

**33<sup>rd</sup> POLA Conference President's Summit,  
Shangri-La Hotel, Kuala Lumpur**

**15 July 2023**

**(Minutes of Meeting)**

<b>Attendees</b>	
<b>Name of Bar Association</b>	<b>Name of Representative</b>
Law Council of Australia	Luke Murphy, President
	Charlotte Strubbs, Senior Policy Lawyer, Law Council of Australia
All China Lawyers Associations	Gao Zicheng, President
	Cui Haiyan, Deputy Director of Foreign Affairs Commission
Fiji Law Society	Willian Wylie Clark, President
Hong Kong Bar Association	Victor Daves, Chairman
	Eugene Yim, Honorary Secretary
The Law Society of Hong Kong	C. M. Chan, President
Bar Association of India	Prashant Kumar, President
	Rachana Sribastav, Vice President
PERADI (Indonesia Advocates Association)	Johannes C. Sahetapy-Engel, Chair of International Division
Japan Federation of Bar Associations	Motoji Kobayashi, President
	Yuka Ono, Officer/Attorney, Office of International Relations
	Naru Matsumoto, Officer/Attorney, Office of International Relations
Korean Bar Association	Kim Young Hoon, President
	Kim Hongjoong, Vice President of International Affairs
	Rhee Yong-il, Special Advisor for International Affairs
Macau Lawyers Association	Vong Hin Fai, President
New Zealand Law Society	Frazer Barton, President
Law Society of Singapore	Lisa Sam Hui Min, Vice President
	Chia Boon Teck, Treasurer
Taiwan Bar Association	Dagmar Yu, President
	Hung Hsieh, Chairperson, International Affairs Committee
Malaysian Bar	Karen Cheah Yee Lynn, President,
	Mohamad Ezri Abdul Wahab, Vice President
	Anand Raj, Secretary
	Rajen Devaraj, Chief Executive Officer
	Sunil Lopez, Deputy Chief Executive Officer
<b>Observers</b>	
LAWASIA	Melissa K Pang, President
Inter-Pacific Bar Association (IPBA)	Richard Briggs, President
The Belt and Road International Lawyers Association (BRILA)	Kang Yu, Secretary General
	Yu Jia, Director, Division of Membership Management & Development
	He Rui, Project Officer, Division of Exchange and Cooperation

Karen Cheah chaired the meeting, which was called to order at 3.15 pm. She welcomed all POLA Members to the Annual Summit 2023 hosted by Bar Council of Malaysia in Kuala Lumpur.

The Chairman then informed that other than the President of The Bar Association of the Kingdom of Cambodia, all other POLA Members are present. She placed on record her appreciation to all POLA Members for making it to the Summit in Kuala Lumpur and expressed hope that this small conference would help the bar leaders in Asia to maintain a close relationship by sharing information/reports on the happenings at their respective jurisdictions.

Before proceeding with the meeting proper, the Chairman notified POLA Members that the session is being recorded for purposes of preparation of minutes of meeting.

1	<p><b>To adopt the Minutes of the Presidents’ Summit held on 22 Sept 2023 prepared by the Law Society of Singapore</b></p> <p>The Minutes were adopted, as proposed by C. M. Chan, President, The Law Society of Hong Kong and seconded by Victor Daves, Chairman, Hong Kong Bar Association.</p>
2	<p><b>To consider matters arising therefrom</b></p> <p>The Chairman proceeded with the next item on the agenda since matters arising from the last POLA Summit were on the agenda.</p>
3	<p><b>Highlight of the POLA Member Reports by each delegation</b></p> <p>The Chairman said that in this session, she will invite each representative to present their individual reports. Since there are 15 reports altogether, in the interest of time, she would limit the presentation to 5 minutes each.</p> <p>The POLA Members presented their reports in the following order.</p> <ol style="list-style-type: none"> <li>1) New Zealand Law Society</li> <li>2) Korean Bar Association</li> <li>3) The Law Society of Hong Kong</li> <li>4) Law Council of Australia</li> <li>5) Japan Federation of Bar Associations</li> <li>6) Hong Kong Bar Association</li> <li>7) Law Society of Singapore</li> <li>8) Fiji Law Society</li> <li>9) Indonesia Advocates Association</li> <li>10) Macau Lawyers Association</li> <li>11) Bar Association of India</li> <li>12) Taiwan Bar Association</li> <li>13) All China Lawyers Associations</li> <li>14) Bar Council Malaysia</li> </ol> <p>Following are some of the highlights and updates and in some cases, a summary of the report, for last year.</p>
3.1	<p><b>New Zealand Law Society</b></p> <p>Frazer Barton highlighted two important matters. He said that the year 2022 was a year of three Presidents and three Chief Executives for the New Zealand Law Society (Law Society). There had been a degree of turmoil at this point but the</p>

