perwakilan undang-undang	71
	Kes Susulan	137
	Tiada bidang kuasa, merit dan bidang undang-undang	159
	Rujukan	48
	Mean Test yang ditolak	38
	KIV	440
	Campurtangan undang-undang	2
	Walk in klien di Bilik Dock Brief	354
	Nasihat sahaja	450

### Bidang Perundangan yang dikendalikan oleh Pusat Bantuan Guaman

- B. Jadual B menunjukkan kes di bawah bidang undang-undang yang berlainan.

NO	BIDANG UNDANG-UNDANG	BILANGAN KES
1	Keluarga	349
2	Pekerjaan	147
3	Jenayah (Asing)	26
4	Sivil : Tuntutan kecil dan Kutipan hutang	237
5	Lain-lain : Konveyansing, kemalangan kenderaan bermotor, harta	286
6	Perumahan/Sewaan	160
7	Litigasi Kepentingan Umum	0
<b>Jumlah</b>		<b>1205</b>

### Penutup

Klinik LAC telah berkembang pesat sejak ditubuhkan pada tahun 1998. Terdapat banyak sebab-sebab di sebalik kejayaan berterusan klinik ini. Ketua sekretariat, kakitangan yang paling penting peguam sukarela kami telah secara berterusan yang mengendalikan fail (71 fail dibuka pada 2015), dengan memberikan nasihat dan pendapat, merupakan tulang belakang

kepada program undang-undang. Setiap daripada mereka memainkan peranan yang penting dalam menjayakan program ini dan ia boleh dikatakan bahawa setiap seorang daripada mereka telah menyumbang kepada pertumbuhan organisasi.

## 7. LAPORAN TERHADAP KLINIK LAC/ KLINIK SYARIAH

*Laporan disediakan oleh sekretariat*

Tujuan Klinik Syariah adalah untuk memberikan perkhidmatan guaman percuma kepada orang ramai yang memerlukan dan untuk memberi mereka pemahaman yang lebih baik di atas prinsip dan prosedur Undang-Undang Syariah. Ia juga membimbing mereka dalam mendapatkan bantuan yang betul dan perbicaraan yang adil daripada Mahkamah Syariah.

Klinik Syariah beroperasi daripada Sekretariat dan dibuka kepada orang ramai dari hari Isnin hingga Jumaat pada jam 10:00 pagi hingga 4:30 petang. Klinik Syariah di pusat ini akan dibantu oleh Peguam Syarie berpengalaman dan dikendalikan oleh pelatih-pelatih di dalam kamar yang melakukan tugas bantuan guaman mereka selama 14 hari.

Pelatih-pelatih dalam kamar diberi latihan selama setengah hari, tumpuan diberikan kepada Sivil dan Prosedur Syariah. Mereka juga menjalani latihan selama sehari dengan Klinik Bantuan Guaman yang telah menyediakan mereka dengan latihan asas kepada teknik menemu bual serta mengambil bahagian dalam perbincangan mengenai jenayah, pekerjaan dan undang-undang berkaitan keluarga.

Sejak Klinik LAC berjalan bersama-sama dengan Klinik Syariah, pelatih-pelatih di Klinik Syariah juga membantu dalam menemu bual klien awam. Tugas mereka termasuk menemuduga walk-in klien, menjalankan ujian min dan memberi nasihat yang bersesuaian dan apabila diperlukan akan meminta penjelasan daripada Peguam Sukarelawan. Ia adalah kepercayaan yang terbaik kami bahawa terdapat satu keperluan bagi kita untuk menyediakan perkhidmatan ini kepada sesiapa sahaja yang termasuk dalam ujian kelayakan itu.

Bilangan awam yang meminta perkhidmatan Syariah adalah rendah berbanding dengan Klinik Bantuan Guaman. Kebanyakan kes-kes yang datang ke pusat ini adalah kebanyakannya untuk perceraian, kembali Taat, Pengesahan cerai, penyelenggaraan dan tuntutan harta sepencarian.

Walau bagaimanapun, bilangan pelanggan turun naik. Kami mempunyai semakin ramai pelanggan yang datang untuk mendapatkan nasihat mengenai prosedur perceraian, permohonan fasakh, jagaan, hadnanah, perkahwinan dan perkara permohonan kematian tanpa wasiat dan prosiding pelaksanaan. Statistik bagi tahun 2015 menunjukkan bahawa terdapat sejumlah 37 walk-in klien dengan 1 fail dibuka.

