



PUPILLAGE IN SARAWAK

HANDBOOK & CHECKLIST

[4th Edition]

Introduction

Welcome to the wonderful world of pupillage. Over the next 12 months, you will be exposed to the local laws of Sarawak as you navigate through the legal profession in this great State. You will also be interacting with a myriad of personalities, from your master to fellow pupils to the Registrars and the Court Staff.

As you are probably aware, pupillage in Sarawak differs from pupillage in Sabah or Peninsula Malaysia. Kindly be reminded that as a pupil in Sarawak, you do not have any rights of audience *at all*. In addition, pupils in Sarawak are required to undergo pupillage for a period of at least twelve (12) months.

Pupillage in Sarawak is regulated by the Advocates Ordinance [Cap 110] (“**AO**”) and the Advocates (Pupillage and Admission) Rules 2014. You should have a copy of both the AO and the said Rules for easy reference throughout your pupillage.

This handbook is not intended to be exhaustive but only as a **guide** to help you navigate your journey in becoming an Advocate of the High Court in Sarawak. At all times the provisions of the AO and Pupillage and Admission Rules must be strictly complied with.

Information in this handbook/ checklist is correct as of **February 2023 [Fourth Edition]**. We invite feedback and comments to enable us to improve the contents.

Good luck!

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This Pupillage Handbook 4th Ed. comes into operation on 21st February 2023.

**Guidelines in the Handbook generally do not apply retrospectively
(unless advised otherwise).**



Credits:

Appreciation and deepest gratitude recorded to all who contributed to this handbook.

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COMMENCING PUPILLAGE

You should be aware of and fulfill these conditions, ideally before you commence your pupillage.

Qualifications for admission of advocate

[s4(1) AO]

1. You should have **one of** the following qualifications:
 - A member of the Bar of England, Scotland, Northern Ireland or the Republic of Ireland;
 - A solicitor of the Supreme Court in England, Scotland, Northern Ireland or the Republic of Ireland or a Solicitor in Scotland;
 - You have been conferred any of the following degrees:
 - Bachelor of Laws from the University of Malaya
 - Bachelor of Laws (Honours) from the University Kebangsaan Malaysia
 - Advanced Diploma in Law from the Institut Teknologi MARA, Malaysia
 - Bachelor of Laws (Honours) from the Institut Teknologi MARA, Malaysia
 - Bachelor of Laws (Honours) from the Universiti Teknologi MARA, Malaysia
 - Bachelor of Laws from the International Islamic University, Malaysia
 - Bachelor of Laws from the National University of Singapore
 - Degree of Bachelor of Laws (Honours) from University Utara Malaysia
 - Degree of Bachelor of Laws (Honours) from Multimedia University
 - Degree of Bachelor of Laws (Honours) from University Sultan Zainal Abidin
 - You have been awarded a Certificate of Legal Practice by the Legal Profession Qualifying Board, Malaysia; OR
 - You are called to practise as a legal practitioner (by whatever name called) by a Supreme Court or High Court exercising jurisdiction in any Commonwealth territory.

2. You are **eligible to be admitted** as an advocate if:

[s4(2) AO]

- at date of application, you have not been disbarred, struck off, suspended or in any other manner disentitled to practise in any territory within the Commonwealth,
- not subject to any present/pending disciplinary proceedings re: practise as a legal practitioner
- not convicted
- not subject to any pending/present criminal proceeding involving dishonesty in any territory within the Commonwealth
- not an undischarged bankrupt or the subject of any bankruptcy proceedings; and
- you have Sarawak connections.



3. "Sarawak connections"

[s2(2) AO]

- born in Sarawak
- ordinarily resident in Sarawak for a continuous period of 5 years or more;
- satisfies the Chief Justice that he is, at the time when the question whether he has Sarawak connections is relevant, domiciled in Sarawak.

Usually this means you either are a Sarawakian by birth typically indicated by the letter "K" on your Identity Card, or you are a Permanent Resident in Sarawak. See www.jpn.gov.my/my/kod-negeri.

If you are married to a Sarawakian, you will be required to obtain a work permit or a Visit Pass (Professional) [Pas Lawatan Ikhtisas] issued by the Immigration Department of Sarawak **before** you commence pupillage in Sarawak.

Do liaise with the Immigration Department of Sarawak for latest information:

**Jabatan Imigresen Malaysia
Negeri Sarawak**

Tingkat 1 & 2, Bangunan Sultan Iskandar,
Jalan Simpang Tiga,
93550 Kuching, Sarawak.
Tel: 082-245661

4. Your master must have been in practice in some part of Malaysia for **at least 5 years** immediately prior to your becoming his/her pupil. [s4(1A) AO]
5. There is no limit as to how many pupils one master can take.
6. If at any time you wish to change masters, you will need to notify the Advocates Association of Sarawak ("AAS"), High Court Registrar and the Sarawak State Attorney-General's Chambers ("SAG") within 7 days of change. [Rules 5, 6 & 7, Pupillage and Admission Rules.]
7. You cannot be otherwise employed during your pupillage. [Rule 8, Pupillage and Admission Rules.]



PUPILLAGE CHECKLIST

	<u>Requirement</u>	<u>Checklist</u>
1.	<p>Within 7 days of commencing your pupillage, write in to the AAS Central Committee, the relevant AAS Branch (Kuching/ Sibul/ Miri/ Bintulu), High Court Registrar and SAG informing of your commencement of pupillage by cover letter <u>together with a Notice of Pupillage</u>. (Covering Letter and Notice of Pupillage are two separate documents. Altogether 4 copies. Do not use c.c. option.)</p> <p>See “Samples/ Precedents” Page 26 – Covering letter for notice of commencement of pupillage Page 27 – Notice of Pupillage</p> <p>* Kind reminder to all pupils to not insert the words “Form 6” in the Notice of Pupillage.</p> <p>* Do check with your pupil master whether s/he has been in continuous practice of at least five (5) years with a valid Practising Certificate throughout the period prior to taking in you as a pupil.</p>	
2.	<p>Make sure all the 4 acknowledgment copies are returned to you. You will need to annex those acknowledgment copies to your Petition later on.</p>	
3.	<p>If the formal Degree or Certificate in Legal Practice is or are not available at the material time, it is advisable to procure from your University a formal copy of your transcripts or a letter confirming that you have completed the syllabus of your academic studies and that you shall be conferred with the Degree of Certificate of Legal Practice unconditionally.</p>	
4.	<p>If your name has been spelt or arranged differently from your legal name in several of your certificates / documentation, swear a Statutory Declaration confirming that you are one and the same person.</p> <p>E.g.: <i>“John Doe Cheng Long” and “John Cheng Long Doe” are one and the same person.</i></p> <p>See “Samples/ Precedents” page 53.</p>	



APPLICATION FOR EXEMPTION

This section is only applicable for pupils who are entitled to apply for exemption from part of any period of pupillage in Sarawak.

S 4(1B) AO

*The Chief Justice (now known as Chief Judge of Sabah and Sarawak) may, **in his sole discretion**, exempt a person from the whole or part of any period of pupillage or reading in chambers, upon an application made to him supported by satisfactory evidence that-*

- (a) there are special circumstances justifying the exemption;*
- (b) the application has for a period of not less than 6 months been a pupil, or read in the chambers of a legal practitioner in active private practice, in any territory within the Commonwealth, of not less than 5 years' standing; or*
- (c) the applicant has satisfactorily completed a post-graduate course of instruction in law organized by any institution that would render him eligible to be admitted to practise as a legal practitioner (by whatever name called) in any territory within the Commonwealth.*

Rule 10, Pupillage and Admission Rules

1. Apply via petition supported by an affidavit.
2. Annex:
 - a. Proof of qualification and eligibility; and
 - b. 2 recent testimonials as to good character (The person signing must not be a bankrupt or has criminal conviction. Preferably someone in employment and not advocates or colleagues of the firm you are undertaking your pupillage).
3. Serve a copy on SAG, AAS and any other relevant party **at least 14 days** before the hearing of your application for exemption. Petitioners are advised to serve on the relevant parties as soon as the cause papers are sealed by the Court and not to wait for the Court to fix the hearing date.