		<p>situation has been stabilised and the Law Society has a strong platform and team now, both aboard and at the management level, to press ahead and deal with the challenges that are ahead.</p> <p>The second matter concerns the big-ticket item of the Independent Review to establish a new independent regulator and to look into an overhaul of the system for handling complaints about lawyers. The review came about because of some high-profile cases of bad behavior some years ago involving bullying and sexual harassment within law firms which the New Zealand Government was unhappy about. The Government had thought that the Law Society had not managed the matter well enough.</p> <p>In the face of criticisms, the Government decided to set up an Independent Review of the structure of the Law Society. The Law Society has always been a co-regulatory where it is both a regulator and a representative body. As a result, it has a 100% membership of 16,000 members. Now that the Independent Review Report has been released, the recommendation is to split the organisation into an independent regulator and the representative body which the Law Society is to continue with. Frazer Barton said the Law Society has a couple of concerns about this recommendation.</p> <p>One of the concerns is that the independent regulator has got to be independent, not only of the profession, but also of the Government because under the statute, the rule of law is one of the Law Society's primary functions. This is where the Law Society was getting some pushback from its members because the suggested governance structure for the regulator is a Board appointed by the Minister of Justice. At times, the Board has to speak up and be critical of the Government. The question then is this - is the Board going to speak up if they have been appointed by the Minister of Justice? That is something that the Law Society regrets at the moment and the need is there to come up with an alternative solution. Frazer Barton said that the idea of an independent regulator is good if it is genuinely independent.</p> <p>The second concern is that the Law Society is now left with the representative body which would be voluntary and with that, there will be some financial issues because in order to be financially independent, they need to have maximum membership. At the moment, because the Law Society is in this position, it is getting law engagement by its members through emails, websites, etc. People are saying that this is information overload and it is an old-fashioned method of engaging members. In view of that, the Law Society, namely the Chief Executive and himself, will be doing a roadshow to engage with people at all levels and towns and get them to understand and to buy in into this change in structure and to gather their suggestions because this is an important generational change which is going to be with the people for the next 20 or so years.</p> <p>Lastly, Frazer Barton said that the other uncertainty is that the current Government is keen on accepting the recommendations of the Independent Review Report but with an election in October 2023, the Opposition is not too keen. This creates an uncertainty for the Law Society going forward.</p>
	3.2	<p><b>Korean Bar Association</b></p> <p>Kim Young Hoon delved briefly into the main activities as well as recent developments and challenges that the Korean Bar Association (KBA) had been actively involved in.</p>

		<p>One main development is the establishment of an online platform called <i>My Lawyer</i> in March 2022. This IT-based platform provides a space where lawyers can promote themselves in a manner compatible with the laws and regulations and the ethics applicable to the legal profession under the jurisdiction. The goal of <i>My Lawyer</i> is to enhance accessibility to legal services by allowing the general public to have access to information about officially licensed lawyers across South Korea without any delay or limitation.</p> <p>Kim Young Hoon pointed out that the <i>My Lawyer</i> is different from the other platforms as it provides information regarding lawyers free of charge in order to ensure equal opportunities to all users. Unlike commercial platforms that exploit considerable advertising fees for exposure, the <i>My Lawyer</i> platform promotes fairness and equal inclusivity for all legal professionals. The significance of <i>My Lawyer</i> has also been recognised by the judicial institutions. The Supreme Court’s “Electronic Litigation” and “Alone Lawsuit” platforms as well as the Supreme Prosecutor’s Office have included links to <i>My Lawyer</i> for reference. Furthermore, the platform has been gaining public recognition as it is attracting increasing number of users day by day. The KBA is exercising its best efforts in improving the website by way of putting up more functions, inter alia online counselling and database systems in order to enhance user convenience as much as possible.</p> <p>Kim Young Hoon called upon all participants to explore the possibilities of cooperation in the legal profession. Now more than ever, the legal profession requires legal services to be more efficient, transparent, fair and accessible based on IT technology. These goals can be reached, inter alia through cooperation in the development of legal services and through sharing of the best practices in the region. The KBA is ready to cooperate with all other bar organisations in POLA in that aspect. Tools based on IT technology such as <i>My Lawyer</i> online platform will be helpful in managing and promoting the legal profession.</p> <p>Another point for cooperation will be legislative matters. All countries would need to keep their legal systems well versed through timely, appropriate and practical legislation because of the rapidly changing socio-economic development. The KBA is prepared to share its experiences in this area with other POLA Members.</p> <p>Kim Young Hoon concluded his presentation by expressing the KBA’s sincere intent and interest in cooperating with all its colleagues for discussion bilaterally or multilaterally to make these ideas come through.</p>
3.3		<p><b>The Law Society of Hong Kong</b></p> <p>At the outset, C.M.Chan said that Hong Kong is not a country but is a Special Administrative Region which is part of the People’s Republic of China. A unique feature in Hong Kong is that it is one of the few jurisdictions where a split profession is retained. Whilst The Law Society of Hong Kong (LSHK) represents the solicitors’ branch of the legal profession, the Hong Kong Bar Association (HKBA) represents the barristers’ branch of the profession.</p> <p>C.M.Chan said that currently there are 13,000 solicitors in Hong Kong. The LSHK adopts an open-door policy whereby they welcome foreign lawyers to come in as registered foreign lawyers to practice law from their home</p>

