



## **President's Final Report (7<sup>th</sup> December, 2022)**

Dear AAS members,

I hereby present my Fourth and Final Report for my term as President of the Advocates Association of Sarawak ("AAS").

### **Central Committee Meeting and Annual Delegates Conference 2021**

I have chaired the Annual Delegates Conference 2021 in Miri and via Zoom on 18.12.2021.

The Central Committee Meeting physical meetings are as follows:-

- 5<sup>th</sup> Central Committee Meeting – 05.03.2022 in Bintulu
- 6<sup>th</sup> Central Committee Meeting – 11.06.2022 in Kuching
- 7<sup>th</sup> Central Committee Meeting – 20.08.2022 in Sibul
- 8<sup>th</sup> Central Committee Meeting – 29.10.2022 in Miri

Matters which were presented and decided at the Annual Delegates Conference 2021 and the said Central Committee Meetings were as follows:-

### **Sub-Committees Reports**

#### **1. Conveyancing and Land Matters**

eLasis/eLodgement implementation has commenced on 07.06.2022 with no extensions given this round.

#### **Association of Banks in Malaysia and AIBIM**

The President had written to Association of Banks in Malaysia and AIBIM that in view of the implementation of eLasis, there should be no requirement to prepare Memorandum of Charge in escrow. Two (2) copies of the Letters dated 19.05.2022 are annexed herewith marked as "A" and "B" respectively.

The President had written to the Association of Banks in Malaysia and AIBIM to draw their attention that there is a discrepancy of practice and requirements made by various commercial banks to our members in respect of progressive release of loan/financing facility on housing project in Sarawak compared to West Malaysia and Sabah. AAS is proposing such discrepancy be discarded towards advocates in Sarawak in respect of housing projects and after first release advice as advised by our members, subsequent release be done directly by Developer to the Banks. Two (2) copies of the Letters dated 11.11.2022 are annexed herewith marked as "C" and "D" respectively.

#### **District Office in Sarawak**

As for the district office issue on Letters of Administration and Grant of Probate, we are in midst of arranging a meeting with the State Secretary to address the issues faced by advocates. Based on the decision of the District Office on the interpretation on Paragraph 3 of the Administration of Estates Ordinance which states that "the Probate Officer may (a) issue probate and letter of administration of the estate of deceased persons leaving assets within his district", each District Office will only administer deceased properties within their own district. We had proposed solution as per our letter dated 10.11.2022



and had sought assistance from our members within the State Government to resolve this issue urgently. Copies of the Letters dated 25.05.2022, 04.08.2022, 17.08.2022, 19.09.2022 and 10.11.2022 are annexed herewith marked as “E”, “F”, “G”, “H” and “I” respectively.

### Land & Survey Issues

The President had written to the Director of Land & Survey on 06.07.2022 that our members are unable to submit instruments pertaining to Strata Title properties through eLodgement and to seek for their further action. A copy of the Letter dated 06.07.2022 is annexed herewith marked as “J”.

The President had written to the Director of Land & Survey on 07.09.2022 that only advocates holding a valid practicing certificate is allowed to attest documents in eLasis. A copy of the Letter dated 07.09.2022 is annexed herewith marked as “K”.

Louis Ng and Tan Kee Heng have been appointed in May 2022 as representatives of AAS in the Tripartite Conveyancing Committee.

## **2. Court Practice (Civil)**

Jacquelyn Hii who is heading the Civil Procedure Sub-Committee had attended to the following cases:-

- a) Judicial Review: PSMB Act
- b) Court of Appeal/ Federal Court: Voon Lee Shan v. Richard Malanjum; Voon Lee Shan v. David Wong @ Wong Dak Wah
- c) Mohd Shafiee’s case in Sibu High Court as Amicus Curiae
- d) Ad Hoc License to Practice: Jagjit Singh in Kuching High Court
- e) Amicus Curiae for 01(f)-11-09/2021 Ketua Pengarah Hasil Dalam Negeri v. Bar Malaysia which was attended by our President, Mr. Antonio Sim and Vice President, Mr. Gurvir Singh Sandhu.  
This is an application for Declaratory Relief with regards to Legal Profession Privilege.
- f) Watching Brief for KCH-22NCvC-28/7-2021 (HC4) Amalgamated Plant Engineering Sdn. Bhd. v Lo Mei Chin & 3 Ors. case  
Trial has been adjourned to March 2023.
- g) Ad Hoc Petitions:
  - i) Colin Lau Suan Hua – AAS member who applied for Temporary Practicing Certificate
  - ii) Lim Chee Wee – Petition is dismissed with no order as to costs.
  - iii) Hisyam Bin Abdullah @ Teh Poh Teik – Petition is allowed. AAS has agreed not to object to the same as it involves capital offence under S.39B of Dangerous Drugs Act 1952.

## **3. Court Practice (Criminal)**

We have attended several meetings with the judiciary on the discussion on improving the criteria for assigned counsels for capital punishment matters.



AAS Central had a meeting with the Right Honourable CJSS on 22.04.2022 on the discussion on Artificial Intelligence in Court Sentencing. We express our appreciation to advocates who have provided us with feedbacks. AAS Central had set up our own Artificial Intelligence Committee to oversee the implementation of Artificial Intelligence in Sentencing and Personal Injury cases.

The Court had officially launched “Artificial Intelligence in Court Sentencing (AICOS)” and “Video Conferencing System of Sabah and Sarawak Court (V-COSS)” in Kota Kinabalu on 30.10.2022.

AAS Central have sent two representatives to attend the Conference ‘Re-envisioning Malaysia’s Drug Policy without the Death Penalty’ from 25 – 27 July 2022 in Kuala Lumpur.

#### **4. Continuing Legal Education**

AAS Central has collaborated with MCCHR to organise a fully sponsored training camp on Freedom of Religion from 26 - 29 May 2022 for a total of 15 participants comprising of advocates and pupils across Sarawak with our own local trainers, Mr. Simon Siah and Ms. Chua Kuan Ching.

AAS had resolved to be one of the supporting organisations for Legal Plus Zoom Webinar: Better Employee Protection and Curbing Forced Labour in Malaysia, Intellectual Property Conference and CIPAA Conference 2022.

#### **5. Practice & Etiquette and Advocacy Training Courses**

**Date: 7<sup>th</sup>, 8<sup>th</sup> and 15<sup>th</sup> January 2022, 10<sup>th</sup> – 12<sup>th</sup> June 2022 and 14<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup> October 2022 via Zoom**

The second and third Advocacy Training Course of the post-COVID-19 era organised by the Head of the Sub-Committee, Desmond Sahathevan were held. The ATC was held for all pupils and newly admitted advocates who had previously given undertakings to attend the same from across the state. 64 participants attended and completed the course.

Appreciation to be extended to the trainers from AAS, Sabah Law Society and Malaysian Bar who assisted throughout the ATC.

##### Trainers

1. Nicholas Wung (AAS)
2. Sarbjit Singh Khaira (AAS)
3. Leong Hsin Ru (AAS)
4. Esther Wong (AAS)
5. Chloe Chong (AAS)
6. Alvin Leong (SLS)
7. Janice Wong (SLS)
8. Roger Chin (SLS)
9. Tiong Jia Yi (SLS)
10. Syarulnizam Salleh (SLS)
11. Sherzali Herza Asli (SLS)



12. Lau Cheung Hoon (SLS)
13. Ravi Nekoo (MB)
14. Alan Wong (MB)
15. Rohan Arasoo Jeyabalah (MB)
16. Yudistra Darma Dorai (MB)

**Volunteer**

1. Christine Lim (Assistant Secretary)

**The Advocacy Teachers Training Course**

**Date: 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> June 2022**

The Advocacy Teachers Training Course was held to train new teachers from both Sabah and Sarawak bars. We have six senior practitioners from Sarawak being trained, namely: Derbe Tang, Joseph Kahell Baleng, Gabriel Kok, Chloe Chong, Esther Wong and Ben Lau.

**The Second Etiquette Course**

**Date: 21<sup>st</sup> May 2022 via Zoom**

The Second Etiquette Course was held. There were 90 participants who attended and completed the course.

Appreciation to be extended to the following trainers and volunteers who assisted for the second Etiquette Course:-

**Speakers**

- i) Desmond Sahathevan
- ii) Sarbjit Singh Khaira
- iii) Colin Lai
- iv) YB Senator Robert Lau Hui Yew
- v) Benny Zaidy bin Jalil
- vi) Louis Ng
- vii) Kenny Lau
- viii) Tonny Hii
- ix) Ma Seong Yuin
- x) Jammie Tai

**Volunteer**

- i) Christine Lim (Assistant Secretary)

For future ATCs and Etiquette Courses, which are likely to be organised in the new year and/or term of the next Central Committee, it is likely to be held physically.

**6. e-Legal**

- (1) We are still in midst of gathering information for our AAS website. We aim to launch the website at the second quarter of 2023. The costs of the Website is RM60,240.00 and a sum of RM15,060.00 had been paid as deposit. We intend to run the draft



website within with our members before the same is finalised with the Vendor. A copy of the bill by the Vendor is attached herewith marked as "L".

- (2) The proposed Website Rules drafted by the Head of e-Legal, Mr. Tonny Hii have been circulated to all members across Sarawak via branches AGM to be tabled and deliberated.

7. **Young Lawyers Group (YBGK, Legal Aid, Law Awareness)**

Any YBGK related enquiries, please send to YBGK Sarawak's email: [aascentral.ybgk@gmail.com](mailto:aascentral.ybgk@gmail.com).

YBGK Late Payments

Most if not all of the late payments issue have been sorted out. Any YBGK counsels facing with any payment issues, please drop an email to us.

YBGK Part 1 and 2 Training in Kuching on 13.07.2022 and in Sibü on 20.08.2022

We have organised 2 YBGK Part 1 and 2 Training, covering a total of 86 participants. We would like to express our gratitude to the following counsels for assisting us in conducting the course.

Training Date	Speakers	No. of Attendees
16.07.2022 in Kuching	Simon Siah, Abdul Rahman, Christine Lim	55
20.08.2022 in Sibü	Boston Ho, Law Lee Wee, Christine Lim Assisted by: Eliah Lau, Penny Su, Connie Hii	31

YBGK New Forms

New YBGK Forms have been circulated to all YBGK counsels via email on 22.03.2022.

YBGK cases referred to AAS Central/AAS Branches

AAS Central/YBGK Sarawak have received emails from Miri Prison, Kuching Prison, Sibü Prison, Sri Aman Prison, Betong Prison, Limbang Court, Kuching Court, Miri Court etc. requesting for YBGK assistance.

YBGK Sarawak have assigned the cases below as at 03.12.2022:-

Branch	YBGK Cases
Kuching	15 – CoA Appeal 40 – HC Appeal 9 – HC Trial 1 – SC Trial 2 – MC Trial
Sibü	42 – CoA Appeal 6 – HC Appeal 1 – SC Trial 9 – MC Trial
Bintulu	1 – SC Trial



	2 – MC Trial
Miri	6 – CA Appeal 6 – HC Appeal 1 – SC Trial
Limbang	2 – HC Appeal 2 – SC Trial 4 – MC Trial
Marudi	1 – MC Trial

#### Pupillage Handbook [Third Edition]

We have emailed our Pupillage Handbook [Third Edition] to all members across Sarawak on 06.09.2022. Do contact the Head of the Young Lawyers Group, Christine Lim if you have any feedbacks on how to improve the Pupillage Handbook.

#### 8. **Sports**

AAS have been invited to attend the KL Bar Games on 16.09.2022. Our AAS members took part in golf event.

### General Matters in Association

#### 1. Pusat Mediasi COVID-19 (PMC-19)

The Government of Malaysia had reappointed The Advocates Association of Sarawak (AAS) to be the Mediation Service Provider of Pusat Mediasi COVID-19 (PMC-19) in Sarawak for year 2022 through its letter dated 28<sup>th</sup> April 2022. AAS had accepted the appointment through its letter dated 29<sup>th</sup> April 2022.

To recap, the objective of PMC-19 is to assist public who are unable to perform their contractual obligations due to the measures taken by the Government of Malaysia to control and/or to prevent the spread of the COVID-19. PMC-19 was established under the Temporary Measures for Reducing the Impact of Coronavirus Disease Act 2019 (COVID-19) Act 2020 (COVID-19 Act 2020). PMC-19 is managed by the Legal Affairs Division (BHEUU) of the Prime Minister's Department.

For year 2022, the Government of Malaysia had allocated the sum of RM30,000.00 as budget to promote the Mediation Services provided by PMC-19 in Sarawak. AAS had collaborated with La Vie Event & Management (LV) to strategise and implement steps to promote the Mediation Services provided by PMC-19 in Sarawak including but not limited to roadshows, flyers, video clips and visits to various departments and associations.

#### Roadshows

- [01] 24<sup>th</sup> to 26<sup>th</sup> June 2022 at Bintang Mega Mall, Miri, Sarawak.
- [02] 02<sup>nd</sup> to 03<sup>rd</sup> July 2022 at Pullman Hotel Miri Waterfront, Miri, Sarawak.
- [03] 15<sup>th</sup> to 17<sup>th</sup> July 2022 at Vivacity Megamall, Kuching, Sarawak.
- [04] 29<sup>th</sup> to 31<sup>st</sup> July 2022 at The Spring, Kuching, Sarawak.
- [05] 13<sup>th</sup> to 14<sup>th</sup> August 2022 at Parkcity Mall, Bintulu, Sarawak.
- [06] 19<sup>th</sup> to 22<sup>nd</sup> August 2022 at Wisma Sanyan, Sibul, Sarawak.
- [07] 24<sup>th</sup> to 25<sup>th</sup> September 2022 at Plaza Merdeka, Kuching, Sarawak.



Visits to Companies, Organizations, Departments, Associations etc.

- [01] Sarawak Manufacturers' Association.
- [02] Dewan Usahawan Bumiputra Sarawak.
- [03] Business Events Sarawak.
- [04] Industrial Court, Kuching, Sarawak.
- [05] Housing Tribunal, Kuching, Sarawak.
- [06] Consumer Tribunal, Kuching, Sarawak.
- [07] Sarawak State Attorney-General's Chambers, Kuching, Sarawak.
- [08] Borneo Medical Centre, Miri, Sarawak.
- [09] Miri Housing Group of Companies, Miri, Sarawak.
- [10] Andact Group of Companies, Miri, Sarawak.
- [11] Kanjia Group of Companies, Miri, Sarawak.

Correspondences to Promote Mediation Services under PMC-19

- [01] Miri Lorry Association, Miri, Sarawak.
- [02] State Secretary, Kuching, Sarawak.
- [03] Sarawak Housing and Real Estate Developers' Association, Kuching, Sarawak.
- [04] Domestic Consumer Tribunal, Kuching, Sarawak.
- [05] Sarawak Chambers of Commerce and Industry, Kuching, Sarawak.
- [06] Ultimate Professional Centre, Kuching, Sarawak.
- [07] Malaysia Institute of Estate Agents, Kuching, Sarawak.
- [08] The Associated Chinese Chambers of Commerce and Industry, Kuching, Sarawak.
- [09] Sarawak Electrical Association, Kuching, Sarawak.
- [10] Sarawak Oil Palm Association, Kuching, Sarawak.
- [11] Sarawak Forwarding Agencies Association, Kuching, Sarawak.
- [12] Sarawak Association of Marine Industries, Sibul, Sarawak.
- [13] Chief Judge of Sabah and Sarawak, Kuching, Sarawak.
- [14] Malaysia Association of Travel and Tours Agencies, Kuching, Sarawak.

Press Release

- [1] 11<sup>th</sup> August 2022 in The Borneo Post and Sin Chew Daily Newspaper entitled: "Advocates Association to hold law awareness programme"
- [2] 18<sup>th</sup> August 2022 in The Borneo Post entitled: "AAS Sibul holding PMC-19 services roadshow"
- [3] 18<sup>th</sup> August 2022 in Dayak Daily entitled: "AAS to offer free mediation services from Aug 19 to 22 at Wisma Sanyan"

Cases

For year 2022, there were 2 cases from Sarawak that were submitted and registered for mediation at PMC-19. One case originated from Sibul, Sarawak (Sibul Case) and the other from Kuching, Sarawak (Kuching Case).



The Sibü Case concerned a Sale Contract whilst the Kuching Case concerned a Renovation Agreement.

Whilst the Sibü Case was successfully mediated, the Kuching Case was not successfully mediated.

2. **Imposition of Late Processing Fees of RM300.00 per advocate for LONO late applications**

Email has been sent on 11.08.2022. Advocates are informed that there shall be a LATE processing fee chargeable in addition to the ordinary processing fee for application received by AAS Central after 31.01.2022 for issuance of Letter of No Objection (LONO) for Practising Certificate 2023 as follows:-

(1) Each Member - Late processing fee (RM300.00) + Ordinary processing fee (RM50.00)	=	RM350.00
(2) Each Non-Member - Late processing fee (RM300.00) + Ordinary processing fee (RM200.00)	=	RM500.00

Kindly ensure your submission to AAS Central of your application for LONO for 2023 on or before 31.12.2022 to ensure your PC for year 2023 is issued by year 2022. Submission to AAS Central means actual receipt by AAS Central of your application for LONO. Application received after 31.01.2023 will attract the above penalty.

3. **Practising with a Practicing Certificate**

Please be reminded that it is an offence to practice without a Practicing Certificate. There are two decisions by the Inquiry Committee (pending endorsement by High Court) to suspend two advocates for 5 and 7 years respectively as these advocates had practice without Practicing Certificate and a member advocate had also been struck off the Rolls of Advocates. Once the High Court had endorsed the order, members will be informed of their name.

4. **Law Firm's Website**

Advocates are reminded that the consent from Chief Judge of Sabah & Sarawak is required before advocates can operate their firms' websites.

5. **Tripartite Meeting on 14.05.2022 Update**

The President together with the Vice President, Mr. Gurvir Singh Sandhu and the Assistant Secretary, Ms. Christine Lim have attended the Tripartite Meeting on 14.05.2022 in Kuala Lumpur.

The following matters have been discussed and deliberated:-

- a) Entry Requirement set for Application for Bank Panelship
- b) March for Judiciary

The Malaysian Bar President has extended invitation to the President and SLS President to attend the EGM on 27.05.2022 for discussion on March for Judiciary.





- c) To consider the change of name for Malaysian Bar  
It is about time to change the name of Malaysian Bar as it is causing confusion. AAS and SLS have never made any formal request on this matter and SLS and AAS made this request officially at the meeting. The Malaysian Bar President stated that they need to amend their Legal Profession Act to reflect the changes if their members approve. MB President said that she had taken note of our request and their committee will deliberate on this matter.
- d) MACC Investigation into Dato' Mohd Nazlan bin Mohd Ghazali, JCA
- e) Fees Imposed by Banks on Loan/Statutory Documentation
- f) AMLATFA Compliance
- g) Tripartite Bar Games 2023 (expected to be in 3<sup>rd</sup> quarter of year 2023 and the host will be from Sarawak)

#### 6. **Roll of Advocates**

The Rolls of Advocates had reached 1779 and Practising Certificates had been issued for around 1020 advocates in year 2022.

#### 7. **Advocates Practising at 2 Different Legal Firms**

An email has been sent to all advocates on 05.09.2022 to remind them that it is not proper to be practising at 2 different legal firms without the consent of the Chief Judge of Sabah and Sarawak. In the event AAS comes to know of such fact, AAS will refer all partners in the legal firm to the Inquiry Committee.

#### 8. **Protest March for Judiciary**

The committee members of AAS 4 branches plus Central after consultation with all relevant stakeholders resolved not to participate in the protest march as the matter is still pending determination in court.

#### 9. **Industrial Court**

The AAS Central has written to the Minister to request for an appointment of Industrial Court Judge in Sarawak by way of letter dated 06.07.2022. A reply dated 20.07.2022 from the Registrar of the Industrial Court of Malaysia had also been received informing that the Industrial Court of Malaysia is taking steps to fill up the vacancy are marked as "M" and "N" respectively.

#### 10. **Reference Proceeding for 3 Departed Judges in Kuching on 04.08.2022**

The President together with the 4 Vice Presidents and the Honorary Secretary had attended the Reference Proceeding held in Kuching on 04.08.2022 for the late Dato' Seri Tan Chiaw Thong, the late Datuk Dennis Ong Jiew Fook and the late Tan Sri Datuk Amar Haji Mohamad Jemuri Bin Serjan. The President has also addressed the Court during the Reference Proceeding.



11. **ASEAN Law Association, Commonwealth Lawyers Association**

Currently, AAS is part of ASEAN Law Association under institutional membership and part of Commonwealth Lawyers Association with 6 members i.e. the President, 4 Vice Presidents and the Honorary Secretary. Previously only the Malaysian Bar and Sabah Law Society were invited to join.