Kami berharap pada tahun-tahun yang akan datang, kita akan dapat menjalankan program kesedaran untuk mendidik orang awam mengenai hak-hak mereka yang diamanahkan di bawah undang-undang syariah dan untuk memperkenalkan perkhidmatan yang tersedia yang ditawarkan oleh klinik kepada orang ramai yang memerlukan.

Kami juga ingin merakamkan ucapan terima kasih kepada Panel Pengurusan, Kakitangan Pusat Bantuan Guaman, Ahli Jawatankuasa Syariah, Sukarelawan Peguam dan pelatih-pelatih yang mengambil bahagian kerana minat, komitmen dan sokongan yang tidak berkesudahan dalam menjalankan Klinik Syariah dengan lancar.

## 8. LAPORAN KLINIK BANTUAN GUAMAN KOMUNITI

*Laporan disediakan oleh Ketua Projek*

### **Ahli-ahli Jawatankuasa**

Preetam Kaur (Penasihat)  
Genevieve Tan Gaik May (Ketua Projek)  
Pramodini Nair (Ketua Ganti)  
Mathew Lee  
Kamala Saraswathy  
Kasthuri Krishnan

Jawatankuasa ini akhirnya menemui ahli-ahli baru untuk meneruskan aktiviti-aktiviti Klinik Bantuan Guaman Komuniti ("CLAC") dengan Pramo, Kasthuri dan Kamala yang tidak sabar-sabar untuk menjalankan beberapa projek untuk CLAC dan mereka juga mencadangkan kepada Gene Tan bahawa mereka akan membawa lebih banyak peguam sukarela untuk membantu dalam aktiviti-aktiviti yang akan dijalankan.

Aktiviti yang dijalankan ialah:

1. Mesyuarat Jawatankuasa CLAC yang diadakan pada 24 April 2015 (Jumaat) pada jam 6:30 petang di KLLAC, enam peguam menghadiri dan lima menghantar permohonan maaf mereka tetapi mereka berikrar akan memberikan sokongan mereka untuk berkhidmat kepada masyarakat yang terpinggir.
2. Klinik Pilot Outreach di Jabatan Kebajikan Masyarakat Kuala Lumpur diadakan pada 6 April 2015 (Isnin) jam 2:00 petang dengan kejayaan yang besar dan pegawai-pegawai dari Kebajikan meminta kami untuk merangka risalah yang mudah dalam bahasa Melayu dan lain-lain bahasa vernakular untuk mengajak orang ramai.
3. Penyerahan kepada Ahli Parlimen untuk kelulusan mereka kepada penubuhan klinik undang-undang dengan PT Foundation, Yayasan SEED, PAMT dan WAKE.

Aktiviti lain yang berpotensi adalah Klinik KL Outreach Kebajikan sekali dalam seminggu (selepas mendapat kelulusan dari MP), Rang Undang-undang HIV, menggubal risalah untuk projek JKM, rangkaian hosting berkumpul dengan rakan kongsi NGO dan yang penting pegangan pemerhati bagi kes-kes masyarakat untuk kes yang tiada-tindakan polis atau mahkamah (selepas mendapat kelulusan dari MP).

Ketua projek kami, Gene Tan juga telah dipilih oleh Kedutaan AS Malaysia untuk mengambil bahagian dalam program perdana mereka, Program Pelawat Kepimpinan Antarabangsa di pelbagai negeri di seluruh Amerika Syarikat pada Jun 2015 bagi hak asasi manusia dan pro-bono kerja yang dijalankan vide Bar Majlis dan Pusat Bantuan Guaman. Malangnya, atas sebab-sebab peribadi, Gene Tan terpaksa menarik diri dari perjalanan di saat akhir.

Kami juga membantu kira-kira 57 kes reman melalui YBGK dan KLLAC dan dibantu oleh penyelaras kakitangan kami.

Kami merakamkan penghargaan kepada semua ahli-ahli yang lama dan juga ahli-ahli baru yang telah membantu dalam menjalankan jawatankuasa CLAC.