	<p>jurisdictions. To date, the LSHK has about 1,500 registered foreign lawyers from 33 different jurisdictions with them. The LSHK will maintain this openness. The LSHK also performs a dual role, as a regulator of its members' conduct and taking disciplinary actions as well as a trade union. A lot of resources are spent on managing members' conduct. The LSHK also looks out for opportunity for its members.</p> <p>C. M. Chan said that there are two initiatives which are important to Hong Kong solicitors. One is the Belt and Road initiative started by the President of China about 10 years ago. Since Hong Kong is the only common law jurisdiction within the whole of China, the country can play an active role in helping China with international investors who come into China through Hong Kong as a platform.</p> <p>The second initiative that is important to Hong Kong is the Guangdong-Hong Kong-Macau Greater Bay Area (GBA) initiative which was started a few years ago where nine cities within the southern tip of Guangdong province (adjoining Hong Kong) together with Hong Kong and Macau formed a close group to help modernise China. The population of these 11 cities is roughly 86 million and the total GDP is the size of Australia. Again, Hong Kong being the only common law city within this group of cities, has a unique role to play in this initiative.</p> <p>Finally, C.M. Chan pointed out that the LSHK considers the rule of law as the most important core value. It is in their mission statement that they will always safeguard and uphold the rule of law. Given what happened in Hong Kong in the past few years, sometimes it is quite difficult for lawyers to explain the real situation in Hong Kong but he will continue to comment purely from a legal angle.</p>
3.4	<p><b>Law Council of Australia</b></p> <p>Luke Murphy highlighted that one of the most involved and confronting activities for the Law Council of Australia (Law Council) in recent time is educating the Australian public of the Referendum that will be conducted towards the end of 2023. The Referendum addresses the question of formal recognition of the First Nation's People in the country's constitution.</p> <p>Luke Murphy further said that the Law Council endeavours to ensure that the legal profession understands that they are uniquely qualified to ensure that the Australian population can make an informed decision about the Referendum itself. While it is not the Law Council's role to persuade the public as to how they should exercise their right within the law, the Law Council has publicly supported the legislation that formally recognises the First Nation's People in the country's constitution and will continue to do so. The legal profession is uniquely qualified to ensure that the public are properly informed of the issues that are being addressed from a reliable source. This Referendum, likely to be held in November 2023, will continue to dominate the Australian public discussion right up until the end of the year.</p> <p>Lastly, the new Australian Government has taken on a reform exercise in addition to the Voice Referendum by establishing the National Anti-Corruptions Commission which is a federal judicial commission that will shortly replace the administrative appeals tribunal which is Australia's judicial review and merits review tribunal. The Australian Government is also undertaking significant legislative reform including in the family law area. What all that means is that the Law Council has been exceptionally busy. Not forgetting that the Law Council is</p>