Pupil-to-Pupil:

(on when to apply)

- Ideally, as soon as you begin your pupillage. However, if you were practising in Peninsula Malaysia before, you may need to wait till your cessation of practice is fully processed and documentations are in order.

(on exemption of time)

- there is no prescribed schedule that “automatically” gives you a certain time exemption. You state the period of exemption you are applying for.
- The current “unofficial” practice is that if you have been called to the Malaysian Bar, you **may** be given 6 months exemption.
- The current “unofficial” practice is that if you have been called to another Commonwealth jurisdiction (outside Malaysia, for example those who have been called in Australia but not United Kingdom), you **may** be given 3 months exemption.
- These are the normal prayers sought when seeking exemption. The period of exemption is **always subject to discretion of the Chief Judge of Sabah and Sarawak.**



- Those seeking exemptions from the prescribed period of pupillage are usually expected to be more well versed with legal practice – so do expect and be prepared for a more challenging interview. Though unconfirmed, this is a view widely held amongst senior lawyers and past interviewees alike.

(on your petition)

- When / If you are faced with conflicting instructions on the filing of the affidavit, always refer to the rules and follow them strictly (Rule 10 requires an affidavit to be filed).
- **All supporting documents are annexed to your petition.** You will still need an affidavit verifying the truth of the contents of your petition.

(on your hearing date)

- There are usually 3-4 call dates per year. Although it is usually held in Kuching, there had been occasions where calls to the Bar had been heard outside of Kuching.
- Hearings for exemption are normally heard a day before the admission dates.
- Usually, the Chief Judge of Sabah and Sarawak will preside over these hearings. However, the Chief Judge of Sabah and Sarawak may delegate the matters to a High Court Judge.
- The Central Bar Room will usually know beforehand when the next exemption date is. Call them to find out and allow yourself sufficient time to comply with the prescribed time frame for filing and service of your Petitions and relevant documents.
- After you had filed your petition, check regularly through the Court Management System (“**CMS**”) whether your call date has been adjourned/ postponed. You may check the cause list for your call date by using this link:

https://www.highcourt.sabah.sarawak.gov.my/apps/highcourt/v3/modules/highcourt_cap/components/publishing/index3_cause_list.php?judge_id=1208&div_id=1&cat_id=1&main=1

- Please check the listing under the Chief Judge of Sabah and Sarawak.
- Usually, the High Court Registry will inform you via a notice of adjournment of hearing, but you should always double check, particularly if you are from outside Kuching.



APPLICATION FOR EXEMPTION CHECKLIST

	<u>Requirement</u>	<u>Checklist</u>
1.	<p>File your Petition and Supporting Affidavit. See “Samples/ Precedents” page 28.</p> <p>Annex the following (cancel where necessary) in your Petition:</p> <ul style="list-style-type: none"> - Sarawak connections (Birth Certificate/IC/Permanent Residency slip) - Copy of your Law Degree or Letter of Confirmation or your academic transcripts (as the case may be) - Copy of CLP certificate or Letter of Confirmation from the Legal Profession Qualifying Board (as the case may be) - Copy of any evidence of admission to the Bar (Malaysia or overseas). E.g., For Advocate and Solicitor of the High Court of Malaya, it would be the order for your admission. - (Applicable for those who practised in West Malaysia) <ul style="list-style-type: none"> • Copy of Practicing Certificates (for all years of practice), • Sijil Annual (for all years of practice), • Statutory Declaration (“SD”), Notice of Cessation of Practice (“NCP”), • Duly acknowledged cover letter to Malaysian Bar (enclosing the SD and NCP) • Letter/Email from Malaysia Bar informing on receipt of Notice of Cessation - Notice of Commencement of pupillage together with 4 copies of covering letters sent to and acknowledged by High Court, SAG, AAS Central and AAS Branch. - Two (2) Certificate of Good Character. <ul style="list-style-type: none"> • These people should know you for at least 5 years. • They should be Malaysian Citizens. Ideally, should be in Sarawak. • Family members are not allowed to sign. • The person must not be a bankrupt or has criminal conviction. Preferably someone in employment. • Advocates or colleagues of the same firm are <u>not</u> allowed to sign your certificate. <p>(Reminder: do NOT use the “Borang 6” from your pupillage in West Malaysia. See “Samples/ Precedents” page 52.)</p>	



	<p>- Statutory Declaration (if there is any <u>name difference</u>)</p> <p>Ensure that the intitlement (including CJSS title) is accurate. Erroneous Petitions/ Affidavits may be rejected.</p> <p>Petition filing fee: RM160.00</p> <p>Affidavit filing fee: RM16.00</p>	
2.	<p>After extracting the sealed copy, serve all cause papers at least 14 days prior to your hearing date on AAS and SAG. Petitioners are advised to serve on the relevant parties as soon as possible and not to wait for the Court to fix the hearing date.</p>	
3.	<p>Ensure that you have obtained the 3 acknowledgment copies from AAS Central, AAS branch and SAG. File in Affidavit of Service.</p> <p>Affidavit filing fee: RM16.00</p>	
4.	<p>Check with the Court for your hearing date.</p>	
5.	<p>Ensure you have a mover for your petition. It can be any advocate from your firm or otherwise. It is <u>preferable</u> to engage a mover with at least 5 years of legal practice experience to move your call to the Bar.</p>	
6.	<p>Show up on the day of your hearing with your mover.</p> <p>Dress in chamber attire, i.e., black suit, white collar shirt, black tie (for gentlemen).</p>	
7.	<p>Obtain the names of the following people:</p> <p>Judge:</p> <p>Representative from SAG:</p> <p>Representative from AAS:</p>	
8.	<p>Ideally, if you have a draft order ready, you can have all parties sign on the day of hearing.</p> <p>Draft Order: see "Samples/ Precedents" page 36.</p> <p>Otherwise, obtain all signatures, then file your draft order with the Court. There is no filing fee for a draft order.</p>	
9.	<p>Once approved by the Court, file your Fair Order.</p> <p>Filing Fee: RM300.00</p>	
10.	<p>Once your Fair Order has been sealed by the Court, extract it and keep a copy. It is not necessary to serve on the relevant parties but if you want to, go ahead.</p> <p>A copy of your Fair Order is required to be exhibited to the Admission Petition in due course.</p>	



ETIQUETTE COURSE

This section explains the compulsory etiquette course every pupil has to undergo before s/he can be admitted/called.

[Rule 9, Pupillage and Admission Rules]

1. As pupils, you are required to attend an Etiquette Course. Attendance is **compulsory**.
2. Join the Young Lawyers Telegram Group. AAS will announce the date and venue of the next Etiquette Course in the Group. Register yourself through the AAS.
3. Keep your Certificate of Attendance (subject to payment to AAS Central). You will need to annex it to your admission petition.

Pupil-to-pupil:

- There may be a dress code imposed. If no direction is provided, it is always safer to dress in business attire. Check with the AAS if there is a participation fee payable or if further information is required.
- Ideally, you should bring with you:
 - Notebook;
 - Stationery;
 - Advocates Ordinance;
 - Sarawak Land Code; and
 - Please check with the AAS if you are to bring any other statutes.
- You will have mini lectures on the laws peculiar to Sarawak, conveyancing practices, etc. The Etiquette Course does not have a fixed syllabus though certain core topics will always be included. Do check with the AAS Central of the relevant materials before you attend the Etiquette Course.
- There will be a multiple-choice quiz/ exam **on the same day**, at the end of the Course. Finish the quiz and arrange to obtain your certificate of attendance. The Certificate of Attendance will be issued after payment.
- You will need to annex the Certificate of Attendance to your Petition for Admission.
- If you have given an undertaking to attend the Etiquette Course on day of your admission to the Bar, you are to file a Supplementary Affidavit annexing the Certificate of Attendance and serve the said Supplementary Affidavit on AAS (Central Committee) and SAG.