12. **Joint Press Release by AAS, BC and SLS**

AAS resolved to issue a Joint Press Release on 29.08.2022 together with the Malaysian Bar and the Sabah Law Society on the Interference with the Judicial Process through Demands of a Change to the Chief Justice and Attorney General Positions during their Respective Terms is Preposterous and an Abuse of Process.

13. **Central's Financial Position**

Central has a healthy account balance of around RM179,648.71 as at 30.11.2022. The income generated is mainly from the membership subscription and fees generated from the issuance of Letter of No Objection.

14. **Company Secretary**

AAS wishes to remind members that if members wish to act as Company Secretary, they must attend the required courses organized by SSM and submit the same for your Company Secretary renewal.

15. **Email to Members on Advertising**

Emails have been sent on 09.05.2021 and 16.10.2021.

16. **Guidelines on Advertising**

AAS is in the midst of preparing guidelines on advertising to govern members.

17. **National Risk Assessment & Money Laundering and Terrorism Financing**

BNM had engaged with AAS Central on the subject as legal services is classified as "Reporting Institutions" and all members are to submit their AML/CFT Data & Compliance Report (DCR) by 30.11.2022. AAS advised all members to comply with all the reporting requirements as set down by BNM.

18. **Meeting with BHEUU on discussion on Statutory Body**

26.09.2022

The President and representatives from 4 branches attended the meeting with the Law Minister, YB Datuk Seri Dr. Hj. Wan Junaidi Tuanku Jaafar at Pullman Hotel Kuching at 10.00am pertaining to the establishment of AAS as Statutory Body.

The President had briefed the Law Minister that Miri, Sibul and Bintulu had previously voted in the Annual Delegates Conference to proceed with Statutory Body with the



present delegates system whereas Kuching voted to proceed with Statutory Body vide direct election.

All representatives from the 4 branches were also presented their views. Ultimately the Law Minister had informed AAS that AAS shall come to a middle ground and submit our version of Statutory Body for their approval and he personally will not force Statutory Body on AAS if there is no consensus. He stressed that AAS need to be a Statutory Body as soon as possible and hope all 4 branches can come to a consensus.

19. **AAS and CLJ Legal Online Resources Subscription**

AAS had liaised with CLJ to get more discounts for AAS members for 3 years CLJ subscription and details had been circulated to members in May 2022.

20. **Proposed Website Rules**

Although the above had been passed through in all 4 branches AGM last year, however during the ADC in year 2021, numerous amendments were made by some delegates and because the amendments did not have the mandate of the Branch of the other delegates present, this agenda was adjourned. The amended Rules had again been deliberated at this year AGM and will be tabled for endorsement on this year ADC.

21. **Proposed Amendments to Rule 59 Guidelines**

The current Rule 59 guidelines imposed by Tun Richard Malanjum in 2015 when he was the Chief Judge of Sabah and Sarawak state that all branches and the original firm need to have common partners with same shareholding. Because many firms could not comply with this rule, only the Headquarters of the original firm had been registered to comply with the Firm Name Rules and their branch are not recognised by Central. Firm needs to be registered under the Firm Name Rules before their practicing certificates of the partners and legal assistants can be issued. Central had discovered that there are numerous irregularities with some firms and their branches but because the branches are not registered with Central, Central is unable to manage these branch firms. These proposed amendments are to allow member firms to be registered under the Firm Name Rules and Central can better manage our members. The proposed amendments in summary states that firms with common partners can have the same shareholding and/or different shareholding with the requirement of taking up Professional Indemnity Insurance of RM1 million do not need CJSS's consent but if the common partners are different, then consent from CJSS is required. This proposed amendment had been sent to all members for review and will be tabled at this year AGM and ADC.

22. **Opening of Legal Year 2022**

OLY 2022 in Kota Kinabalu on 21.01.2022 was a close door affair with no procession and only 6 representatives from AAS were invited by the Judiciary. Our President delivered the speech on behalf of AAS.

OLY 2023 will be in Miri on 13.01.2022 and a National Symposium of Islamic Banking will be held on 14<sup>th</sup> and 15<sup>th</sup> January 2023. Members are encouraged to join the event and take the opportunity to revisit the condour of Sarawak OLY as the procession will



be from Pullman Hotel Miri Waterfront to the Miri High Court. Do look out for the notice from the Miri Branch of AAS for the Welcoming Dinner and the Gala Dinner event on 13.01.2023.

**23. Revision of the Annual Member Fees from RM120.00 to RM200.00**

ADC 2021 had approved the revision and the amended constitution had been sent to ROS for approval. Only when ROS had approved, then the increased fees will become effective.

**24. AAS Constitution**

The President together with the Secretariat together with the assistance of Mr. John Ko, the drafter of our initial AAS Constitution had collaborated to correct the numbering and spelling error in our constitution and to update the same. A draft had been sent to the Central Committee for review. The current PDF copy of our AAS Constitution in ROS is not very presentable. The amendment is very extensive but due to constraint of time, Central Committee members had resolved to leave to the matter to the new Committee to finalise the same before the same is sent to members for their review.

**25. Elevation of High Court Judges**

YA Datuk Duncan Sikodol, the resident Judge in Bintulu was elevated as a High Court Judge this April 2022.

YA Datuk Christopher Chin, the resident Judge in Sibu was elevated to as a High Court Judge this April 2022.

YA Leonard Shim and YA Wong Siong Tung were also elevated to as a High Court Judge this April 2022.

Our association expresses our congratulations to the four (4) Yang Arif on their elevation.

**26. Clemency Against the Death Sentence upon Mr. Naga Enthran K. Pharnalingam in Singapore on 01.11.2021**

AAS together with SLS and Bar Council had supported the petition for Clemency on the above person when the death penalty passed to him.

**27. UPC Annual General Meeting 2022**

I have attended the Annual General Meeting 2022 for Ultimate Professional Centre Sdn. Bhd. ("UPC") on 18<sup>th</sup> June 2022. There are eleven (11) Professional Bodies holding 3,000 shares each in UPC. AAS' representative in UPC is Desmond Sahathevan who is the Secretary of UPC. I attended the AGM meeting as the shareholder on behalf of AAS.

Enclosed please find a copy of the Chairman's Report and annual account of UPC for members' perusal marked as "O" and "P" respectively.



28. **Amendments to the Inquiry Committee Rules**

There is a proposal to amend the Inquiry Committee Rules. As the amendment is subject substantial in nature, the same have not been approved by the Central.

29. **Discussion on Borneo International Centre for Arbitration & Mediation (“BICAM”)**

SLS had approached AAS to set up Borneo International Centre for Arbitration & Mediation (“BICAM”) and AAS and SLS representatives together with some AAS mediator had met up on 02.04.2022. AAS had thereafter engaged with our State Government’s representative on this matter. Our State Government’s advice is to work with Asia International Arbitration Centre (“AIAC”) to set up a Sarawak Chapter.

It is unanimously resolved that AAS write to AIAC on setting up a AIAC Sarawak Chapter in Sarawak upon the following terms, inter alia:-

- i. That cases be heard in Sarawak.
- ii. That Sarawak Advocates to appear for cases heard in Sarawak.
- iii. That Advisors from West Malaysia may be engaged in an advisory role only.

30. **Pre-Action Protocol on Personal Injury Cases**

AAS had engaged with all members with the sub-committee headed by Mr. Sarbjit Singh who had reported their feedbacks to Central on the proposal of the above protocol. Thereafter AAS had replied that our members are not agreeable to the implementation of the above in Sarawak and had expressed our stand on the issue. A copy of our letter dated 30.07.2022 is marked as “Q”.

31. **Advocates' Remuneration Rules**

Kindly be informed that the amendments to the Advocates' Remuneration (Amendment) Rules 2018 had been finalised by the State Attorney Office. We have sent in the same to CJSS for consent. Once it is done, it will be sent for gazette and to take effect next year. The amendments were as per the feedbacks by members and finalized in September 2018. A copy of the draft template of the amendments of the rules which is to be gazetted is attached herein marked as “R”. Please note that this template is just a draft only.

32. **Delay in Payment Out's Process**

We have received complaints from members that payment out proceeds from Akauntan Negara Malaysia may take 3 to 6 months. We have written to the Registrar of High Court of Sabah & Sarawak, Tuan Nixon to inform the issue and hopefully the matter can be addressed. A copy of the letter dated 17.11.2022 is attached herein marked as “S”.



**Admission and Exemption Hearings**

**Date: 18<sup>th</sup> February 2022**

Numbers of Petition: 3 Petitions for Exemption and 15 Petitioners for Admission  
AAS' Representative for Interview and Exemption Hearing: Benny Zaidy bin Jalil  
AAS' Representative for Admission Hearing: Ma Seong Yuin

All Petitions were duly heard and order in terms by the Honourable High Court Judge, Dean Wayne Daly.

**Date: 25<sup>th</sup> March 2022**

Numbers of Petition: 2 Petitions for Admission  
AAS' Representative for Interview: Gurvir Singh Sandhu  
AAS' Representative for Admission Hearing: Gurvir Singh Sandhu

All Petitions were duly heard and order in terms by the Honourable High Court Judge, Dean Wayne Daly.

**Date: 25<sup>th</sup> March 2022**

Numbers of Petition: 3 Petitions for Exemption and 6 Petitions for Admission  
AAS' Representative for Interview and Exemption Hearing: Desmond Sahathevan  
AAS' Representative for Admission Hearing: Liew Tang Chieh

All Petitions were duly heard and order in terms by the Honourable High Court Judge, Azahari Kamal Bin Ramli.

**Date: 31<sup>st</sup> May 2022**

Numbers of Petition: 1 Petition for Exemption and 8 Petitions for Admission  
AAS' Representative for Interview and Exemption Hearing: Sarbjit Singh Khaira  
AAS' Representative for Admission Hearing: Sarbjit Singh Khaira

All Petitions were duly heard and order in terms by The Honourable Chief Judge of the High Court of Sabah and Sarawak Yang Amat Arif Tan Sri Dato' Abang Iskandar Abang Hashim.

**Date: 15<sup>th</sup> July 2022**

Numbers of Petition: 1 Petition for Exemption and 1 Petition for Admission  
AAS' Representative for Interview and Exemption Hearing: Tonny Hii Yii Yik  
AAS' Representative for Admission Hearing: Yong Siew Wei

All Petitions were duly heard and order in terms by The Honourable High Court Judge, Datuk Christopher Chin Soo Yin.

**Date: 21<sup>st</sup> July 2022**

Numbers of Petition: 2 Petitions for Exemption and 4 Petitions for Admission  
AAS' Representative for Interview and Exemption Hearing: Sarbjit Singh Khaira  
AAS' Representative for Admission Hearing: Sarbjit Singh Khaira

All Petitions were duly heard and order in terms by The Honourable High Court Judge, Dr. Haji Alwi Bin Haji Abdul Wahab.

## President's Final Report (7<sup>th</sup> December, 2022)



### **Date: 27<sup>th</sup> July 2022**

Numbers of Petition: 1 Petition for Exemption and 1 Petition for Admission  
AAS' Representative for Interview and Exemption Hearing: Eric Lau Lian Jing  
AAS' Representative for Admission Hearing: Eric Lau Lian Jing

All Petitions were duly heard and order in terms by The Honourable High Court Judge, Duncan Sikodol.

### **Date: 30<sup>th</sup> September 2022**

Numbers of Petition: 6 Petitions for Exemption and 26 Petitions for Admission  
AAS' Representative for Interview and Exemption Hearing: Benny Zaidy bin Jalil  
AAS' Representative for Admission Hearing: Desmond Sahathevan

All Petitions were duly heard and order in terms by The Honourable High Court Judge, Azahari Kamal Bin Ramli.

### **Date: 30<sup>th</sup> November 2022**

Numbers of Petition: 1 Petition for Exemption and 26 Petitions for Admission  
AAS' Representative for Interview and Exemption Hearing: Benny Zaidy bin Jalil, Nicholas Wung  
AAS' Representative for Admission Hearing: Sarbjit Singh Khaira, Liew Tang Chieh

All Petitions were duly heard and order in terms by The Honourable Chief Judge of the Honourable High Court Judge, Dr. Haji Alwi Bin Haji Abdul Wahab.

Kindly be informed that during this term of office, all Petitions were discussed and deliberated upon by the AAS Advisory Sub-Committee consisting of the President and 4 Vice Presidents and their decisions were then endorsed by the Central Committee prior to hearings of the said Petitions.

The following Petitioners were admitted to the Rolls of Advocates of the High Court of Sabah and Sarawak in the State of Sarawak and the AAS Central Committee extends our warmest congratulations and welcome the following Advocates to the Bar:-

<b>No.</b>	<b>Name</b>	<b>Roll No.</b>	<b>Date of Admission</b>
1	Teng Lee Kai	1715	18 <sup>th</sup> February 2022
2	Victoria Wong	1716	18 <sup>th</sup> February 2022
3	Beatrice Anak James	1717	18 <sup>th</sup> February 2022
4	Richard Tie Sing Wan	1718	18 <sup>th</sup> February 2022
5	Adeline Chan Kuei Jeng	1719	18 <sup>th</sup> February 2022
6	Brenda Wong Yun Ru	1720	18 <sup>th</sup> February 2022
7	Cherishe Ng Phuay Hui	1721	18 <sup>th</sup> February 2022
8	Claesmine Yeo Lee Ching	1722	18 <sup>th</sup> February 2022
9	Nicollette Nastashia Anak Sohail	1723	18 <sup>th</sup> February 2022
10	Joanne Loy	1724	18 <sup>th</sup> February 2022
11	Phui Kar Ling	1725	18 <sup>th</sup> February 2022
12	Nur Atiqah Binti Kulah	1726	18 <sup>th</sup> February 2022
13	Tang Beng Chiong	1727	18 <sup>th</sup> February 2022
14	Siti Nuur Annafiah Binti Mohamad Ajebar	1728	18 <sup>th</sup> February 2022

**President's Final Report (7<sup>th</sup> December, 2022)**



15	Cyan Tang Chya Yang	1729	18 <sup>th</sup> February 2022
16	Carmen Krysther Lim Chieh Mien	1731	25 <sup>th</sup> March 2022
17	Mohd. Syukri Bin Lokman	1732	25 <sup>th</sup> March 2022
18	Lee Min Jing	1733	25 <sup>th</sup> March 2022
19	Elaine Sim Ee Sze	1734	25 <sup>th</sup> March 2022
20	Brenda Chong Yan Ni	1735	25 <sup>th</sup> March 2022
21	Clinton Tan Kian Seng	1736	25 <sup>th</sup> March 2022
22	Jonathan Kuan Che Gie	1737	25 <sup>th</sup> March 2022
23	Ting Shee Ching	1738	25 <sup>th</sup> March 2022
24	Michelle Chin Zi Shan	1739	31 <sup>st</sup> May 2022
25	Leong Iu Fei	1740	31 <sup>st</sup> May 2022
26	Grace Kong Sien Ying	1741	31 <sup>st</sup> May 2022
27	Joan Chin Wei Ling	1742	31 <sup>st</sup> May 2022
28	Chai Yong Lin	1743	31 <sup>st</sup> May 2022
29	Esther Chan	1744	31 <sup>st</sup> May 2022
30	Reena Chong Huey Yuk	1745	31 <sup>st</sup> May 2022
31	Khor Shin Nee	1746	31 <sup>st</sup> May 2022
32	Bong Huei Thong	1747	19 <sup>th</sup> November 2021
33	Audrey Alicia Ani Anak Nair	1748	21 <sup>st</sup> July 2022
34	Ting Tiew Ting	1749	27 <sup>th</sup> July 2022
35	Chrissie Ngiron Anak Mijun	1750	15 <sup>th</sup> July 2022
36	Nur Azureen Binti Zainuddin	1751	15 <sup>th</sup> July 2022
37	Sharron Yee Mei Fey	1752	15 <sup>th</sup> July 2022
38	Ningkan Anak Hamilton	1753	15 <sup>th</sup> July 2022
39	Tracy Go Kay Yen	1754	30 <sup>th</sup> September 2022
40	Eirene Chan Yu Ling	1755	30 <sup>th</sup> September 2022
41	Fung Chu Wen	1756	30 <sup>th</sup> September 2022
42	Moh Ung Kieng	1757	30 <sup>th</sup> September 2022
43	Brendan Ting Peak Jon	1758	30 <sup>th</sup> September 2022
44	Chen Pei Shi	1759	30 <sup>th</sup> September 2022
45	Priscilla Fu Ping Mei	1760	30 <sup>th</sup> September 2022
46	Emily Siao Tze Ern	1761	30 <sup>th</sup> September 2022
47	Chong Hui Ling	1762	30 <sup>th</sup> September 2022
48	Lulee Lim	1763	30 <sup>th</sup> September 2022
49	Farah Phang	1764	30 <sup>th</sup> September 2022
50	Valentia Wong Chiau Yi	1765	30 <sup>th</sup> September 2022
51	Linda Wong Li Ding	1766	30 <sup>th</sup> September 2022
52	Jessica Sia Siew Shin	1767	30 <sup>th</sup> September 2022
53	Tang Swee Ying	1768	30 <sup>th</sup> September 2022
54	Elli Ngu Sir Ging	1769	30 <sup>th</sup> September 2022
55	Chloe Chew Yi-Li	1770	30 <sup>th</sup> September 2022
56	Jacques Ollie Anak Jonathan Nyanga	1771	30 <sup>th</sup> September 2022
57	Matthew Dilak Anak Geoffrey	1772	30 <sup>th</sup> September 2022
58	Daryl Anak Nicholas	1773	30 <sup>th</sup> September 2022
59	Arthur Liang Dawat	1774	30 <sup>th</sup> September 2022
60	Oliver Stuart Kho Lik Won	1775	30 <sup>th</sup> September 2022
61	Gina Anak Rangen	1776	30 <sup>th</sup> September 2022
62	Loi Kwong Wei	1777	30 <sup>th</sup> September 2022



## President's Final Report (7<sup>th</sup> December, 2022)



63	Nur Adila Binti Johri	1778	30 <sup>th</sup> September 2022
64	Mohd Mustaqim Bin Muradi	1779	30 <sup>th</sup> September 2022

The following petitioners were admitted as Advocates of the High Court of Sabah and Sarawak in the State of Sarawak on 30 November 2022.

1. Soh Siew Sun
2. Liew Pei Chin
3. Tan Joon Ian
4. Mohd. Syazani Izzadin Bin Abdul Muadzam
5. Sheryl Jee Miao Lan
6. Amelia Liew Jing Wen
7. Qhuratul Nadzrah Binti Iriwan
8. Wong Zhing Ling
9. Soo Tong Jack
10. Vera Tiong Yong Shuen
11. Dominic Song Hua Hieng
12. Foo Wen Teck
13. Phan Hsiu Ping
14. Jacquelyn Juliet Binti Suching
15. Jason Ling Ping Suen
16. Ernie Natasha Binti Azman
17. Samuel Wong Bok Siong
18. Annie Sia Qing Bing
19. Kathy Teng Mee Chze
20. Norfa'ain Binti Sa'al
21. Hannah Tan Su Ki
22. Surenthren A/L Mathavan
23. Fatin Nurwinnie Atiqah Binti Abdul Rahman
24. Valerie Bong Pei Zhen
25. Nursyuhada Binti Sulong Abdul Rahman
26. Charlene Chaw Hui Ming

I record Central Committee and my appreciation and thanks to all the named representatives of the AAS above who had represented and assisted Central in the admission and exemption hearings.

**Thank you & Regards,**

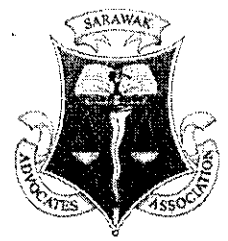
**Antonio Sim**

**President**

**The Advocates Association of Sarawak**

Bar Room/Bilik Peguam,  
Kompleks Mahkamah Miri  
Jalan Merdu, 98000 Miri, Sarawak.  
Tel/Fax: 085-430476

Email: [aascentral2018@gmail.com](mailto:aascentral2018@gmail.com) / [antoniopksim@gmail.com](mailto:antoniopksim@gmail.com)



ADVOCATES ASSOCIATION of SARAWAK  
PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK

Date: 19<sup>th</sup> May 2022

The Association of Banks in Malaysia  
A-11-1, AICB Building,  
No. 10 Jalan Dato' Onn,  
50480 Kuala Lumpur.

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tonny Hii Yii Yik (Sibu)

Gurvir Singh Sandhu (Miri)

Ma Seong Yulin (Bintulu)

**Honorary Secretary**

David Teo Seng Wee (Miri)

**Assistant Secretary**

Christine S H Lim (Sibu)

**Honorary Treasurer**

Jacquelyn Hii Shin Law (Sibu)

**Assistant Treasurer**

Eric Lau Lian Jing (Bintulu)

**Committee Members**

Desmond Sahathevan (Kuching)

Leslie Linton (Bintulu)

Dayangku Sa'adiah Binti Awang

Hipni (Kuching)

Benny Zaldy Bin Jalil (Kuching)

Lee Jin Wen (Miri)

Liew Tang Chieh (Kuching)

**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
aascentral2018@gmail.com

Kind Attention: Executive Director

Dear Sir/Madam,

Issues Arising on Security Documentations for Bank Loans in Sarawak

We respectfully refer to the above matter.

