

## ***OF AND ABOUT PUPILLAGE***

The Committee has endeavoured to collect together a miscellany of information, matters and details about, concerning and relating to pupillage. However, this does not dispense with the necessity, at all times for pupils to consult:

1. The Legal Profession Act, 1976 and the rules made thereunder;
2. The Guide to Pupillage (issued by the Bar Council);
3. The Rulings of the Bar Council

Pupils should also be familiar with the constitution, functions and procedure of the Disciplinary Board established under the Act. The Board has jurisdiction to discipline pupils for misconduct.

A set of sample forms are also included for use by pupils. While every effort has been made to ensure that the contents are accurate, the Committee does not assume any responsibility for any error or omission.

## 1. PETITION AND DOCUMENTS RELEVANT THERETO

- 1.1 There is a need to ensure the accuracy of the contents of all forms and documents filed in relation to pupils' Petitions for Admission as an Advocate & Solicitor.

Petitions must conform with the forms prescribed under the LPA. To ensure this, pupils are advised to use the printed forms available from the Bar Council Secretariat at RM5.00 per set.

The printed forms consist of eight (8) "Borang". Borang 1 and 2 are intended to be filed first. Borang 6, 7 and 8 are intended to be filed for the "Long Call" ie after the completion of pupillage. Borang 3, 4 and 5 are for the "Short Call".

- 1.2 When filing Borang 1, pupils must annex to it a copy of their birth certificate, identity card and degree certificates. These documents must be certified true copies of the originals by a the **SENIOR ASSISTANT REGISTRAR**. The date of the Petition must be the same as or precede the date of affirmation of the Affidavit to the Petition. Full particulars of qualification entitling the pupil to admission must be set out in para 4 of Borang 1. Pupils must sign both the Petition and the Affidavit to the Petition.

- 1.3 In view of the directive from the Court that all Affidavits must state the Place of Residence of the Deponents, the Committee has been requested to advise all pupils to include their Residential Address in Borang 5 (*Pupil's Affidavit in support of Application under S36(2)(a) and (b) LPA 1976*) and their Master's Residential Address in Borang 4 (*Master's Affidavit in support of Application under S36(2)(a) and (b) LPA 1976*). The Residential Address is to be included in the opening paragraph of the respective Borang.

Addresses of Petitioners indicated in Borang 1 (Petition), Borang 2 (Notice) and Borang 6 (*Pupil's Affidavit in support of Application for Admission under S10 and 15 LPA 1976*) too must be their Residential Address.

- 1.4 Pupils are required to prepare five (5) sets of each and every form and document filed in relation to their Petition for Admission. The five (5) sets are for the use of the Court and of the relevant parties as follows:-

- (i) Court
- (ii) Attorney General
- (iii) Bar Council
- (iv) State Bar Committee
- (v) Pupil's Service copy

After having filed and extracted the Borang 1 and 2, pupils are required to submit to the Court 32 photocopies of Borang 2 (ie the Notice of Petition) for the purpose of posting. The Court has advised pupils NOT to submit the 32 copies of Borang 2 at the time of the filing of the Petition and the Notice but to make photocopies of the Notice after the Petition has been registered and a number allotted by the Court. This is to avoid having to correct each and every copy of the 32 Borang if there are errors in it.

- 1.5 The attention of pupils is drawn to the need to peruse and check all documents before and after filing. Pupils are advised to treat all documents as they would any document filed in Court in respect of any legal matter. Please ascertain that names (must follow name as appeared in the IC), IC nos., dates and all relevant particulars are correct and in order. Pupils must also ascertain the Enclosure Numbers of each document before service on the relevant parties. Documents served on all relevant parties must be complete with all such particulars as there have been many instances of documents being left blank or material particulars being omitted.
- 1.6 Errors and/or omissions in the Petition can only be corrected by an application to the Court by way of Summons In Chambers.

## 2. POSTING OF NOTICE OF PETITION FOR ADMISSION

The posting requirement under Section 15(5) of the Legal Profession Act 1976 is mandatory. The Court does not have inherent power to abridge the time period stated therein (see Pamela Ong Siew Im v Majlis Peguam & 2 Others [1995] 3 AMR pgs 2111-2119).

All Notices therefore must be posted and continue to be posted at all the High Courts in Malaya for a period of three months from the date of the final posting.

### **3. NUMBER OF PUPILS A MASTER CAN TAKE**

Save with the approval of the Bar Council a Master may not take more than two (2) Chambering pupils serving their pupillage under him/her at any one time. If a pupil finds that his/her Master already has two other pupils, he/she should ensure that the Master has the necessary approval.

### **4. QUALIFICATION OF PUPIL MASTER**

A pupil Master must be in active practice in Malaysia for a total period of not less than seven (7) years as at the date of the filing of his/her pupil's Petition and must possess a valid Practising Certificate throughout the period of pupillage of his/her pupil.

The period of pupillage served under a Master who is without a valid Practising Certificate will not be recognised.

In this respect a pupil is advised to get the relevant declaration form furnished by the Bar Council duly filled up and signed by the pupil Master on the number of years that the pupil Master has at the Bar and the fact that he/she possesses a valid Practising Certificate.