		also dealing with the Anti-Money Laundering obligations and how that might undermine the legal professional privilege. Those are the challenges ahead for the Law Council.
	3.5	<p><b>Japan Federation of Bar Associations</b></p> <p>Naru Matsumoto presented the Japan Federation of Bar Associations (JFBA) report on behalf of President Motoji Kobayashi.</p> <p>Reporting on some of the recent activities of JFBA in the one-year period after the last POLA meeting of 22 Sept 2022, Naru Matsumoto touched on the issue of the rights of foreign nationals living in Japan. In September 2022, the JFBA had compiled and submitted to the Government a proposal for institutional reform in the area of immigration, residence and refugee law with the aim of resolving issues concerning these areas. In October 2022, a hearing was held inside the Congressional Office Building to introduce the proposal on the actual situation of the immigration and refugee administration. Thereafter, in March 2023, the Government submitted a Bill to amend the Immigration Control and Refugee Recognition Act to the Diet. However, the content of the amendment was said to be inadequate. In the same month, a statement from the JFBA President opposing the proposed amendment was released.</p> <p>The second activity is regarding the abolition of the Death Penalty and Reform of the Criminal Justice System. In November 2022, the JFBA proposed a specific system design plan for the abolition of the death penalty by proposing the establishment of life imprisonment as maximum penalty to replace death penalty and a system of exceptional sentence reduction procedures. The JFBA will continue to appeal to the public and mass media on these proposal/recommendations so that the public can understand the JFBA’s reasoning for believing that the death penalty should be abolished. The message that the JFBA is sending out is that human life needs to be respected and that the possibility of a misjudgment or false accusation can never be completely eliminated.</p> <p>The JFBA is moving towards the introduction of Information Technology (IT) in the civil procedure. In response to current development in IT, the Law for Partial Revision of the Code of Civil Procedure was enacted in May 2023 to enable online filing and submission of court documents, record keeping in electronic form and conduct of online hearings, etc. Various provisions for the use of IT were stipulated in the revised Code. The JFBA will be taking this opportunity to re-examine the way hearings are conducted in civil court proceedings from the viewpoint of enhancing hearings and for proper and prompt dispute resolution. The JFBA will also continue to improve the system as well as its operations and other aspects.</p> <p>Lastly, in continuing with Covid-19 related activities, the JFBA has provided legal consultation free of charge for issues relating to Covid-19 to ensure legal access. The JFBA has also introduced online conferencing to maintain its functions amid the pandemic.</p>
	3.6	<p><b>Hong Kong Bar Association</b></p> <p>Victor Daves highlighted three points in his presentation. He said that Hong Kong has a unique situation of having two chapters in the same jurisdiction where The</p>

	<p>Law Society of Hong Kong and the Hong Kong Bar Association (HKBA) maintain a split profession. As a result, both bar organisations work hand in hand in a number of issues that are important to the profession and to Hong Kong.</p> <p>Secondly, Hong Kong, being the most open city in the People’s Republic of China, has a special role to play. This is because Hong Kong is connected to the rest of the world and as such, many geopolitics issues would have an impact on Hong Kong. The POLA Members would surely be interested in the situation that Hong Kong is in. Suffice to say that if any of the POLA Members has the opportunity to visit Hong Kong, they are most welcome to come and connect with the HKBA.</p> <p>Concluding, Victor Daves said that a matter that is close to the heart of the HKBA is the fact that it is its own regulator. As the HKBA guards its right to regulate its members jealously, all complaints against members are attended to. Some of these complaints may be genuine and some may be frivolous. Self-regulation of the legal profession is an important feature for the independence of the Bar. It is an area where the HKBA is putting a lot of resources in to ensure that all complaints against its members are dealt with efficiently and fairly.</p>
3.7	<p><b>Law Society of Singapore</b></p> <p>Lisa Sam provided three updates apart from what is written in her report.</p> <p>The first update is that Singapore will totally stop using corporate cheques from 2025. In the past, lawyers were not allowed to withdraw money from their clients account unless it is by way of cheques and because of that, they were not able to use any ATM machine, cash or a cashier’s order. Hence, this change is going to be a big challenge to lawyers. Lawyers are being penalised for use of cheques now. Anyone who issues or receives a cheque has to pay a fee of about SD\$0.50 or SD\$0.75 cents per cheque to discourage them from using cheques. Some law firms are now setting up tokens and she believes that eventually, all lawyers will have to move with this change.</p> <p>The second update is the launch of the Public Defender’s Office by the Ministry of Law on 1 Dec 2022. In the past, legal aid was provided by the Law Society of Singapore (LSS) for criminal matters on either a pro bono basis or a co-sharing fee low bono basis. The Singapore Government has been separately funding this provision of legal aid service, including funding the secretariat. With the setup of the Public Defender’s Office, it remains to be seen how legal representation will pan out because a new breed of defense counsel called the Public Defense Officers will come in. They are not advocates and solicitors but legal officers. The professional conduct rules would not directly apply to them. The LSS is in discussion with the Ministry of Law in respect of this initiative because the co-counsels will have a different standard from the advocates and solicitors.</p> <p>Lisa Sam’s final update was that the Attorney General, through the Singapore Institute of Education which is the body that governs law studies, is going to change the order of how lawyers are getting called to the Bar. The normal procedure for those seeking admission to the Bar is to file the documents in court, and upon the court reviewing the documents, the pupils get called. Thereafter, they have to buy insurance before becoming an advocate and solicitor. This procedure is going to be reversed now where pupils will get called first and then they become members of the Singapore Academy of Law. The Government is basically going to come up with a new set of lawyers and the LSS is trying to</p>