Our members have given us feedback on the following issues which we would like to bring to your kind attention:

(A) Memorandum of Charge in-escrow

We would like to inform you that the Land & Survey Department of Sarawak have developed eLodgment to facilitate the digital processing of submissions for registration at the local Land Registries. The mandatory date for implementation is 7<sup>th</sup> June 2022. This includes generating the digital format of instruments which include the Memorandum of Charge.

One of the issues arising is the Memorandum of Charge in-escrow. Our members have informed that some banks in Sarawak are still requiring the Memorandum of Charge in-escrow as part of the Security Documents. However, the Land & Survey Department of Sarawak have highlighted to us that the Memorandum of Charge in-escrow is not a provision under the Land Code of Sarawak.

Therefore, the Land & Survey Department of Sarawak will not incorporate a digital format of the Memorandum of Charge in-escrow on the eLodgment. Our members would not be able to carry on preparing a Memorandum of Charge in-escrow as previously practiced as this would affect the submissions through the eLodgment. A Memorandum of Charge format cannot be generated at the eLodgment when the individual title has not been issued to the Property.

We are given to understand that the Memorandum of Charge in-escrow is no longer a practice in West Malaysia and Sabah. In the circumstances, we would request your Association to consider issuing a circular to all your members to dispense with the Memorandum of Charge in-escrow as a Security Document for Bank Loans in Sarawak so that there is a uniformity of practice of Memorandum of Charge in-escrow in Sarawak.

(B) Amendments on Instruments prescribed by the Land Code of Sarawak

The Land & Survey Department of Sarawak had expressed their concerns on several banks amending the format of the instruments as prescribed under the Land Code of Sarawak. Despite having informed the banks that these formats are prescribed by a statute, the banks have demanded that the formats be amended to suit their cases. We opined that this practice is worrisome and may spell adverse legal implications for your members in terms of validity of the instruments.

Please do not hesitate to reach out to the undersigned through 019-8241199 in the event of any further queries.

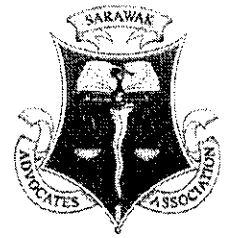
Thank you.

Yours faithfully,



---

ANTONIO P.K. SIM  
President  
Advocates Association of Sarawak



ADVOCATES ASSOCIATION of SARAWAK  
PERSATUAN PEGUAMBELA SARAWAK

Date: 19<sup>th</sup> May 2022

Association of Islamic Banking and Financial Institutions Malaysia  
4<sup>th</sup> Floor, Menara Bumiputra,  
21 Jalan Melaka,  
50100 Kuala Lumpur.

**President**  
Antonio P K Sim (Miri)

**Immediate Past President**  
Ranbir Singh Sangha (Miri)

**Vice Presidents**  
Sarbjit Singh Khaira (Kuching)  
Tonny Hii Yii Yik (Sibu)  
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**Committee Members**  
Desmond Sahathevan (Kuching)  
Leslie Linton (Bintulu)  
Dayangku Sa'adiah Binti Awang  
Hipni (Kuching)  
Benny Zaldy Bin Jalil (Kuching)  
Lee Jin Wen (Miri)  
Liew Tang Chieh (Kuching)

**THE BAR ROOM**  
Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
[aascentral2018@gmail.com](mailto:aascentral2018@gmail.com)

Kind Attention: Executive Director

Dear Sir/Madam,

Issues Arising on Security Documentations for Islamic Bank Financing in Sarawak

We respectfully refer to the above matter.

Our members have given us feedback on the following issues which we would like to bring to your kind attention:

(A) Memorandum of Charge in-escrow

We would like to inform you that the Land & Survey Department of Sarawak have developed eLodgment to facilitate digital processing of submissions of instruments for registration at the local Land Registries. The mandatory date for implementation is 7<sup>th</sup> June 2022. This includes generating the digital format of instruments which include the Memorandum of Charge.

One of the issues arising is the Memorandum of Charge in-escrow. Our members have informed that some banks in Sarawak are still requiring the Memorandum of Charge in-escrow as part of the Security Documents. However, the Land & Survey Department of Sarawak have highlighted to us that the Memorandum of Charge in-escrow is not a provision under the Land Code of Sarawak.

Therefore, the Land & Survey Department of Sarawak will not incorporate a digital format of the Memorandum of Charge in-escrow on the eLodgment. Our members would not be able to carry on preparing a Memorandum of Charge in-escrow as previously practiced as this would affect the submissions of instruments through the eLodgment. A Memorandum of Charge format cannot be generated at the eLodgment when the individual title has not been issued to the Property.

We are given to understand that the Memorandum of Charge in-escrow is no longer a practice in West Malaysia and Sabah. In the circumstances, we would request your Association to consider issuing a circular to all your members to dispense with the Memorandum of Charge in-escrow as a Security Document for Islamic Bank Financing granted in Sarawak so that there is a uniformity of practice of Memorandum of Charge in-escrow in Sarawak.

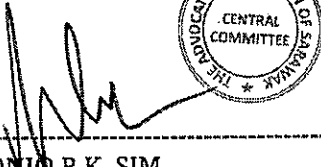
(B) Amendments on Instruments prescribed by the Land Code of Sarawak

The Land & Survey Department of Sarawak had expressed their concerns on several banks amending the format of the instruments as prescribed under the Land Code of Sarawak. Despite having informed the banks that these formats are statutory formats as prescribed by the Land Code of Sarawak, the banks have demanded that the statutory formats be amended to suit their cases. We opined that this practice is worrisome and may spell adverse legal implications for your members in terms of validity of the instruments.

Please do not hesitate to reach out to the undersigned through 019-8241199 in the event of any further queries.

Thank you.

Yours faithfully,



---

ANTONIO P.K. SIM  
President  
Advocates Association of Sarawak



**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK**

Date: 11<sup>th</sup> November 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khalra (Kuching)

Tonny Hii Yii Yik (Sibu)

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A-11-1, AICB Building,

No. 10 Jalan Dato' Onn,

50480 Kuala Lumpur.

**Kind Attention: Executive Director**

Dear Sir/Madam,

**Release of Progressive Claims made by the Housing Developers in Sarawak**

We refer to the abovementioned matter.

We would like to bring to your attention that currently there is a discrepancy of practice and requirements made by various commercial banks to the Solicitors concerned in respect of progressive release of loan / financing facility on housing project in Sarawak compared to housing project in West Malaysia & Sabah:

**Current situation in Sarawak:**

For every progressive claim made by the Developer in accordance with the schedule of payment in the Sale and Purchase Agreement, upon completion of the various stages of development, Solicitors are required to submit each and every such claims to the Bank to request for the progressive release of the loan for payment of the said claims to the Developer directly.

On average, Solicitors will have to write to request for such progressive releases from the Bank up to 9 times (for strata titled property) and 10 to 11 times (for landed property i.e. single and double storey) and to consistently follow up with the Bank in respect of each and every such progressive releases.

**Situation in West Malaysia & Sabah:**

Solicitors are only required to advise for release and submit claim to the end-financier Bank once for the first drawdown.

After the first drawdown, the Developer concerned will liaise with the end-financier Bank directly (i.e. submit its Progressive Claim together with the supporting Architect's Certificate) for the subsequent progressive claims up until issuance of strata titles or individual titles thereof.

With a view to improve efficiency of the release of progressive claims and to save costs and time, we would like to urge all the commercial banks operating in Sarawak to discard such discrepancy towards the Solicitors in Sarawak in respect of housing project since the SCHEDULE OF PAYMENT OF PURCHASE PRICE under the standard Sale and Purchase Agreements for housing project in Sarawak (*prescribed under Forms B & C of the Housing Development (Control and Licensing) Regulations 2014 of Sarawak*) is similar to the standard Sale and Purchase Agreements for housing project in West Malaysia & Sabah (*prescribed under Schedules G & H of the Housing Development (Control and Licensing) Regulations 1989 of West Malaysia, and Housing Development (Control and Licensing) Rules 2008 of Sabah*).

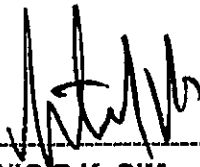
We would appreciate if your Association could advise us once your Association have discussed the above issue with your members and had made a decision.

We would like to request for a virtual dialogue with your Association to discuss and clarify any issue arising from our request. Please do let us know your Association's soonest available date for the virtual dialogue.

Please do not hesitate to reach out to the undersigned through 019-8241199 in the event of any further queries.

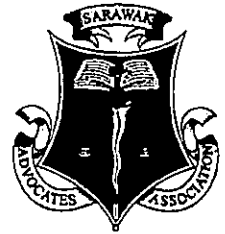
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---

**ANTONIO P.K. SIM**  
President  
Advocates Association of Sarawak



**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK**

Date: 11<sup>th</sup> November 2022

**President**

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Sarbjit Singh Khaira (Kuching)

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Benny Zaldy Bin Jaill (Kuching)

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**Kind Attention: Executive Director**

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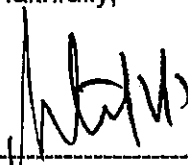
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Please do not hesitate to reach out to the undersigned through 019-8241199 in the event of any further queries.

Thank you.

Yours faithfully,



**ANTONIO P.K. SIM**

**President**

**Advocates Association of Sarawak**



**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK**

Date: 25<sup>th</sup> May 2022

**President**  
Antonio P K Sim (Miri)

**Immediate Past President**  
Ranbir Singh Sangha (Miri)

**Vice Presidents**  
Sarbjit Singh Khaira (Kuching)  
Tonny Hil Yil Yik (Sibu)  
Gurvir Singh Sandhu (Miri)  
Ma Seong Yuln (Bintulu)

**Honorary Secretary**  
David Teo Seng Wee (Miri)

**Assistant Secretary**  
Christine S H Lim (Sibu)

**Honorary Treasurer**  
Jacquelyn Hli Shin Law (Sibu)

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Eric Lau Lian Jing (Bintulu)

**Committee Members**  
Desmond Sahathevan (Kuching)  
Leslie Linton (Bintulu)  
Dayangku Sa'adiah Binti Awang  
Hlipni (Kuching)  
Benny Zaidy Bin Jalli (Kuching)  
Lee Jin Wen (Miri)  
Liew Tang Chieh (Kuching)

**THE BAR ROOM**  
Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
aascentral2018@gmail.com

**State Secretary**  
**Sarawak State Secretary Office,**  
Level 20, Wisma Bapa Malaysia,  
Petra Jaya,  
93502 Kuching, Sarawak.

Dear State Secretary,

**Issues Arising at District Offices**

We respectfully refer to the above matter.

Our members have given us feedback on the following issues which we would like to bring to your kind attention:

**(A) Delay in Processing of Probate and Letter of Administration Instruments**

Our members have informed us that there have been substantive delays in processing and issuance of Probate and Letter of Administration at the District Offices. Previously, the turnaround time for the issuance of Probate and Letter of Administration is within a month or thereabouts. Lately, our members have informed us that the turnaround time had increased to more than 3 months or thereabouts. A serious issue is if the Deceased has properties in other Divisions, the District Office where the Probate/Letter of Administration is applied from require confirmation from other Divisional Land Offices before the same can be issued. This process may take months if the Deceased has properties throughout Sarawak. Without the Probate/Letter of Administration, the financial obligation of the Deceased's liabilities cannot be met.

**(B) Issuance of Probate in Different Divisions in Sarawak**

**Sibu**

The Probate application in Sibu is as follows:

- 1) upon issuance of the death certificate, the executor will approach a solicitor (if a solicitor is engaged),
- 2) prepare supporting documents showing the estate and the beneficiaries thereto (ICs of beneficiaries/bank accounts, land title/land search, etc),
- 3) Submit the form together with supporting documents to District Office (personally by the executor),
- 4) Probate will be processed and may be collected by executor / solicitor once issued.

### Bintulu

In Bintulu, our members have to deposit a copy of the Will with the Probate Officer at District Office. When the person who made the Will pass away, all the beneficiaries have to sign a letter of consent for the probate to be issued. Just like for the issuance of Letter of Administration. If one of the beneficiaries refused to sign letter of consent, the Probate will not be issued. A Probate should be different from the Letter of Administration. The practice of the Probate officer to request the beneficiaries to sign letter of consent for the issuance of Probate is actually contradicting the Will of the Deceased. We hope this matter can be address.

### Miri

In Miri, there are 2 ways a Probate Application is processed but there is no requirement to deposit the Will with the Probate Officer at the District office.

- (I) If Executor/Beneficiary chooses not to engage legal firm for application of Probate, Executor and Beneficiary are to be present at District Office to open the Will in the presence of Kapitan/Penghulu/Pemanca as witness. In addition, the District Office require the Solicitor or the Solicitor's representatives (office staff) who prepared the Will to be presented as another witness.

The issues arising are:

- (a) Solicitor as witness for opening a Will is not a requirement under the Administration of Estates Ordinance (Cap 80), and
  - (b) If the executor/beneficiary is/are not willing to incur solicitor cost, then if District Office still insist, then issuance of the Probate will be delayed.
- (II) If Executor/Beneficiary engages a legal firm to prepare the application, the Will is opened before executor/beneficiary with the presence of Kapitan/Penghulu/Pemanca at legal firm, the Solicitor who witnessed the opening must prepare a letter addressing to District Office that the Will was opened at law firm premise stating the date and time of opening, with the presence of executor/beneficiary, who understand the content of the Will explained by the Kapitan/Penghulu/Pemanca and the Solicitors. So far, we have no issue for this method as long as we can make arrangement with Kapitan/Penghulu/Pemanca to be present.

Hence, there are different in different divisions. Our members would like to request for a uniform practice throughout Sarawak.

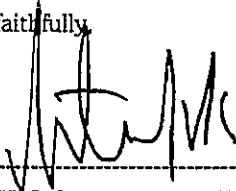
(C) Extract of Business Names Registration

Our members have also raised the issue of Extract of Business Names Registration being restricted to mornings only. There have been instances whereby our members are required to conduct the extract on an urgent basis during afternoon. Due to the above restrictions, the urgency of our members' clients have been unduly delayed which had prejudice their clients' rights and interests and our member are not able to discharge their duties.

We would like to propose a virtual dialogue between our Association to discuss the above issues amongst others.

Thank you.

Yours faithfully,



---

**ANTONIO SIM PEAK KHIONG**  
**President**  
**Advocates Association of Sarawak**



"F"

**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK**

Date: 4<sup>th</sup> August, 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tonny Hill Yik Yik (Sibu)

Gurvir Singh Sandhu (Miri)

Ma Seong Yui (Bintulu)

**Honorary Secretary**

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Lee Jin Wen (Miri)

Liew Tang Chieh (Kuching)

**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎/📠 : 085-430476

**Email:**

[aascentral2018@gmail.com](mailto:aascentral2018@gmail.com)

**State Secretary**

**Sarawak State Secretary Office,**

Level 20, Wisma Bapa Malaysia,

Petra Jaya,

93502 Kuching, Sarawak.

**Kind Attention: Mr. Nicholas Sia**

**Director of the Sarawak Premier's Administrative Unit**

Dear State Secretary,

**Issues Arising at District Offices**

We respectfully refer to the above matter.

We would like to inform you that our members have come across various cases whereby the deceased persons also own assets outside Sarawak. Upon an application for Probate or Letters of Administration, there have been instances whereby some Probate Officers allow these assets outside Sarawak to be included in the Probate or Letters of Administration and there are other Probate Officers who do not allow such inclusion. The inconsistency herein has created uncertainties of various levels to our members. This is affecting our members' processing of estate matters.

We opine and urge Probate Officers to allow the inclusion of deceased persons' assets outside Sarawak. We believe the personal representatives of the deceased persons' estate can apply to the Appropriate Authority outside of Sarawak to reseal the probate or letters of administration issued in Sarawak to administer the assets of the deceased persons located outside of Sarawak. With an all-inclusive probate or letters of administration and the provisions to reseal the probate or letters of administration in overseas countries, the personal representatives can administer the estate of the deceased persons more effectively.

In the premises, we would like to seek your kind assistance to deliberate the above issue with the Probate Officers with a view to standardize the practice of including assets of deceased persons outside of Sarawak into the probate or letters of administration.

Thank you.

Yours faithfully,

ANTONIO SIM PEAK KHIONG

President

Advocates Association of Sarawak



05/08/22

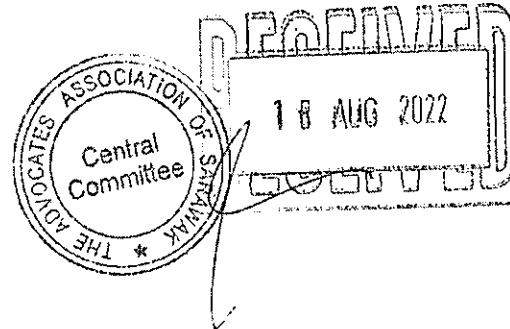


JABATAN PREMIER SARAWAK  
(UNIT PENTADBIRAN)  
TINGKAT 8, WISMA BAPA MALAYSIA,  
PETRA JAYA,  
93502 KUCHING, SARAWAK.  
☎ 082-441957 (Am) / 082-440489 / 082-319019 (Pejabat Pengarah)  
☎ 082-444321 (Am) / 082-443777 (Pejabat Pengarah)

Ruj: JKM/UP/100-3/1/1/JLD.1 (9)

Tarikh : 17<sup>th</sup> August 2022

President  
Advocates Association of Sarawak  
Bar Room/Bilik Peguam  
Kompleks Mahkamah Miri  
Jalan Mendu, P.O.Box 1695  
98008 Miri



Dear Sir,

### Issues Arising At District Offices

Reference is made to your letter dated 25<sup>th</sup> May 2022 with regard to the above subject matter.

2. We take note of the issues raised and thank you for your views on the same.
3. The issues were referred to the relevant District Officers for clarification and our reply are as follows;

#### 3.1 Delay in processing of Probate and Letter of Administration Instruments

Based on the current processes and procedures, the probate and letters of administration will be issued within 14 working days from the date of the complete application received.

#### 3.2 Issuance of Probate in Different Divisions in Sarawak

The requirement for *Ketua Masyarakat* or *Ketua Kaum* to be present before the Probate Officer and for the beneficiaries to sign the consent letter in order for a probate to be granted, is not a prerequisite under the Administration of Estates Ordinance [Cap 80(1948 Ed.)].

#### 3.3 Extract of Business Names Registration

The Counter for Business Name Registration is open from 8.00am – 12.30pm and 2.00pm – 4.30pm. However, to comply with the directive of *Jabatan Akauntan Negara* (JAN) which requires the fees collected to be deposited to the bank not later than 3.00pm on the same day, the District Office will only receive the payment made by 12.30pm.

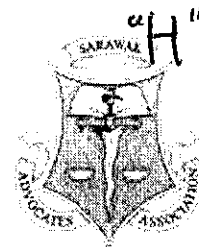
4. Albeit that some of the requirements imposed by the Probate Officers are administrative in nature, it is necessary as part of due diligence in carrying out their statutory functions. The State Government, from time to time, will study and improve the current work processes and procedures in issuing the probate and letters of administration to ensure strict compliance with the legal requirements.
  
5. This Office would like to apologize for any inconvenience caused.

Thank you.

**"BERSATU BERUSAHA BERBAKTI"**  
**"AN HONOUR TO SERVE"**



**( NICHOLAS SIA )**  
**b.p State Secretary**  
**Sarawak**



ADVOCATES ASSOCIATION of SARAWAK  
PERSATUAN PEGUAMBELA SARAWAK

Your Ref: JKM/UP/100-3/1/1/JLD/1(9)

Date : 19<sup>th</sup> September 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tonny Hii Yik (Sibu)

Gurvur Singh Sandhu (Miri)

Ma Seong Yui (Bintulu)

**Honorary Secretary**

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Benny Zaidy Bin Jalil (Kuching)

Lee Jin Wen (Miri)

Liew Tang Chieh (Kuching)

**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
[aascentral2018@gmail.com](mailto:aascentral2018@gmail.com)

**State Secretary**

**Sarawak State Secretary Office,**

Level 20, Wisma Bapa Malaysia,

Petra Jaya,

93502 Kuching, Sarawak.

**Kind Attention: Mr. Nicholas Sia**

**Director of the Sarawak Premier's Administrative Unit**

Dear State Secretary,

**Issues Arising at District Offices**

We refer to your letter dated 17<sup>th</sup> August 2022.

