



**Circular No 063/2020
Dated 17 Mar 2020**

To Members of the Malaysian Bar and pupils in chambers

Update on COVID-19 | Movement Control Order (II)

We refer to [Circular No 062/2020](#) and to the Movement Control Order (“Order”) issued under the Prevention and Control of Infectious Diseases Act 1988 and the Police Act 1967 as announced by the Prime Minister on 16 Mar 2020.

(1) Closure of the Following Entities

(a) Courts

Please take note that all courts will be closed from **tomorrow, 18 Mar 2020 to 31 Mar 2020**.

Please refer to the email from the Chief Registrar of the Federal Court for further information (see pages 3 to 7).

The Bar Council appreciates the shortcomings in the Chief Registrar’s email such as the difficulties that will be faced by Members in filing cause papers via e-filing during the period concerned, as they may need to get instructions from their clients and approach third parties, such as the Commissioner for Oaths, to get affidavits affirmed. In view of that, the Bar Council will continue to engage with the Chief Registrar of the Federal Court to seek further clarification and update Members accordingly. As for now, we advise Members to comply with the email of the Chief Registrar.

(b) Land Offices

Please take note that the Kuala Lumpur Land Office will also be closed from **18 Mar to 31 Mar 2020**. Please see the letter from the Pejabat Pengarah Tanah dan Galian Wilayah Persekutuan for further information (see pages 8 to 9).

We have also been informed that the Selangor, Melaka and Johore Land Offices will also be closed during the same period; however, we have yet to receive official notification of the same. Be that as it may, insofar as land officers are concerned, we advise Members to check with their respective state bars, from time to time.

(2) Guidelines for Working Remotely

As law firms will no longer be able to operate physically as usual in light of the Order, the Bar Council has prepared a Law Practice Preparedness Plan to provide guidelines to Members (see pages 10 to 11).

The Bar Council has also waived Rulings 7.01(6) and 7.05 during the enforcement of the Order from 18 Mar 2020 until 31 Mar 2020. Please see page 12 of this circular to refer to the waived Rulings.

(3) Advocates and Solicitors Disciplinary Board (“ASDB”) and Bar Council Secretariat (“BC Secretariat”) will be closed

Kindly be informed that the ASDB and BC Secretariat will also be closed from 18 Mar until 31 Mar 2020.

Subject to any further order(s) which may be issued by the Government in respect of the COVID-19 situation, the BC Secretariat will reopen at 8:30 am on 1 Apr 2020 (Wednesday).

We request Members to liaise with the BC Secretariat through email at council@malaysianbar.org.my during this period of closure, as we will be working remotely.

(4) The Bar Council will continue to engage with all relevant bodies and authorities and keep Members informed of all developments.

Thank you.

**AG Kalidas
Secretary
Malaysian Bar**



PEJABAT KETUA PENDAFTAR
Office of the Chief Registrar
MAHKAMAH PERSEKUTUAN MALAYSIA
Federal Court of Malaysia

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Yang Arif-Yang Arif / Tuan / Puan,

Dengan hormatnya perkara di atas dirujuk.

2. Bagi memastikan akses kepada keadilan (*access to justice*), adalah saya diarahkan oleh YAA Ketua Hakim Negara untuk memaklumkan bahawa berikutan Perintah Kawalan Pergerakan berkuat kuasa mulai 18 Mac 2020 hingga 31 Mac 2020 di bawah Akta Pencegahan dan Pengawalan Penyakit 1988 dan Akta Polis 1967 yang telah diumumkan melalui Perutusan Khas YAB Tan Sri Dato' Haji Muhyiddin bin Haji Mohd. Yassin, Perdana Menteri Malaysia mengenai COVID-19 pada 16 Mac 2020, berikut adalah panduan pengendalian kes-kes di mahkamah seluruh Malaysia:

a. **Perbicaraan / Pendengaran Kes Sivil dan Jenayah**

Semua perbicaraan / pendengaran kes sivil dan jenayah sepanjang tempoh 18 Mac 2020 hingga 31 Mac 2020 adalah ditangguhkan dan penetapan tarikh perbicaraan / pendengaran yang baharu akan dimaklumkan kemudian.

b. **Pemfailan / Pengurusan Kes Sivil**

i) Bagi mahkamah yang menggunakan sistem eKehakiman, pemfailan kes-kes sivil baharu / notis rayuan dan dokumen-dokumen akan berjalan seperti biasa melalui sistem eFiling.

ii) Bagi mahkamah yang tidak mempunyai sistem eKehakiman, pemfailan kes-kes sivil baharu dan dokumen-dokumen akan hanya diterima mulai 1 April 2020. Bagi kes-kes Mahkamah Sesyen yang memerlukan kesegeraan, pemfailan boleh dibuat di mahkamah berdekatan yang mempunyai sistem eKehakiman di negeri

berkenaan. Sebagai contoh, bagi kausa tindakan di Bangi, kes tersebut boleh difailkan melalui sistem eKehakiman di Mahkamah Shah Alam.