ADDITIONAL REQUIREMENTS

This section explains the additional requirements that pupils may be required to complete before their call.

From time to time, the Chief Judge of Sabah and Sarawak (“CJSS”) may implement additional requirements that pupils must complete prior to being admitted to the bar. These additional requirements are **mandatory**.

These additional requirements may change pursuant to discretion and initiatives of the CJSS.

In the past, pupils have had to complete Assignments prior to their call.

Currently, pupils must undergo an **Advocacy Training Course** (“ATC”) organised by the AAS before admission. This is a requirement pursuant to the Directive of the CJSS dated 10th December 2019. Availability of the ATC will be made available by the AAS.

Please retain all certificate(s) issued pursuant to the fulfillment of these requirements/ courses/ assignments. It should be filed in support of your Petition for Admission.

Likewise, if you have given an undertaking to attend the ATC on day of your admission to the Bar, you are to file a Supplementary Affidavit annexing the Certificate of Attendance and serve the said Supplementary Affidavit on AAS (Central Committee) and SAG.

Yayasan Bantuan Guaman Kebangsaan [YBGK]

YBGK provides free legal aid and advice in criminal matters, (including Syariah criminal matters), to all Malaysian citizens. This legal aid covers all criminal offences except those which carry the death penalty.

During your call, you will be required to take an oath, undertaking to complete **twenty (20)** individual YBGK cases upon getting called. It is a mandatory requirement that you shall complete the **twenty (20)** individual cases, failing which a letter to show cause may be issued to you, prior to renewal of your Practising Certificate.

NOTE: In order to undertake YBGK cases, you are required to attend and complete the YBGK training to be confirmed as a YBGK lawyer. Notification of these training sessions will be given from time to time. If there is uncertainty, it is best to contact the AAS and/or your local bar room, who may be able to point you in the direction of information.

For any inquiries, please contact aascentral.ybgk@gmail.com.



THE PRE-CALL INTERVIEW

This section explains the interview every pupil has to undergo before s/he is admitted.

[Rule 14, Pupillage and Admission Rules]

- 14 (1) The Chief Judge *may*, before the hearing of any petition, interview the petitioner to determine whether or not he is a fit and proper person to be admitted as an advocate.
(2) For the purpose of this rule, the Chief Judge may be assisted by the State Attorney-General and the Association.

Pupil-to-pupil:

(Preliminary issues)

- This interview is usually conducted a day before the call. Interviews are conducted at the Kuching High Court or at a High Court outside of Kuching subject to discretion of the Chief Judge of Sabah and Sarawak. If you are doing your pupillage outside of Kuching, please note you will need to make travel arrangements to Kuching for the interview [unless the Court directs that the interview be conducted virtually].
- When you file your petition for admission, the CMS will assign a “hearing date”. That hearing date will be your call date. The day before is usually your interview date.
- However, TAKE NOTE THAT postponements / adjournments do happen (for whatever reason), so be very clear about the date before making any travel plans/ informing your friends and family. Double, triple check with the Bar Room and the liaison in Court, Puan Norzy Yahya (as at February 2023).
- The Court’s usual practice is to issue a **written** notice via CMS, confirming the interview date **one week** before, so do keep a lookout for the notification.
- If the hearing date is postponed, an official notification **should** be issued by Court.

(The physical interview itself)

- All pupils will usually be asked to wait in the Court library or any other places as instructed by the Court.
- When your turn to be interviewed arrives, you are to leave your belongings in the library (or any other places as instructed by the Court) and enter the interview room. [If you feel the need to hold on to something (due to nerves), take with you a small object, i.e. a pen/ small water bottle.]
- You will usually be interviewed before a panel of three interviewers:-
 - a. The Chief Judge of Sabah & Sarawak or the Judge (usually a High Court Judge) designated by the CJSS to preside over the admission hearing;
 - b. a representative of the SAG; and
 - c. a representative from the AAS.
- You will usually be asked questions on the laws peculiar to Sarawak and on the areas of practice you have stated in your nature of pupillage. However, take note that there is no limit as to the types



of questions which may be posed. So be thoroughly prepared. Supplemental questions may also be asked until you are able to answer to the satisfaction of the panel.

- The questions posed by the panel may not solely be to test the pupil's actual knowledge. Instead, it may be an indicator of how well the pupil thinks on his/her feet, in dealing with the unknown.
- In the event you are unable to answer any of the questions posed by the panel during the interview, politely seek a short recess to equip yourself / do necessary research before re-entering the room with the appropriate answer. In this instance, it would be advantageous to have a "lifeline", i.e. a senior/ master/ friend's contact number handy.
- In the unlikely (but possible) event that you fail the interview, you will not be eligible to be called to the bar and you will have to wait for the next interview.

(Friendly reminders)

- Dress in chamber attire. Look presentable.
- Carry yourself with confidence (not to be confused with arrogance), humility and class. Attitude is everything.
- Politely acknowledge the panel when you enter/exit the interview room. It is proper decorum to acknowledge the Judge first.
- Unbutton your jacket when you sit. Button it up when you stand.
- Keep your phone on silent mode.
- Advisable not to cross your legs throughout the interview.



COMPLETING YOUR PUPILLAGE

This section explains the necessary procedural requirements upon the completion of your pupillage.

[s5 AO, Part IV Pupillage and Admission Rules]

1. Apply via petition.
2. Annex necessary documents
3. Serve at least **14 days** prior to call date.
4. If there are any objections from the AAS/ SAG, they will serve a notice of objection 5 clear days prior to your call date.

Pupil-to-pupil:

- pupillage ends on the same day 12 months after you commence your pupillage, i.e. if you commence pupillage on 1.2.2016, your final day of pupillage is on 1.2.2017. To be on the safe side, file your petition the following day, i.e. 2.2.2017.
- The filing of documents in relation to admissions and issuance/ renewal of Practising Certificates are now done online. Please familiarize yourself with the website.



CALL/ ADMISSION CHECKLIST

	<u>Requirement</u>	<u>Checklist</u>
<u>About a week before pupillage ends</u>		
1.	<p>Get two (2) people to provide your certificate of good character.</p> <ul style="list-style-type: none"> - These people should know you for at least 5 years. - They should be Malaysian Citizens. Ideally, should be in Sarawak. - Family members are not allowed to sign. - The person must not be a bankrupt or has criminal conviction. Preferably someone in employment. - Advocates or colleagues of the same firm are <u>not</u> allowed to sign your certificate. - The date on the Certificate should not be dated on a date prior to the completion of the pupillage. <p>See "Samples/ Precedents" page 52.</p> <p>**you may not recycle the character certificates you used for your exemption application, as your intitlement is different.</p>	
2.	Prepare your Curriculum Vitae/ Resume and Nature of Pupillage.	
<u>One day after your pupillage ends</u>		
3.	<p>Get your master to sign your Certificate of Diligence.</p> <ul style="list-style-type: none"> - The date on the Certificate of Diligence should not be dated on a date prior to the completion of the pupillage. <p>See "Samples/ Precedents" page 50.</p>	
4.	<p>File your Petition and Supporting Affidavit. Annex the following in your Petition:</p> <ul style="list-style-type: none"> - Sarawak connections (Birth Certificate/ IC/Permanent Residency slip) - Copy of your Law Degree or Letter of Confirmation or academic transcripts (as the case may be) - CLP certificate or Letter of Confirmation issued by the Legal Profession Qualifying Board - Any Order of Admission to the Bar (Malaysia or overseas) - Notice of Commencement of pupillage together with 4 copies of covering letters sent to and acknowledged by High Court, SAG, AAS Central and AAS Branch. - Two (2) Certificate of Good Character (Advocates or colleagues from same firm should not sign your Good Character Certificate.) 	