We seek for clarification as follows:

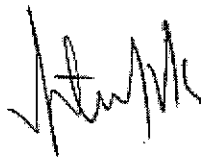
1. In respect of Item 3.1, we state that in current everyday practice, Probate and/or Letter of Administration are currently not issued within fourteen (14) working days from the date of the complete application received. Although in current practice, it had exceeded your stated timeline but if the various district offices can work to issue within thirty (30) working days from submission, that is still acceptable. Please seek statistics from the relevant department. The main issue which you have not addressed is if the Deceased has other properties in other districts, for example if the Deceased resides in Miri but his properties are in Kuching, Bintulu, Sibu and Sri Aman and our members apply for Probate and/or Letter of Administration in Miri. There are cases when the Probate and/or Letter of Administration take more than a year to be issued. We are informed by the officers from District Office in Miri that they need written confirmation to be provided from the other districts which the Deceased had properties before they can issue the Probate and/or Letter of Administration. When our members follow up, the officers only inform to wait and there is no timeline given. This is a serious issue which you had yet addressed. We seek your urgent attention to address this issue as we have received numerous complaints on the delay. We can provide example of cases if required.
2. In respect of Item 3.2, we had informed your department that this is a current requirement imposed by a few District Offices. We would appreciate if a circular to this effect to be sent to all the district offices and copy to our Association so that we can inform our members.



We request for a reply to our letter dated 4<sup>th</sup> August 2022.

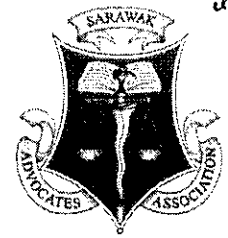
Thank you.

Yours faithfully,



---

**Antonio P.K. Sim**  
**President**  
**Advocates Association of Sarawak**



**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK**

Your Ref: JKM/UP/100-3/1/1/JLD/1(9)

Date: 10<sup>th</sup> November 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tonny Hil Yii Yik (Sibu)

Gurvir Singh Sandhu (Miri)

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**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:

[aacentral2018@gmail.com](mailto:aacentral2018@gmail.com)

**State Secretary**

**Sarawak State Secretary Office**

Level 20, Wisma Bapa Malaysia,

Petra Jaya,

93502 Kuching, Sarawak.

**Kind Attention: Datu Nicholas Sia**

**Director of the Sarawak Premier's Administrative Unit**

Dear State Secretary,

**Issuance of Probate and Letters of Administration in Different Districts of Sarawak**

We refer to the above matter.

We have been informed by our members that there is a Directive (hereinafter referred to as "the said Directive") issued by the Sarawak State Attorney-General's Chambers to the District Offices stating that the Probate Officer in each District of Sarawak can only issue Probate and Letters of Administration of the estates of Deceased Persons leaving assets within his District.

We express our disappointment that the said Directive was issued without any consultation with the Advocates Association of Sarawak (AAS) when it was AAS that had raised this issue. The said Directive in its present form will aggravate the present problems arising at the District Offices.

We would like to inform you that the practice all this while had been that the Probate Officer will include the Deceased Person's assets in other Districts in the Probate or Letters of Administration applied for by the Deceased Person's Personal Representative.

By the said Directive, it means that the Deceased Person's Personal Representative must now travel to each District Office where the Deceased Person owned assets to apply for the Probate or Letters of Administration. This will translate into a lot of inconveniences and high costs for the Personal Representative and Beneficiary to extract the Probate or Letters of Administration. We anticipate the public's outcry on the said Directive. Furthermore, the said Directive will create further delay in the administration of the Deceased Person's estate. Instead of reducing the present delay at the District Offices, the said Directive will only lengthen the delay. Further, each District Office require an Original Will and there is only One Original Will.

There are currently about 40 Districts in Sarawak. Therefore, it is not practical for the Deceased's Estate to separately apply for Probate in each District with only One Original Will. It is also not practical to ask the Personal Representative of the Deceased Estate to travel to separate Districts as this will be costly especially for the lower income category.

Furthermore, the Deceased Estate will incur a lot of legal costs to apply for Probate or Letters of Administration in each District Office which will be a financial burden to the Deceased's Estate.

As it is, our members are already receiving a lot of complaints on the current delay at the District Offices in sorting out the issuance of Probate and Letters of Administration.

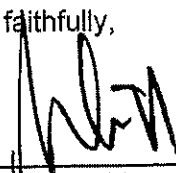
We would like to propose the following for consideration:

- [1] That amendments be made to the Administration of Estates Ordinance (Cap. 80) and be gazetted to bring the Ordinance in line with the prevailing circumstances.
- [2] Pending amendments to the Administration of Estates Ordinance, that a Circular be issued by the Sarawak Government to all District Offices to maintain the current practice of Probate Officer including the Deceased Person's assets in other Districts in the Probate or Letters of Administration applied for by the Deceased Person's Personal Representative and to speed up the process pending the amendments.
- [3] Pursuant to the proposed Circular, all application for issuance of the Probate and Letters of Administration to include the Deceased Person's assets in other Districts must be supported by documentary evidence of ownership including land search reports, business search reports, bank's confirmation and any other relevant supporting documents. In amplification, the Deceased Person's Personal Representative to declare by way of a Statutory Declaration that all supporting documents are true and valid.

In the meantime, we would like to call for an urgent dialogue with your office together with the Sarawak State Attorney-General Chambers. Further delays to resolve this issue may aggravate the situation beyond repairs.

Thank you.

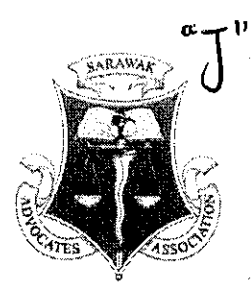
Yours faithfully,



---

**Antonio P.K. Sim**  
**President**  
**Advocates Association of Sarawak**

c.c. **Sarawak State Attorney-General Chambers**  
**Kind Attention: Puan Lonie Anak Pinda**



**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA<sup>2</sup> SARAWAK**

Date: 6<sup>th</sup> July 2022

**President**  
Antonio P K Sim (Miri)

**Immediate Past President**  
Ranbir Singh Sangha (Miri)

**Vice Presidents**  
Sarbjit Singh Khaira (Kuching)  
Tonny Hii Yii Yik (Sibu)  
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Liew Tang Chieh (Kuching)

**THE BAR ROOM**  
Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
[aascentral2018@gmail.com](mailto:aascentral2018@gmail.com)

**THE DIRECTOR OF LAND AND SURVEY**  
Land and Survey Department Sarawak,  
Tingkat 6, Menara Pelita,  
Jalan Tun Abdul Rahman Yaakub,  
93050 Petra Jaya, Sarawak.

By Courier &

By Email: [abdullaj@sarawak.gov.my](mailto:abdullaj@sarawak.gov.my)

Dear Director,

**Clarifications on Submission of Instruments Through eLodgment for Strata Title Properties**

We respectfully refer to the above matter.

Based on our members' feedback, we have been informed that our members are not able to submit instruments pertaining to Strata Title properties through eLodgment.

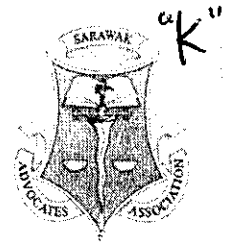
We would like to seek your kind assistance for clarification on the above feedback from our members.

Thank you.

Yours faithfully,



**ANTONIO P.K. SIM**  
President  
Advocates Association of Sarawak



ADVOCATES ASSOCIATION of SARAWAK  
PERSATUAN PEGUAMBELA SARAWAK

Date: 7<sup>th</sup> September 2022

**THE DIRECTOR OF LAND AND SURVEY**  
Land and Survey Department Sarawak,  
Tingkat 6, Menara Pelita,  
Jalan Tun Abdul Rahman Yaakub,  
93050 Petra Jaya, Sarawak.

By Email: [abdullaj@sarawak.gov.my](mailto:abdullaj@sarawak.gov.my)

Dear Director,

**Attestation of Instruments by Advocates under Section 215 Sarawak Land Code (Cap. 81)**

We respectfully refer to the above matter.

We would like to propose that only Advocates holding a valid and current practicing certificates issued by the Registrar of the High Court of Sabah and Sarawak be allowed to attest instruments notwithstanding that Advocates had been duly authorised by the Director pursuant to Section 215 Sarawak Land Code and gazetted.

Of late, there had been Advocates who had been suspended from practice and/or struck off the Roll of Advocates. Notwithstanding, the concerned Advocates are gazetted as authorised to attest instruments for registration at Land and Survey Department Sarawak. Advocates Association of Sarawak ("AAS") is concerned that this may prejudice to Land and Survey Department and the public.

In the premises, AAS would like to propose an additional function on eLasis whereby Advocates can update their particulars yearly including but not limited to uploading their practicing certificates onto eLASIS before the Advocates be allowed to attest instruments.

We hope your office could consider our above proposal as a means to prevent any prejudice to Land and Survey Department Sarawak and the public.

Thank you.

Yours faithfully,


-----  
**ANTONIO P.K. SIM**  
President  
Advocates Association of Sarawak

c.c. Sarawak State Attorney-General

**President**  
Antonio P K Sim (Miri)

**Immediate Past President**  
Ranbir Singh Sangha (Miri)

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Benny Zaidy Bin Jalil (Kuching)  
Lee Jin Wen (Miri)  
Liew Tang Chieh (Kuching)

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Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

 : 085-430476

 Email:  
[aaacentral2018@gmail.com](mailto:aaacentral2018@gmail.com)

## Project Quotation

To: **Advocates Association of Sarawak**

Quotation No.: CV0023  
Tel: -  
Email: -  
Date of Issue: 21/08/2021

### Web Project Development

No.	Item	Price ( RM )	Amount ( RM )
1	<b>Public Portal</b> <ul style="list-style-type: none"> <li>- AAS Logo &amp; Wording</li> <li>- About AAS                             <ul style="list-style-type: none"> <li>- aim and function</li> <li>- statistics ( AAS members, lawyers with PC, firms in total etc )</li> <li>- central committee term ( and past years records )</li> <li>- branch committee term ( and past years records )</li> </ul> </li> <li>- Court addresses</li> <li>- Advocates Directory</li> <li>- Find an Advocate ( search function. Can sort by name in alphabetical order, roll no., admission date, firm in alphabetical order. )                             <ul style="list-style-type: none"> <li>- legal firm</li> <li>- advocate</li> <li>- ybgk counsel</li> <li>- syariah lawyer</li> <li>- commissioner for oaths (advocate)</li> <li>- notary public</li> </ul> </li> <li>- Legal Firm Directory</li> <li>- News &amp; Media ( Our voice )                             <ul style="list-style-type: none"> <li>- Press Statements</li> </ul> </li> <li>- PMC-19</li> <li>- Public Aid                             <ul style="list-style-type: none"> <li>- Legal Aid</li> <li>- YBGK</li> </ul> </li> <li>- Community projects</li> <li>- legal issues / FAQs</li> <li>- complaints on advocates</li> <li>- Courses</li> <li>- Download Forms                             <ul style="list-style-type: none"> <li>- branch membership form to be done online</li> </ul> </li> <li>- Contact Us</li> </ul>	RM 6,700	RM 6,700
2	<b>Advocate Portal</b> <ul style="list-style-type: none"> <li>- Classified</li> <li>- Member Login</li> <li>- Members Announcement</li> <li>- Lawyer Profile                             <ul style="list-style-type: none"> <li>- Lawyer able to manage their own profile</li> <li>- Practising Law Firm with Date Ranged</li> </ul> </li> <li>- Profile Picture</li> </ul>	RM 15,000	RM 15,000

No.	Item	Price ( RM )	Amount ( RM )
	<ul style="list-style-type: none"> <li>- Letter of No Objection ( LONO )</li> <li>- Online submission</li> <li>- Attached with supporting document</li> <li>- Audit Trails</li> </ul>		
3	<p><b>Admin Portal</b></p> <p><u>Admin Related</u></p> <ul style="list-style-type: none"> <li>- Dashboard</li> <li>- User Group Profile</li> <li>- Admin User Profile</li> <li>- Audit Trails</li> <li>- Able to keep track action performed by admin user</li> </ul> <p><u>Lawyer Portal Related</u></p> <ul style="list-style-type: none"> <li>- Lawyers [ Members ]</li> <li>- Overall Listing</li> <li>- Lawyer's Detailed Profiling</li> <li>- Law Firm Management</li> <li>- Overall Law Firm Listing</li> <li>- Law Firm Details</li> <li>- Members Announcement Management</li> <li>- Letter of No Objection ( LONO )</li> <li>- Submission Listing</li> <li>- Payment Status Checking</li> <li>- Complain on advocates</li> </ul> <p><u>Public Portal Related</u></p> <ul style="list-style-type: none"> <li>- Content Management [ Public Portal ]</li> <li>- Article Management</li> <li>- Contact Us</li> <li>- News &amp; Media Management</li> <li>- General Setting</li> <li>- Courses</li> <li>- Download Forms</li> </ul>	RM 21,500	RM 21,500
4	<p><b>3rd Party Integration</b></p> <ul style="list-style-type: none"> <li>- Payment Gateway [ middleware ] <ul style="list-style-type: none"> <li>- Admin Portal</li> <li>- Graphical Chart in dashboard</li> <li>- Transaction Listing</li> <li>- Daily / Weekly / Monthly Reporting</li> <li>- Transaction checker [ check / verify transaction with payment gateway ]</li> </ul> </li> <li>- Advocate Portal <ul style="list-style-type: none"> <li>- Online payment functionality</li> <li>- Payment / Submission Status</li> </ul> </li> </ul> <p><b>Reference:</b></p> <p><i>*iPay88 subscription is not included in the quoted pricing.</i></p> <p><i>*iPay88 estimated costing</i></p> <ul style="list-style-type: none"> <li>- Setup Fee RM 400 ~ RM 600</li> <li>- Annual Fee RM 0 ~ RM 600 (depend on the subscription package)</li> </ul>	RM 4,500	RM 4,500

No.	Item	Price ( RM )	Amount ( RM )
5	<b>Project Management</b> <ul style="list-style-type: none"> <li>- Project overall management</li> <li>- System Quality Assurance</li> <li>- System testing</li> </ul>	RM 9,540	RM 9,540
6	<b>Standard Domain &amp; VPS Hosting</b> <ul style="list-style-type: none"> <li>- 4 CPU</li> <li>- 4GB RAM</li> <li>- 80GB SSD Disk Space</li> </ul> <i>*Hosting price subject to alter if the usage of capacity has exceeded from the specification stated.</i>	RM 3,000	RM 3,000
<b>Sub Total</b>		<b>RM</b>	60,240
<b>Total</b>		<b>RM</b>	60,240

## Yearly Maintenance (Seconds year onwards)

No.	Item	Amount ( RM )
A1	<b>ANNUAL SUPPORT AND MAINTENANCE</b> <ul style="list-style-type: none"> <li>- Monitoring &amp; verification on Automated Backup</li> <li>- Offsite remote troubleshooting &amp; phone call support from system owner (limited to normal working hour and exclude Public Holiday, Saturday and Sunday)</li> <li>- Cloud data maintenance &amp; support</li> <li>- Fixing any system bugs or error</li> <li>- Compatibility fix, security patch for every new OS release</li> <li>- Minor logic &amp; flow tuning</li> </ul> <i>*Note: This maintenance cost does not include new features/capabilities update</i>	RM 10,843.20
A2	<b>Standard Domain &amp; VPS Hosting</b> <ul style="list-style-type: none"> <li>- 4 CPU</li> <li>- 4GB RAM</li> <li>- 80GB SSD Disk Space</li> </ul> <i>*Hosting price subject to alter if the usage of capacity has exceeded from the specification stated.</i>	RM 3,000.00

## Pricing

All prices are quoted in Ringgit Malaysia (RM).

## Payment

Payments to **PING CODES SOFT COMPANY** Shall be made in accordance with the following agreed schedules:



## Software billing as per completion of Job

1. Upon confirmation 50%
2. Upon system being setup and configured 30%
3. Upon completion of implementation and System Go Live 20%

Payment will be in the form of online banking transfer to below:

Bank : **Maybank ( Malayan Banking Berhad )**  
Account Name : **PING CODES SOFT COMPANY**  
Account Number : **561284030596**

## Price Validity

The price(s) quoted herein shall remain valid for:

- Hardware, accessories and other software application other than application developed by **PING CODES SOFT COMPANY** is thirty (30) days; and
- Software developed by **PING CODES SOFT COMPANY** is thirty (30) days from the date of this Agreement and are subject to change thereafter at **PING CODES SOFT COMPANY**'s discretion. However, **PING CODES SOFT COMPANY** reserve the right to revise the price quoted if the specification of software is not the same as the specification given before the project call on.

## Installation

The application software purchased will be installed and completed within 3 months upon the confirmation of the project.

## Customised Application Software

The application software proposed herein is a customised application software package that conforms to the specifications requested by **Advocates Association of Sarawak** Any deviations or modifications requested by **Advocates Association of Sarawak** after the specification confirmation (ie. User Requirement Analysis & Documentation) will be treated as follows:-

### Chargeable Modifications

These are non-standard modifications to existing reports, program functions requiring the creation of additional data fields, or customisation of existing reports. For any System enhancement outside of the agreed TOR will be considered as ADD-ON. These will be chargeable at **PING CODES SOFT COMPANY**'s prevailing charge-out rate plus out-of-pocket expenses.

## **Charge-Out Rate (For project specification not covered in the agreed TOR specification)**

The charge-out rate during **PING CODES SOFT COMPANY**'s normal writing hours is currently at RM800.00 per man-day for local and RM1000.00 per man-day outstation respectively, while a surcharge of 50% will apply if services are rendered outside **PING CODES SOFT COMPANY**'s normal working hours (ie from 5pm – 8:30am).

## **Out-of-Pocket Expenses (OUTSTATION: IF APPLY)**

Out-of-pocket expenses covering daily allowance will be chargeable to **Advocates Association of Sarawak**. The amount shall not exceed RM250.00 per accommodation, food, transportation and laundry charges for no more than 2 persons per project trip.

## **Air Ticket Expenses (IF APPLY)**

For any possibilities of meeting or site visiting, the air ticket expenses will be borne by **Advocates Association of Sarawak**. For any Air ticket expenses will be considered as a reimbursable cost. The amount shall not exceed RM800.00 per person per return trip for no more than 2 persons per project trip.

## **Project Supervision**

**PING CODES SOFT COMPANY** will provide in house & on-site project supervision to oversee the implementation. **Advocates Association of Sarawak** will provide resources for necessary implementation tasks: data captures, data preparation/entry, file creation and parallel runs. Any additional project supervision services or additional training (in excess of the stipulated “purchased” man-hours) will be chargeable at the prevailing charge-out rate plus any out-of-pocket expenses.

## **Software Warranty**

**PING CODS SOFT COMPANY** will provides the software warranty for a period of six (6) month from the first version of the system development. The warranty scope covers system bugs, error, security patch and any malfunction within the project scope.

## Software Acceptance

The software shall be deemed to be accepted by **Advocates Association of Sarawak** Thirty (30) days from the date of installation unless **Advocates Association of Sarawak** In writing prior to the stipulated period informs **PING CODES SOFT COMPANY**.

## Cancellation / Termination

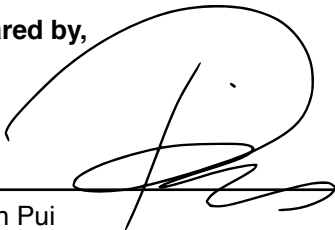
Any cancellation of a confirmed order shall be communicated to **PING CODES SOFT COMPANY** in writing. Any monies received by **PING CODES SOFT COMPANY** shall not be refundable. Any monies due and payable to **PING CODES SOFT COMPANY** at the time cancellation for professional services rendered or goods delivered shall be paid immediately to **PING CODES SOFT COMPANY**.

To terminate the Annual Maintenance, a termination notice letter in writing on formal letterhead must be given to **PING CODES SOFT COMPANY** Thirty (30) working days prior to the official termination date.

## Limitation of Liability

In no event will **PING CODES SOFT COMPANY** be liable for the loss of any data, profits or any special, direct, indirect or consequential damages whether based on contract, tort or any other law, incurred by any person or corporation as a result of **PING CODES SOFT COMPANY**'s performance or failure to perform under this Agreement. Neither **PING CODES SOFT COMPANY** nor anyone who has been involved in the creation, production, or delivery of the applications listed herein shall be held liable for any direct, indirect, consequential, or incidental damages arising from the use, the result of using or the inability to use these applications even if **PING CODES SOFT COMPANY** has been advised of the possibility of such damages or claim, either before or after the date of this Agreement.

Prepared by,



Derren Pui

**PING CODES SOFT COMPANY**

Accepted by,

Name:

**Advocates Association of Sarawak**

Company Stamp:

PING CODES SOFT COMPANY  
2nd Floor Parcel No.10419-3-4 (SL15),  
Tabuan Stutong Commercial Centre PH.1  
Jalan Setia Raja, 93350 Kuching, Sarawak.