iii) Bagi permohonan perakuan segera di Mahkamah Persekutuan, Timbalan Kanan Pendaftar / Timbalan Pendaftar akan mengendalikan dokumen perakuan segera dan mendapatkan arahan selanjutnya daripada YAA Ketua Hakim Negara.

iv) Bagi permohonan perakuan segera di Mahkamah Rayuan, Pendaftar Mahkamah Rayuan / Timbalan Kanan Pendaftar akan mengendalikan dokumen perakuan segera dan mendapatkan arahan selanjutnya daripada YAA Presiden Mahkamah Rayuan.

v) Bagi permohonan perakuan segera di Mahkamah Tinggi, Timbalan Pendaftar (Pentadbiran / Pengurus) atau Penolong Kanan Pendaftar (Pentadbiran / Pengurus) akan mengendalikan dokumen perakuan segera dan mendapatkan arahan selanjutnya daripada YA Hakim / Pesuruhjaya Kehakiman yang bertugas.

vi) Bagi permohonan perakuan segera di Mahkamah Sesyen, Penolong Kanan Pendaftar Mahkamah Rendah akan mengendalikan dokumen perakuan segera dan mendapatkan arahan selanjutnya daripada Pengarah Mahkamah Negeri.

vii) Pengurusan kes sivil secara eReview akan terus dijalankan seperti biasa secara dalam talian (*online*) manakala pengurusan kes sivil secara manual akan ditangguhkan dan akan diberikan tarikh yang baharu.

c. **Pengurusan Kes Bagi Kes-Kes Jenayah di Mahkamah Persekutuan dan Mahkamah Rayuan**

Pengurusan kes jenayah di Mahkamah Persekutuan dan Mahkamah Rayuan adalah ditangguhkan dan penetapan tarikh baharu akan dimaklumkan kemudian.

d. **Pengurusan Kes Bagi Kes-Kes Jenayah di Mahkamah Rendah**

i) **Permohonan Reman**

Permohonan untuk tahanan reman di bawah seksyen 117 Kanun Tatacara Jenayah, seksyen 259 Kanun Tatacara Jenayah dan di bawah Akta Imigresen 1959/1963 akan dijalankan seperti biasa mengikut jadual bertugas yang telah ditetapkan.

ii) **Pendaftaran Kes-Kes Baharu**

Jika terdapat keperluan untuk pendaftaran kes baharu, Pegawai Penyiasat hendaklah memaklumkan lebih awal kepada Hakim Mahkamah Sesyen dan Majistret yang bertugas bagi tujuan persediaan oleh mahkamah. Pengarah Mahkamah Negeri hendaklah menyediakan jadual bertugas pegawai dan kakitangan sepanjang tempoh Perintah Kawalan Pergerakan berkuat kuasa. Sesalinan jadual bertugas tersebut hendaklah dikemukakan kepada Ketua Polis Negeri dan Pengerusi Jawatankuasa Peguam Negeri masing-masing.

iii) **Permohonan Jamin**

Bagi kesalahan yang boleh dijamin, Pengarah Mahkamah Negeri hendaklah memastikan urusan jamin dapat diproses seperti biasa.

3. Sekiranya Yang Arif-Yang Arif / Tuan / Puan mempunyai apa-apa pertanyaan, pihak Yang Arif-Yang Arif / Tuan / Puan bolehlah berhubung dengan pegawai-pegawai yang berikut:

(a) Puan Jumirah binti Marjuki

Timbalan Kanan Pendaftar

Mahkamah Persekutuan Malaysia

019-7302253 / jumirah@kehakiman.gov.my

(b) Puan Norliza binti Othman

Pendaftar Mahkamah Rayuan

012-2367976 / norliza@kehakiman.gov.my

(c) Puan Hasbi binti Hasan

Pendaftar Mahkamah Tinggi Malaya

012-2098648 / hasbi@kehakiman.gov.my

(d) Puan Amelati Parnell

Pendaftar Mahkamah Tinggi Sabah dan Sarawak

019-8195908 / amelati@kehakiman.gov.my

(e) Tuan M. Bakri bin Abd. Majid

Pendaftar Mahkamah Rendah Malaya

019-9851333 / mbakri@kehakiman.gov.my

(f) Tuan Jason Juga

Pendaftar Mahkamah Rendah Sabah dan Sarawak

019-8346554 / jason@kehakiman.gov.my

4. Pejabat ini akan memberikan arahan berhubung dengan pengendalian kes dari semasa ke semasa.

Sekian, terima kasih.

“BERKHIDMAT UNTUK NEGARA”

Saya yang menjalankan amanah,

t.t.

