

A BILL

i n t i t u l e d

An Act to amend the Legal Profession Act 1976 and to deem the Chairman and members of the Disciplinary Board appointed on certain dates to have been duly appointed.

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ENACTED by the Parliament of Malaysia as follows:

Short title

1. This Act may be cited as the Legal Profession (Amendment) Act 2015.

Amendment of section 103E

2. The Legal Profession Act 1976 [*Act 166*] is amended in paragraph 103E(1)(b) by substituting for the words “subsection 100(7) or (8)” the words “subsection 100(7), (8) or (15)”.

Position of the Chairman and members of the Disciplinary Board appointed on certain dates

3. (1) Notwithstanding subsection 21(1) of the Legal Profession (Amendment) Act 2012 [*Act A1444*], the Chairman of the Disciplinary Board appointed from 17 February 2013 to 16 February 2015 shall be deemed to have been duly appointed.

(2) Notwithstanding subsection 21(1) of the Legal Profession (Amendment) Act 2012, the members of the Disciplinary Board appointed from 5 July 2013 to 4 July 2015 shall be deemed to have been duly appointed.

(3) Any act, action taken or decision made by the Chairman or members of the Disciplinary Board during their appointment periods mentioned in subsections (1) and (2) shall not be questioned or invalidated by reason only of the appointment or the terms of office of the Chairman and members of the Disciplinary Board.

EXPLANATORY STATEMENT

This Bill seeks to amend the Legal Profession Act 1976 (“Act 166”) and to deem the Chairman and members of the Disciplinary Board appointed on certain dates to have been duly appointed.

2. *Clause 1* contains the short title of the proposed Act.
3. *Clause 2* seeks to amend section 103E of Act 166 by inserting subsection 100(15) to enable an appeal to be made against all decisions of the Disciplinary Board dismissing any application or complaint at any stage.
4. *Clause 3* seeks to deem the appointment of the Chairman of the Disciplinary Board for the period of 17 February 2013 to 16 February 2015 and members of the Disciplinary Board for the period of 5 July 2013 to 4 July 2015 who were appointed before the coming into operation of the Legal Profession (Amendment) Act 2012 [*Act A1444*] and whose appointment continued after Act A1444 came into operation as to be duly appointed. *Clause 3* also provides that any act, action taken or decision made by the Chairman and members of the Disciplinary Board during that period shall not be questioned or invalidated by reason only of the appointment or the terms of office of the Chairman and members of the Disciplinary Board.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.

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