	<ul style="list-style-type: none"> - Bankruptcy Search (to be done after you have completed your pupillage) - Certificate of Attendance of Etiquette Course - Certificate of Attendance of Advocacy Training Course - Statutory Declaration (if there is any <u>name difference</u>) - Court Order for Exemption from Pupillage (if any) - Curriculum Vitae/ Resume - Certificate of Diligence signed by your master - Your master's Practising Certificate - If there are any government directives eg: Movement Control Order (MCO) leading to closure of your Master's chambers, please indicate whether you are continuing in your pupillage throughout the duration of closure in both your Petition and your Master's Certificate of Diligence. <p>Ensure that the intitulement (including CJSS title) is accurate. Erroneous Petitions/ Affidavits may be rejected.</p> <p>Petition filing fee: RM160.00 Affidavit filing fee: RM16.00</p>	
5.	After extracting the sealed copy, serve all cause papers at least 14 days prior to your hearing date on AAS and SAG.	
6.	Ensure you obtain the acknowledgment copies from AAS and SAG. File in Affidavit of Service. Affidavit filing fee: RM16.00	
7.	<p>The Court will then request for details of the nature of your pupillage. See "Samples/ Precedents" page 54.</p> <p><i>** there is absolutely no guideline as to what to write in that form. You give a short brief on what you have learnt during your pupillage. Bear in mind that this is very likely to be the scope of your interview by the Chief Judge prior to your call date.</i></p> <p>As instructed by the Court, please file in the Nature of Pupillage (page 1) together with your Curriculum Vitae/ Resume (page 2) in a single pdf file under 1 enclosure number.</p>	
8.	Ensure you have a robe. If you choose to have one made, the store/ tailor will need time to get it ready.	
9.	Check with the Court for your hearing date.	



10.	Ensure you have a mover for your petition. It can be any advocate from your firm or otherwise. It is preferable to engage a mover with at least 5 years of legal practice experience to move your call to the Bar. S/he must have a valid Practising Certificate at the time of the hearing of the petition. Inform your master too (if your mover isn't already your master).	
<u>The week of your call date</u>		
11.	Ensure that your hearing date has not been vacated/ adjourned. Double/ triple check with the Court if necessary.	
12.	Make necessary arrangements to be present for your interview, and call date.	
<u>Day of your call</u>		
13.	Be at Court early. There is usually a small briefing just prior to the hearing. Don't forget your robe and bib. Proper High Court open court attire is required. Family members and/or friends are to be in proper attire. You are only to wear your robe when the presiding Judge grants the order for admission and directs accordingly.	
14.	Obtain the names of the following people: Judge: Representative from SAG: Representative from AAS:	
15.	Have a pen ready with you. During the hearing, you will take the YBGK oath. Upon completing that oath, you will sign the documents handed out to you, regarding your YBGK pledge.	
<u>After your call</u>		
16.	The court will prepare the admission order. It will be viewable on you firm's CMS. The following payment will be required. - RM 200.00 (enrolment fee) - RM 300.00 (filing fee for order of admission)	

Congratulations, you are now an Advocate of the High Court in Sabah and Sarawak.



PRACTISING CERTIFICATES

This section explains the procedure in obtaining/ renewing your Practising Certificate.

1. Your firm may or may not assist you in obtaining your Practising Certificate. It is best to enquire with your colleagues whether they provide said assistance (financial or otherwise). If they do, you may ignore this section.
2. If you do not actively practise law after your admission, you may not be able to obtain your Practising Certificate (“**PC**”), as it requires you to first be employed with a firm. A letter of employment is **mandatory** in order to obtain your PC.
See “Samples/ Precedents” page 55.
3. Once you have obtained your practicing certificate, it is best to inform the support staff at your firm, so they will know when/ if/ how to renew your Practising Certificate annually.
4. First issuance of the PC is now free of charge and valid up to the last day of the year of admission.
5. The filing of documents in relation to admissions and issuance/ renewal of Practising Certificates can now be done online (as of 2020).

Peer-to-peer:

(generally)

- If you have changed your place of work after your admission, your previous office will be filing the Order for Admission on your behalf. No physical copy of Order for Admission will be issued.

(on your Bankruptcy/ Insolvency Search)

- You will need to do a bankruptcy search on your name. Fee: **RM 10.00**.
- Your firm should be able to direct you on the procedure or have an online account at <https://e-insolvensi.mdi.gov.my/>. Alternatively, you may create your own account and conduct the search on <http://www.mdi.gov.my>.

(on the Letter of No Objection)

- This letter will be uploaded directly from the AAS Central to the Kuching High Court via CMS. This means you will not get a copy of this letter.



PRACTISING CERTIFICATE CHECKLIST

	<u>Requirements</u>	<u>Checklist</u>
1.	<p>Annex the following documents in the application:-</p> <ul style="list-style-type: none">- Bankruptcy Search- Accountant's Report (Please ensure that the Report is issued in your individual name and not in joint names with Advocates of your firm. Contact Central Bar Room for Accountant's Report sample.)- Business Name Registration (from District Office)- Firm Name Registration Certificate (issued by AAS)- Firm Search (For Partners Applicant)- For Young Lawyers who have yet to fulfil their YBGK Pledge, write a <u>covering letter</u> to explain on non-fulfilment of 20 YBGK cases and undertake to fulfil the pledge within a year.	
2.	<p>Document verification by AAS Central - Letter of No Objection</p> <ul style="list-style-type: none">- (Non-member) make payment of RM200.00 to the AAS Central for issuance of the Letter of No Objection.- (AAS member) make payment of RM50.00 to the AAS Central for issuance of the Letter of No Objection. <p>[Contact your nearest AAS branch for membership enquiries.]</p>	
3.	<p>Once notified by the Court that the Letter of No Objection has been issued, make payment to Court via Community & Advocate Portal (Online) for renewal of practicing certificate.</p> <p>Payment: RM 100.00</p>	
4.	<p>Once notified by the Court that the Practising Certificate is ready for extraction, print/ download/ save a copy for your record.</p>	



IMPORTANT CONTACT NUMBERS

CENTRAL

The Advocates Association of Sarawak [Central]

The Bar Room

Kompleks Mahkamah Miri,
Jalan Merdu,
98008 Miri, Sarawak.

Tel/Fax: 085-430 476

Email: aascentral2018@gmail.com

MIRI

Kompleks Mahkamah Miri

Jalan Merdu,
98008 Miri

Tel: 085-427 248 / 085-411 139 / 085-418 118

Fax: 085-423 263

Bar Room Miri

@Kompleks Mahkamah Miri

Tel/Fax: 085-430 476

Email: aasmiribar@gmail.com



SIBU

Kompleks Mahkamah Sibu

Jalan Tun Abang Haji Openg
96000 Sibu

Tel: 084-333 788 / 084-330 442
Fax: 084-328 110

Bar Room Sibu

@ Kompleks Mahkamah Sibu

Tel/Fax: 084-343411
Email: sibubarroom@gmail.com

KUCHING

Kompleks Mahkamah Kuching

Jalan Gersik
93050 Petra Jaya, Kuching

Tel: 082-442 228 / 082-449 782 / 082-446 830 / 082-446 597
Fax: 082-311 575

Bar Room Kuching

Kompleks Mahkamah Kuching

Tel: 082-448 077
Fax: 082-449 427
Email: aas@sarawak-advocates.org.my



BINTULU

Kompleks Mahkamah Bintulu

Jalan Pisang Mas
97000 Bintulu

Tel: 086-334 189 / 086-336 940 / 086-337 308 / 086-335 694
Fax: 086-334 135

Bar Room Bintulu

@ Kompleks Mahkamah Bintulu

The Bar Room is unmanned. All documents may be faxed/served on the AAS (Bintulu branch) via Branch Secretary:

Janting Antalai Battenberg & Talma Advocates (Bintulu)

No.9, 1st & 2nd Floor,
Law Gek Soon Road,
97008 Bintulu, Sarawak

Tel: 086-334 605
Fax: 086-335 850
Email: j_antalai@yahoo.com.au

SAG

The State Attorney General of Sarawak

The State Attorney General's Chambers,
16th Floor, Wisma Bapa Malaysia,
93502 Petra Jaya, Kuching, Sarawak

Tel: 082-446 159
Fax: 082-440 525



THE ADVOCATES ASSOCIATION OF SARAWAK

The Advocates Association of Sarawak is not a statutory body. It is an association registered with the Registrar of Societies.