## **9. LAPORAN UNTUK KLINIK LAC/AWAM/WAO/SIS**

*Laporan disediakan oleh sekretariat*

Keperluan untuk perlindungan dan untuk menangani pelbagai isu yang melibatkan wanita dibawa ke depan bermula dengan beberapa wanita berdasarkan pertubuhan bukan kerajaan termasuk Persatuan Semua Wanita (AWAM), Pertubuhan Pertolongan Wanita (WAO) dan Sisters In Islam (SIS). AWAM telah memainkan peranan yang penting dalam menyokong isu-isu yang berkaitan dengan wanita iaitu keganasan berasaskan jantina dan juga ia telah menolak untuk pembaharuan undang-undang untuk menangani isu-isu yang berkaitan dengan wanita. AWAM memainkan peranan yang penting dalam Akta Keganasan Rumah Tangga 1994 dan kemasukan perkataan "jantina" dalam Perkara 8 Perlembagaan Persekutuan. Kerja AWAM ini tidak terhad hanya kepada sokongan dan pembaharuan undang-undang, malah mereka menganjurkan pelbagai aktiviti, antaranya dengan menjalankan latihan kesedaran rogol, dasar anti-gangguan seksual, kepimpinan wanita dan lain-lain Mereka juga menyediakan kaunseling dan bantuan guaman perkhidmatan kepada yang masih hidup dan keganasan berasaskan jantina.

WAO juga terlibat secara aktif dalam menangani pelbagai isu berkaitan dengan wanita. Selain mewujudkan kesedaran umum, isu-isu berkaitan dengan wanita, perkhidmatan WAO juga termasuk menyediakan perlindungan untuk wanita yang didera dan juga terhadap anak-anak mereka. Mereka juga menjalankan perkhidmatan kaunseling.

Sisters In Islam (SIS) adalah satu lagi organisasi penting yang terutamanya terlibat dalam perlindungan wanita Muslim daripada diskriminasi di mahkamah Syariah dan juga untuk memberikan mereka perlindungan dalam hal-hal berkaitan undang-undang Islam. Mereka mengadakan rundingan dengan pihak berkuasa yang berkaitan, untuk membawa pembaharuan undang-undang dan juga menyediakan nasihat perundangan kepada wanita Islam, mengenai undang-undang Syariah.

Pusat Bantuan Guaman Kuala Lumpur telah bekerjasama erat dengan organisasi tersebut di atas dan menyediakan pelatih-pelatih kepada organisasi-organisasi di bawah program bantuan guaman yang wajib. Pelatih-pelatih membantu pertubuhan-pertubuhan ini dalam menjalankan kedua-dua program kerja undang-undang organisasi dan terlibat dalam undang-undang bukan organisasi. Di samping memberi nasihat undang-undang mereka membantu organisasi dengan penyelidikan, sokongan jangkauan dan lain-lain.

Jadual 1: Jumlah Pelatih Untuk Setiap Kumpulan

PROGRAM	KUMPULAN 82	KUMPULAN 83	KUMPULAN 84	KUMPULAN 85
AWAM	6	6	6	5
WAO	3	3	3	2
SIS	3	3	3	2
<b>JUMLAH</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>9</b>

Sebelum memulakan tugas, setiap Pelatih perlu menghadiri latihan di mana wakil dari setiap Pertubuhan Bukan Kerajaan memberi penerangan mengenai tugas yang perlu dijalankan. Pada minggu ke-7, semua Pelatih perlu menjalani Penilaian Separuh Penggal dimana mereka perlu berkongsi pengalaman dan juga kekurangan yang mereka hadapi sepanjang program bantuan guaman ini. Kemudian, wakil dari setiap Pertubuhan Bukan Kerajaan diberi peluang untuk memberi maklum balas mengenai prestasi Pelatih melalui pemerhatian mereka.

Jadual 2: Jumlah Pelanggan yang dikendalikan oleh Pertubuhan Bukan Kerajaan setiap bulan

PROGRAM	JAN	FEB	MAC	APRIL	MEI	JUN	JULAI	OGOS	SEPT	OKT
AWAM	20	15	15	15	20	18	28	20	19	23
WAO	14	2	10	7	5	9	4	7	5	6
SIS	44	32	53	46	27	28	40	38	21	26

Jadual 3: Jumlah Pelanggan yang dikendalikan oleh Pertubuhan Bukan Kerajaan dari bulan Januari-Oktober 2015