		<p>manage how this new system is going to pan out in terms of giving work. Maybe the Government is following the UK system where solicitors have some right of audience in the Lower Courts. Anyway, this is another issue that the LSS is struggling with.</p>
3.8	<p><b>Fiji Law Society</b></p> <p>Willian Wylie Clark shared that the Fiji Law Society (FLS) has much better news to report this year than they did last year. It is remarkable what 10 months can do to a country and its legal profession all due to a change in the Government. This new Fiji Government has taken a more liberal and supportive approach to the legal profession and recognises that an independent Bar and Judiciary is critical for rule of law and the future of Fiji. As part of that approach, the Government has invited the FLS to make submissions on amendments to the Legal Practitioners Act 2009. The amendments are near to a new final form now. Under the amendments, the FLS will take back the regulatory power of all lawyers whereas the disciplinary power will be in the form of a hybrid structure where the FLS would maintain some form of independence by having a role in filtering out complaints. Thus, having a Government that engages the law society is wonderful. The level of consultation between the FLS and the Fiji Government has increased many times over. The FLS's views are being sought out in a number of important issues and as such, the FLS is happy with where they are at the moment.</p> <p>As regards challenges, the FLS foresees some challenges ahead, one of which is the appointment of judicial officers. But because the FLS is engaging the Government, everything is being done in a respectful and supportive way.</p> <p>In respect of future plans, the FLS wishes to encourage other Pacific Island law societies/associations to join and be part of POLA. To that end, he intends to push hard for other Pacific Island law societies/associations to be part of not only POLA but also LAWASIA. That is what he will be doing when he attends the Pacific Islands Lawyers Collective taking place in Samoa meeting the following week which he will be attending,</p>	
3.9	<p><b>Indonesia Advocates Association (PERADI)</b></p> <p>Before presenting the report, Johannes Sahetapy-Engel conveyed his sincerest apologies to the POLA Members on behalf of PERADI's President, Professor Dr. Otto Hasibuan who was unable to attend the Summit as he was engaged in other matters.</p> <p>In addition to what PERADI has provided in its report, Johannes Sahetapy-Engel shared some good news. He said that Indonesia, after a long period of preparation, negotiation and drafting, has its own Penal Code now. The new Penal Code, enacted in early 2023, will become effective in 2026. Significant changes have been made to the new Penal Code whereby it has been updated to the current issues on death penalties and other types of punishments. The punishments will now depend on the gravity of the crimes.</p> <p>One other issue that PERADI would like to get input or suggestions from the POLA Members is regarding the best approach from other jurisdictions on the single bar issue that PERADI is still facing. PERADI is of the view that a single bar approach is the only way to go. But the fact is that there are currently multiple and variety of bar and law organisations in the country. In connection with the single bar issue is the issue of criminalisation of lawyers where lawyers are</p>	