(AHMAD TERRIRUDIN BIN MOHD SALLEH)

Ketua Pendaftar

Mahkamah Persekutuan Malaysia



**PEJABAT PENGARAH TANAH DAN GALIAN
WILAYAH PERSEKUTUAN**

Aras G - 6, Rumah Persekutuan
Jalan Sultan Hishamuddin
50678 KUALA LUMPUR
MALAYSIA

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Portal Rasmi : www.ptgwp.gov.my

Rujukan Tuan :
Rujukan Kami : PTG/WP16/134 (81)
Tarikh : 17 Mac 2020

Badan Peguam Malaysia,
No. 13, 15 & 17,
Leboh Pasar Besar,
50050 Kuala Lumpur

Jawatankuasa Peguam Kuala Lumpur,
4th Floor,
Wisma Hangsam,
No. 1, Jalan Hang Lekir,
50000 Kuala Lumpur

Jawatankuasa Peguam Selangor
No. 41, Jalan Bola Jaring 13/15,
Seksyen 13,
40100 Shah Alam
Selangor Darul Ehsan

YBhg. Datuk/Tuan/Puan,

**MAKLUMAN BERKENAAN PENUTUPAN PEJABAT PENGARAH TANAH DAN GALIAN
WILAYAH PERSEKUTUAN KUALA LUMPUR**

Dengan segala hormatnya saya merujuk perkara di atas.

2. Susulan Perintah Kawalan Pergerakan berkuatkuasa 18 hingga 31 Mac 2020, Pejabat Pengarah Tanah dan Galian Wilayah Persekutuan Kuala Lumpur akan ditutup sepenuhnya sepanjang tempoh tersebut.
3. Sehubungan itu, perkara-perkara berikut akan dikuatkuasa bagi urusan-urusan yang berkaitan sepanjang tempoh tersebut:

- i) Semua perserahan urusan niaga yang dikenakan denda berikutan penutupan pejabat ini akan diberikan pengecualian denda dan lanjutan masa untuk membuat perserahan sehingga satu (1) bulan daripada tarikh akhir yang sepatutnya. Perserahan yang tertakluk kepada denda sebelum Perintah Kawalan Pergerakan dikeluarkan tidak termasuk di dalam pengecualian ini.
- ii) Denda lewat bagi kutipan hakmilik yang akan dikenakan susulan Perintah Kawalan Pergerakan ini adalah dikecualikan dan diberi lanjutan masa sehingga satu (1) bulan untuk membuat kutipan.
- iii) Surat Kebenaran Pindahmilik/Gadaian/Pajakan yang tamat tempoh pada 18 hingga 31 Mac 2020 diberi lanjutan masa selama satu (1) bulan daripada tarikh tamat tempoh surat tersebut.

Sekata Kita Nota



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- iv) Semua siasatan lelongan awam dan hakmilik hilang yang telah ditetapkan pada 18 hingga 31 Mac 2020 ditangguhkan dan pejabat ini akan mengeluarkan surat baharu setelah Perintah Kawalan Pergerakan tamat.

4. Pegawai-pegawai berikut diberikan kuasa untuk memberi pengecualian bagi perkara-perkara di perenggan 3(i), (ii) dan (iii) di atas.

- i) Nor Azura binti Abdul Rahman, Ketua Penolong Pengarah Bahagian Pendaftaran;
- ii) Umi Khalsum binti Omar, Penolong Pengarah Bahagian Pendaftaran;
- iii) Nurul Kamsiah Hanim binti Md Yusof, Penolong Pengarah Bahagian Pendaftaran;
- iv) Norlina binti Mohd Mokhtar, Penolong Pengarah Bahagian Pendaftaran;
- v) Suhaili binti Abdul Hamid, Penolong Pengarah Bahagian Pendaftaran; dan
- vi) Md Zairi Ariffin bin Md Zali, Penolong Pengarah Bahagian Pendaftaran.

5. Berikut adalah maklumat perhubungan pegawai Bahagian Pendaftaran sepanjang Perintah Kawalan Pergerakan dilaksanakan.

Bil.	Nama	Jawatan	Bidang Kuasa	Emel
1	Nor Azura binti Abdul Rahman	Ketua Penolong Pengarah	Denda Lewat dan lain-lain	azura@ptgwp.gov.my
2	Umi Khalsum binti Omar	Penolong Pengarah	Perserahan Urusniaga dan Bukan Urusniaga Hakmilik Tanah dan Strata	umikhalsum@ptgwp.gov.my
3	Nurul Kamsiah Hanim binti Md Yusof			nkhanim@ptgwp.gov.my
4	Nor Laili binti Safiin	Penolong Pengarah	Lelongan Awam dan Permohonan Pemetongan Kaveat Persendirian	laili@ptgwp.gov.my
5	Norlina binti Mohd Mokhtar	Penolong Pengarah	Permohonan Hakmilik Hilang dan Pendaftaran Hakmilik	norlina@ptgwp.gov.my

Sekian, terima kasih.