**ADVOCATES ASSOCIATION of SARAWAK**  
**PERSATUAN PEGUAMBELA SARAWAK**

Date: 6<sup>th</sup> July 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tommy Hii Yit Yik (Sibu)

Gurvir Singh Sandhu (Miri)

Ma Fong Yui (Bintulu)

**Honorary Secretary**

David Teo Seng Wee (Miri)

**Assistant Secretary**

Christine S H Lim (Sibu)

**Honorary Treasurer**

Jacquelyn Hii Shin Law (Sibu)

**Assistant Treasurer**

Eric Lau Lian Jing (Bintulu)

**Committee Members**

Desmond Sahathevan (Kuching)

Leslie Linton (Bintulu)

Dayangku Sa'adiah Binti Awang

Hipni (Kuching)

Benny Zaidy Bin Jalil (Kuching)

Lee Jin Wen (Miri)

Liew Tang Chieh (Kuching)

**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98000 Miri, Sarawak.

☎ : 085-430475

✉ Email:  
[aacentral2018@gmail.com](mailto:aacentral2018@gmail.com)

**Yang Arif Puan Indra Nehru Savandiah**  
**President of Industrial Court of Malaysia**  
**Industrial Court of Malaysia**  
**Level 14, Wisma Perkeso**  
**No. 155 Jalan Tun Razak**  
**50400 Kuala Lumpur**

Yang Arif

**Vacant Position of the Chairman of Industrial Court of Sarawak**

We respectfully refer to the above matter.

Based on feedback from members of Advocates Association of Sarawak, we are informed that the position of the Chairman of Industrial Court of Sarawak had been vacant for some time. Our members have expressed their concerns to our Association on backlog cases that had been filed at the Industrial Court of Sarawak and access to justice by the claimants.

We request that the position be occupied as soon as possible.

Our members and our Association support a Sarawakian to be appointed to fill the vacant position of the Chairman of Industrial Court of Sarawak. The Sarawakian, with local knowledge will be familiar with the local laws of Sarawak and would have gathered considerable experience in industrial relations and the labour practice in Sarawak. We hope Yang Arif could kindly consider and give priority to applicants from Sarawak to fill the post. Our association can provide a list of potential interested candidates to Yang Arif.

We hope Yang Arif could assist to look into the above matter at the soonest possible.

If Yang Arif requires any further information or assistance, please do not hesitate to contact myself through 019-8241199.

Thank you.

Yours faithfully,



ANTONIO P.K. SIM  
President  
Advocates Association of Sarawak



**MAHKAMAH PERUSAHAAN MALAYSIA**  
(Kementerian Sumber Manusia)  
*Industrial Court of Malaysia*  
(Ministry of Human Resources)  
Aras 14,  
Wisma PERKESO,  
No. 155, Jalan Tun Razak,  
50400 Kuala Lumpur.

Tel. : 03-9236 5000  
Faks : 03-2681 0100 (Pendaftar, Khidmat Pengurusan)  
: 03-2681 0113 (Pendaftaran Kes, Perjanjian Kolektif, Mahkamah 11, 20)  
: 03-2681 0061 (Yang Dipertua, Mahkamah 1, 2, 5)  
: 03-2681 0094 (Mahkamah 3, 4, 13, 14)  
: 03-2681 0054 (Mahkamah 6, 15, 21, 2)  
: 03-2681 0053 (Mahkamah 7, 12, 19)  
Web : www.mp.gov.my  
E-mel: mpm@mohr.gov.my

Ruj. Kami : ICM.500-2/3/5 ( 6 )  
Tarikh : 20 Julai 2022

Presiden  
Persatuan Peguambela-Peguambela Sarawak  
The Bar Room,  
Kompleks Mahkamah Miri,  
Jalan Merdu, P.O. Box 1695,  
98008 Miri, Sarawak

Tuan,

#### VACANT POSITION OF THE CHAIRMAN OF INDUSTRIAL COURT OF SARAWAK

Saya dengan hormatnya merujuk kepada perkara tersebut di atas. Surat tuan bertarikh 6 Julai 2022 kepada Yang Dipertua Mahkamah Perusahaan Malaysia adalah berkaitan.

2. Terlebih dahulu saya ingin mengucapkan penghargaan kepada Persatuan Peguambela-Peguambela Sarawak atas keprihatinan serta saranan-saranan yang diberikan berhubung kekosongan jawatan Pengerusi Mahkamah Perusahaan Cawangan Sarawak.

3. Untuk makluman tuan, MPM sedang mengambil tindakan sewajarnya berhubung pengisian kekosongan jawatan Pengerusi Mahkamah Perusahaan Cawangan Sarawak tersebut.

Sekian, terima kasih.

**"WAWASAN KEMAKMURAN BERSAMA 2030"**

**"BERKHIDMAT UNTUK NEGARA"**

**"Pembudayaan Norma Baharu Dalam Dunia Pekerjaan Sejangat"**

**ROSLEE SABARUDDIN ABU**  
Pendaftar  
Mahkamah Perusahaan Malaysia

01

**CHAIRMAN'S REPORT ON ULTIMATE PROFESSIONAL CENTRE  
FOR THE PERIOD FROM 1.1.2021- 31.12.2021**

**1. PRESENT BOARD OF DIRECTORS**

The present Board Members as at 31 December 2021 are:-

Sr Richard Ambrose Foo Min Swee	(RISM)	-	Chairman
Mr Desmond Sahathevan	(AAS)	-	Secretary
Ms Regina Lau	(MIA)	-	Financial Director
Ir Sim Hui Kheng	(IEM)	-	House Director
Dr Liew Shap Fap	(MMA)	-	Member
Prof Dr Lau Seng	(IKM)	-	"
Dr Nicholas Jenek	(SVA)	-	"
Ar John Lee Hok Kong	(PAM)	-	"
TPr Law Hui Ho	(MIP)	-	"
Datu Lai Kui Fong	(SIAS)	-	"
Mr Yip Ee Wei	(PFS)	-	"

**2. BOARD MEETINGS**

Two Board meetings were held virtually during the year on 12 June 2021 and 03 December 2021.

**3. UPDATES ON UPC TENANTS**

Arising from the COVID-19 pandemic since March 2020, the Board of Directors had approved our Tenant, The Cottage's request for 30% discount on rental for March 2020 and 50% discount on rental from April 2020 to May 2021. The Cottage had also request d renewal of their Tenancy Agreement (which expired on 31 October 2021) for another year up to 31 October 2022 on condition that UPC approves a waiver of five months' rental from 01 June 2021 to 31 October 2021. This request was approved by the Board and UPC will review the economic situation once the 1-year Tenancy Agreement expires on 31 October 2022.

Since IEM moved to their new office at The Isthmus, Petra Jaya at the end of 2020, the office space previously occupied by them has been empty. UPC has been trying to look for new tenants for this space but to no avail. It is hoped that all the Shareholders and Directors can be on the lookout for new tenants too.

**4. ANNUAL GENERAL MEETING**

The Annual General Meeting for 2021 was held virtually on 12 June 2021. All Directors were present, except Dr Nicholas Jenek, Ar John Lee and TPr Law Hui Ho, who tendered their apologies.

The Audited Statement of Accounts for the Year 2020 prepared by Messrs Ting Hua Cheong & Co. was approved and adopted. The AGM also agreed to re-appoint Messrs Ting Hua Cheong & Co. as Auditors of UPC.

5. **ACTIVITIES CARRIED OUT DURING THE YEAR**

(a) **K-Chat**

No K-Chat was held for the year 2021 due to the COVID-19 pandemic.

(b) **Inter-Professional Games**

The Inter-Professional Games which would normally have been scheduled to be held in the year 2021, were shelved due to the COVID-19 pandemic.

(c) **Career Guidance Talk**

No career guidance talk was held in the year 2021 due to the COVID-19 pandemic.

6. **FINANCE**

Despite the continuing effects of the COVID-19 PANDEMIC, the financial position of Ultimate Professional Centre remains manageable with a gross monthly rental income of RM6,200.00 taking into account that rental for The Cottage is at 50% of the pre-COVID amount. This compares with a gross monthly rental figure of around RM9,000.00 before the COVID-19 pandemic.

The monthly expenditure for 2021 was about RM4,800 compared to about RM6,000.00 in Year 2020 as the Centre Manager has worked half day since 01 January 2021, with a corresponding decrease in salary and related contributions. As there was very little rental of our Auditorium since the lockdown, the electricity cost has been reduced significantly too. Apart from recurrent expenditure such as salary, EPF and SOCSO contributions and utility charges, expenses were also incurred in the maintenance of the premises.

7. **CONCLUSION**

I would like to express my sincere thanks and appreciation to all my fellow Directors, UPC Shareholders and UPC Centre Manager for their co-operation and support in enabling the smooth running of UPC.

It is my hope that we will all be able to see marked improvement in the COVID situation this year thus enabling everyone to return to close to pre-COVID life and for UPC's operations, income and activities to revert likewise.

Thank you.



(Sr RICHARD AMBROSE FOO MIN SWEE)  
Chairman  
Ultimate Professional Centre (Sarawak) Sdn Bhd

Date: 25 February 2022

Registration No.  
198401013725 (126275-P)

"P"

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**REPORTS AND AUDITED FINANCIAL STATEMENTS**  
**31 DECEMBER 2021**

**TING HUA CHEONG & CO. (AF 0191)**  
CHARTERED ACCOUNTANTS



Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
**(Incorporated in Malaysia)**

**REPORTS AND AUDITED FINANCIAL STATEMENTS**  
**31 DECEMBER 2021**

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Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**DIRECTORS' REPORT**

The Directors submit their report together with the audited financial statements of the Company for the financial year ended 31 December 2021.

**PRINCIPAL ACTIVITY**

The principal activity of the Company is letting of properties. There has been no significant change in the nature of the principal activity during the financial year.

**RESULTS**

RM

Loss for the year

44,316

In the opinion of the Directors, the financial performance of the Company for the financial year ended 31 December 2021 has not been substantially affected by any item, transaction or event of a material and unusual nature.

**DIVIDEND**

No dividend has been paid or declared by the Company since the end of the previous financial year. The Directors do not recommend the payment of any dividend for the current financial year.

**RESERVES AND PROVISIONS**

There were no material transfers to or from reserves or provisions during the financial year other than those disclosed in the financial statements.

**DIRECTORS OF THE COMPANY**

The Directors of the Company in office during the financial year and during the period from the end of the financial year up to the date of this report are:

Richard Ambrose Foo Min Swee  
Lau Seng  
Law Hui Ho  
Lee Hòk Kong  
Yip Ee Wei  
Liew Shan Fap  
Sim Hui Kheng  
Desmond Anura Sahathevan  
Nicholas Anak Jenek  
Lai Kui Fong  
Lim Zune Shing (Appointed on 11.03.2022)  
Lau Phui Ching (Resigned on 11.03.2022)

Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**DIRECTORS' REPORT**

**DIRECTORS' INTEREST IN SHARES**

None of the Directors in office at the end of the financial year had any interest in shares in the Company during the financial year.

**DIRECTORS' BENEFITS**

Since the end of the previous financial year, no Director has received nor become entitled to receive a benefit by reason of a contract made by the Company or a related corporation with the Director or with a firm of which the Director is a member, or with a company in which the Director has a substantial financial interest.

There were no arrangements during and at the end of the financial year which had the object of enabling the Directors of the Company to acquire benefits by means of the acquisition of shares in, or debentures of, the Company or any other body corporate.

**INDEMNITY AND INSURANCE FOR DIRECTORS, OFFICERS AND AUDITORS**

There were no indemnity given to or insurance effected for any directors, officers and auditors of the Company in accordance with Section 289 of the Companies Act 2016.

**ISSUE OF SHARES**

There were no changes in the issued and paid-up capital of the Company during the financial year.

**SHARE OPTIONS**

No options have been granted by the Company to any parties during the financial year to take up unissued shares of the Company.

No shares have been issued during the financial year by virtue of the exercise of any option to take up unissued shares of the Company. As at the end of the financial year, there were no unissued shares of the Company under options.

**OTHER STATUTORY INFORMATION**

Before the financial statements of the Company were made out, the Directors took reasonable steps:

- (i) to ascertain that proper action had been taken in relation to the writing off of bad debts and the making of impairment loss on receivables and satisfied themselves that there were no known bad debts and that no impairment loss on receivables is required; and
- (ii) to ensure that any current assets which were unlikely to be realised in the ordinary course of business including the values of current assets as shown in the accounting records of the Company had been written down to an amount which they might be expected so to realise.

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**DIRECTORS' REPORT**

**OTHER STATUTORY INFORMATION (CONT'D)**

At the date of this report, the Directors are not aware of any circumstances:

- (i) that would require any amount to be written off as bad debts or impaired in the financial statements of the Company; or
- (ii) that would render the values attributed to the current assets in the financial statements of the Company misleading; or
- (iii) which have arisen which would render adherence to the existing method of valuation of assets or liabilities of the Company misleading or inappropriate; or
- (iv) not otherwise dealt with in this report or financial statements that would render any amount stated in the financial statements of the Company misleading.

At the date of this report, there does not exist:

- (i) any charge on the assets of the Company that has arisen since the end of the financial year and which secures the liabilities of any other person; or
- (ii) any contingent liability of the Company that has arisen since the end of the financial year.

In the opinion of the Directors:

- (i) no contingent or other liability of the Company has become enforceable, or is likely to become enforceable within the period of twelve months after the end of the financial year which will or may substantially affect the ability of the Company to meet its obligations when they fall due; and
- (ii) no item, transaction or event of a material and unusual nature has arisen in the interval between the end of the financial year and the date of this report which is likely to affect substantially the results of the operations of the Company for the financial year in which this report is made.

**SIGNIFICANT EVENT DURING THE FINANCIAL YEAR**

The significant event during the financial year is disclosed in Note 16 to the financial statements.

Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**DIRECTORS' REPORT**

**AUDITORS AND AUDITORS' REMUNERATION**


The auditors, Messrs. Ting Hua Cheong & Co., Chartered Accountants, have expressed their willingness to continue in office.

Auditors' remuneration is disclosed in Note 13 to the financial statements.

Signed on behalf of the Board in accordance with a resolution of the Directors ,



**RICHARD AMBROSE FOO MIN SWEE**



**LIM ZUNE SHING**

Kuching

Dated: 03 JUN 2022

Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**STATEMENT BY DIRECTORS**

**PURSUANT TO SECTION 251(2) OF THE COMPANIES ACT 2016**

We, RICHARD AMBROSE FOO MIN SWEE and LIM ZUNE SHING, being two of the Directors of ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD., do hereby state that, in the opinion of the Directors, the financial statements set out on pages 11 to 29 are drawn up in accordance with Malaysian Private Entities Reporting Standard and the provisions of the Companies Act 2016 in Malaysia so as to give a true and fair view of the financial position of the Company as at 31 December 2021 and of the financial performance and the cash flows of the Company for the financial year ended on that date.

Signed on behalf of the Board in accordance with a resolution of the Directors,



**RICHARD AMBROSE FOO MIN SWEE**

Kuching.



**LIM ZUNE SHING**

Dated: 03 JUN 2022

Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**STATUTORY DECLARATION**

**PURSUANT TO SECTION 251(1)(B) OF THE COMPANIES ACT 2016**

I, RICHARD AMBROSE FOO MIN SWEE, being the Director primarily responsible for the financial management of ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD., do solemnly and sincerely declare that the financial statements set out on pages 11 to 29 are, in my opinion, correct and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1960.

Subscribed and solemnly declared by )  
RICHARD AMBROSE FOO MIN )  
SWEE at Kuching in the state )  
of Sarawak on this day of 03 JUN 2022



**RICHARD AMBROSE FOO MIN SWEE**

Before me,

Commissioner for Oaths

PHANG DAH NAN  
Commissioner For Oaths  
No. 55, 1st Floor,  
Jalan Chan Bee Kiew  
Off Jalan Padungan,  
93100 Kuching, Sarawak.



Registration No.  
198401013725 (126275-P)

**TING HUA CHEONG & CO. (AF 0191)**  
**Chartered Accountants**

Lot 12903, SL 14, 2<sup>nd</sup> Floor, GalaCity Prime, Jalan Tun Jugah, 93350 Kuching, Sarawak, Malaysia. Tel: 082-265816, 265706 & 265916. Fax: 082-265846. Email: tinghuachcong@yahoo.com.

**INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF**  
**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
**(Incorporated in Malaysia)**

**Report on the Audit of the Financial Statements**

**Opinion**

We have audited the financial statements of ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD., which comprise the statement of financial position as at 31 December 2021, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, as set out on pages 11 to 29.

In our opinion, the accompanying financial statements give a true and fair view of the financial position of the Company as at 31 December 2021, and of its financial performance and its cash flows for the year then ended in accordance with Malaysian Private Entities Reporting Standard and the requirements of the Companies Act 2016 in Malaysia.

**Basis for Opinion**

We conducted our audit in accordance with approved standards on auditing in Malaysia and International Standards on Auditing. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

***Independence and Other Ethical Responsibilities***

We are independent of the Company in accordance with the By-Laws (on Professional Ethics, Conduct and Practice) of the Malaysian Institute of Accountants ("By-Laws") and the International Ethics Standards Board for Accountants' International Code of Ethics for Professional Accountants (including International Independence Standards) ("IESBA Code"), and we have fulfilled our other ethical responsibilities in accordance with the By-Laws and the IESBA Code.



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**INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF**  
**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD. (CONT'D)**  
**(Incorporated in Malaysia)**

**Information Other than the Financial Statements and Auditors' Report Thereon**

The Directors of the Company are responsible for the other information. The other information comprises the Directors' Report but does not include the financial statements of the Company and our auditors' report thereon.

Our opinion on the financial statements of the Company does not cover the Directors' Report and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements of the Company, our responsibility is to read the Directors' Report and, in doing so, consider whether the Directors' Report is materially inconsistent with the financial statements of the Company or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of the Directors' Report, we are required to report that fact. We have nothing to report in this regard.

**Responsibilities of the Directors for the Financial Statements**

The Directors of the Company are responsible for the preparation of financial statements of the Company that give a true and fair view in accordance with Malaysian Private Entities Reporting Standard and the requirements of the Companies Act 2016 in Malaysia. The Directors are also responsible for such internal control as the Directors determine is necessary to enable the preparation of financial statements of the Company that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements of the Company, the Directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

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**INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF**  
**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD. (CONT'D)**  
**(Incorporated in Malaysia)**

**Auditors' Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements of the Company as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with approved standards on auditing in Malaysia and International Standards on Auditing will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with approved standards on auditing in Malaysia and International Standards on Auditing, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements of the Company, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Directors.
- Conclude on the appropriateness of the Directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements of the Company or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Company to cease to continue as a going concern.

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**INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF**  
**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD. (CONT'D)**  
**(Incorporated in Malaysia)**


**Auditors' Responsibilities for the Audit of the Financial Statements (Cont'd)**


- Evaluate the overall presentation, structure and content of the financial statements of the Company, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

**Other Matters**

This report is made solely to the members of the Company, as a body, in accordance with Section 266 of the Companies Act 2016 in Malaysia and for no other purpose. We do not assume responsibility to any other person for the content of this report.

  
**TING HUA CHEONG & CO.**  
No. AF 0191  
Chartered Accountants

  
**ANTHONY TING IK HUAT**  
No. 2536/04/2023(J)  
Chartered Accountant

Dated: 03 JUN 2022

Kuching.

Registration No.  
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**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2021**

	Note	2021 RM	2020 RM
<b>ASSETS</b>			
<b>Non-current assets</b>			
Property, plant and equipment	5	510,869	545,009
Prepaid lease payment	6	1,158,886	1,205,553
		<u>1,669,755</u>	<u>1,750,562</u>
<b>Current assets</b>			
Trade and other receivables	7	7,160	16,139
Deposits with licensed bank	8	485,784	474,362
Current tax asset		14,284	4,594
Cash and bank balances		40,439	29,098
		<u>547,667</u>	<u>524,193</u>
<b>TOTAL ASSETS</b>		<u>2,217,422</u>	<u>2,274,755</u>
<b>EQUITY AND LIABILITIES</b>			
<b>Equity</b>			
Share capital	9	39,394	39,394
Retained earnings	10	2,159,700	2,204,016
<b>TOTAL EQUITY</b>		<u>2,199,094</u>	<u>2,243,410</u>
<b>Current liabilities</b>			
Other payables	11	18,328	31,345
<b>TOTAL LIABILITIES</b>		<u>18,328</u>	<u>31,345</u>
<b>TOTAL EQUITY AND LIABILITIES</b>		<u>2,217,422</u>	<u>2,274,755</u>

The accompanying notes form an integral part of the financial statements.