All Advocates who have been called in Sarawak are encouraged to join as a member of the Advocates Association of Sarawak to enjoy the support services that are exclusively provided to the Members.

There are four branches of the AAS:-

1. Miri
2. Bintulu
3. Sibü
4. Kuching

The Central Committee is elected once every two years. At the last delegates' conference, the central committee was elected, with the president and secretary coming from the Miri branch. As such, the current administrative venue of the AAS Central Committee is the Bar Room in Miri.

President	:	Gurvir Singh Sandhu (Miri)
Honorary Secretary	:	David Teo Seng Wee (Miri)
Treasurer	:	Timothy Lim Teng (Sibu)

(Term will end at the end of 2024)

Correspondence should be directed to the following address:-

The Honorary Secretary

The Advocates Association of Sarawak [Central]
The Bar Room
Kompleks Mahkamah Miri
Jalan Merdu, 98008 Miri.

Tel/ Fax: 085-430 476
Email : aascentral2018@gmail.com

Not all members are allowed to vote at the Annual Delegates Conference (ADC) of the AAS (Central). Each branch will send their representative(s) (a.k.a. delegates) to the ADC, whereby their votes will represent their specific Branch.

Membership

Membership is **not automatic** upon admission to the Sarawak Bar. For further information on how to apply for membership, kindly contact your AAS Branch.
For more information, contact the Central Bar Room.



SAMPLES/ PRECEDENTS

No.	<u>Samples/ Precedent</u>	<u>Page(s)</u>
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DISCLAIMER: These samples/ precedents are not rigid templates. Reliance thereon is at the pupil's own discretion. Care and caution ought to be taken to ensure that all papers are in order and that instances of typographical errors are minimized or eliminated. Please consult your respective Masters at all times and to amend/ edit as necessary.

Always ensure the following details are accurate:

- 1. Full designation of CJSS*
- 2. Particulars of Petitioner/Applicant*
- 3. Address of intended recipient*
- 4. Correct headings*
- 5. Accurate payment of fees*



COVERING LETTER

[firm letterhead]

[date]

[Kuching High Court/ AAS/ SAG address]

By Hand/ Fax/ Email

Dear Sirs,

RE: COMMENCEMENT OF PUPILLAGE

I, [name of advocate] of [name of firm] do hereby write to inform you that [pupil name and IC No.] has commenced pupillage with the firm under [name of master] with immediate effect from [date of commencement].

Kindly acknowledge receipt of this letter by signing and returning to us the duplicate copy hereof.

Thank you.

Yours sincerely,

.....
[firm name]

Covering letters to be served on:-

- 1) High Court, Kuching
- 2) Sarawak State Attorney General's Chambers
- 3) Advocates Association of Sarawak (Central)
- 4) AAS Kuching / Sibul / Miri / Bintulu

Do type out the addresses separately in each letter. **DO NOT use c.c. option.**



NOTICE OF PUPILLAGE

- To : (1) **Registrar of the High Court**
High Court of Sabah and Sarawak, Kuching
Kompleks Mahkamah Kuching
Jalan Gersik, 93050 Petrajaya, Kuching, Sarawak
- (2) **The State Attorney General**
State Attorney-General's Chambers,
Level 15 & 16, Wisma Bapa Malaysia
93502 Petra Jaya, Kuching, Sarawak
- (3) **The Honorary Secretary**
Advocates' Association of Sarawak (Central Committee)
The Bar Room
Kompleks Mahkamah Miri
Jalan Merdu, 98000 Miri, Sarawak
- (4) **The Secretary**
Advocates' Association of Sarawak
(Sibu/Kuching/Bintulu/Miri Branch)
c/o [insert bar room's address]

TAKE NOTICE that I, (WN.KP.) ofaddress..... Sarawak have on commenced pupillage for the purpose of Section 4(1A) of the Sarawak Advocates Ordinance (Cap.110) with **MR.**pupil master's name..... (WN.KP.) of **Messrs.**firm's name..... whose chambers is ataddress..... Sarawak.

Dated this

.....
[Pupil's name]
(PUPIL)

I, MR.pupil master's name..... (WN.KP.), the Pupil Master, confirm that the aforesaid Pupil has on, commenced pupillage in my chambers at **Messrs.**firm's name....., whose chambers is ataddress..... Sarawak. I also declare and confirm that I have been in continuous practice of at least five (5) years with a valid Practising Certificate throughout the period immediately prior to taking in the aforesaid as my Pupil.

Dated this

.....
[Pupil Master's name]
(PUPIL MASTER)



MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KUCHING
APPLICATION FOR EXEMPTION
PETITION NO. _____

In the matter of Section 4(1B) of the Advocates Ordinance (Sarawak Cap.110);

AND

In the matter of [name] [IC No.] of [residential address]

[petitioner's full name]
(NRIC No. : _____) ... PETITIONER

TO: **THE RIGHT HONOURABLE DATO' ABDUL RAHMAN BIN SEBLI, D.I.M.P., P.B.B., [CHECK CURRENT TESTE]** CHIEF JUDGE OF THE HIGH COURT IN SABAH AND SARAWAK, IN THE NAME AND ON BEHALF OF SERI PADUKA BAGINDA YANG DI-PERTUAN AGONG

PETITION

The Humble Petition of the abovenamed [name and IC No] (Petitioner) showeth as follows:-

1. That the Petitioner is a citizen of Malaysia and has Sarawak connections being born in [place in Sarawak]. S/he has not lost his/her status as a Sarawakian.

A copy of the Petitioner's Birth Certificate and Identity Card annexed hereto and marked as Exhibits "1" and "2" respectively.

[For Permanent Resident of Sarawak, please state so and annex supporting documents thereof.]

2. That the Petitioner has been conferred the degree of Bachelor of Laws from the [university] on [date].

A copy of the Degree of Bachelor of Laws certificate is annexed hereto and marked as Exhibit "3".



3. That the Petitioner is qualified for admission to be an Advocate under Section 4(1)(a) / (4(1)(d) of the Advocates Ordinance (Cap.110) in that the Petitioner was called to [the bar of Commonwealth jurisdiction (commonly Australia)] on [date].

A copy of the Certificate of Admission and a Statutory Declaration on the discrepancy in the names dated [date] are collectively marked and referred to as Exhibit "4".

OR

That the Petitioner is qualified to be an Advocate under Section 4(1)(ca) of the Advocates Ordinance (Cap.110) in that the Petitioner has been conferred the degree of Bachelor of Laws from the [local university].

A copy of the Degree Certificate is annexed hereto and marked as Exhibit "4".

OR

That the Petitioner is qualified to be an Advocate under Section 4(1)(cb) of the Advocates Ordinance (Cap.110) in that the Petitioner has been conferred with the Certificat in Legal Practice by the Legal Profession Qualifying Board on [date].

A copy of the Certificate in Legal Practice is annexed hereto and marked as Exhibit "4".

4. That the Petitioner commenced a nine (9) months period of pupillage at. [firm anywhere else in West Malaysia. Include address.] During the Petitioner's term of pupillage, s/he read in the chambers of [name of master] who is an Advocate and Solicitor of the High Court of Malaya who has been, at the time of the Petitioner's pupillage, practicing in such capacity for a period of not less than seven (7) years in the legal profession.
5. That the Petitioner on [date] was admitted and enrolled as an Advocate and Solicitor of the High Court of Malaya before [name of judge].

A copy of the Order dated [date] is annexed hereto and marked as Exhibit "5".

6. Thereafter, the Petitioner practiced as a lawyer in Messrs. [firm name] from [date] to [date].



A copy of the Petitioner's Practicing Certificates and Sijil Annual for the year 2014, 2015 and 2016 as well as the Statutory Declaration together with the Notice of Cessation of Practice as an advocate and solicitor of High Court of Malaya are annexed hereto and marked as Exhibits "6", "7", "8" and "9".

[exclude this paragraph if you do not practise in West Malaysia after getting called].