### **5. MASTER AND PUPIL TO BE IN THE SAME FIRM**

In case of a firm with branch offices, the pupil must ensure that he or she is undergoing pupillage in the same office where the Master is practising at all times. Pupillage purportedly done under a Master of a firm who practises in another office of his firm will be invalid.

Furthermore, where the Master goes on leave (maternity, vacation, Haj, Marriage etc), the pupil would have to find another Master. Otherwise any period served under a Master on such leave will not count.

### **6. BREAK IN PERIOD OF PUPILLAGE**

Pupillage should be continuous without any break. Should any break occur, pupils are required to seek the leave of the Bar Council. Any approval of the Bar Council for any break must be notified to the Bar Committee, the Attorney General's Chambers and the Court.

### **7. EXEMPTION FROM SERVING THE FULL PERIOD OF PUPILLAGE**

Pupils who have been granted exemption by the Bar Council to serve any part of their pupillage are advised to notify the Bar Committee, the Attorney General's Chambers and the Court of such exemption.

### **8. GAINFUL EMPLOYMENT**

Pupils who hold any office or engage in any employment of any kind, whether full-time or otherwise, must obtain the special leave of the Bar Council in writing.

### **9. APPLICATION UNDER SECTION 36(2) LPA COMMONLY KNOWN AS "SHORT CALL APPLICATION"**

9.1 Applications for "Short Call" are made by Masters and should only be made after the Petitions for Admission are filed.

9.2 Pupils cannot appear in Court in respect of any matter until the "Short Call" Order has been granted by the Court.

9.3 It has been reported that some pupils, whether inadvertently or otherwise, are abusing the privilege of audience conferred by S36(2) of the Legal Profession Act 1976. Some instances of the reported abuses are :

- mentioning for an Advocate and Solicitor other than the Master or a member of the Master's firm;

- taking Judgments in open Court in the Sessions Courts;
- representing or holding out as duly admitted Advocates and Solicitors.

The Bar Committee takes a serious view of these breaches.

Pupils are reminded that they should act within the terms of section 36(2) of the Act and of any orders made thereunder. Any breach of section 36(2) or of such orders would render the pupils concerned liable to disciplinary proceedings. Pupil Masters must ensure that their pupils observe these provisions of the Act and of the orders.

Pupils should, whenever appearing in Court or in Chambers, inform the Court of their status as pupils. The Legal Profession Committee of the Bar Council has made a ruling to this effect.

The Bar Committee would not hesitate to initiate disciplinary proceedings against pupils who contravene the provisions of the Act, the orders under section 36(2) or the rulings of the Bar Council. The Committee hopes that all pupils would prepare themselves to begin, and continue, their career at the Bar on the right footing and in compliance with the provisions of the Legal Profession Act.

9.4 It has been noted that about 80% of the "Short Call" applications contained mistakes. The common mistakes are:

- i) citing wrong or irrelevant Sections of the LPA;
- ii) omitting to mention that the Order is to permit the pupil to appear for his/her Master or his/her Master's firm;
- iii) using the word "kuasa" instead of "kausa".

These mistakes could be avoided by using the forms printed by the Bar Council.

9.5 Under a recent Bar Council decision, pupils have no locus standi in either the Industrial or the Syariah Court.

## **10. CHANGE OF MASTERS AND VARIATION OF "SHORT CALL" ORDER**

10.1 Pupils may with the consent of the Bar Council serve different periods of their pupillage under different Masters. Any such change of Masters must be notified to the Bar Committee, the Attorney General's Chambers and the Court. The Court requires a Notice of Change of Master to be filed.

**\*\* Set out in the LIST OF SPECIMENS marked "B" is a sample of the Notice of Change of Master.**

10.2 A pupil who serves different parts of his/her pupillage in different States is required to serve on the State Bar Committee of the State in which the pupillage is being served, a copy of the initial Petition and Notice at the time of the change of Master. At the completion of the period of pupillage, the pupil is required to serve his/her "Long Call" papers on the Attorney General, the Bar Council, and each and every State Bar Committee of the State in which he/she has served any part of his/her period of pupillage.

10.3 A new Master would have to apply for a new "Short Call" Order if the pupil is to attend Court for him/her or his/her firm. A variation may be allowed if a first Order has been granted.

**\*\* Set out in the LIST OF SPECIMENS marked "C" and "D" are samples of the variation applications.**

- (a) For those whose (3) months from the date of the first Order have yet to expire, use Specimen "C".
- (b) For those whose (3) months from the date of the first Order had expired, use Specimen "D".

**\*\* Set out in the LIST OF SPECIMENS marked "E" and "E1" are samples of the supporting Affidavits.**

## **11. SERVICE OF "SHORT CALL" ORDER**

"Short Call" Order must be filed, extracted and served on the Bar Council and State Bar Committee. There is no necessity to file Affidavit of Service for the service of "Short Call" Order.

**\*\* Set out in the LIST OF SPECIMENS marked "A" is a sample of the "Short Call" Order.**

## **12. BAHASA MALAYSIA QUALIFYING EXAMINATION**

The Qualifying Board will grant exemption to pupils who have obtained a credit in the SPM or its equivalent. Those who do not qualify for exemption are advised to apply to the Board to sit for the Examination immediately to avoid their "Long Call" being delayed. Pupils are advised to study carefully the Bahasa version of the rules of Court.