“BERKHIDMAT UNTUK NEGARA”

Saya yang menjalankan amanah,



DATO' HAJI CHE ROSLAN BIN CHE DAUD
 Pengarah Tanah dan Galian Wilayah Persekutuan

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✉ : cheroslan@ptgwp.gov.my

Law Practice Preparedness Plan in the Event of an Unforeseen Closure

The suggested Law Practice Preparedness Plan is hoped to minimise the risk to your law practice during the nation's Movement Control Order¹ due to Covid-19 that will take effect starting 18 Mar until 31 Mar 2020.

In preparation of closing your law practice due to the Movement Control Order due to Covid-19, we urge members to consider taking these actions:

1. Inform all clients

- a. Inform all your clients, suppliers etc, that your office premise is closed from 18 Mar to 31 Mar 2020 in compliance with the Government's directive. If your firm remains contactable via phone, fax and/or email, include contact details of the person assigned to this task.
- b. Display a notice at the entrance to your office and on your website, Twitter or Facebook page etc (if any).
- c. Inform your clients individually on the status of their files, the next deadline/milestone and explain how such deadline/milestone will be handled/managed during this period.

2. List of active and closed files

- a. The list must contain the file name, client's name and contact details, brief description and status of the file, and important deadlines.
- b. Keep one list in the office and separately in another location away from your office.

3. Critical dates

- a. Review active files to identify critical dates.
- b. Make a list of files by category according to their priority:
 - i. High category: Critical dates between 18 Mar to 31 Mar 2020;
 - ii. Medium category: Critical dates 1 Apr to 15 Apr 2020; and
 - iii. Low category: Critical dates after 16 Apr 2020.
- c. Attend to files that are in the highest category. This could include informing clients of postponement of cases, payments due to vendors, submission of document/presentation to Land Office, rescheduling appointments etc.
- d. The list will help you identify files that need your attention the most and helps you when the law practice is open to run smoothly without having to create a list at that point.
- e. This can also be carried out if you are able to access documents from home. Check the status of those deadlines with the relevant organisations eg government departments/offices, insolvency departments, court registrars, land offices, police departments etc, and advise your team and client accordingly.

4. Backup computers

- a. Back up all desktops and servers in the office into an external drive, cloud computing or other means of storage.

¹ Special Announcement by the Prime Minister of Malaysia, 16 Mar 2020.

- b. Keep the external drive in a location away from your office. If two backups are prepared, it should ideally be kept by two different people at two separate locations.

5. Safety and security of the office

- a. Ensure the office is properly secured before leaving the premises. This includes all windows, grills, doors and any other opening.
- b. Identify the persons who will hold the key and have access to the premises in case there is a need to access the office during the duration of the Movement Control Order due to Covid-19.
- c. Leave contact details of the identified person with the building security/management office in the event of an emergency during this period.
- d. Identify appliances or places in the office that could be a fire hazard and take necessary precaution.
- e. Unplug electrical appliances/equipment, computers etc before leaving the office.

6. Safety of vaults, safekeeping of important documents and cheque books

- a. Make a copy of the list of items kept in the vault. Store the copies away from the office in a separate location
- b. Ensure the vault is properly secured before leaving the premises.
- c. Ensure important documents are kept in the vault or secured locked cabinet.
- d. Identify a partner to be responsible for cheque books, vouchers etc.
- e. Do not leave cash in the office.

7. Work from home policy

- a. Consider developing a policy that would enable some staff to work from home during this period. They should have laptops/computers, access to files and good internet connection.
- b. Ensure that data is secure and private, and in compliance with the Personal Data Protection Act 2013 (“PDPA”).
- c. Save confidential data on the firm network, if possible, and not on personal devices.
- d. Refrain from printing confidential and sensitive data on personal accounts.
- e. Maintain availability during business hours.

We urge Members to take the necessary precautions during this time to minimise any untoward event to your practice.

If you have any questions or require assistance, please email the Professional Indemnity Insurance and Risk Management Department by email at pirm@malaysianbar.org.my or mysahra@malaysianbar.org.my.

Waiver of Rulings 7.01 (6) and Ruling 7.05

Ruling 7.01(6) - Operating Hours

Every office of an Advocate and Solicitor shall normally be open during usual office hours at least 5 days a week save for public holidays.

Ruling 7.05 - Improper to render facsimile facilities unavailable during office hours

An Advocate and Solicitor shall not disable his/her facsimile facilities or render them unavailable during office hours, if his/her facsimile number appears on his/her letterhead or he/she indicated in his/her letterhead the availability of such facsimile facilities.