7. That the Petitioner had commenced his/her pupillage on [date] in the Chambers of [name of master] of [firm name] [address]. [Name of master] is an Advocate who has been enrolled on the Rolls of Advocates at the High Court of Sabah and Sarawak in the State of Sarawak and h/she is actively practising as an Advocate in the State of Sarawak for a period of more than five (5) years prior to the commencement of the Petitioner's pupillage in his/ her chambers.
8. That the Petitioner had served a notice of commencement of pupillage (Covering letter together with Notice of Pupillage) on the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching respectively on [date].

A copy each of the duly acknowledged letters together with the Notice of Pupillage are annexed hereto and marked as Exhibits "10", "11", "12" and "13" respectively.

9. That the Petitioner is of good character.

A copy each of the Testimonials of the Petitioner's good character furnished by [name1] and [name2] are annexed hereto and marked as Exhibits "14" and "15" respectively.

10. That the Petitioner is desirous of applying to be exempted from a part of the pupillage period that is prescribed under Section 4(1A)(a) of the Advocates Ordinance (Cap.110) and upon completion thereof to petition for admission as an Advocate of the High Court of Sabah and Sarawak in the State of Sarawak.
11. In the premises, the Petitioner humbly prays for the following prayers:



- 11.1. That the Court exercises its discretion pursuant to Section 4(1B) of the Advocates Ordinance (Cap.110) to grant the Petitioner an exemption of [number of months] months from the whole twelve (12) months period of pupillage that is prescribed under Section 4(1A)(a) of the Advocates Ordinance (Sarawak Cap.110); or
- 11.2. Alternatively that the Petitioner be exempted from such part of the abovementioned prescribed period of pupillage as this Honourable Court may deem fit; and/or
- 11.3. Any such other orders that this Honourable Court may deem fit to grant.

Dated this [filing date]

.....
[name of Petitioner]
PETITIONER

NOTE:-

It is intended to serve this petition on:

1. **The State Attorney General of Sarawak**
The State Attorney General's Chambers,
16th Floor, Wisma Bapa Malaysia,
Petra Jaya, 93502 Kuching, Sarawak.
2. **The Honorary Secretary**
The Advocates Association of Sarawak (Central Committee)
The Bar Room,
Kompleks Mahkamah Miri,
Jalan Merdu, 98000 Miri, Sarawak.
3. **The Branch Secretary**
The Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch)
[bar room address]

This **PETITION** is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address].
Tel: Fax:



TAKE NOTE

Application for Exemption

- **Exhibits** of the Application of Exemption are to be **annexed together** in the Application of Exemption and not on the separate affidavit. Treat it like how you do Divorce Petition with exhibits annexed.
- Exhibits annexed in Application of Exemption are to be certified by an advocate who is not from the same firm as the firm you did your pupillage at.
- Exhibits annexed in Application of Exemption need not be attested by Commissioner for Oaths.
- Certificate identifying Exhibits need not be prepared for Application of Exemption.

Affidavit in Support

- As for the Affidavit, there will only be **one (1)** exhibit annexed which is the Application of Exemption itself together with its exhibits therein.
- Certificate identifying Exhibit is needed for Affidavit.



MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KUCHING
APPLICATION FOR EXEMPTION
PETITION NO. _____

In the matter of Section 4(1B) of the Advocates
Ordinance (Sarawak Cap.110);

AND

In the matter of [name] [IC No.] of [residential
address]

[petitioner's full name]
(NRIC No. : _____) ... PETITIONER

AFFIDAVIT

I, [name & IC No.], a Malaysian citizen of full age and having address at [address] do hereby solemnly and sincerely declare and affirm as follows:-

1. I am the abovenamed Petitioner and unless otherwise stated, all matters deposed herein are true and they are within my personal knowledge and/or derived from the records in my possession, and the same is true and correct.

2. I affirm that the statements and contents of the Petition dated [date] are true.

A copy of the Petition is annexed herewith and marked as Exhibit "1".

Affirmed by the said Petitioner)
[name of deponent])
[WN.KP.....])
at [place]), Sarawak)
on [date])
[Interpretation not required]



Before me,

.....
Commissioner for Oaths

This **AFFIDAVIT** is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address].
Tel: Fax:



MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KUCHING
APPLICATION FOR EXEMPTION
PETITION NO. _____

In the matter of Section 4(1B) of the Advocates
Ordinance (Sarawak Cap.110);

AND

In the matter of [name] [IC No.] of [residential
address]

[petitioner's full name]
(NRIC No. : _____) _____ ... PETITIONER

CERTIFICATE IDENTIFYING EXHIBIT

I hereby certify that this is the exhibit marked "1" referred to in the Affidavit of [name of deponent] affirmed before me on [date].

Before me,

.....
Commissioner for Oaths

This **AFFIDAVIT** is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address].
Tel: _____ Fax: _____



MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KUCHING
APPLICATION FOR EXEMPTION
PETITION NO. _____

In the matter of Section 4(1B) of the Advocates Ordinance (Sarawak Cap.110);

AND

In the matter of [name] [IC No.] of [residential address]

[petitioner's full name]
(NRIC No. : _____) ... **PETITIONER**

BEFORE THE [HONOURABLE CHIEF] JUDGE OF THE HIGH COURT IN SABAH AND SARAWAK [judge]

OR

BEFORE THE HIGH COURT JUDGE

[name of judge]

ON [date]

IN OPEN COURT

DRAFT ORDER

UPON THE APPLICATION of the Petitioner above-named having been called up for hearing on [date] in the presence of [name of mover] of Counsel for the Applicant abovenamed, State Legal Officer [name] of the State Attorney General's Chambers, Sarawak, and [name] for and on behalf of the Advocates Association of Sarawak **AND UPON READING** the Petition dated [date] and the Affidavit in Support dated [date] all filed herein **AND UPON HEARING** the Applicant's counsel, the State Legal Officer and Counsel for the Advocates Association of Sarawak as aforesaid **IT IS HEREBY ORDERED** that this Application be allowed and the Applicant be exempted [six (6) months] from the requisite twelve (12) months of pupillage as prescribed under Section 4(1A)(a) and Section 4(1B) of the Advocates Ordinance (Sarawak Cap.110) commencing from [pupillage commencement date].



Dated this [date of order]

.....
DEPUTY REGISTRAR

High Court, [venue]

To be approved by:-

.....
Deputy Registrar,
High Court, Kuching

.....
Counsel for the Petitioner

.....
State Legal Officer on behalf of the State Attorney General's Chambers

.....
Counsel for and on behalf of the Advocates Association of Sarawak

This **Draft Order (for exemption)** is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address].

Tel: Fax:



MALAYSIA
IN THE HIGH COURT IN SABAH AND SARAWAK AT KUCHING
PETITION FOR ADMISSION NO.

IN THE MATTER OF Sections 4, 5 and 6 of the
Advocates Ordinance (Sarawak Cap. 110);

AND

IN THE MATTER OF [name & IC No.] of [address] for
petition for admission and enrollment as an Advocate
of the High Court in Sabah and Sarawak in the State of
Sarawak.

[petitioner's full name]
(NRIC No. :) ... PETITIONER

**TO: THE RIGHT HONOURABLE DATO' ABDUL RAHMAN BIN SEBLI, D.I.M.P., P.B.B., [CHECK
CURRENT TESTE] CHIEF JUDGE OF THE HIGH COURT IN SABAH AND SARAWAK, IN THE
NAME AND ON BEHALF OF SERI PADUKA BAGINDA YANG DI-PERTUAN AGONG**

PETITION

The humble petition of the abovenamed [name & IC No. of petitioner] ("**Petitioner**") showeth as follows:

1. The Petitioner is a citizen of Malaysia domiciled in Sarawak. The Petitioner is a Sarawakian born in [place] in the state of Sarawak on the [birth date] and has not lost his/her status.

A copy of the Petitioner's Identity Card and Birth Certificate are collectively marked and referred hereto as Exhibit "1".

[For Permanent Resident of Sarawak, please state so and annex supporting documents thereof.]