	<p>subjected to prosecution and in some cases, conviction, while representing clients and they are pressed with all kinds of allegations and charges. The system which is not perfect allows these things to happen. Some lawyers end up being convicted and going to jail and serving time for doing work for their clients.</p> <p>Another stressing issue is that law firms in Indonesia may now be subject to reporting to the Investment Coordinating Board (ICB), a non-ministerial government body in Indonesia for formulation of government policies in the field of investment. The ICB sees law firms as a source to bring in investment. PERADI is obviously fighting against this move arguing that law firms are subjected to the Supreme Court rules and to the bar associations and therefore, they do not need to report to the ICB. But the ICB wants all law firms to report to them because they say that bar associations are unincorporated bodies. PERADI will have to see how this develops.</p>
3.10	<p><b>Macau Lawyers Association</b></p> <p>Firstly, Vong Hin Fai stated that Macau is a Special Administrative Region of China and that the Macau Lawyers Association is also known as the “Associação dos Advogados de Macau” (AAM) in Portuguese. He then gave a summary of the following issues arising from his report.</p> <p>Regarding the AAM’s governance structure, Vong Hin Fai said that the AAM was established in 1991 as a corporate legal body where the membership is mandatory for all practicing and trainee lawyers in Macau. The AAM is composed of a General Assembly body, an Executive Board and a Supervisory Board. As of December 2022, the AAM has a total of 616 members of which 447 are lawyers and 169 are trainee lawyers. All Executive Board members are elected for a 2-year term. The current Board members, elected in December 2022 had commenced its term in January 2023.</p> <p>Explain the AAM’s Attorney System, Vong Hin Fai said that all candidates for trainee lawyers in Macau have to complete a Bachelor Degree in Law (LLB) at a Macau university and/or a university abroad which is recognised by the AAM. The candidates whose law degree has been obtained abroad are required to successfully complete a programme of introduction to the laws of Macau. Candidates are submitted to an initial admission exam and they become trainee lawyers after passing this exam. The trainee lawyer programme lasts a minimum of 18 months, focused on practical aspects of the profession in various fields of the law before being eligible to become lawyers. As a general rule, foreign registered attorneys are not allowed to practice in Macau, and any unauthorised practice is forbidden by law and constitutes a criminal offence.</p> <p>The AAM’s main objectives and regular activities are as follows:</p> <ol style="list-style-type: none"> <li>1. Collaborate in the administration of justice namely through the defense of people’s rights, freedom and guarantees and the promotion of access to knowledge and application of the law</li> <li>2. Regulate the exercise of the profession and grant the professional titles of Lawyer and Trainee Lawyer</li> <li>3. Approve the Code of Ethics</li> <li>4. Organise Trainee Lawyer programmes and examinations</li> <li>5. Organise the programme of introduction to the laws of Macau and its examinations</li> <li>6. Keep Lawyers, Trainee Lawyers and law Law Office’s information</li> </ol>

		<p>updated</p> <ol style="list-style-type: none"> <li>7. Issue opinions regarding the new legislation to be proposed by the Macau Government to the Legislative Council</li> <li>8. Collaborate with different regional, national and international lawyer organisations in all matters of common interest</li> </ol> <p>Apart from the above activities, other main activities and development in 2023 include the promoting of cooperation and maintaining contact with the law associations in mainland China, Hong Kong and other Portuguese speaking countries. The AAM will continue to participate in significant meetings and activities with the aim to promote the development and progress of the Macau lawyers and its overall advocacy system.</p> <p>The AAM also plans to promote the participation of Macau lawyers and Portuguese speaking lawyers in the development of the Guangdong-Hong Kong-Macau Greater Bay Area, namely the articulation of the rules between Macau and Guangdong-Macau in-depth cooperation zone in Henqin, conduct full joint meetings, organise legal conferences and other exchange activities. Being the main and important member of the Union of Portuguese Speaking Lawyers and the Federation of Portuguese Speaking Lawyers, the AAM will continue to participate at meetings of the respective associations, forums and training courses with the objective of promoting the cooperation among Portuguese speaking lawyers in the development of law.</p>
	3.11	<p><b>Bar Association of India</b></p> <p>Prashant Kumar said that the Bar Association of India is a voluntary organisation. It is a federation of bar associations having individual and corporate membership. Among its members are the bar associations of the Supreme Courts, the High Courts, the District Courts and other voluntary bar associations and law societies in India. Whereas the Bar Council of India is the statutory body and has the power of deciphering and power over recognising colleges for law degree to which pupils can have an enrolment. Every lawyer has to compulsorily enroll with one of the State Bar Councils but every lawyer is also a member of one of the Court Annexed organisations which are in turn members of the Bar Association of India. The Bar Association of India's major objective is to maintain the rule of law, the independence of judiciary and the legal profession and to promote excellence of the legal profession.</p> <p>The Bar Association of India is financially independent from the Government. It receives and applies for no aid from the Government whereas the Bar Council of India receives government funding. That is why the Bar Council of India and the Bar Association of India are often at odds with each other when it comes to issues of independence of judiciary, and legislation that are brought to curb human rights which the Bar Council of India either does not oppose or side with the Government. The Bar Association of India is the one who fights all the battles both in the public field/opinion and in the courts.</p> <p>One big development in India in March 2023 is the notification of the Rules of Foreign Registered Lawyers and Law Firms in India. These Rules are annexed with the report. India's legal profession which used to be one of the most closed professions has opened up and is now allowing foreign lawyers to practice arbitration, act as arbitrators and advise on foreign law in India. But these Rules were framed by the Government and issued by the Bar Council of India. That</p>