## **13. COMPULSORY ETHICS LECTURE PROGRAMME**

13.1 Pupils are required to attend a Compulsory Ethics Lecture Programme organised by the Bar Council. A Certificate will be issued by the Bar Council to every pupil who has satisfactorily completed the course. For further details on the programme, contact the Bar Council.

13.2 Pupil master is required to certify in his/her Certificate of Diligence (Sijil Kerajinan) that his/her pupil has satisfactorily completed the Compulsory Ethics Lecture Programme. The Certificate issued by the Bar Council is to be annexed to the Master's Certificate of Diligence when filing the "Long Call" papers.

For a pupil with more than one Master, it is not necessary for the earlier Masters to certify that the pupil has satisfactorily completed the Compulsory Ethics Lecture Programme if at the time of the issuance of the Certificate of Diligence the pupil has yet to attend the Programme. However, it must be noted that para 3 of the Certificate of Diligence of the Masters concerned must not be deleted in full as the Masters are required to certify that the pupil has received instructions and gained experience in the law. The first limb of para 3 ie "Pempetisyen telah menerima pengajaran dan mendapat pengalaman dalam undang undang" should remain. The second limb may be deleted.

## **14. PUPILLAGE AFTER EXPIRY OF PERIOD OF PUPILLAGE**

A pupil may continue to attend his/her Master's office after the expiry of his/her official period of pupillage ie nine (9) months but he/she ceases to be a pupil at the end of the said period and, therefore, would not have the privilege to appear in Court for his/her Master or his/her Master's firm.

Pupils should refrain from attending Courts on behalf of the Master's firm after the expiry of the pupillage.

## **15. CALCULATION OF PERIOD OF PUPILLAGE AND PREPARATION OF CALL PAPERS**

15.1 Pupillage commences on the date of filing of Petition and the period of pupillage is calculated as follows:-

If Petition is filed on 1/4/95 pupillage should end on 1/1/96 and **NOT** 31/12/95.

15.2 The Affidavit for Call (ie Borang 6 referred to in sub-para 3 of no. 1(1.1) on page 1) should be affirmed and Call papers must be filed at the earliest one day after the expiry of the period of pupillage. The Master's Certificate of Diligence too should only be signed one day after the completion of the period of pupillage.

A Notice of Hearing and a Certificate of Documents should be filed together with the Affidavit for Call.

**\*\* Set out in the LIST OF SPECIMENS marked "F" and "G" are samples of the Notice of Hearing and Certificate of Documents respectively.**

15.3 Check the Call papers ie dates, names etc and serve completely filled documents on all parties.

15.4 Common mistakes made in "Long Call" papers are:

- (i) Citing wrong or irrelevant sections - this could be avoided by using the forms printed by the Bar Council;
- (ii) The period of pupillage indicated in the Master's Certificate of Diligence does not conform with the period

indicated in the pupil's Affidavit;

- (iii) Masters not certifying in their Certificate of Diligence that their pupils had duly attended the Compulsory Ethics Lecture Programme;
- (iv) Filling in date of commencement of pupillage instead of name of pupil in para 1 of the Master's Certificate of Diligence;
- (v) Pupils with more than one Master not setting out in para 6 of Borang 6 the specific period of pupillage served under each Master;
- (vi) Typographical - This could be avoided by using the forms printed by the Bar Council.

15.5 A pupil may choose to have his/her Call heard in another State. In such a case the pupil is required to serve his/her Call papers on the Kuala Lumpur Bar Committee and the State Bar Committee of the State in which the Call is to be heard.

#### **16. ADMISSION FEE**

Pupils are required to pay to the Bar Council an Admission Fee of RM200.00 towards the Discipline Fund before filing their "Long Call" papers. A copy of the receipt must be produced to the Court when filing the "Long Call" papers.

#### **17. PUPIL'S TELEPHONE CONTACT NUMBER**

Pupils are advised to leave their telephone contact number with the Secretariat when serving their "Long Call" papers so that they could be reached if their papers are not in order.

#### **18. STANDING OF REFEREES/PERSONS WHO GIVE THE CERTIFICATE OF GOOD CHARACTER (SIJIL KELAKUAN BAIK)**

Referees/persons who give the Certificate of Good Character of pupils must be professionally qualified or of a similar standing and must know the pupils for more than 5 years.

#### **19. COUNSEL FOR MOVING CALLS TO THE BAR**

It is the Master's obligation to arrange for Counsel to move the Petition of his/her pupil.

Pupils are advised to inform the Bar Committee of the names of the Counsel moving their Calls.

#### **20. CALL DAY**

Petitioners are advised to be in Court for their "Long Call" half an hour before time fully dressed (except the gown) and check against Court's Call list for seating purposes and recording of names of Counsel moving the Petitions.