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ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

STATEMENT OF COMPREHENSIVE INCOME

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

	Note	2021 RM	2020 RM
Revenue	12	62,478	89,375
Other operating income		9,000	5,398
Administration expenses		(125,444)	(160,032)
		<hr/>	<hr/>
Loss from operations	13	(53,966)	(65,259)
Investing income	14	10,160	16,502
		<hr/>	<hr/>
Loss before tax		(43,806)	(48,757)
Taxation	15	(510)	(4,906)
		<hr/>	<hr/>
Loss after tax, representing total comprehensive loss for the year		<u>(44,316)</u>	<u>(53,663)</u>

The accompanying notes form an integral part of the financial statements.

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ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

STATEMENT OF CHANGES IN EQUITY

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

	Share Capital RM	Distributable Retained Earnings RM	Total RM
Balance at 1 January 2020	39,394	2,257,679	2,297,073
Total comprehensive loss	-	(53,663)	(53,663)
Balance at 31 December 2020	39,394	2,204,016	2,243,410
Total comprehensive loss	-	(44,316)	(44,316)
Balance at 31 December 2021	39,394	2,159,700	2,199,094

The accompanying notes form an integral part of the financial statements.

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**STATEMENT OF CASH FLOWS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

	<b>2021</b>	<b>2020</b>
	<b>RM</b>	<b>RM</b>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Loss before tax	(43,806)	(48,757)
Adjustments for:		
Amortisation of prepaid lease payment	46,667	46,667
Depreciation of property, plant and equipment	34,140	34,617
Interest income	(10,160)	(16,502)
	<hr/>	<hr/>
Operating profit before working capital changes	26,841	16,025
Changes in working capital:		
Decrease/(Increase) in trade and other receivables	7,717	(7,290)
Decrease in other payables	(13,017)	(230)
	<hr/>	<hr/>
Cash generated from operations	21,541	8,505
Tax paid	(10,200)	(9,000)
Tax refunded	-	1,270
	<hr/>	<hr/>
Net cash generated from operating activities	11,341	775
	<hr/>	<hr/>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Interest received	11,422	15,935
	<hr/>	<hr/>
Net cash generated from investing activities	11,422	15,935
	<hr/>	<hr/>
Net increase in cash and cash equivalents	22,763	16,710
Cash and cash equivalents at beginning of financial year	403,460	386,750
	<hr/>	<hr/>
Cash and cash equivalents at end of financial year	426,223	403,460
	<hr/> <hr/>	<hr/> <hr/>
<b>Cash and cash equivalents comprise:</b>		
Deposits with licensed bank	485,784	474,362
Cash and bank balances	40,439	29,098
	<hr/>	<hr/>
	526,223	503,460
Less: Deposit reserved as UPC sinking fund	(100,000)	(100,000)
	<hr/>	<hr/>
	426,223	403,460
	<hr/> <hr/>	<hr/> <hr/>

The accompanying notes form an integral part of the financial statements.

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**NOTES TO THE FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

**1. GENERAL INFORMATION**

The Company is a private limited liability company, incorporated and domiciled in Malaysia. The principal activity of the Company is letting of properties. There has been no significant change in the nature of the principal activity during the financial year.

Both the registered office and the principal place of business of the Company are located at 2<sup>nd</sup> Floor, No.16, Jalan Bukit Mata Kuching, 93100 Kuching, Sarawak.

These financial statements are presented in Ringgit Malaysia ("RM"), which is the Company's functional currency.

The financial statements were authorised for issue by the Board of Directors in accordance with a resolution of the Directors on 03 JUN 2022.

**2. COMPLIANCE WITH FINANCIAL REPORTING STANDARDS AND THE COMPANIES ACT 2016**

The financial statements of the Company have been prepared in accordance with the Malaysian Private Entities Reporting Standard ("MPERS") issued by the Malaysian Accounting Standards Board ("MASB") and the requirements of Companies Act 2016 in Malaysia.

**3. BASIS OF PREPARATION**

**3.1 Basis of Measurement**

The financial statements have been prepared on the historical cost basis other than as disclosed in Note 4.

**3.2 Use of Estimates and Judgements**

The preparation of the financial statements in conformity with MPERS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, income and expenses. Actual results may differ from these estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimates are revised and in any further periods affected.



ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

4. SIGNIFICANT ACCOUNTING POLICIES

4.1 Property, Plant and Equipment

Operating tangible assets that are used for more than one accounting period in the production and supply of goods and services, for administrative purposes or for rental to others are recognised as property, plant and equipment when the Company obtains control of the assets. The assets, including major spares, stand-by equipment and servicing equipment, are classified into appropriate classes based on their nature. Any subsequent replacement of a significant component in an existing asset is capitalised as a new component in the asset and the old component is derecognised.

All property, plant and equipment are initially measured at cost. For a purchased asset, cost comprises purchase price plus all directly attributable costs incurred in bringing the asset to its present location and condition for management's intended use. For a self-constructed asset, cost comprises all direct and indirect costs of construction (including provision for restoration and cost of major inspection) but excludes internal profits. For an exchange of non-monetary asset that has a commercial substance, cost is measured by reference to the fair value of the asset received. For an asset transferred from a customer or a grantor, cost is measured by reference to the fair value of the asset.

All property, plant and equipment are subsequently measured at cost less accumulated depreciation and accumulated impairment losses.

All property, plant and equipment are depreciated by allocating the depreciable amount of a significant component or of an item over the remaining useful life. The depreciation methods used and the useful lives of the respective classes of property, plant and equipment are as follows:

	Method	Useful life (years)
Building	Straight-line	33
Furniture, fittings and equipment	Straight-line	5
Renovation	Straight-line	5

At the end of each reporting period, the residual values, useful lives and depreciation methods for the property, plant and equipment are reviewed for reasonableness. Any change in estimate of an item is adjusted prospectively over its remaining useful life, commencing in the current period.

Gain or loss arising from the disposal of an item of property, plant or equipment is determined as the difference between the net disposal proceeds and the carrying amount and is recognised in the income statement.

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

**4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**4.2 Cash and Cash Equivalents**

Cash and cash equivalents comprise cash on hand and at bank, demand deposits and short-term, highly liquid investments that are readily convertible to known amounts of cash and which have an insignificant risk of changes in value. For the purpose of the statement of cash flows, cash and cash equivalents are presented net of bank overdraft and pledged deposit, if any.

**4.3 Impairment of Non-Financial Assets**

An impairment loss arises when the carrying amount of the Company's asset exceeds its recoverable amount.

At the end of each reporting date, the Company assesses whether there is any indication that a stand-alone asset or a cash-generating unit may be impaired by using external and internal sources of information. If any such indication exists, the Company estimates the recoverable amount of the asset or cash-generating unit.

If an individual asset generates independent cash inflows, it is tested for impairment as a stand-alone asset. If an asset does not generate independent cash inflows, it is tested for impairment together with other assets in a cash-generating unit, at the lowest level in which independent cash inflows are generated and monitored for internal management purposes.

The recoverable amount of an asset or a cash-generating unit is the higher of its fair value less costs to sell and the value in use. The Company determines the fair value less costs to sell of an asset or a cash-generating unit in a hierarchy based on: (i) price in a binding sale agreement; (ii) market price traded in an active market; and (iii) estimate of market price using the best available information. The value in use is estimated by discounting the net cash flows (by an appropriate discount rate) of the asset or unit, using reasonable and supportable management's budgets and forecast of five years and extrapolation of cash inflows for periods beyond the five-year forecast or budget.

For an asset measured on a cost-based model, any impairment loss is recognised in profit or loss.

For a cash-generating unit, any impairment loss is allocated to the assets of the unit pro rata based on the relative carrying amounts of the assets.

The Company reassesses the recoverable amount of an impairment asset or a cash-generating unit if there is any indication that an impairment loss recognised previously may have reversed.

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
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NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

**4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**4.3 Impairment of Non-Financial Assets (Cont'd)**

Any reversal of impairment loss for an asset carried at cost-based model is recognised in profit or loss, subject to the limit that the revised carrying amount does not exceed the amount that would have been determined had no impairment loss been recognised previously.

**4.4 Share Capital and Distributions**

**(a) Share Capital**

Ordinary shares issued that carry no put option and no mandatory contractual obligation: (i) to deliver cash or another financial asset; or (ii) to exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavorable to the Company, are classified as equity instruments.

When ordinary shares and other equity instruments are issued in a private placement or in a rights issue to existing shareholders, they are recorded at the issue price. For ordinary shares and other equity instruments issued in exchange for non-monetary assets, they are measured by reference to the fair value of the assets received.

When ordinary shares and other equity instruments are issued as consideration transferred in a business combination or as settlement of an existing financial liability, they are measured at their fair value at the date of the exchange transaction.

Transaction costs of an equity transaction are accounted for as a deduction from equity, net of any related income tax effect.

**(b) Distributions**

Distributions to holders of an equity instrument are recognised as equity transactions and are debited directly in equity, net of any related income tax effect.

A dividend declared is recognised as a liability only after it has been appropriately authorised, which is the date when the Board of Directors declares an interim dividend, or in the case of a proposed final dividend, the date the shareholders of the Company approve the proposed final dividend in an annual general meeting of shareholders. For a distribution of non-cash assets to shareholders, the Company measures the dividend payable at the fair value of the assets to be distributed.

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**NOTES TO THE FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

**4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**4.5 Financial Instruments**

**(a) Initial Recognition and Measurement**

The Company recognises a financial asset or a financial liability in the statement of financial position when, and only when, it becomes a party to the contractual provisions of the instrument.

On initial recognition, all financial assets and financial liabilities are measured at fair value, which is generally the transaction price, plus transaction costs if the financial asset or financial liability is not measured at fair value through profit or loss. For instruments measured at fair value through profit or loss, transaction costs are expensed to profit or loss when incurred.

**(b) Derecognition of Financial Instruments**

A financial asset is derecognised when, and only when, the contractual rights to receive the cash flows from the financial asset expire, or when the Company transfers the contractual rights to receive cash flows of the financial asset, including circumstances when the Company acts only as a collecting agent of the transferee, and retains no significant risks and rewards of ownership of the financial asset or no continuing involvement in the control of the financial asset transferred.

A financial liability is derecognised when, and only when, it is legally extinguished, which is either when the obligation specified in the contract is discharged or cancelled or expires. A substantial modification of the terms of an existing financial liability is accounted for as an extinguishment of the original financial liability and the recognition of a new financial liability. For this purpose, the Company considers a modification as substantial if the present value of the revised cash flows of the modified terms discounted at the original effective interest rate differs by 10% or more when compared with the carrying amount of the original liability.

**(c) Subsequent Measurement of Financial Assets**

For the purpose of subsequent measurement, the Company classifies financial assets into two categories, namely: (i) financial assets at fair value through profit or loss; and (ii) financial assets at amortised cost.

Other than financial assets measured at fair value through profit or loss, all other financial assets are subject to review for impairment in accordance with Note 4.5 (g).

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**NOTES TO THE FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

**4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**4.5 Financial Instruments (Cont'd)**

**(d) Subsequent Measurement of Financial Liabilities**

After initial recognition, all financial liabilities are measured at amortised cost using the effective interest method.

**(e) Fair value Measurement of Financial Instruments**

The fair value of a financial asset or a financial liability is determined by reference to the quoted market price in an active market, and in the absence of an observable market price, by a valuation technique as described in Note 4.10.

**(f) Recognition of Gains and Losses**

Fair value changes of financial assets and financial liabilities classified as at fair value through profit or loss are recognised in profit or loss when they arise.

For financial assets and financial liabilities carried at amortised cost, a gain or loss is recognised in profit or loss only when the financial asset or financial liability is derecognised or impaired, and through the amortisation process of the instrument.

**(g) Impairment and Uncollectibility of Financial Assets**

At the end of each reporting period, the Company examines whether there is any objective evidence that a financial asset or a group of financial assets is impaired. Evidence of trigger loss events include: (i) significant difficulty of the issuer or obligor; (ii) a breach of contract, such as default or delinquency in interest or principal payment; (iii) granting exceptional concession to a customer; (iv) it is probable that a customer will enter bankruptcy or other financial reorganisation; (v) the disappearance of an active market for that financial asset because of financial difficulties; or (vi) any observable market data indicating that there may be a measurable decrease in the estimated future cash flows from a group of financial assets.

Any impairment loss is recognised in profit or loss and a corresponding amount is recorded in a loss allowance account. Any subsequent reversal of impairment loss of the financial assets reversed in profit or loss with a corresponding adjustment to the allowance account, subject to the limit that the reversal should not result in the revised carrying amount of the financial asset exceeding the amount that would have been determined had no impairment loss been recognised previously.

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**NOTES TO THE FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

**4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**4.5 Financial Instruments (Cont'd)**

**(g) Impairment and Uncollectibility of Financial Assets (Cont'd)**

For short-term trade and other receivables, where the effect of discounting is immaterial, impairment loss is tested for each individually significant receivable wherever there is any indication of impairment. Individually significant receivables for which no impairment loss is recognised are grouped together with all other receivables by classes based on credit risk characteristics and aged according to their past due periods. A collective allowance is estimated for a class group based on the Company's experiences of loss ratio in each class, taking into consideration current market conditions.

**4.6 Operating Leases**

Leases, where the Company does not assume substantially all the risks and rewards of ownership, are classified as operating leases and except for property interest held under operating lease, the leased assets are not recognised in the statement of financial position.

Payments made under operating leases are recognised in profit and loss on a straight-line basis over the term of the lease, except for lease arrangements where the operating lease payments are structured to increase in line with expected general inflation. Lease incentives received are recognised in profit and loss as an integral part of the total lease expense, over the term of the lease. Contingent rentals are charged to profit or loss in the reporting period in which they are incurred.

Leasehold land which in substance is an operating lease is classified as prepaid lease payments.

**4.7 Income Taxes**

A current tax for current and prior periods, to the extent unpaid, is recognised as a current tax liability. If the amount already paid in respect of current and prior periods exceeds the amount due for those periods, the excess is recognised as a current tax asset. A current tax liability (asset) is measured at the amount the entity expects to pay (recover) using tax rates and laws that have been enacted or substantively enacted by the reporting date.

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

4.7 Income Taxes (Cont'd)

A deferred tax liability is recognised for all taxable temporary differences, except to the extent that the deferred tax liability arises from the initial recognition of an asset and liability in a transaction which is not a business combination and at the time of the transaction, affects neither accounting profit nor taxable profit (or tax loss). The exceptions for initial recognition differences include items of property, plant and equipment that do not qualify for capital allowances and acquired intangible assets that are not deductible for tax purposes.

A deferred tax asset is recognised for all deductible temporary differences to the extent that it is probable that taxable profit will be available against which the deductible temporary difference can be utilised, unless the deferred tax asset arises from the initial recognition of an asset or liability in a transaction that is not a business combination and at the time of the transaction, affects neither accounting profit nor taxable profit (or tax loss).

A deferred tax asset is recognised for the carrying-forward of unused tax losses and unused tax credits to the extent that it is probable that future taxable profit will be available against which the unused tax losses and unused tax credits can be utilised.

Deferred taxes are measured using tax rates (and tax laws) that have been enacted or substantively enacted by the end of the reporting period. The measurement of deferred taxes reflects the tax consequences that would follow from the manner in which an entity in the Company expects, at the end of the reporting period, to recover or settle the carrying amount of its assets or liabilities.

At the end of each reporting period, the carrying amount of a deferred tax asset is reviewed, and is reduced to the extent that it is no longer probable that sufficient taxable profit will be available to allow the benefit of a part or all of that deferred tax asset to be utilised. Any such reduction will be reversed to the extent that it becomes probable that sufficient taxable profit will be available.

A current or deferred tax is recognised as income or expense in profit or loss for the period, except to the extent that the tax arises from items recognised outside profit or loss. For an income or expense item recognised in other comprehensive income, the current or deferred tax expense or tax income is recognised in other comprehensive income. For items recognised directly in equity, related tax effect is also recognised directly in equity.

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

**4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**4.8 Employee Benefits**

The Company recognises a liability when an employee has provided service in exchange for employee benefits to be paid in the future and expense when the Company consumes the economic benefits arising from service provided by an employee in exchange for employee benefits.

**(a) Short-Term Employee Benefits**

Wages and salaries are usually accrued and paid on a monthly basis and are recognised as an expense, unless they relate to cost of producing inventories or other assets.

Paid absences (annual leave, maternity leave, paternity leave, sick leave, etc.) are accrued in each period if they are accumulating and paid absences that can be carried forward, or in the case of non-accumulating paid absences, recognised as and when the absences occur.

Profit sharing and bonus payments are recognised when, and only when, the Company has a present legal or constructive obligation to make such payments as a result of past events and a reliable estimate of the obligation can be made.

**(b) Post-Employment Benefits – Defined Contribution Plans**

The Company makes statutory contributions to approved provident funds and the contributions made are charged to profit or loss in the period to which they relate. When the contributions have been paid, the Company has no further payment obligations.

**4.9 Revenue**

Rental income is recognised on the straight-line basis over the term of the relevant tenancy agreement.

Interest income, presented separately from revenue, is recognised using the effective interest method.

**4.10 Fair Value**

For assets, liabilities and equity instruments (whether financial or non-financial items) that require fair value measurement or disclosure, the Company establishes a fair value measurement hierarchy that gives the highest priority to quoted prices (unadjusted) in active markets for identical assets, liabilities or equity instruments and the lowest priority to unobservable inputs.



ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

4.10 Fair Value (Cont'd)

A fair value measurement of an item is estimated using a quoted price in an active market if that price is observable. The active market is the principal market for the asset or liability or, in the absence of a principal market, the most advantageous market for the assets or liability; and for which the Company can enter into a transaction for the asset or liability at the price in that market at the measurement date.

In the absence of an active market price, the fair value of an item is estimated by an established valuation technique using inputs from the marketplace that are observable for substantially the full term of the asset or liability.

In the absence of both market price and observable inputs, a fair value measurement of an item is estimated by an established valuation technique using unobservable inputs, including internally developed assumptions that are reasonable and supportable.

5. PROPERTY, PLANT AND EQUIPMENT

Cost	Building RM	Furniture, fittings and equipment RM	Renovation RM	Total RM
At 1 January 2021 and at 31 December 2021	660,000	171,517	146,711	978,228
<b>Accumulated Depreciation</b>				
At 1 January 2021	143,333	171,459	118,427	433,219
Charge for the financial year	20,000	-	14,140	34,140
At 31 December 2021	163,333	171,459	132,567	467,359
<b>Net Book Value</b>				
At 31 December 2020	516,667	58	28,284	545,009
At 31 December 2021	496,667	58	14,144	510,869

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

6. PREPAID LEASE PAYMENT

	2021 RM	2020 RM
Cost		
At 1 January and at 31 December	1,540,000	1,540,000
Accumulated Amortisation		
At 1 January	334,447	287,780
Amortisation for the financial year	46,667	46,667
At 31 December	381,114	334,447
Net Book Value	1,158,886	1,205,553

This represents prepaid lease payments for one parcel of land, the lease term of which will expire in year 2046. The prepaid lease payments are amortised to profit and loss over the lease term.

7. TRADE AND OTHER RECEIVABLES

	2021 RM	2020 RM
Trade receivable	-	8,250
Interest receivable	2,867	4,129
Deposits	3,760	3,760
Prepayment	533	-
Total other receivables	7,160	7,889
Total trade and other receivables	7,160	16,139

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

8. DEPOSITS WITH LICENSED BANK

Included in deposits with licensed bank is an amount of RM100,000 (2020: RM100,000) which is reserved as UPC sinking fund which is meant to pay for major refurbishment and repairs of the UPC building.

The effective interest rate per annum of deposits at the reporting date range from 1.75% to 2.08% (2020: 2.15% to 3.63%).

The deposits have maturity period of 12 months (2020: 12 months).

9. SHARE CAPITAL

	2021	2020	2021	2020
	Number of shares		RM	RM
Ordinary shares				
Issued and fully paid:				
At 1 January and				
at 31 December	33,000	33,000	39,394	39,394

10. RETAINED EARNINGS

The retained earnings of the Company are available for distributions by way of cash dividends or dividends in specie. Under the single-tier system of taxation, dividends payable to shareholders are deemed net of income taxes. There are no potential income tax consequences that would result from the payment of dividends to shareholders.

11. OTHER PAYABLES

	2021	2020
	RM	RM
Rental deposits	12,275	26,025
Other payable	733	-
Advance rental received	3,120	3,120
Accrual	2,200	2,200
	<u>18,328</u>	<u>31,345</u>

12. REVENUE

Revenue represents rental income from letting of properties.