		<p>means legal mind has not been applied and there are several creases which needs to be worked out. The point is opening India to foreign law firms has happened but operationalising it will take some time.</p> <p>The other initiative which the Bar Association of India has launched in 2023 is the New Delhi International Rule of Law Convention which aims to provide a leadership to the Global South to discuss the issues and challenges of rule of law as co travelers/fellow travelers. Because the countries in Asia and other countries are still stabilising the rule of law, there has not been any continuity of either democracy or elections. These countries need to have a platform to discuss and share their experiences. For the first edition of the Rule of Law Convention in April 2023, 20 countries/jurisdictions were in the convention including a number of African and South American countries. This is due to the Bar Association of India’s engagement with the BRICS legal forum comprising Brazil, Russia, China, South Africa and India which engages deeply with the main countries in three continents. The Rule of Law Convention is a flagship initiative of the Bar Association of India.</p>
	3.12	<p><b>Taiwan Bar Association</b></p> <p>Dagmar Yu said that she previously served as a legislator in the Legislative Yuan of the Republic of China (Taiwan) for eight years focusing on promoting the legal protection of human rights protection and gender equality. After the new regime of the Attorney Regulation Act came into effect on Jan 1, 2021, the Taiwan Bar Association’s membership was divided into group members and individual members. Group members refer to the 16 local bars whereas individual members are practicing lawyers registered with at least one local bar.</p> <p>The Taiwan Bar Association’s President, two Vice Presidents, and 26 general directors are directly elected by individual members of the association. The terms of the Board of Directors, Board of Supervisors, and member representatives are all two years. The Taiwan Bar Association currently has a total of 11,692 individual members. All of them have passed the bar examination and are registered as practicing lawyers in at least one local bar association. There are 7,271 male members and 4,421 female members, resulting in a gender ratio of 1.62:1. Regarding the age distribution of individual members, around 76% of the total membership fall within the age range of 30 to 60 years old.</p> <p>In Taiwan, the Bar exam is held once a year. The exam consists of two stages. Candidates must pass the first stage of the written exam before proceeding to the second stage. The overall passing rate of the bar exam varies each year depending on the performance of the candidates in a particular year. The average passing rate is between 6% and 10%. As for the gender ratio of the bar exam, the passing rate of male candidates is slightly higher than the female candidates. Regarding the age distribution of the bar exam, about 86% of the candidates who pass the bar exam are between 21–30 years old.</p> <p>Foreign lawyers who have obtained permission from the Ministry of Justice of Taiwan and have been approved for membership by the local bar and the Taiwan Bar Association can practice the law in Taiwan. Foreign lawyers can only handle legal matters related to the laws of the original qualified country or international law.</p> <p>Starting from 2023, the Taiwan Bar Association has established over 70 committees. The purpose of some of these committees’ purpose is to be task</p>

	<p>oriented. Some committees are specialised committees with a certain expertise. The various committees adjudicate cases and organize continuous legal education, training course and seminars, express opinions and provide insights on socially significant events. Each committee is operated by nine full time lawyers and an outside counsel is normally invited to provide service.</p> <p>In 2022, the Department of Human Rights and Transitional Justice was established in Taiwan. The department is the creator of the National Human Rights and Action Plan which is the driving force in safeguarding human rights, gender equality and promoting justice. The Taiwan Bar Association has actively participated in the administrative, legislative, and judicial domains during this crucial period. The focus is to ensure the effective implementation of human rights, gender equality, children’s rights, etc in the education system.</p> <p>Dagmar Yu said that Taiwan experienced the second wave of the #MeToo movement recently. This is the movement which previously led to the downfall of many politicians, media personalities, social media influencers and even some in the judiciary. As defenders of human rights, lawyers cannot stay away from such matters. The challenge lies in constructing a legal system that is friendly, effective, trustworthy, and capable of supporting and protecting the victims to prevent the perpetrator from using the issues to intimidate the victims and force them into silence. The Taiwan Bar Association’s social harassment prevention committee has worked with the women organisations to form a support group of 50 lawyers that provides assistance to victims who face defamation or law suit because of the #MeToo movement ensuring that the victims are not alone. Furthermore, an enterprise of consultation has been established to assist the employer into creating a friendly work environment to prevent incidents of sexual harassment.</p> <p>Finally, the Taiwan Bar Association, during the period of Covid-19 pandemic, did not stop its operation. Instead, a quick switch into online operations was done. Meetings, courses and international conferences were conducted through video conferencing to ensure the continuity of essential functions and to maintain communication and engagement with members and the international partners.</p>
3.13	<p><b>All China Lawyers Associations</b></p> <p>Cui Haiyan presented the All China Lawyers Associations’ (ACLA) report on behalf of President Gao Zicheng who initially presented some parts of it in Mandarin.</p> <p>At this stage, the Chairman informed the POLA Members that the ACLA’s report which the Bar Council of Malaysia had just received has now been uploaded and can be accessed by mobile scanning with the QR code.</p> <p>Cui Haiyan said that founded in July 1986, the ACLA is a self-governing professional organisation of Chinese lawyers and administers the lawyer profession in accordance with the PRC law. The highest authority of the ACLA is the National Lawyers Congress (the NLC). The NLC has a four-year term and elect the Council and the Board of Supervisors. The Council will then elect the President, the Vice Presidents and the Council’s Executive Members. The Board of Supervisors will hold general assembly to elect its Chairperson and Vice Chairpersons. When the NLC and the Council are not in session, the Standing Council presides over the work of the Association. The Board of Supervisors is the supervisory body of the NLC and is responsible to the NLC.</p>