PROGRAM	JUMLAH PELANGGAN
AWAM	193
WAO	69
SIS	355

Jumlah pelanggan yang dikendalikan oleh SIS mencatatkan jumlah yang tertinggi iaitu sebanyak 355 pelanggan diikuti oleh AWAM sebanyak 193 pelanggan dan WAO sebanyak 69 pelanggan. Pelatih perlu memberi nasihat perundangan kepada pelanggan yang datang dan juga kepada mereka yang membuat panggilan ke Pertubuhan Pertubuhan ini. Pelatih juga menjalankan penyelidikan perundangan bagi Pertubuhan Bukan Kerajaan yang berkaitan disamping turut melibatkan diri dalam kerja lapangan seperti membantu pelanggan untuk membuat laporan polis dan menyelamatkan mereka dari rumah mereka.

Pertubuhan Pertubuhan Bukan Kerajaan dan Pelatih telah memberi maklumbalas positif serta mendapat kebaikan daripada program ini.

## 10. LAPORAN TENAGANITA

*Disediakan oleh Sekretariat*

Tenaganita adalah sebuah pertubuhan bukan kerajaan yang menggalakkan kesaksamaan dan menegakkan hak asasi manusia. Mereka terlibat dalam melindungi hak-hak pekerja, pendatang dan pelarian. Pusat Bantuan Guaman Kuala Lumpur bekerjasama dengan Tenaganita untuk menempatkan sebilangan Pelatih di dalam pertubuhan ini.

Sebanyak empat kumpulan telah diperuntukkan kepada Tenaganita dari Januari hingga Oktober 2015 sebagaimana dalam Jadual 1.

KUMPULAN	82	83	84	85
Jumlah Pelatih	15	20	20	15

Jadual 1: Jumlah Pelatih bagi setiap kumpulan.



Sebelum memulakan tugas, setiap Pelatih yang terlibat perlu melalui dua hari latihan di mana mereka didedahkan kepada kerja-kerja di Tenaganita. Mereka juga diberikan latihan mengenai kemahiran menemuramah, kemahiran berunding dan kemahiran dokumentasi serta bidang yang berkaitan undang-undang seperti Akta Anti Pernedagangan Manusia dan Akta Pekerja. Pelatih juga perlu menjalani Penilaian Separuh Penggal yang dijalankan dalam minggu ke-7 tugas mereka. Dalam Penilaian tersebut, sebarang kelemahan yang dihadapi oleh Pelatih dan Tenaganita akan dibincangkan dan penambahbaikan yang boleh dibuat untuk program tersebut.

KES	KES BARU	KES PENIPUAN	KES LAMA	PANGGILAN YANG DITERIMA	JUMLAH KESELURUHAN KES
Bilangan Kes	400	180	120	1400	2100

Jadual 2: Kes-kes yang dihadiri dari Januari sehingga November 2015.

Jadual di atas menunjukkan statistik kes pelanggan yang telah dibantu oleh Pelatih sepanjang tahun dan diantara masalah yang dihadapi oleh pelanggan adalah gaji yang tidak dibayar, penderaan fizikal, penyeludupan manusia, peras ugut, dan lanjutan kontrak secara paksaan.

Pelatih juga diberikan pelbagai tugas yang perlu ditangani semasa Bantuan Guaman mereka dengan Tenaganita termasuk menyelidik fakta, mengesahkan butiran melalui panggilan telefon, dokumentasi, membuat laporan polis dan membantu dalam perkara yang berkaitan dengan imigresen. Selain itu, Pelatih juga dikehendaki untuk membantu dalam perbincangan, memberi nasihat dan memberi khidmat bantuan perundangan antara majikan dan pekerja.

Pelatih menzahirkan perasaan gembira dengan program ini dan ada yang terus secara sukarela berkhidmat dengan Tenaganita apabila selesai tugas yang diberi iaitu khidmat bantuan guaman. Tenaganita juga gembira dengan prestasi Pelatih dan sangat berbesar hati kerana mempunyai mereka.

## 11. LAPORAN PESURUHJAYA TINGGI PBB BAGI PELARIAN (UNHCR)

*disediakan oleh Sekretariat*

Pesuruhjaya Tinggi PBB bagi Pelarian ("UNHCR") memainkan peranan penting untuk memberikan pengiktirafan dan perlindungan kepada pelarian di Malaysia. UNHCR pada dasarnya menemubual mereka yang mencari perlindungan dan menentukan status pelarian mereka dan menjaga kebajikan pelarian sehingga mereka ditempatkan semula ke negara tuan rumah.