#### **21. APPROVAL OF "LONG CALL" ORDERS**

21.1 The Order granted in respect of a Petition for Admission, (if prepared beforehand) is normally approved in the Courtroom immediately after the Call by Counsels involved. In cases where the draft Order is not, or cannot be approved, immediately after the Call, the draft Order should be sent to the respective Counsels at his/her address for approval.

In such a case, the Petitioner is advised to first call the particular representative beforehand and preferably forward the draft Order to him/her with a letter requesting that the Order be approved.

Ensure that all details are filled in before handing in the draft Order for approval.

It is advisable to prepare beforehand and have available the draft Order.

**\*\* Set out in the LIST OF SPECIMENS marked “H” is a sample of the Order.**

21.2 Petitioners are advised to always keep their fair “Long Call” Order: copy of the Order is required to be produced each time an application for a Practising Certificate is made.

## **22. SERVICE OF "LONG CALL" ORDER**

"Long Call" Order must be filed, extracted and served on the Attorney General's Chambers, Bar Council and State Bar Committee. There is no necessity to file Affidavit of Service for the service of "Long Call" Order.

## **23. PHOTOGRAPHS OF NEWLY ADMITTED MEMBERS AND INTERVIEW IN THE PRESS**

The publication of photographs of Petitioners and/or their interviews in the newspapers about their Calls is strictly prohibited. The onus will be on the new lawyers to explain how their photographs and/or interviews appear in any of the newspapers and/or periodicals.

Petitioners are to adhere strictly to Rules 46, 47 and 48 of the Practice & Etiquette Rules and must not take advantage of their happy occasion to gain undue publicity. These rules are binding unless the Bar Council amends the rules to permit publicity.

## **24. COURT ATTIRE FOR LAWYERS**

### **1. For open Court matters in the High Court**

**For men:** robe, a dark (preferably black) jacket, dark trousers, white or light pastel shirt with a clean stiff wing collar, bands and dark shoes. Striped trousers accepted.

**For ladies:** robe, a dark (preferably black) jacket, white long-sleeved, high-necked blouse, bands, black/dark skirt or dark trousers, black/dark court shoes. Those wearing their respective national dress should as far as possible, conform with the above colour code.

Note: Coloured turbans for Sikhs is allowed.

### **2. For chamber matters in High Court and before Subordinate Courts**

It is recommended that the above open Court basic attire be observed. Ties for men and scarves for ladies should be of sober colours.

### **3. Lady lawyers kindly note the following:**

- i) *Skirt length* : Below the knee. No mini or micro or overly tight-fitting skirt allowed.
- ii) *Patterned attire* : No floral or any patterned print allowed.
- iii) *Jewellery/accessories* : The minimum and as unobtrusive and sparing as possible. Avoid large, long, chunky, colourful accessories.
- iv) *Make-up* : Sparing.

## **25. HOW TO ADDRESS THE COURT**

### **25.1 At Hearings**

Chief Justice of the Federal Court - Yang Amat Arif  
Chief Judge, High Court, Malaya - Yang Amat Arif  
President Court of Appeal - Yang Amat Arif  
Chief Judge, High Court, Sabah & Sarawak - Yang Amat Arif

Judges of the Federal Court, Court of Appeal and High Court - Yang Arif  
Senior Assistant Registrars - Tuan/Puan Pendaftar  
Sessions Court Judges - Tuan/Puan Hakim  
Magistrates - Tuan/Puan Majistret

## 25.2 *In correspondence*

Chief Justice of the Federal Court - Y.A.A. Ketua Hakim Negara  
Chief Judge, High Court, Malaya - Y.A.A. Hakim Besar Malaya  
President Court of Appeal - Y.A.A. Presiden Mahkamah Rayuan  
Chief Judge, High Court, Sabah & Sarawak - Y.A.A. Hakim Besar Sabah & Sarawak  
Judges of the Federal Court - Y.A. Hakim Mahkamah Persekutuan  
Judges of the Court of Appeal - Y.A. Hakim Mahkamah Rayuan  
Judges of the High Court - Y.A. Hakim Mahkamah Tinggi  
Senior Assistant Registrars - Tuan/Puan Penolong Kanan Pendaftar  
Sessions Court Judges - Tuan/Puan Hakim Mahkamah Sesyen  
Magistrates - Tuan/Puan Majistret

## **26. PRACTISING CERTIFICATE AND FEES TO BE PAID AFTER CALL**

After Call, one should have a Practising Certificate issued to him/her before he/she can attend Court for any cause or matter.

Before applying for a Practising Certificate from the High Court, one has to first apply for a Sijil Annual from the Bar Council.

Fees have to be paid to the following funds before a Sijil Annual could be issued:

- i) State Bar Committee Subscription;
- ii) Bar Council Subscription;
- iii) Compensation Fund;
- iv) Building Fund;
- v) Legal Aid Fund;
- vi) Discipline Fund.

DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)  
PETISYEN UNTUK PENERIMAAN MASUK NO. 18-

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_

DAN

Dalam perkara seksyen 36 (2) (a) dan  
(b) Akta Profesion Undang-Undang 1976

\_\_\_\_\_  
(Nama Pengajar) ..... PEMOHON

DI HADAPAN YANG ARIF TUAN HAKIM \_\_\_\_\_

PADA \_\_\_\_\_ HB \_\_\_\_\_ 20 \_\_\_\_\_ DALAM KAMAR

**PERINTAH**

**ATAS PERMOHONAN** yang telah didengar pada hari ini **DAN SETELAH MEMBACA** Saman Dalam Kamar yang bertarikh \_\_\_\_\_, dan Afidavit Afidavit oleh  (Nama Pengajar)  dan  (Nama Pelatih)  yang diikrarkan pada \_\_\_\_\_ dan \_\_\_\_\_ masing masing dan difailkan bersama dan surat surat dari Majlis Peguam dan Jawatankuasa Peguam Kuala Lumpur yang tidak ada apa apa bantahan ke atas permohonan tersebut **DAN SETELAH MENDENGAR**  (Nama peguam bagi Pemohon) , peguambela bagi pihak pemohon bernama diatas, **ADALAH DIPERINTAHKAN** bahawa  (Nama Pelatih)  yang sedang menjalani tempoh latihannya di kamar Pemohon dibenarkan hadir bagi pihak Pemohon atau Tetuan  (Nama Firma Pengajar)  -

- (a) dalam tempoh tiga (3) bulan dari tarikh Perintah ini -
  - (i) di hadapan Hakim atau Pendaftar Mahkamah Tinggi, di dalam kamar;
  - (ii) di hadapan Hakim Mahkamah Sesyen atau Majistret, di dalam kamar;
  - (iii) di hadapan Pendaftar Mahkamah-Mahkamah Rendah;

bagi sebutan kes yang termasuk memasukkan penghakiman ingkar atau untuk memohon jaminan atau untuk mendapat penghakiman atau perintah persetujuan;

dan

- (b) pada akhir jangkamasa selama tiga (3) bulan tersebut di dalam kamar di Mahkamah Tinggi dan di Mahkamah-Mahkamah Rendah dan di hadapan mana-mana Majistret untuk mengendalikan sebarang kausa atau perkara.

\_\_\_\_\_  
Timbalan Pendaftar  
Mahkamah Tinggi  
KUALA LUMPUR

Perintah ini difailkan oleh Tetuan \_\_\_\_\_ yang beralamat di \_\_\_\_\_

**DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)  
PETISYEN UNTUK PENERIMAAN MASUK NO. 18-**

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_

DAN

Dalam perkara seksyen 10 dan 15 Akta Profesion Undang-Undang 1976 (Akta 166)

**NOTIS PENUKARAN PENGAJAR**

AMBIL PERHATIAN bahawa \_\_\_\_\_ (Nama Pengajar baru) adalah Pengajar baru bagi Pempetisyen, \_\_\_\_\_ (Nama Pelatih) dalam Petisyen ini mulai \_\_\_\_\_ hb \_\_\_\_\_ 20 \_\_\_\_\_, menggantikan \_\_\_\_\_ (Nama Pengajar dahulu) \_\_\_\_\_.

Alamat penyampaian bagi \_\_\_\_\_ (Nama Pengajar baru) yang dinamakan diatas ialah Tetuan \_\_\_\_\_.

Bertarikh \_\_\_\_\_ hb \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Pempetisyen

- Kepada:
1. Yang Berbahagia Peguam Negara Malaysia
  2. Setiausaha Kehormat, Majlis Peguam
  3. Setiausaha Kehormat, Jawatankuasa Peguam Kuala Lumpur

Notis Penukaran Pengajar ini difailkan oleh Tetuan \_\_\_\_\_ beralamat di \_\_\_\_\_.

**DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)  
PETISYEN UNTUK PENERIMAAN MASUK NO. 18-**

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_  
\_\_\_\_\_

DAN

Dalam perkara seksyen 36(2) (a) dan (b) (Akta  
Profesion Undang-Undang 1976

DAN

Dalam perkara seksyen 36 (5) Akta Profesion Undang-  
Undang 1976

\_\_\_\_\_  
(Nama Pengajar baru)

..... PEMOHON

**SAMAN-DALAM-KAMAR**

Benarkan semua pihak yang berkenaan hadir di hadapan Yang Arif Hakim di dalam Kamar di Mahkamah Tinggi, Kuala Lumpur pada \_\_\_\_\_ hb \_\_\_\_\_ jam 9:00 pagi untuk mendengarkan permohonan bagi pihak Pemohon dibawah Seksyen 36(2) dan 36(5) Akta Profesion Undang-Undang 1976, untuk suatu perintah bahawa \_\_\_\_\_ (Nama Pelatih) yang sedang menjalani tempoh latihannya di kamar Pemohon dibenarkan hadir bagi pihak Pemohon atau Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru) -

(a) bagi baki tempoh tiga (3) bulan seperti yang ditentukan dalam Perintah awal bertarikh \_\_\_\_\_:-

- (i) di hadapan Hakim atau Pendaftar Mahkamah Tinggi, di dalam kamar;
- (ii) di hadapan Hakim Mahkamah Sesyen atau Majistret, di dalam kamar;
- (iii) di hadapan Pendaftar Mahkamah-Mahkamah Rendah;

bagi sebutan kes yang termasuk memasukkan penghakiman ingkar atau untuk memohon jaminan atau untuk mendapat penghakiman atau perintah persetujuan; dan

(b) pada akhir jangkamasa selama tiga (3) bulan tersebut di dalam kamar di Mahkamah Tinggi dan di Mahkamah-Mahkamah Rendah dan di hadapan mana-mana Majistret untuk mengendalikan sebarang kausa atau perkara.