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

13. LOSS FROM OPERATIONS

	2021 RM	2020 RM
Loss from operations is stated after charging:		
Amortisation of prepaid lease payment	46,667	46,667
Auditors' remuneration – Statutory audit	2,200	2,200
Depreciation of property, plant and equipment	34,140	34,617
Expenses for employee benefits *	26,501	49,942
	<u>26,501</u>	<u>49,942</u>

\* The employee benefits expenses of the Company comprise:

Short-term benefits of wages and salaries	24,600	43,833
Defined contribution plan	1,668	5,565
Social security costs	233	427
Other employee benefits	-	117
	<u>26,501</u>	<u>49,942</u>

14. INVESTING INCOME

Investing income represents fixed deposit interest income.

15. TAXATION

	2021 RM	2020 RM
Current income tax expense	-	4,906
Underprovision of income tax in prior year	510	-
	<u>510</u>	<u>4,906</u>
<b>Reconciliation of effective tax rate:</b>		
Loss before tax	(43,806)	(48,757)
Taxation at applicable tax rate of 17%	(7,447)	(8,289)
Income not subject to tax	(1,530)	(589)
Expenses not deductible for tax purposes	15,363	13,866
Deferred tax assets not recognised for the year	627	-
Utilisation of deferred tax asset previously not recognised	-	(82)
Underprovision of income tax in prior year	510	-
Special deduction for rental reduction	(7,013)	-
Tax expense for the financial year	<u>510</u>	<u>4,906</u>

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
(Incorporated in Malaysia)

**NOTES TO THE FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

**15. TAXATION (CONT'D)**

As at 31 December 2021, the Company has unutilised capital allowances and unabsorbed tax losses of approximately RM600 (2020: Nil) and RM3,200 (2020: Nil) respectively available for offset against future taxable profit, subject to agreement with the Inland Revenue Board.

Under the prevailing tax legislation, unabsorbed business losses from a year of assessment ("YA") can only be carried forward up to 10 consecutive YAs. In the case of a dormant company, such losses will not be available to the company if there is a substantial change of 50% or more in the shareholdings thereof. The unabsorbed tax losses of RM3,200 can be carried forward up to YA 2031.

Unutilised capital allowances carried forward do not expire under the current tax legislation.

**16. SIGNIFICANT EVENT DURING THE FINANCIAL YEAR**

On 11 March 2020, the World Health Organisation declared the Covid-19 outbreak as a global pandemic. The COVID-19 pandemic remains fluid and continues to evolve locally and globally. In order to curb the spread of the COVID-19 outbreak, the Government has implemented multiple phases of lockdown or restrictive measures and this has disrupted the Company's operations.

The ultimate impact of the COVID-19 is highly uncertain. Nevertheless, the Company has taken and will continue to take necessary steps to safeguard and preserve its financial condition, emphasising on liquidity management to meet its continuing financial commitments and liquidity needs. The Company will also be taking appropriate and timely measures to minimise potential impacts from COVID-19 when more economic and social sectors are reopened, as the Government adopts the practice of living with the virus as the new normal.

Given the dynamic nature of the COVID-19 pandemic, it is not practicable to provide a reasonable estimate of its impacts on the Company's financial position, operating results and cash flows at the date on which these financial statements are authorised for issue.

Registration No.  
198401013725 (126275-P)

**ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.**  
**(Incorporated in Malaysia)**

**NOTES TO THE FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021**

**17. FINANCIAL INSTRUMENTS**

**Categories of Financial Instruments**

There is only one category of financial instruments for the Company in which all the financial assets and financial liabilities are measured at amortised cost.

Registration No.  
198401013725 (126275-P)

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

DETAILED INCOME STATEMENT

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

Revenue	2021 RM	2020 RM
Rental income:		
- Office	60,650	86,140
- Auditorium and conference room	1,828	3,235
	<u>62,478</u>	<u>89,375</u>
<b>Add: Other operating income</b>		
Inter-professional games	-	465
Photocopying income	-	1,933
Prihatin Special Grant (GKP)	3,000	3,000
Wages subsidy programmed (WSP)	6,000	-
	<u>9,000</u>	<u>5,398</u>
<b>Less: Expenses</b>		
Administration expenses (Appendix I)	(125,444)	(160,032)
<b>Add: Investing income</b>		
Fixed deposit interest income	10,160	16,502
	<u>10,160</u>	<u>16,502</u>
Loss for the financial year	<u>(43,806)</u>	<u>(48,757)</u>

This schedule does not form part of the audited statutory financial statements.

ULTIMATE PROFESSIONAL CENTRE (SARAWAK) SDN. BHD.  
(Incorporated in Malaysia)

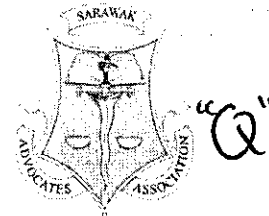
DETAILED INCOME STATEMENT

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 2021

	2021 RM	2020 RM
<b>Administration expenses:</b>		
Allowance	-	2,000
Amortisation of prepaid lease payment	46,667	46,667
Audit fee	2,200	2,200
Bank charges	49	48
Depreciation of property, plant and equipment	34,140	34,617
General expenses	2,774	4,187
Insurance	2,091	5,265
Medical fee	-	117
Printing and stationery	60	198
Professional fees	2,200	3,291
Rates and assessment	3,343	3,343
Repairs and maintenance	967	2,145
Staff costs:		
- commission	-	397
- EPF contributions	1,668	5,565
- salaries, bonus and allowances	24,600	43,436
Socso contributions	233	427
Telephone charges	1,588	1,995
Water and electricity	2,864	4,134
	<u>125,444</u>	<u>160,032</u>

This schedule does not form part of the audited statutory financial statements.





ADVOCATES ASSOCIATION of SARAWAK  
PERSATUAN PEGUAMBELA SARAWAK

Date: 30<sup>th</sup> July 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tonny Hii Yik (Sibu)

Gurvur Singh Sandhu (Miri)

Ma Seong Yui (Bintulu)

**Honorary Secretary**

David Teo Seng Wee (Miri)

**Assistant Secretary**

Christine S H Lim (Sibu)

**Honorary Treasurer**

Jacquelyn Hii Shin Law (Sibu)

**Assistant Treasurer**

Eric Lau Lian Jing (Bintulu)

**Committee Members**

Desmond Sahathevan (Kuching)

Leslie Linton (Bintulu)

Dayangku Sa'adiah Binti Awang

Hipni (Kuching)

Benny Zaidy Bin Jalil (Kuching)

Lee Jin Wen (Miri)

Liew Tang Chieh (Kuching)

**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
[aascentral2018@gmail.com](mailto:aascentral2018@gmail.com)

**YA DATUK VERNON ONG LAM KIAT**

Federal Court Judge

Chairman of the Court-Annexed Mediation (CAM)

Federal Court of Malaysia

Istana Kehakiman

Presint 3

62506 Putra Jaya

Dear YA Datuk Vernon Ong,

**PRE-ACTION PROTOCOL FOR PERSONAL INJURIES CLAIMS IN ROAD ACCIDENT MATTERS ("PICRAM")**

We respectfully refer to your letter dated 8<sup>th</sup> June 2022 in respect of the above matter.

Upon receipt of your above letter, we have forwarded the draft Practice Direction for PICRAM to our members in Sarawak to gather their feedback. Based on our members' feedback, we would like to inform you that our members are not agreeable to implementation of PICRAM in Sarawak for the following reasons:-

- (1) At present, personal injuries in cases in Sarawak are already being mediated prior to the commencement of the trial as per the Practice Direction No. 2 of 2022 dated 24<sup>th</sup> March 2022 issued by the Right Honourable Chief Justice of Malaysia;
- (2) Personal injuries cases in Sarawak are currently being mediated by Sessions Court Judges and Registrars and the success rate of the Court Annexed mediation has been very good;
- (3) Personal injuries cases are spread throughout Sarawak. Due to logistics and geographical factors, it is very difficult to provide a mediator at all locations;
- (4) Our members and their clients do not want their cases to be mediated by a Mediator based in Peninsular Malaysia or Sabah as the said Mediator would not understand the local conditions in Sarawak insofar as far our roads, geographical area, culture and customs are concerned;

- (5) It would be a financial burden to the litigants to pay the cost of mediators before having to go to Court. Based on the draft Practice Direction for PICRAM, the Claims would have to be filed regardless of whether the pre-action mediation is successful or not. The filing of Claims would be required to either to record a consent judgment or to proceed with trial;
- (6) Our members' clients have been more accepting of the Court Annexed Mediations for their cases as there are no separate fees involved. Many of our members' clients are not financially well off to incur additional fees. Furthermore, if the litigants do not submit their Claims for mediation, they may be penalised in terms of costs to be awarded by the Courts. Due to the high cost involved and the potential penalty, the litigants may see the draft Practice Direction for PICRAM as denying their access to justice. The mandatory requirement to mediate before litigation is a departure from access to justice and is a hindrance;
- (7) At this juncture, we are concerned whether the draft Practice Direction for PICRAM conflicts with the Practice Direction No. 2 of 2022 dated 24<sup>th</sup> March 2022 issued by the Right Honourable Chief Justice of Malaysia. Under the said Practice Direction No. 2 of 2022, our understanding is that the filing of Claims precedes the Mediation. As for the draft Practice Direction herein, Mediation precedes the filing of Claims;
- (8) The limitation period to institute action for personal injuries cases arising out of motor vehicle accidents is only 3 years unlike in Peninsular Malaysia; and
- (9) If Mediation for Sarawak cases is done by Peninsular Malaysia or Sabah based Mediators, there is every possibility that insurance companies would appoint Peninsular Malaysia or Sabah based lawyers which would deprive our Sarawak lawyers from representing the Insurance Companies. This would be in contravention of Section 8 of the Advocates Ordinance of Sarawak.

At this point in time, we are of the opinion that implementation of PICRAM based on the draft Practice Direction in Sarawak is not feasible due to the above reasons. Furthermore, Sarawak had practiced Court Annexed Mediation for many years. In the circumstances, we are not in support of the draft Practice Direction.

Nevertheless, we would welcome further development of mediation as an alternative dispute resolution in Sarawak for personal injuries cases.

We also note that the meeting held on 6<sup>th</sup> September 2021 was only held with the Mediation Committee of the Bar Council without the presence of Advocates Association of Sarawak. In view that any implementation of PICRAM is nationwide, we would be happy to participate in future meetings to express our views insofar as Sarawak is concerned. What is postulated for Peninsular Malaysia or Sabah may not be workable in Sarawak due to logistic and geographical concerns, amongst others.

Yours faithfully



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**ANTONIO P.K. SIM**  
**President**  
**Advocates Association of Sarawak**

- c.c.      (1)      **President**  
Sabah Law Society  
Suite No. 6-6-11, 6<sup>th</sup> Floor, Menara MAA  
No. 6 Lorong Api-Api 1,  
88000 Kota Kinabalu, Sabah
- (2)      **President**  
Malaysian Bar Council  
2, Leboh Pasar Besar,  
50050 Kuala Lumpur

"R"

THE ADVOCATES ORDINANCE

THE ADVOCATES' REMUNERATION (AMENDMENT) RULES, 2022

(Made under section 17(c))

In exercise of the powers conferred by section 17(c) of the Advocates Ordinance [Cap. 110 (1958 Ed.)], the Chief Judge with the concurrence of the State Attorney-General has made the following Rules:

Citation and commencement

1. These Rules may be cited as the Advocates' Remuneration (Amendment) Rules, 2022, and shall come into force on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Amendment of rule 8

2. Rule 8 of the Advocates' Remuneration Rules, 1988 [Swk. L.N. (F) 72/88] (in these Rules referred to as "the Principal Rules"), is amended by substituting rule 8 with the following new rule:

"8.—(1) Notwithstanding the provisions of rule 7, an advocate may,—

(a) provide pro-bono services or grant any discounts whatsoever in any transaction involving charitable or religious institutions; or

(b) with the written permission of the Central Committee of the Advocates' Association of Sarawak or any Sub-Committee set up by it for this purpose, remit on the ground of poverty or under any special circumstances the whole or any portion of the fee as prescribed in the scale of costs.

(2) For the purpose of this rule, "charitable or religious institution" means a non-profit institution registered or recognised under any applicable laws in Malaysia."

Amendment of Schedules

2. The Schedules of the Principal Rules are amended—

(a) by substituting the First Schedule with the following new schedule:

"FIRST SCHEDULE

CONSIDERATION OR AMOUNT SECURED

1.	Up to RM10,000.00	.....	2.5%
2.	For the next RM40,000.00	.....	1.0%
3.	For the next RM50,000.00	.....	0.90%
4.	For the next RM200,000.00	.....	0.80%
5.	For the next RM400,000.00	.....	0.70%
6.	For the next RM500,000.00	.....	0.60%
7.	For the next RM1,000,000.00	.....	0.55%
8.	For the next RM3,000,000.00	.....	0.50%

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9. For the next RM5,000,000.00 ..... 0.45%

Where the consideration or amount secured is in excess of RM10,000,000.00 the remuneration shall be negotiable but shall not exceed 0.45% on the excess.

The scale of costs set out above shall not apply to all deeds and assignments by way of gift, donation or endowment. The charges shall be one-half of the scale of costs stipulated above based on the value of the property as assessed by the Valuation and Property Services Department or the Superintendent of Lands and Surveys before whom the instrument of transfer is tendered for registration under the Land Code [Cap. 81 (1958 Ed.)].

There shall be a minimum scale charge of RM500.00.

Forms for registration of charges with the Companies Registry will be charged at RM300.00 per set for each instrument.

#### RULES

1. Where the transaction includes the Sale and Purchase Agreement and the Memorandum of Transfer to complete the sale, the advocate who represents the Vendor shall charge one-half of the scale and the advocate who represents the Purchaser shall charge the full scale.
2. Where the transaction involves only the Sale and Purchase Agreement, the advocate who represents the Vendor shall charge one-half of the scale and the advocate who represents the Purchaser shall charge three-quarters of the scale.
3. Rule 2 shall also apply where the transaction involves the Memorandum of Transfer only or where the transaction involves the Deed of Assignment of property when no individual document of title or strata title has been issued.
4. Save where otherwise provided in rule 5, rule 2 shall also apply to a subsale and purchase transaction.
5. Where the advocate having acted for the Purchaser in the sale and purchase transaction also acts for the Purchaser in a subsale of the same property, he shall charge a further one-quarter of the scale on the subsale consideration.
6. Where the advocate also acts for the Purchaser in the financing transaction, he shall charge a further one-half of the scale on the amount of the Charge as the Chargor's advocate.
7. Where the advocate acts for the Chargee only, he shall charge the full scale on the amount of the Charge. Where the same advocate is acting for both the Chargee and the Chargor, he shall charge the full scale as the Chargee's advocate and one-quarter scale as the Chargor's advocate.
8. Where the advocate acts for the Chargor only, he shall charge one-half of the scale.

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9. Where the financing transactions involve any other ancillary documents or subsidiary instrument of security within the meaning of section 4(3) of the Stamp Act 1949 [Act 378] the remuneration for which is not provided, the remuneration of the advocate shall be not less than RM300.00 and not more than one-quarter of the scale for every instrument.
  10. For the preparation of any other documents or instrument where remuneration has not been provided for, the remuneration shall be RM300.00 for every document.
  11. Where the transaction involves security documents for Islamic banking business as defined in the Islamic Financial Services Act 2013 [Act 759], the advocate shall charge the full scale for the principal instrument and a further sum of not less than RM300.00 and not more than one-quarter of the scale for each of the subsidiary instrument prepared in relation to the financing transaction.
  12. Where the transaction involves a housing estate of twenty-five (25) units and more, the remuneration of the advocate shall be one-half of the applicable scale if the consideration or amount secured is less than RM100,000.00.
  13. Where an advocate is instructed to put up a property for sale by public auction—
    - (a) the Vendor's advocate shall charge full scale on the sale price for conducting the sale including drafting and settling conditions of sale if the property is sold but if the property is not sold, he shall charge one-half of scale on the reserve price, or if there is no reserve price, one-half of scale on the highest bid as certified in writing by the auctioneer but if there is no reserve price and no bid, the advocate shall charge according to the Sixteenth Schedule;
    - (b) the fee of one-half of scale for investigating title; and perusing and completing transfer on a sale by auction is to be chargeable on each lot of property, except that where a property held under the same title is divided into lots for convenience of sale and the same Purchaser buys several such lots and takes one transfer, one-half of scale is to be chargeable by the Vendor's advocate upon the aggregate prices of the lots and full scale is to be chargeable by the Purchaser's advocate upon the aggregate prices of the lots; and
    - (c) the fee on an attempted sale by auction of lots is to be chargeable on the aggregate of the reserve prices (or if there be no reserve prices, the aggregate of the highest bids). When property offered for sale is not sold by or on behalf of the owner to a third party and terms are afterwards negotiated and arranged by the same advocate, he shall charge full scale on the reserve price where the property is not sold and also one-half of scale for negotiating the sale. When property is bought in and afterwards offered for

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auction by the same advocate, he shall charge only full scale for the first attempted sale and for each subsequent sale ineffectually attempted he shall charge according to the Sixteenth Schedule. In case of a subsequent effectual sale by auction he shall charge full scale less one-half of the fee previously charged on the first attempted sale.

14. Save where specifically provided herein, there shall be no discount on all fees specified in these Rules. All advocates shall not entertain any discount requested or agree to any promotion scheme or self-imposed scale fees by Banks or Financial Institution or Developer and/or all clients and must report the same to the Advocates Association to take appropriate action if such request had been made. Any advocate or their firms giving discounts or agreeing to any of the above shall be in breach of these Rules and subject to the Inquiry Rules.
15. Where a property is sold subject to encumbrances, the amount of the encumbrances shall be deemed a part of the purchase money, except where the Chargee purchases the charged property, and the same advocate who prepared the charge acts for the Chargee upon such purchase, in which case the fee of the advocate shall be calculated on the price of the equity of redemption.
16. In addition to the other fees payable to an advocate under these Rules, where an advocate negotiates any transaction he shall be entitled to charge a negotiation fee. The scale for negotiating shall be in accordance with the scale prescribed by the First Schedule and shall apply to cases where the advocate for a Vendor, or Purchaser arranges the sale or purchase and the price and terms and conditions thereof and no commission is paid by the client to an auctioneer or estate or other agent. A Chargor's advocate shall also be entitled to a negotiating fee where he arranges and obtains a loan for the Chargor. The negotiating fee payable pursuant to these Rules shall be full scale based on the amount of the consideration or loan.
17. Where completion of a transfer of property takes place simultaneously with a charge of the same property, the fees due to the advocate under the First Schedule shall include charges for attending to the stamping and registration of the transfer or other documents by the advocate on behalf of the parties or for attendance at the office of another advocate for completion except the actual transport charges incurred for such attendance.
18. Where additional facilities are granted on the security of an existing charge which is being stamped additionally to cover such facilities, the advocate in charge of such stamping and other attendant work, shall be entitled to charge on the above scale at the appropriate rate as if the additional facilities formed part of the original facilities.”;

(b) by substituting the words “appropriate charges” in line three of rule 4 in the Second Schedule with the words “the full scale”;

(c) by substituting the Third Schedule with the following new schedule:

**“THIRD SCHEDULE**

**SCALE OF REMUNERATION APPLICABLE TO ALL SUBLEASES, AGREEMENTS OF SUBLEASES AND TENANCY AGREEMENTS**

**SCALE**

<i>Monthly Rent not Exceeding RM</i>	<i>Annual Rent not Exceeding RM</i>	<i>Scale Charges RM</i>
250.00 ✓	3,000.00 ✓	400.00 ✓
300.00 ✓	3,600.00 ✓	420.00 ✓
350.00 ✓	4,200.00 ✓	460.00 ✓
400.00 ✓	4,800.00 ✓	480.00 ✓
450.00 ✓	5,400.00 ✓	520.00 ✓
500.00 ✓	6,000.00 ✓	560.00 ✓
550.00 ✓	6,600.00 ✓	580.00 ✓
600.00 ✓	7,200.00 ✓	600.00 ✓
650.00 ✓	7,800.00 ✓	620.00 ✓
700.00 ✓	8,400.00 ✓	650.00 ✓
750.00 ✓	9,000.00 ✓	680.00 ✓
800.00 ✓	9,600.00 ✓	700.00 ✓
850.00 ✓	10,200.00 ✓	720.00 ✓
900.00 ✓	10,800.00 ✓	740.00 ✓
950.00 ✓	11,400.00 ✓	780.00 ✓
1,000.00 ✓	12,000.00 ✓	800.00 ✓

Between the annual rent of RM12,000.00 and RM120,000.00 and in addition to the above scale of RM800.00, there shall be a charge of 2% of the annual rent on the excess of annual rent of RM12,000.00. After the annual rent of RM120,000.00 in addition to the earlier remuneration, the balance remuneration shall be negotiable but shall not exceed 1% of the excess annual rent of RM120,000.00.

There shall be a minimum scale charge of RM300.00 on all transactions.