Pusat Bantuan Guaman Kuala Lumpur ("KLLAC") bekerjasama dengan UNHCR dalam memberi bantuan kepada pelarian di Malaysia. KLLAC memberikan tugas kepada beberapa Pelatih untuk membantu UNHCR. Jadual satu menunjukkan ringkasan bilangan Pelatih yang diperuntukkan kepada UNHCR. Hanya 15 orang Pelatih yang diperuntukkan kepada UNHCR semasa Kumpulan 82 kerana bilangan Pelatih yang tidak mencukupi.

Pelatih memulakan bantuan guaman dengan menghadiri latihan sepanjang hari di mana Pelatih diperkenalkan dengan UNHCR dan peranan mereka dalam UNHCR. Penilaian Separuh Penggal dijalankan sekitar minggu ke-7 program untuk membolehkan kedua-dua wakil dari UNHCR dan Pelatih memberi maklum balas mengenai program tersebut.

KUMPULAN	82	83	84
Jumlah Pelatih	15	20	25

Jadual 1: Bilangan Pelatih bagi Setiap Kumpulan

Seramai 2978 pelanggan yang dibantu oleh Pelatih bermula dari Januari hingga Ogos 2015. Bilangan tertinggi dicatatkan pada bulan Januari 2015 iaitu sebanyak 444 pelanggan dan jumlah terendah pada bulan Julai iaitu sebanyak 281 pelanggan.

BULAN	JAN	FEB	MAC	APRIL	MEI	JUN	JULAI	OGOS	JUMLAH
Bilangan Pelanggan	444	350	420	416	440	327	281	300	2978

Jadual 2: Bilangan pelanggan yang dibantu bagi setiap bulan.

Pelatih pada dasarnya membantu pelanggan yang datang ke pejabat UNHCR. Pelatih akan menemuduga mereka, mengambil butiran dan tuntutan mereka. Pelanggan yang datang ke pejabat kebanyakannya mempunyai masalah seperti masalah perkahwinan, keganasan rumah tangga, rompakan, penahanan salah dan lain-lain. Pelatih juga dibawa ke pusat tahanan untuk menjalankan temuduga dan mendapatkan pembebasan bagi pelarian di pusat-pusat tahanan.

Program ini telah dapat memberi gambaran kepada Pelatih mengenai masalah dan status pelarian di Malaysia dan Pelatih secara amnya berpuas hati dengan program ini.

## **12. LAPORAN PENANGKAPAN SEGERA**

*Disediakan oleh Sekretariat*

### **Pengenalan**

Pusat Bantuan Guaman Kuala Lumpur ("KLLAC") diminta menyediakan bantuan guaman dan perwakilan kepada orang-orang yang mengambil bahagian dalam perhimpunan dan perarakan. Ianya lebih dikenali sebagai "Pasukan Penangkapan Segera", KLLAC memerlukan peguam yang terlatih dalam penangkapan segera secara sukarela dalam memberikan khidmat untuk membantu mereka yang ditangkap dan menyediakan perwakilan perundangan semasa penangkapan serta reman bagi mereka yang ditangkap.

Dalam tahun kalendar 2015, YBGK (KL) telah diminta untuk bekerjasama dengan pasukan penangkapan segera pada tiga keadaan iaitu:

1. Perhimpunan Bersih 4 yang diadakan pada 29 dan 30 Ogos 2015
2. Anti-Perjanjian Perkongsian Trans-Pasifik (TPPA) yang diadakan pada 20 November 2015
3. 808 #AtTheEdge yang diadakan pada 8 Ogos 2015

Semasa Perhimpunan Bersih 4, YBGK (KL) telah menubuhkan sekretariat Majlis Peguam Malaysia, manakala bagi perhimpunan yang lain, peguam-peguam dibenarkan berada di rumah dan diminta hadir sekiranya diperlukan.

Mujurlah semasa ketiga-tiga perhimpunan, tiada kejadian yang tidak diingini dan pasukan penangkapan segera tidak dipanggil untuk bertindak.

## **13. LAPORAN PROGRAM ATTACHMENT**

*Disediakan oleh Sekretariat*

"Pasti ramai yang dipupuk atau dibesarkan untuk mempunyai kepercayaan bahawa mereka boleh dan perlu berusaha untuk membuat perbezaan dalam kehidupan orang lain".