Bertarikh \_\_\_\_\_ hb \_\_\_\_\_ 20\_\_\_\_\_

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Timbalan Pendaftar  
Mahkamah Tinggi  
Kuala Lumpur

Saman Dalam Kamar ini telah difailkan oleh Tetuan \_\_\_\_\_  
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Saman Dalam Kamar ini disokong oleh Afidavit Afidavit \_\_\_\_\_ (Nama Pengajar baru) dan \_\_\_\_\_ (Nama Pelatih)  
kedua-duanya yang telah diikrarkan pada \_\_\_\_\_ dan difailkan disini.

- Kepada :
1. Yang Berbahagia Peguam Negara Malaysia
  2. Setiausaha Kehormat, Majlis Peguam
  3. Setiausaha Kehormat, Jawatankuasa Peguam Kuala Lumpur

**DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)  
PETISYEN UNTUK PENERIMAAN MASUK NO. 18-**

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_  
\_\_\_\_\_

Dan

Dalam perkara seksyen 36(2) (a) dan (b) Akta Profesion Undang-Undang 1976

Dan

Dalam perkara seksyen 36 (5) Akta Profesion Undang-Undang 1976

\_\_\_\_\_  
(Nama Pengajar baru)

..... PEMOHON

**SAMAN-DALAM-KAMAR**

Benarkan semua pihak yang berkenaan hadir di hadapan Yang Arif Hakim di dalam Kamar di Mahkamah Tinggi, Kuala Lumpur pada \_\_\_\_\_ jam 9:00 pagi untuk mendengarkan permohonan bagi pihak Pemohon dibawah Seksyen 36(2)(b) dan 36(5) Akta Profesion Undang-Undang 1976, untuk suatu perintah bahawa pada akhir jangkamasa selama tiga (3) bulan seperti di tentukan dalam Perintah awal bertarikh \_\_\_\_\_ dan bermula daripada tarikh Perintah yang akan dibuat oleh Mahkamah pada hari ini, \_\_\_\_\_ (Nama Pelatih) yang sedang menjalani tempoh latihannya di kamar Pemohon di benarkan hadir bagi pihak Pemohon atau Tetuan \_\_\_\_\_ (Nama Firma Pengajar Baru), di dalam Kamar di Mahkamah Tinggi dan di Mahkamah-Mahkamah Rendah dan di hadapan mana mana Majistret untuk mengendalikan sebarang kausa atau perkara.

Bertarikh \_\_\_\_\_ hb \_\_\_\_\_ 20\_\_\_\_\_

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Timbalan Pendaftar  
Mahkamah Tinggi  
Kuala Lumpur

Saman Dalam Kamar ini telah difailkan oleh Tetuan \_\_\_\_\_  
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Saman Dalam Kamar ini disokong oleh Afidavit Afidavit (Nama Pengajar baru) dan (Nama Pelatih) kedua-duanya yang telah diikrarkan pada \_\_\_\_\_ dan difailkan disini.

Kepada : 1. Yang Berbahagia Peguam Negara Malaysia  
2. Setiausaha Kehormat, Majlis Peguam  
3. Setiausaha Kehormat, Jawatankuasa Peguam Kuala Lumpur

DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)  
PETISYEN UNTUK PENERIMAAN MASUK NO. 18-

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_  
\_\_\_\_\_

DAN

Dalam perkara seksyen 36(2) (a) dan (b) Akta Profesion  
Undang-Undang 1976

DAN

Dalam perkara seksyen 36 (5) Akta Profesion Undang-Undang 1976

\_\_\_\_\_ (Nama Pengajar baru)

..... PEMOHON

**A F I D A V I T**

Saya \_\_\_\_\_ (Nama Pelatih) yang cukup umur dan beralamat di bawah Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru) dan mendiami di \_\_\_\_\_ (Alamat Tempat Tinggal) dengan ini sesungguhnya berikrar dan menyatakan seperti berikut :-