2. The Petitioner has been conferred the degree of Bachelor of Laws from the [university name] on [date].

A copy of the Degree of Bachelor of Laws is marked and referred hereto as Exhibit "2".



3. The Petitioner was admitted to the legal profession as an Australian lawyer in the Supreme Court of Victoria, Australia on [date].

A copy of the certificate of admission and a Statutory Declaration regarding the discrepancy in names dated [date] are collectively is marked and referred hereto as Exhibit “3”.

OR

The Petitioner was enrolled and duly admitted as a Barrister at Law of England & Wales on [date] at the Honourable Society of [Inn’s name], London, England.

A copy of the Certificate of Admission dated [date] is marked and referred hereto as Exhibit “3”.

OR

The Petitioner obtained the Certificate in Legal Practice (*Sijil Amalan Guaman*) issued by the Legal Profession Qualifying Board, Malaysia on [date].

A copy of the Certificate is marked and referred hereto as Exhibit “3”.

4. The Petitioner affirms that the person referred to as “[your name in certificate]” in Exhibits “2” and “3” and “[your name in your IC]” is the same person, i.e. the Petitioner.

A copy of the Statutory Declaration on the discrepancy in the names dated [date] is marked and referred to as Exhibit “4”.

[For pupils who have two masters during pupillage period, please cross-refer to pages 38-39.]

5. The Petitioner has attended and served his/her pupillage for an aggregate period of six (6)/ nine (9) / twelve (12) months commencing on [date] until [date] in the Chambers of [name of master] in [firm name] at [address]. [Name of master] is an advocate who has been in active private practice in state of Sarawak for a period of not less than five (5) years prior to the commencement of the Petitioner’s pupillage in his/her Chambers.



A copy of the Certificate of Diligence duly executed by the Petitioner's pupil master is marked and referred to as Exhibit "5". A copy of the Practising Certificate of the Petitioner's pupil master is marked and referred to as Exhibit "6".

[Pupillage ends on the **same day** 12 months after the commencement of pupillage, i.e., if the commencement of pupillage is on 01.01.2022, pupillage ends on 01.01.2023.]

6. A copy of the covering letter together with the Notice of Commencement of Pupillage dated [date] were extended to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching.

Copies of the Notice of Commencement of Pupillage addressed to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching are collectively marked and referred to as Exhibit "7".

7. On [date], the Petitioner was granted a [six (6)] month exemption from the total period of twelve (12) months pupillage.

A copy of the Court Order dated [date] is marked and referred to as Exhibit "8".

[Exclude this paragraph if you do not apply for exemption.]

8. On [date], the Petitioner attended and completed the Etiquette Course conducted by the Advocates Association of Sarawak. / [If you have yet to attend the Etiquette Course] The Petitioner has yet to attend the required Etiquette Course. Therefore, the Petitioner undertakes to attend and complete the Etiquette Course conducted by the Advocates' Association of Sarawak as required under Rule 9 of the Advocates (Pupillage and Admission)



Rules 2014. The Petitioner undertakes to attend and complete the Etiquette Course and to file the Certificate of Attendance after attending the course.

A copy of the Certificate of Attendance dated [date] is marked and referred to as Exhibit "9".

9. On [date], the Petitioner attended and completed the Advocacy Training Course conducted by the [organiser]. **[If you have yet to attend the Advocacy Training Course]** The Petitioner has yet to attend the required Advocacy Training Course. Therefore, the Petitioner undertakes to attend and complete the Advocacy Training Course as required by the Directive of the Right Honourable Chief Judge of Sabah and Sarawak dated 10.10.2019 (Ref: RHC/C/89 Jld3(50)). The Petitioner undertakes to attend and complete the Advocacy Training Course and to file the Certificate of Attendance after attending the course.

A copy of the Certificate of Attendance (Advocacy Training Course) dated [date] is marked and referred to as Exhibit "10".

10. The Petitioner satisfies the requirement of s.4(2)(a) of the Advocates Ordinance (Sarawak Cap. 110) as the Petitioner has not at the date hereof been disbarred, struck off, suspended or in any other manner disentitled to practise as an advocate or legal practitioner by whatsoever name and style designated, in any territory within the Commonwealth and is not subject to any present or pending disciplinary proceedings in connection with his/her practice and has not been convicted in and is not subject to any pending or present criminal proceedings involving dishonesty in any territory within the Commonwealth or elsewhere.
11. The Petitioner also satisfies the requirement of s.4(2)(b) of the Advocates Ordinance (Sarawak Cap. 110) as the Petitioner is not an undischarged bankrupt or the subject of any bankruptcy proceedings within the Commonwealth or elsewhere.

A copy of the Petitioner's Bankruptcy Search dated [date] is marked and referred to as Exhibit "11".



12. The Petitioner is a person of good character and a fit and proper person to be admitted and enrolled as an Advocate of the High Court in Sabah and Sarawak in the State of Sarawak.

Certificates of Good Character from [name1] and [name2] are marked and referred hereto as Exhibit "12" and "13". The Petitioner's Curriculum-Vitae is also marked and referred to as Exhibit "14".

13. The Petitioner is qualified under the s.4(1)(a) / (ca) / (cb) / (d) of the Advocates Ordinance (Sarawak Cap. 110) and has satisfied all necessary requirements under r.9(1) of the Advocates (Pupillage and Admission) Rules 2014, and is in all aspects a fit and proper person and is desirous of being admitted as an Advocate of the High Court in Sabah and Sarawak in the State of Sarawak. / and undertakes to satisfy all necessary requirements under r.9(1) of the Advocates (Pupillage and Admission) Rules 2014 to be admitted as an Advocate of the High Court in Sabah and Sarawak in the State of Sarawak.
14. The Petitioner therefore humbly prays for an Order that upon payment of the prescribed fee, the Registrar shall admit and enroll the Petitioner as an Advocate of the High Court in Sabah and Sarawak in the State of Sarawak.

Dated this [filing date]

.....
[name of petitioner]
PETITIONER



To:

1. **The State Attorney-General of Sarawak**
The State Attorney General's Chambers,
16th Floor, Wisma Bapa Malaysia,
Petra Jaya, 93502 Kuching, Sarawak.

2. **The Honorary Secretary**
The Advocates Association of Sarawak (Central Committee)
The Bar Room,
Kompleks Mahkamah Miri,
Jalan Merdu, 98000 Miri, Sarawak.

3. **The Branch Secretary**
The Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch)
[bar room address]

This PETITION FOR ADMISSION is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address]

Tel: Fax:



TAKE NOTE

Petition for Admission

- **Exhibits** of the Petition are to be **annexed together** in the Petition and not on the separate affidavit. Treat it like how you do Divorce Petition with exhibits annexed.
- Exhibits annexed in Petition are to be certified by an advocate who is not from the same firm as the firm you did your pupillage at.
- Exhibits annexed in Petition need not be attested by Commissioner for Oaths.
- Certificate identifying Exhibits need not be prepared for Admission Petition.

Affidavit in Support

- As for the Affidavit, there will only be **one (1)** exhibit annexed which is the Petition itself together with its exhibits therein.
- Certificate identifying Exhibit is needed for Affidavit.



For pupils who with two masters during pupillage period:-

- The Petitioner has attended and served his/her pupillage for an aggregate period of six (6)/ nine (9) / twelve (12) months commencing on [date] until [date] in the Chambers of [name of master] in [firm name] at [address]. [Name of master] is an advocate who has been in active private practice in state of Sarawak for a period of not less than five (5) years prior to the commencement of the Petitioner's pupillage in his/her Chambers.

A copy of the Certificate of Diligence duly executed by the Petitioner's first pupil master [Name of master] is marked and referred to as Exhibit "1". A copy of the Practising Certificate of the Petitioner's first pupil master [Name of master] is marked and referred to as Exhibit "2".

- A copy of the covering letter together with the Notice of Commencement of Pupillage dated [date] were extended to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching.

Copies of the Notice of Commencement of Pupillage addressed to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching are collectively marked and referred to as Exhibit "3".