Pusat Bantuan Guaman Kuala Lumpur ("KLLAC") menyediakan peluang kepada Pelatih-Pelatih dari universiti dan kolej awam serta swasta untuk merealisasikan potensi mereka sebagai individu yang mampu untuk membuat perbezaan dalam kehidupan orang-orang yang memerlukan. Program sampingan ini dikendalikan oleh Sekretariat KLLAC dan memberi peluang kepada Pelatih-Pelatih untuk mengambil bahagian dalam pelbagai program ("Program") yang dianjurkan oleh Pusat. Ini adalah termasuk:

- (a) Klinik Pusat Bantuan Guaman ("LAC") (di mana para pelanggan ditemuramah oleh murid-murid dan diberikan nasihat dan bantuan);
- (b) Program Dock Brief (di mana Pelatih Dalam Kamar akan menjalankan mitigasi dan permohonan bagi jaminan);
- (c) Program Penjara (di mana Pelatih Dalam Kamar akan menjalankan temu bual dengan tahanan); dan
- (d) Badan Bukan Kerajaan (NGO) seperti All Women's Action Society Malaysia ("AWAM"), Women's Aid Organisation ("WAO"), Sisters in Islam ("SIS"), United Nation High Commissioner for Refugees ("UNHCR"), Tenaganita dan Pink Triangle Foundation (di mana Pelatih Dalam Kamar akan membantu dan/atau menjalankan temu bual dengan pelanggan yang kurang bernasib baik dan bermasalah).

Selain daripada program di atas, Pelatih-Pelatih juga diharapkan dapat terlibat dalam aktiviti-aktiviti harian di Pusat seperti menjalani latihan yang disediakan oleh Pusat dan juga menjalankan kajian undang-undang.

Pelatih-Pelatih mempunyai pilihan untuk melibatkan diri dalam Program selama seminggu, atau selama dua bulan. Setelah tamat program, setiap Pelatih akan dianugerahkan dengan sijil dari Pusat.

Di bawah adalah senarai pelbagai kolej, university dan firma yang telah mengambil bahagian dalam program ini bagi tahun 2015:

- i. Universiti Malaya (UM);
- ii. Universiti Islam Antarabangsa Malaysia (UIAM);
- iii. Kolej Universiti Taylor;
- iv. Zaid Ibrahim & Co; dan
- v. Skrine.

#### **14. LAPORAN YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK)**

*Disediakan oleh Sekretariat*

##### **1. Pengenalan**

la telah dibentangkan di Parlimen pada November 2009 kerana sebanyak 84, 376 daripada 108, 528 tertuduh yang tidak diwakili dalam perbicaraan jenayah di Mahkamah Majistret pada tahun 2008. Ini adalah kerana terdapat sebilangan besar mereka tidak menerima bantuan undang-undang dari dua organisasi utama di Malaysia iaitu Jabatan Bantuan Guaman Malaysia dan Pusat Bantuan Guaman Majlis Peguam disebabkan sumber yang terhad.

Yayasan Bantuan Guaman Kebangsaan ("YBGK") telah ditubuhkan untuk mengatasi jurang ini. Cadangan kepada penubuhan YBGK timbul semasa mesyuarat di antara Perdana Menteri dan ahli-ahli Majlis Peguam pada 7 Januari 2010. YBGK telah dilancarkan secara rasmi pada 25 Februari 2011 oleh Perdana Menteri dan memulakan operasinya pada 2 April 2012.

YBGK menyediakan bantuan guaman secara percuma kepada semua rakyat Malaysia dalam prosiding jenayah samada di balai polis untuk pendengaran reman dan apabila mereka didakwa di mahkamah. Dalam usaha untuk diwakili pada perbicaraan dan rayuan, pelanggan mesti mempunyai gaji kurang daripada RM36,000 setahun. YBGK dibantu oleh Jawatankuasa Pemandu Majlis Peguam YBGK dan disokong oleh Sekretariat Majlis Peguam YBGK yang terletak di KLLAC. Pusat Bantuan Guaman Majlis Peguam Negeri turut berkhidmat sebagai pejabat YBGK.