**RULES**

1. Where an advocate represents only the Sublessor or the Landlord, he shall charge full scale for a sublease and three quarter scale for a tenancy agreement.
2. Where an advocate represents only the Sublessee or the Tenant, he shall charge three-quarters of scale for a sublease and three quarter of the scale for a tenancy agreement.
3. Where the same advocate acts for the Sublessor and Sublessee in connection with a sublease, he shall charge half scale as the Sublessor's advocate and half scale as the Sublessee's advocate. Where the same advocate acts for the Landlord and the Tenant in connection with a tenancy agreement, he shall charge half scale as the Landlord's advocate and half scale as the Tenant's advocate.



4. Where the advocate having represented the Sublessee or the Tenant also represents the Sublessee or the Tenant in the sublet of the whole or any part of the premises, he shall charge half of the scale as the Sublessee's or Tenant's advocate and half scale as the Sublessee's or subtenant's advocate.

5. Where an advocate represents the Sublessor or the Landlord and/or the Sublessee or the Tenant in respect of—

(a) subleases or tenancy of parts of a building in which there are ten or more leaseable units and a standard form of sublease or tenancy is used; or

(b) where a sublease or tenancy over any property is renewed upon substantially the same terms and conditions, the fees to be charged by an advocate in respect of these subleases or tenancy agreement shall be one-half of the fees chargeable under rules 1, 2, 3 and 4 of this Schedule.

6. Any consideration in the sublease or tenancy agreement expressed to be chargeable other than by way of rent (e.g. service charges, hire or furniture and fixtures) shall be deemed to be rent.

7. Where a varying rent is payable, the remuneration shall be charged on the highest amount of rent payable.

8. Where a sublease is partly in consideration of a money payment or premium and partly of a rent, then, in addition to the remuneration prescribed in respect of rent, there shall be paid a further sum equal to the remuneration on a purchase at a price equal to such money payment or premium in accordance with the scale prescribed under the First Schedule, and for these purposes, the Landlord or Sublessor shall be regarded as Purchaser and the Tenant or Sublessee shall be regarded as Vendor and rules 1, 2, 3, 4, 5, 6 and 7 of this Schedule shall apply to such further remuneration.”;

(d) (i) by adding the words “and the Borrower or the Lender only” immediately after the word “Lender” in line 1 of item 1 of the Fifth Schedule; and

(ii) by adding the word “only” immediately after the words “Where and advocate acts” in line one of item 2 of the Fifth Schedule.

(a) by inserting the words “or withdrawal” immediately after the word “Removal” in item 4 of the Seventh Schedule;

(f) by substituting the Ninth Schedule with the following new schedule:

**"NINTH SCHEDULE**

**SCALE OF REMUNERATION FOR ADMINISTRATION OF ESTATES**

1. The charges for obtaining Probate or Letters of Administration and all incidental required to be done up to the state of obtaining a Grant of Letters of Administration or Probate shall be as follows:

<i>Gross Value of Estate Not Exceeding</i>	<i>Scale</i>
Up to RM50,000.00	1.25%
For the next RM150,000.00	1.00%
For the next RM800,000.00	0.75%

Where the gross value of the estate exceeds RM1,000,000.00, the charge shall be discretionary but not less than RM6 875.00. There shall be a minimum charge of RM625.00.

2. The charge for winding up and distribution of estate inclusive of registering transmission including beneficiary transfers of all assets shall be one-half of the rates stipulated in item 1.

3. In every case, the foregoing shall be observed by advocates as a minimum charge but in a case where special circumstances exists, an additional charge may be made in accordance with the Sixteenth Schedule.”;

(g) by substituting the Eleventh Schedule with the following new schedule:

**"ELEVENTH SCHEDULE**

**REMUNERATION FOR SUBMISSION OF NOTIFICATION UNDER THE REAL PROPERTY GAINS TAX ACT 1976**

1. For each submission of the notification of acquisition or disposition of all landed properties inclusive of all interviews for low cost properties up to a value of RM100,000.00:
  - (a) CKHT 1A Forms (or any replacement form) ... .. RM200.00 per form
  - (b) CHKT 2A Forms (or any replacement form) ... .. RM150.00 per form
  - (c) Any other additional forms ... .. RM100.00 per form
  
2. For each submission of the notification of acquisition or disposition of all landed properties inclusive of all interviews for medium cost properties in excess of RM100,000.00 but not exceeding RM250,000.00:
  - (a) CKHT 1A Forms (or any replacement form) ... .. RM300.00 per form
  - (b) CHKT 2A Forms (or any replacement form) ... .. RM250.00 per form
  - (c) Any other additional forms ... .. RM200.00 per form

3. For each submission of the notification of acquisition or disposition of all landed properties inclusive of all interviews for high cost properties in excess of RM250,000.00 but not exceeding RM1,000,000.00:
  - (a) CKHT 1A Forms (or any replacement form) ... .. RM400.00 per form
  - (b) CHKT 2A Forms (or any replacement form) ... .. RM350.00 per form
  - (c) Any other additional forms ... .. RM300.00 per form
4. For all other submission of the notification of acquisition or disposition of all landed properties inclusive any such properties exceeding RM1,000,000.00 or not covered by items 1, 2 and 3 hereof:
  - (a) CKHT 1A Forms (or any replacement form) ... .. RM500.00 per form
  - (b) CHKT 2A Forms (or any replacement form) ... .. RM400.00 per form
  - (c) Any other additional forms ... .. RM350.00 per form
5. For each submission of the notification of acquisition or disposition of shares in a Real Property Company inclusive of all interviews:
  - (a) CKHT 1A Forms (or any replacement form) ... .. RM1,000.00 per form
  - (b) CHKT 2A Forms (or any replacement form) ... .. RM800.00 per form
  - (c) Any other additional forms ... .. RM500.00 per form
6. For any major attendance requiring getting-up before the Director General of Inland Revenue, Inland Revenue Board or as required by his office pertaining to the submission of the notification or acquisition of landed properties or other assets (exclusive of disbursements) ... .. RM100.00 per attendance
7. For any major attendance requiring getting-up before the Director General of Inland Revenue, Inland Revenue Board or as required by his office pertaining to the submission of the notification of acquisition or disposition of shares in a Real Property Company (exclusive of disbursements) ... .. Not less than RM300 per attendance
8. Notwithstanding Rules 1 to 7 above, in connection with the notification of acquisition or disposition of immovable properties, where:
  - (a) such acquisition or disposition is in consideration of love and affection;
  - (b) such acquisition or disposition is by an administrator or executor in favour of the beneficiaries of an estate;
  - (c) such acquisition relates to only one single immovable property but by more than 2 vendors and/or purchasers; or
  - (d) the disposal relates to only one single immovable property but by more than 2 vendors and/or purchasers,

the remuneration shall be in the following manners:

  - (i) more than 2 vendors and/or purchasers, 3rd to 4th vendors and/or purchasers at  $\frac{1}{2}$  of the applicable rate per form;
  - (ii) more than 4 vendors and/or purchasers, 5th to 10th vendors and/or purchasers at  $\frac{1}{4}$  of the applicable rate per form; and
  - (iii) more than 10 vendors and/or purchasers, for the 11th vendor and/or

purchaser onwards at 1/10 of the applicable rate per form.”;

(h) by substituting Twelfth Schedule with the following new schedule:

“TWELFTH SCHEDULE

SCALE OF REMUNERATION FOR MATTERS RELATING  
TO CHARGE ACTIONS UNDER THE LAND CODE AND MATTERS  
INCIDENTAL THERETO

	RM
1. Per letter of termination or demand ... ..	100.00
2. Issuing Statutory Notice by Chargee in Case of Default ... ..	150.00
3. Service of Statutory Notice by Chargee in Case of Default whether by personal service, or by post or otherwise ... ..	100.00
4. Effecting substituted service of Statutory Notice by Chargee in Case of Default or Notice by Advertisement (Cost of Advertisements to be separately indemnified) ... ..	250.00
5. In the event the Charge action is stopped before the Order for Sale is obtained ... ..	500.00
6. Drawing up Application by Chargee for Sale of Land ... ... ..	500.00
7. Attending and acquiring Order for Sale from High Court (per one attendance and non-contentious) ... .. ... ..	300.00
8. Apply for Notice of Application for court direction after acquiring Order for Sale ... ..	300.00
9. Attending and perusing Notice of Sale and Conditions of Sale after Court directions ... ..	250.00
10. Drawing up all necessary documents or letter not herein otherwise provided, per document (a) Documents other than letter ... ..	150.00
(b) Letter only ... ..	100.00
11. Drawing up Application and Notice for Postponement or Cancellation of sale ... ..	300.00
12. Where a Sale takes place, whether by public tender or public auction, the following fees shall be payable in addition to the above fees:	

<i>Where the Sale Realised:</i>						%
Up to RM10,000.00	...	...	...	...	...	2.00
For the next RM40,000.00	...	...	...	...	...	4.00
For the next RM150,000.00	...	...	...	...	...	5.00
For the next RM200,000.00	...	...	...	...	...	4.00
For the next RM300,000.00	...	...	...	...	...	3.00
For the next RM500,000.00	...	...	...	...	...	2.00
For the next RM1,000,000.00 and above.	...	...	...	...	...	1.00

13. In the event the Charge is redeemed by the Chargor, after action had commenced, the charges shall be one-third of the scale under Item 12 of this Schedule, based on the redemption sum.

14. In the event that the auction is postponed for whatever reason or cause ... .. 500.00

15. (a) Drawing up and filing the Certificate of Non Appearance for each Certificate ... .. 150.00

(b) Drawing up and filing any further supplementary affidavit as to outstanding figures ... .. 150.00

(c) Drawing up and filing any Notice of Application for Substituted service and service thereof ... .. 300.00

(d) Drawing up and filing Notice of Application for Payment out of sales proceed ... .. 750.00

(e) Drawing up and filing Notice of Application for reduced reserve price and/or fresh tender/auction date ... .. 500.00

#### RULES

1. The above fees shall be payable by the Chargee and for non-contentious matters only.
2. The scale of charges are exclusive of all necessary attendances.
3. In addition to the scale of fees stipulated in this Schedule, to each attendance in court for mention, hearing, auction, tender or for any attendance whatsoever RM100.00 per attendance.”;

(i) by inserting a new Twelfth (A) Schedule after the Twelfth Schedule:

### **TWELFTH (A) SCHEDULE** **SALE OF PROPERTY BY WAY OF ASSIGNMENT**

	RM
1. Issuance of notice of termination of licence and vacant possession and service thereof	300.00
2. Each letter to Developer and/or Vendor for Consent to Sale	300.00
3. All other letters, correspondences and Letter of Demand per letter/correspondence	100.00
4. To attend and peruse through all notice and proclamation of sale	600.00
5. Each sale attendance	100.00
6. In the event the sale is successful whether by public auction or public tender, the following fees shall be payable in addition to the above fees:	
Up to RM10,000.00	2.00%
For the next RM40,000.00	4.00%
For the next RM150,000.00	5.00%
For the next RM200,000.00	4.00%
For the next RM300,000.00	3.00%
For the next RM500,000.00	2.00%
For the next RM1,000,000.00 and above	1.00%

(j) by substituting the Thirteenth Schedule with the following new schedule:

**“THIRTEENTH SCHEDULE  
SCALE OF REMUNERATION FOR COLLECTING DEBTS  
(NON-CONTENTIOUS)**

<i>Where the amount recovered:</i>	<i>%</i>
Up to RM50,000.00	10.00
For the next RM200,000.00	8.00
For the next RM400,000.00	5.00
For the next RM500,000.00	3.00
For the next RM1,000,000.00 and above	2.00

**RULES**

1. The fee shall only be charged for the amount of the debt actually recovered and for this purpose the debt is recovered whether the payment by the debtor is through the advocate having the conduct of the matters or direct to the client of the advocate or for the account of the client or settled by instalments.
2. Where the debt has not been recovered the advocate shall have the discretion to charge whatever fee not in excess of the scale of fee above provided subject to a minimum scale of fees as set up below.

3. Where the debt is paid up upon receipt of letter of demand from the Creditor's advocate, the fee shall be 1.5% on the amount recovered.
4. The following minimum scale of fees shall apply for filing of writ to obtain default judgment. This minimum scale of fees is payable upon filing of summons and if the case is discontinued before obtaining judgment.

Claim amount	< RM10,000.00	RM800.00
	RM10,001.00 – RM25,000.00	RM1,000.00
	RM25,001.00 – RM50,000.00	RM1,250.00
	RM50,001.00 – RM100,000.00	RM1,500.00
	RM100,001.00 – RM150,000.00	RM2,000.00
	RM150,001.00 – RM200,000.00	RM2,500.00
	RM200,001.00 – RM250,000.00	RM3,000.00
	RM250,001.00 – RM300,000.00	RM3,500.00
	RM300,001.00 – RM350,000.00	RM4,000.00
	RM350,001.00 – RM400,000.00	RM4,500.00
	RM400,001.00 – RM450,000.00	RM5,000.00
	RM450,001.00 – RM500,000.00	RM5,500.00
	RM500,001.00 – RM550,000.00	RM6,000.00
	RM550,001.00 – RM600,000.00	RM6,500.00
	RM600,001.00 – RM650,000.00	RM7,000.00
	RM650,001.00 – RM700,000.00	RM7,500.00
	RM700,001.00 – RM750,000.00	RM8,000.00
	RM750,001.00 – RM800,000.00	RM8,500.00
	RM800,001.00 – RM850,000.00	RM9,000.00
	RM850,001.00 – RM900,000.00	RM9,500.00
	RM900,001.00 – RM950,000.00	RM10,000.00
	RM950,001.00 – RM1,000,000.00	RM10,500.00
Claim amount	> RM1,000,000.00	A minimum fee of RM11,000.00

(k) by substituting the Fourteenth Schedule with the following new schedule:

**“FOURTEENTH SCHEDULE  
SCALE OF REMUNERATION IN RESPECT OF MATTERS AFFECTING  
EXECUTION PROCEEDINGS**

Payment recovered consequent on execution proceedings shall be in accordance with the scales under the Thirteenth Schedule plus the fees chargeable for execution proceedings as set out below:

1	<i>Judgment Debtor Summons</i>	<i>Fees</i>
	Judgment Debtor Summons proceedings under provisions of Rules of Court, irrespective whether proceedings result in:	} RM750.00 in addition to every attendance where summons stands adjourned due to
	(a) Consent Order to pay;	

(b) Order made by Court on examining debtor, or	non-service or any court
(c) No order made after examining debtor;	mention at RM100.00 per attendance.

In the event of issue of Warrant of Arrest, further fees of RM500.00.  
 In the event of Judgment Debtor Summons filed but withdrawn ... .. RM500.00

2 *Judgment Notice*

(a) Judgement Notice involving application for Committal proceedings, service of documents and Court attendance ... ..	RM500.00
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(b) In the event of issue of Warrant to Arrest, further fees of RM500.00.

3 *Garnishment Proceedings*

(a) Notice of Application and Affidavit to apply for garnishee order to show cause	RM1,200.00
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(b) In addition to every attendance where Notice of Application and/or Garnishee order to show cause stands adjourned due to non-service (per attendance)	RM100.00
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(c) Drafting of each affidavit	RM300.00
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4 *Writ of Seizure*

(a) Execution of Writ of Seizure resulting in payment ... ..	RM1,500.00
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(b) Seizure and proceeding to sale by Public Auction ... ..	RM3,500.00
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5. *Attachment proceedings of Property — Prohibitory Orders*

(a) Obtaining or renewal of Prohibitory Order ... ..	RM750.00
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(b) Applying for sale of property seized, Summons for Directions, Public Auction and preparation of Conditions of Sale and to confirm the sale ... ..	RM3,500.00
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6. *Bankruptcy Proceedings*

(a) Issue of Bankruptcy Notice and service thereof ... ..	RM500.00
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(b) Issue of Bankruptcy Notice and substituted service thereof, through to extend Notice and service ... ..	RM750.00
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(c) Issue of Creditor's Petition and service thereof,	
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	presentation of <b>Creditor's Petition</b> and service thereof and attending the same to obtain <b>Bankruptcy Order</b> ... ..	RM1,500.00
(d)	Issuing of <b>Creditor's Petition</b> , substituted service thereto and attending hearing of Petition to obtain <b>Bankruptcy Order</b>	RM1,750.00
(e)	Filing Proof of Debt ... ..	RM150.00
(f)	Attending a Creditor's Meeting subsequent to Receiving and Adjudicating Orders and Public Examination Bankrupt ... ..	RM150.00 per hour or part thereof
(g)	<b>Application for leave to file Bankruptcy Notice</b>	<b>RM500</b>

7. *Companies Winding-up Petition*

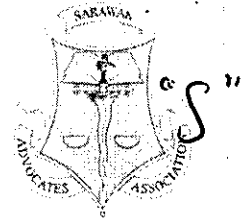
(a)	Preparation of Petition, attending <i>gazette</i> publication, advertisement in the press, appointment of Provisional Receiver/Liquidator, service of Petition and appearing upon Petition in Court ... ..	RM7,500.00
(b)	Where Petition moved by another creditor, filing form in support and attending hearing in Court to lend support to Petition ... ..	RM500.00
(c)	Filing Proof of Debt ... ..	<b>RM150.00</b>
(d)	Attending a Creditor's Meeting subsequent to Winding Up Order and Public Examination ... ..	RM200.00 per hour or part thereof
(e)	<b>Issuance of a statutory notice under Companies Act 2016</b>	<b>RM300.00</b>

8. Where the execution proceedings are contentious, the fees chargeable shall be in accordance with the Sixteenth Schedule.”;

RULES

1. **Issuance of letter of termination or demand or any letter (per letter) ... ..**  
... .. **RM 100.00**
2. **Per court attendance (if not provided for above) ... RM100.00**
3. **Where any property or immovable asset is to be seized and foreclosed under items 4 and 5 of the Fourteenth Schedule, an advocate shall further charge based on the rules and scale of remuneration in the Twelfth Schedule for matters incidental thereto (i.e. to postpone or cancel sale, to place property or asset for sale, to apply for substituted service, to apply for**





ADVOCATES ASSOCIATION of SARAWAK  
PERSATUAN PEGUAMBELA SARAWAK

Date : 17<sup>th</sup> November 2022

**President**

Antonio P K Sim (Miri)

**Immediate Past President**

Ranbir Singh Sangha (Miri)

**Vice Presidents**

Sarbjit Singh Khaira (Kuching)

Tonny Hii Yii Yik (Sibu)

Gurvir Singh Sandhu (Miri)

Ma Seong Yui (Bintulu)

**Honorary Secretary**

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Dayangku Sa'adiah Binti Awang

Hipni (Kuching)

Benny Zaidy Bin Jalil (Kuching)

Lee Jin Wen (Miri)

Liew Tang Chieh (Kuching)

**THE BAR ROOM**

Kompleks Mahkamah Miri,  
Jalan Merdu, P.O.Box 1695,  
98008 Miri, Sarawak.

☎ : 085-430476

✉ Email:  
[aascentral2018@gmail.com](mailto:aascentral2018@gmail.com)

**Tuan Nixon Kennedy Kumbong**  
**The Honourable Registrar**  
**High Court of Sabah & Sarawak**  
**In the State of Sarawak**  
Kompleks Mahkamah Kuching,  
Jalan Gersik,  
93050 Petra Jaya,  
Sarawak.

Your Honour,

**Payment Out of the Proceeds of Sale in Public Tender Cases**

We respectfully refer to the above matter.

We have received various complaints from our members on the delay in payment out of the proceeds of sale in public tender cases.

Our members have informed us that based on previous practice, the approval for release of the proceeds of sale in public tender cases had been approved locally. The turn around time was approximately 2-4 weeks for the Judgment Creditor to receive the proceeds of sale after the payment out Order is sealed.

Based on feedback from our members, the current practice require approval to be done in West Malaysia through Akauntan Negara Malaysia ("ANM"). The turn around time for processing by ANM can go up to 2-4 months after the request from our members. This timeline is more than double the time of the previous practice. Instead of shortening the processing period, ANM has now been extended the processing time. This may lead to complaints by the Judgment Creditor especially the financial institutions.

Our members are concerned with the way ANM is processing the payment out especially on the extended length of time for the proceeds of sale to be paid out by ANM to the Judgment Creditor. Our members have also taken the initiatives to contact ANM to follow up on their client's cases but our members were only informed by ANM that they have to wait for the payment out as there is a backlog i.e. if members put their request in now, members have to wait for the backlog (which is 2-3 months) to be cleared before the current request can be attended to. Please find attached a list of cases for Your Honour's reference.

In the premises, we would like to seek Your Honour's kind assistance to escalate our members' feedback and concerns to the Appropriate Authority for their kind further action.

Thank you.

Yours faithfully,


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**ANTONIO P.K. SIM**  
**President**  
**Advocates Association of Sarawak**