



LAWS OF MALAYSIA

Act A1455

**LEGAL PROFESSION (AMENDMENT)
ACT 2012 (AMENDMENT) ACT 2013**

Date of Royal Assent	25 October 2013
Date of publication in the <i>Gazette</i>	1 November 2013

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**LEGAL PROFESSION (AMENDMENT)
ACT 2012 (AMENDMENT) ACT 2013**

An Act to amend the Legal Profession (Amendment) Act 2012.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Legal Profession (Amendment) Act 2012 (Amendment) Act 2013.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*, and the Minister may appoint different dates for the coming into operation of—

- (a) different provisions of this Act; or
- (b) all or different provisions of this Act in respect of different classes or categories of persons.

Amendment of section 1

2. The Legal Profession (Amendment) Act 2012 [Act A1444], which is referred to as the “principal Act” in this Act, is amended by substituting for subsection 1(2) the following subsection:

“(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*, and the Minister may appoint different dates for the coming into operation of—

- (a) different provisions of this Act; or
- (b) all or different provisions of this Act in respect of different classes or categories of persons.”.

Substitution of section 3

3. The principal Act is amended by substituting for section 3 the following section:

“Amendment of section 37

3. Section 37 of the principal Act is amended—

- (a) by inserting after subsection (2) the following subsections:

“(2A) Any unauthorized person who does or solicits the right to do any act which is customarily within the function or responsibility of an advocate and solicitor, including but not limited to advising on law, whether Malaysian or otherwise, unless he proves that the act was not done for or in expectation of any fee, gain or reward, shall be guilty of an offence under this subsection.

(2B) Subsection (2A) shall not apply to a foreign lawyer who—

- (a) is duly authorized or registered to practise law in a state or territory other than Malaysia; and

(b) enters Malaysia to advise or consult with a client on matters pertaining to law not involving any aspect of Malaysian law, provided always that the accumulated period of stay of that foreign lawyer shall not exceed sixty days in total in any one calendar year and that immigration authorization for each period of stay shall have first been obtained.”; and

(b) in subsection (4), by inserting after the words “subsection (2)” the words “, (2A)”.”.

Amendment of section 4

4. Section 4 of the principal Act is amended by substituting for section 40M in the new Part IVA the following section:

“Disciplinary authority

40M. A registered foreign lawyer and a foreign lawyer falling within the exception provided under subsection 37(2B) shall adhere to all the rules and rulings of the Bar Council and shall be subject to, for the purposes of all disciplinary actions, the control of the Disciplinary Board.”.