##### **2. Statistik YBGK**

YBGK Kuala Lumpur meliputi lima IPD dan satu IPK. IPD. Lima IPD ini adalah IPD Dang Wangi, IPD Brickfields, IPD Cheras, IPD Putrajaya dan IPD Sentul. Selain itu, YBGK Kuala Lumpur juga meliputi tiga Pusat Tahanan reman iaitu di Jinjang, Dang Wangi dan Putrajaya.

Dalam jangka masa sepuluh bulan yang lepas (Januari hingga Oktober 2015), peguam YBGK dari KLLAC telah mewakili 13,760 orang yang direman oleh mahkamah. Peguam juga telah membantu 1986 orang yang didakwa dan mereka yang memerlukan bantuan mitigasi dan permohonan jaminan.

Di samping itu, dalam tempoh masa yang sama, sebanyak 541 fail jenayah telah dibuka dan diberikan kepada peguam YBGK.

##### **3. Latihan YBGK untuk Peguam**

Pada tahun 2015, sebanyak 10 latihan YBGK untuk Peguam telah dijalankan di kedua-dua bahagian Timur dan Barat Malaysia. Satu langkah yang lebih ketat telah diambil pada tahun ini dengan memperkenalkan ujian penilaian di mana hanya mereka yang lulus ujian akan memenuhi syarat untuk menjadi peguam YBGK. Bahagian 3 daripada Latihan YBGK yang terdiri daripada membantu tahanan jenayah juga, telah dipanjangkan latihannya selama dua hari dengan mengadakan latihan yang lebih intensif, interaksi dan persembahan kumpulan.

Pada Oktober 2015, sejumlah 361 orang peguam telah dilatih untuk Bahagian 1 dan 2, manakala 82 orang peguam bagi Bahagian 3 seterusnya membawa jumlah besar bagi peguam YBGK yang terlatih kepada jumlah 2,183.

##### **4. Audit**

Dalam usaha untuk memastikan kualiti kerja yang dilakukan oleh peguam YBGK, Jawatankuasa Audit telah ditubuhkan pada bulan Februari 2015 oleh Jawatankuasa Pemandu Majlis Peguam YBGK. Jawatankuasa ini terdiri daripada juruaudit yang dilatih dan dilantik dan mereka akan membuat lawatan ke pusat-pusat tahanan untuk

mengaudit peguam YBGK yang bertugas. Peguam-peguam ini kemudiannya akan dipanggil untuk mesyuarat dengan jawatankuasa tersebut berdasarkan prestasi mereka. Sehingga Oktober 2015, tiga audit telah dijalankan di Kuala Lumpur dan Selangor.

**5. Program YBGK bagi Pelatih**

Oleh kerana skop yang luas dan pengalaman pendidikan yang disediakan oleh program YBGK, KLLAC memperkenalkan Program YBGK bagi Pelatih pada tahun 2013. Di bawah program ini, Pelatih-Pelatih didedahkan dengan pelbagai aspek undang-undang dan prosiding jenayah.

Pelatih-Pelatih membantu menemuramah pelanggan, campur tangan dalam kerja perundangan, memantau proses reman di mahkamah dan balai polis serta tugas-tugas pentadbiran. Pelatih juga dikehendaki untuk menjalankan penyelidikan dalam pelbagai aspek sistem keadilan jenayah dan membuat cadangan bagi membaharui undang-undang.

Setiap kumpulan dalam program ini terdiri daripada kira-kira 15 hingga 20 orang Pelatih. Pelatih diberikan taklimat mengenai YBGK dan diberi latihan dalam undang-undang dan prosiding jenayah.

**6. Latihan untuk Pengajar (TOT)**

Sekretariat YBGK juga menjalankan latihan tenaga pengajar ("TOT") untuk peguam YBGK yang dipilih secara sukarela. Latihan ini dijalankan atas sebab untuk meningkatkan jumlah pelatih bagi membantu jurulatih sedia ada dan ahli-ahli jawatankuasa untuk menjalankan aktiviti-aktivitinya. Pada masa ini, terdapat 11 orang peguam YBGK sukarela yang telah dilatih dan terlibat secara aktif dalam latihan untuk peguam. Sebanyak 3 latihan berlangsung sepanjang tahun ini.

**7. Mesyuarat KUP**

Pusat Bantuan Guaman negeri, terlibat dalam program YBGK dengan menghadiri mesyuarat dengan Ketua Unit Pendakwaan Negeri (KUP). Pada mesyuarat ini, Ketua KUP mempengerusikan mesyuarat yang dihadiri oleh pegawai-pegawai polis, agensi-agensi penguatkuasaan, kehakiman dan pihak lain.