1. Saya telah dari \_\_\_\_hb \_\_\_\_ 20\_ hingga \_\_\_\_hb \_\_\_\_\_ 20 \_\_\_\_ menjalani latihan guaman dan menerima arahan dan petunjuk dalam undang-undang daripada \_\_\_\_\_ (Nama Pengajar lama) , Peguambela dan Peguamcara beralamat di Tetuan \_\_\_\_\_ (Nama Firma Pengajar lama) .
2. Saya telah pada \_\_\_\_\_hb \_\_\_\_\_ 20\_\_\_\_ menfailkan Petisyen dalam Mahkamah yang Mulia mengharapkan diterima masuk dan didaftarkan sebagai Peguambela dan Peguamcara di Mahkamah Tinggi Malaya.
3. Saya telah dari \_\_\_\_hb \_\_\_\_\_ 20\_\_\_\_ menyambung tempoh latihan guaman saya dan terus pada masa ini menjalani latihan guaman dan menerima arahan dan petunjuk dalam undang-undang daripada \_\_\_\_\_ (Nama Pengajar baru) \_\_\_\_\_, Peguambela dan Peguamcara beralamat di Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru) \_\_\_\_\_.
4. Pada \_\_\_\_ (tarikh Perintah awal) \_\_\_\_\_ Mahkamah ini, atas permohonan bekas Pengajar saya, telah memberi suatu Perintah dibawah seksyen 36(2) (a) dan (b) Akta Profesion Undang-Undang 1976.
5. Saya ingin hadir dan mewakili \_\_\_\_\_ (Nama Pengajar baru) \_\_\_\_\_ dari Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru) \_\_\_\_\_ sepertimana yang dipohon melalui Saman-Dalam Kamar di bawah Seksyen 36(2) dan 36(5) Akta Profesion Undang-Undang, 1976.

6. Saya dengan hormatnya meminta Mahkamah Yang Mulia untuk Perintah seperti yang dipohon.

Diikrar Di \_\_\_\_\_ )  
\_\_\_\_\_ )  
pada \_\_\_\_\_ hb \_\_\_\_\_ 20 \_\_\_\_\_ )  
jam \_\_\_\_\_ pagi/petang \_\_\_\_\_ )

dihadapan saya

Pesuruhjaya Sumpah  
KUALA LUMPUR

Afidavit ini difailkan oleh \_\_\_\_\_

\_\_\_\_\_

DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)  
PETISYEN UNTUK PENERIMAAN MASUK NO. 18-

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_

Dan

Dalam perkara seksyen 36(2) (a) dan (b) Akta  
Profesion Undang-Undang 1976

DAN

Dalam perkara seksyen 36(5) Akta Profesion Undang-  
Undang 1976

\_\_\_\_\_ (Nama Pengajar baru)

..... PEMOHON

**A F I D A V I T**

Saya, \_\_\_\_\_ (Nama Pengajar baru) yang cukup umur dan mengamal di bawah Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru) dan mendiami di \_\_\_\_\_ (Alamat Tempat Tinggal) dengan ini sesungguhnya berikrar dan menyatakan seperti berikut :-

1. Saya adalah seorang Peguambela dan Peguamcara Mahkamah Tinggi Malaya.
2. Saya adalah Peguambela dan Peguamcara pengamal Mahkamah Tinggi Malaya dan sedang menjalankan dan telah menjalankan amalan secara aktif dalam Malaysia bagi jumlah tempoh tidak kurang daripada tujuh (7) tahun sebelum sahaja tarikh latihan \_\_\_\_\_ (Nama Pelatih) bermula.
3. \_\_\_\_\_ (Nama Pelatih) tersebut adalah seorang berkelayakan di bawah Akta Profesion Undang-Undang 1976 dan sejak \_\_\_\_\_ hb \_\_\_\_\_ 20\_\_\_\_ menjalani latihan guaman dan menerima arahan dan petunjuk dalam undang-undang di firma saya, Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru).
4. \_\_\_\_\_ (Nama Pelatih) tersebut telah memfailkan Petisyen di Mahkamah Yang Mulia ini pada \_\_\_\_\_ hb \_\_\_\_\_ 20\_\_\_\_ memohon supaya diterima masuk dan didaftarkan sebagai Peguambela dan Peguamcara Mahkamah Tinggi di Malaya.
5. Saya dengan sesungguhnya percaya bahawa \_\_\_\_\_ (Nama Pelatih) telah dari \_\_\_\_\_ hb \_\_\_\_\_ 20\_\_\_\_ hingga \_\_\_\_\_ hb \_\_\_\_\_ 20\_\_\_\_ menjalani tempoh latihannya dengan \_\_\_\_\_ (Nama Pengajar lama) dari Tetuan \_\_\_\_\_ (Nama Firma Pengajar lama).
6. Saya dengan sesungguhnya percaya bahawa pada \_\_\_\_\_ (Tarikh Perintah awal) Mahkamah ini, atas permohonan bekas Pengajar \_\_\_\_\_ (Nama Pelatih), telah memberi suatu Perintah dibawah seksyen 36(2) (a) dan (b) Akta Profesion Undang-Undang 1976. Sesalinan Perintah tersebut dilampirkan dan ditandakan disini sebagai eksibit "A".
7. Saya berhasrat, sementara menanti pendengaran Petisyen tersebut, \_\_\_\_\_ (Nama Pelatih) boleh dibenarkan mewakili saya dan firma saya, Tetuan \_\_\_\_\_ (Nama Firma Pengajar baru) di Mahkamah sepertimana yang diperuntukkan di bawah Seksyen 36(2) Akta Profesion Undang-Undang 1976.

-1-

8. Saya dengan hormatnya meminta Mahkamah Yang Mulia untuk Perintah seperti yang dipohon.

Diikrar Di \_\_\_\_\_ )  
\_\_\_\_\_ )  
pada \_\_\_\_\_ hb \_\_\_\_\_ 20 \_\_\_\_\_ )  
jam \_\_\_\_\_ pagi/petang )

dihadapan saya

Pesuruhjaya Sumpah  
KUALA LUMPUR

Afidavit ini difailkan oleh \_\_\_\_\_  
\_\_\_\_\_ .

**DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)**

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam Perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_  
\_\_\_\_\_

Dan

Dalam Perkara Seksyen 10 dan 15 Akta Profesion  
Undang-Undang 1976 (Akta 166)

**NOTIS PERBICARAAN**

SILA AMBIL NOTIS bahawa Petisyen yang tersebut diatas telah ditetapkan untuk perbicaraan dihadapan Yang Arif Tuan Hakim di Mahkamah Tinggi di Kuala Lumpur pada \_\_\_\_\_jam \_\_\_\_\_ pagi/petang.

Bertarikh pada \_\_\_\_\_.

\_\_\_\_\_  
PENOLONG KANAN PENDAFTAR  
MAHKAMAH TINGGI  
KUALA LUMPUR

- Kepada: 1. Yang Berbahagia Peguam Negara Malaysia  
KUALA LUMPUR
2. Setiausaha Kehormat, Majlis Peguam  
KUALA LUMPUR
3. Setiausaha Kehormat  
Jawatankuasa Peguam Kuala Lumpur

Notis Perbicaraan ini difailkan oleh \_\_\_\_\_  
\_\_\_\_\_

**DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)**

Petisyen untuk Penerimaan Masuk )  
Peguambela dan Peguamcara )  
No. 18- )

Dalam Perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_  
\_\_\_\_\_

Dan

Dalam Perkara Seksyen 10 dan 15 Akta Profesion Undang-Undang 1976 (Akta 166)

**SIJIL PENGESAHAN DOKUMEN**

Saya dengan ini MENGESAHKAN bahawa saya telah dengan sendirinya memeriksa dan membandingkan salinan-salinan dokumen-dokumen yang dikepilkan kepada Afidavit Sokongan Petisyen dengan salinan-salinannya yang asal dan mendapati dokumen-dokumen yang tersebut diatas adalah salinan-salinan benar bagi salinan-salinan yang asal.

Bertarikh pada \_\_\_\_\_haribulan \_\_\_\_\_.

\_\_\_\_\_  
PENOLONG KANAN PENDAFTAR  
MAHKAMAH TINGGI  
KUALA LUMPUR

Sijil Pengesahaan Dokumen ini difailkan oleh \_\_\_\_\_  
\_\_\_\_\_

DI MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS)

Petisyen untuk Penerimaan )  
Masuk Peguambela dan )  
Peguamcara )  
No. 18- )

Dalam perkara \_\_\_\_\_  
beralamat di \_\_\_\_\_

Dan

Dalam perkara Seksyen 10 dan 15 Akta Profesion Undang-Undang 1976 (Akta 166)

\_\_\_\_\_  
(Nama Pempetisyen)

PEMPETISYEN

DIHADAPAN YANG ARIF TUAN HAKIM \_\_\_\_\_

BERTARIKH \_\_\_\_ HB \_\_\_\_\_ 20 \_\_\_\_

DIMAHKAMAH TERBUKA

**PERINTAH**

**PETISYEN INI** ditetapkan untuk bicara hari ini dengan kehadiran \_\_\_\_\_ (Nama Peguam bagi Pempetisyen) bagi Pempetisyen yang tersebut di atas, \_\_\_\_\_ (Nama Peguam bagi Peguam Negara) Peguam Persekutuan bagi Peguam Negara, Malaysia, \_\_\_\_\_ (Nama Peguam bagi Majlis Peguam) bagi Majlis Peguam Malaysia dan \_\_\_\_\_ (Nama Peguam bagi Jawatankuasa Peguam Negeri) bagi Jawatankuasa Peguam Kuala Lumpur **DAN SETELAH MEMBACA** Petisyen \_\_\_\_\_ (Nama Pempetisyen) yang bertarikh \_\_\_\_\_ dan Afidavit Pempetisyen yang diikrar pada \_\_\_\_\_ serta lampiran-lampirannya, laporan yang dibuat menurut Seksyen 14(1) Akta Profesion Undang-Undang 1976 dan Sijil Pengesahan Dokumen bertarikh \_\_\_\_\_ **DAN SETELAH MENDENGAR** Peguam bagi Pempetisyen, **MAHKAMAH INI MEMERINTAHKAN** bahawa \_\_\_\_\_ (Nama Pempetisyen) yang tersebut di atas diterima masuk dan didaftarkan sebagai seorang Peguambela dan Peguamcara Mahkamah Tinggi Malaya.

Bertarikh \_\_\_\_\_ .

\_\_\_\_\_  
Penolong Kanan Pendaftar  
Mahkamah Tinggi  
KUALA LUMPUR

Untuk Kelulusan:-

\_\_\_\_\_  
Peguam bagi Pempetisyen

\_\_\_\_\_  
b/p Peguam Negara

\_\_\_\_\_  
b/p Majlis Peguam

\_\_\_\_\_  
b/p Jawatankuasa Peguam Kuala Lumpur

Perintah ini difailkan oleh Tetuan \_\_\_\_\_ yang alamat penyampaianya di \_\_\_\_\_