- The Petitioner had served a notice to stop pupillage in the Chambers of [name of master] in [firm name] dated [date] to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching.



Copies of the Letters of notice to stop pupillage in the Chambers of [name of master] in [firm name] dated [date] the addressed to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching are collectively marked and referred to as Exhibit “4”.

- The Petitioner then continued his/her pupillage on [date] in in the Chambers of [name of master] in [firm name] at [address]. [Name of master] is an advocate who has been in active private practice in state of Sarawak for a period of not less than five (5) years prior to the commencement of the Petitioner’s pupillage in his Chambers.

A copy of the Certificate of Diligence duly executed by the Petitioner’s second pupil master [Name of master] is marked and referred to as Exhibit “5”. A copy of the Practising Certificate of the Petitioner’s second pupil master [Name of master] is marked and referred to as Exhibit “6”.

- A copy of the covering letter together with the Notice of Commencement of Pupillage dated [date] were extended to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching.

Copies of the Notice of Commencement of Pupillage addressed to the State Attorney General of Sarawak, the Honorary Secretary of the Advocates Association of Sarawak (Central Committee), the Branch Secretary of the Advocates Association of Sarawak (Kuching/Sibu/Bintulu/Miri Branch) and the Registrar of the High Court of Kuching are collectively marked and referred to as Exhibit “7”.



MALAYSIA
IN THE HIGH COURT IN SABAH AND SARAWAK AT KUCHING
PETITION FOR ADMISSION NO.

IN THE MATTER OF Sections 4, 5 and 6 of the
Advocates Ordinance (Sarawak Cap. 110);

AND

IN THE MATTER OF [name & IC No.] of [address] for
petition for admission and enrollment as an Advocate
of the High Court in Sabah and Sarawak in the State of
Sarawak.

[petitioner's full name]
(NRIC No. :) ... **PETITIONER**

AFFIDAVIT

I, [name & IC No.], a Malaysian citizen of full age and having address at [address] do hereby solemnly and sincerely declare and affirm as follows:-

3. I am the abovenamed Petitioner and unless otherwise stated, all matters deposed herein are true and they are within my personal knowledge and/or derived from the records in my possession, and the same is true and correct.
4. I affirm that the statements and contents of the Petition dated [date] are true.

A copy of the Petition is annexed herewith and marked as Exhibit "1".

AFFIRMED BY the said Petitioner)
[name of deponent])
[WN.KP.....])
at [place] , Sarawak)
on [date])
[Interpretation not required]



Before me,

.....
Commissioner for Oaths

This **AFFIDAVIT** is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address].
Tel: Fax:



MALAYSIA
IN THE HIGH COURT IN SABAH AND SARAWAK AT KUCHING
PETITION FOR ADMISSION NO.

IN THE MATTER OF Sections 4, 5 and 6 of the
Advocates Ordinance (Sarawak Cap. 110);

AND

IN THE MATTER OF [name & IC No.] of [address] for
petition for admission and enrollment as an Advocate
of the High Court in Sabah and Sarawak in the State of
Sarawak.

[petitioner's full name]
(NRIC No. :) ... **PETITIONER**

CERTIFICATE IDENTIFYING EXHIBIT

I hereby certify that this is the exhibit marked "1" referred to in the Affidavit of [name of deponent] affirmed
before me on [date].

Before me,

.....
Commissioner for Oaths

This **AFFIDAVIT** is filed for and on behalf of the Petitioner abovenamed by [firm name] with an address for service at [address].
Tel: Fax:



MALAYSIA
IN THE HIGH COURT IN SABAH AND SARAWAK AT KUCHING
PETITION FOR ADMISSION NO.

IN THE MATTER OF Sections 4, 5 and 6 of the
Advocates Ordinance (Sarawak Cap. 110);

AND

IN THE MATTER OF [name & IC No.] of [address] for
petition for admission and enrollment as an Advocate
of the High Court in Sabah and Sarawak in the State of
Sarawak.

[petitioner's full name]
(NRIC No. :) ... **PETITIONER**

CERTIFICATE OF DILIGENCE

I, [master name & IC No.], [Roll of Advocates No.] a Malaysian citizen of full age with an address at [address], do hereby certify as follows:-

1. I am a practising Advocate of the High Court in Sabah and Sarawak in the State of Sarawak for a total period of not less than five (5) years and am the partner of [firm name].
2. I also confirm that I have been in continuous practice of at least five (5) years with a valid Practising Certificate throughout the period immediately prior to taking in the aforesaid [name and IC No.] as my Pupil.
3. I am the pupil master of [name and IC No.] ("the Petitioner"). The Petitioner has attended and read in my chambers under my supervision for a continuous period of not less than twelve (12) months commencing from [date] to [date].
4. The Petitioner has during the aforementioned period received instructions and gained experience in the law and practice. The Petitioner has also gained experience in the type of work normally undertaken by an Advocate.



5. The Petitioner has been diligent in his/her work as my pupil and I am of the opinion that s/he is a fit and proper person for admission to the Roll of Advocates of the High Court in Sabah and Sarawak in the State of Sarawak.

[If due to any government directives that your Master's chambers is closed, to insert if you had continued your pupillage under your Master's supervision throughout the duration of closure.]

Dated this [filing date].

.....
[NAME OF MASTER]
Advocate
High Court in Sabah and Sarawak
[place], Sarawak.



MALAYSIA
IN THE HIGH COURT IN SABAH AND SARAWAK AT KUCHING
PETITION FOR ADMISSION NO.

IN THE MATTER OF Sections 4, 5 and 6 of the
Advocates Ordinance (Sarawak Cap. 110);

AND

IN THE MATTER OF [name & IC No.] of [address] for
petition for admission and enrollment as an Advocate
of the High Court in Sabah and Sarawak in the State of
Sarawak.

[petitioner's full name]
(NRIC No. :) ... **PETITIONER**

CERTIFICATE OF GOOD CHARACTER

This is to certify that I, [NAME] of [ADDRESS] have known [name & IC No. of Petitioner] for not less than five (5) years. I consider [him/her] to be a person of good character and a fit and proper person to be admitted and enrolled as an Advocate of the High Court of Sabah and Sarawak.

Signature :
Name :
NRIC No. :
Mobile No. :
Occupation : *Preferably person in employment. Advocates and Colleagues from same firm are not allowed.*
*For advocates, **stamp** the certificate with the advocate's chop.*
Date :



Name:

NRIC No.:

Petition Number:

Nature of Pupillage:

Civil Litigation

- assisted in drafting documents for interlocutory applications
 - o O. 29 (injunctions)
 - o O. 14A (summary disposal)
 - o O. 18 r19 (striking out)
 - o O. 24 (discovery)
- attended and observed court proceedings
- Assisted in preparing and drafting cause papers for amendment application
- Assisted in preparing and drafting cause papers for taxation proceeding
- Assisted in preparing and drafting cause papers for appeal to Judge in Chambers
- Assisted in preparing and drafting submissions
- Assisted in preparation for trials and attending trials

Criminal Litigation

- assisted in remand hearings
- assisted in drafting
- attended and observed court proceedings

Conveyancing

- assisted in drafting Sale and Purchase Agreements
- assisted in obtaining extract of title from Land and Survey Department

[As instructed by the Court, please file in the Nature of Pupillage (page 1) together with your Curriculum Vitae/ Resume (page 2) in a single pdf file under 1 enclosure number.]



COVERING LETTER

[firm letterhead]

[date]

[Kuching High Court address]

By Hand/ Fax

Dear Sir,

RE: APPLICATION FOR PRACTISING CERTIFICATE

APPLICANT : [name]

FIRM : [name of firm]

We refer to the abovementioned matter.

We are pleased to inform you that the abovenamed Applicant has been admitted as an Advocate of the High Court of Sabah and Sarawak in the State of Sarawak on [date].

We wish to inform the Court that the Applicant has joined our firm, [name of firm] as a Legal Associate on [date].

We appreciate your kind assistance herein.

Thank you.

Yours sincerely,

.....
[firm name]