Tujuan mesyuarat ini adalah untuk membincangkan dan menyelaraskan kegiatan YBGK kepada semua pihak yang terlibat. Semua pihak digalakkan untuk mencari penyelesaian dan membuat cadangan-cadangan untuk menangani sebarang masalah yang dihadapi oleh semua jabatan.

**8. MH 370**

Isu MH 370 bermulanya apabila firma dari negara luar mahu campur tangan dan mengambil kes bagi keluarga mangsa MH 370 di Malaysia. Lembaga Pengarah YBGK meminta YBGK untuk membantu waris penumpang MH 370 dalam mendapatkan pengisytiharan kematian. YBGK dan Majlis Peguam telah bersetuju untuk membantu keluarga mangsa MH 370 dengan menempatkan sebilangan peguam untuk ditugaskan mengendalikan kes itu dan menjawab sebarang pertanyaan daripada keluarga mangsa.

Dengan peningkatan bilangan keluarga mangsa MH370 yang tampil ke hadapan untuk mendapatkan perisytiharan itu, dua latihan mengenai prosedur mendapatkan pengisytiharan kematian telah diadakan pada tahun ini supaya dapat mengajak dan melatih lebih banyak peguam YBGK untuk mengambil kes MH370.

**9. Lembaga Pengampunan**

Memandangkan gerakan penentang hukuman mati di peringkat global, YBGK memulakan projek untuk membantu banduan yang dijatuhkan dengan hukuman mati dengan membuat petisyen secara bertulis berkaitan pengampunan mereka.

YBGK juga menjalankan latihan untuk peguam YBGK menulis petisyen pengampunan ini yang akhirnya dapat membantu banduan membuat petisyen bertulis mengenai pengampunan mereka. YBGK telah membantu 40 banduan untuk menulis petisyen pengampunan bagi mereka yang dijatuhkan hukuman mati dari tiga penjara yang berbeza (Alor Setar, Taiping, Simpang Renggam). YBGK juga merancang untuk melawat lebih banyak penjara dan memberikan bantuan supaya dapat membantu lebih banyak banduan yang dijatuhkan hukuman mati pada masa akan datang.

**10. Urus setia YBGK**

KLLAC sebagai pihak yang memulakan program YBGK juga mendapati pihaknya selaras dengan beberapa aspek dalam program YBGK. KLLAC bertindak sebagai urusetia YBGK dalam berhubung dengan Pusat Bantuan Guaman Negeri yang lain terutamanya dalam menentukan dasar, pentadbiran dan latihan.

KLLAC juga merupakan rangkaian yang berkaitan dengan pihak berkuasa dan jabatan yang berkenaan bagi memastikan kelancaran program YBGK.

KLLAC turut berurusan dengan pejabat YBGK yang kini dalam KLRCRA dari segi pendaftaran peguam YBGK, memeriksa tuntutan dan bayaran untuk peguam dan menetapkan pelaksanaan prosedur operasi.

**11. Kesimpulan**

Program YBGK bermula pada 2 April 2012 dan telah beroperasi selama dua setengah tahun dan ianya merupakan projek pembangunan yang berterusan. Dari satu keadaan di mana 80% daripada tertuduh yang tidak diwakili di mahkamah Majistret, beribu-ribu orang pada hari ini telah dibantu oleh YBGK dalam menghadapi prosiding jenayah.

Secara keseluruhan, YBGK telah membawa perubahan yang ketara kepada sistem undang-undang Jenayah. Ia menyediakan khidmat bantuan perundangan yang komprehensif dan mampan bagi menghadapi keadilan dalam sistem keadilan jenayah.





# 24th ANNUAL GENERAL MEETING

KUALA LUMPUR BAR



JAWATANKUASA BAR KUALA LUMPUR  
KUALA LUMPUR BAR COMMITTEE

Tingkat 4, Wisma Hangsam  
No. 1 Jalan Hang Lekir

50000 Kuala Lumpur, Malaysia

Tel: +603 2032 1440 (Hunting Line)

Fax: +603 2032 1090

E-mail: [klbc@klbar.org.my](mailto:klbc@klbar.org.my)

Website: [www.klbar.org.my](http://www.klbar.org.my)