		<p>The ACLA has a secretariat responsible for implementing the resolutions and decisions of the NLC, the Council and the Standing Council, and undertaking the daily work of the Association. Since its establishment, the ACLA has focused on governing lawyer profession based on rules, guiding lawyers to practice in good faith in accordance with laws and regulations, and has played an important role in guiding lawyers’ practice, exchanging work experience, safeguarding lawyers’ lawful rights and interests, and strengthening non-governmental exchanges with foreign lawyers, which has made positive contributions to the development of Chinese lawyer profession.</p> <p>Introducing the China’s Lawyer profession, Cui Haiyan said that in recent years, the lawyer profession in China has been developing rapidly. By the end of 2022, there were over 651,600 lawyers and over 38,600 law firms in China. Lawyers throughout the country have dealt with over 12.744 million cases in all kinds, handled more than 8.244 million litigation cases and 1.416 million non-litigation cases, served as legal advisers in more than 876,000 bodies.</p> <p>In recent years, the ACLA has been actively adapting to the situation of economic and social development, vigorously strengthening the association’s own capability building and protecting lawyers’ practice rights.</p> <p>Concluding her presentation, Cui Haiyan said that if anyone is interested, the ACLA will be happy to send the full report to them.</p>
	3.14	<p><b>Malaysian Bar</b></p> <p>The Chairman said that at the last POLA conference in 2022 which she had attended, she had reported that the Malaysian Bar has had an Extraordinary General Meeting (EGM) and had proceeded with the Walk for Judicial Independence to the Parliament. Since then, a few things have happened. Firstly, the country went through the 15<sup>th</sup> General Election in November 2022. A new Government is now in power. To a certain extent, Malaysia might just be in the same position as Fiji right now because the new Government is either listening to its bar leaders or is more approachable in terms of wanting to listen to the suggested reforms that the bars have in mind.</p> <p>Moving on, the Chairman said that the Malaysian Bar has submitted more than 60 proposal papers on institutional reforms to the Government in order to strengthen the rule of law in the country. To date, Malaysia has successfully implemented the Anti Hopping Law, abolished the mandatory death penalty - although the Malaysian Bar is still advocating for complete abolishment of death penalty and not just the mandatory part - and decriminalised attempted suicide. It is hard to believe that attempting suicide was considered a crime all this while. Fortunately, that offence has now been removed.</p> <p>The Chairman said that at the just concluded International Malaysia Law Conference 2023, some POLA Members would have noted that the Malaysian Bar had made several demands on the Government. One demand was the call for an amendment to the Federal Constitution to allow for gender equality namely for the word “father” to be replaced with the word “parent.” It cannot just be the father who is recognised as a person in a family unit. This call was made specifically in respect of children who are born overseas to Malaysian mothers but with foreign fathers and as a result, unable to get citizenship when they return home. Apart</p>

	<p>from that, the Malaysian Bar has a long load of laws that it wants the Government to implement.</p> <p>On a brighter note, the Chairman reported that the amendments to the Legal Profession Act (LPA) 1976 which the Bar Council has been pushing for more than five years now, and sidelined for many years, is finally getting somewhere. The Malaysian Government has indicated that an Amendment Bill is going to be tabled in the October 2023 Parliament sitting. This tabling is important because there is a provision within the LPA on the Limited Liability Partnership (LLP) which, if passed, would enable law firms to adopt and take advantage of the new LLP structure.</p> <p>On a less positive note, the Chairman reported that the Malaysian Bar had filed a suit against the Government of Malaysia for preventing the Bar Council's Walk to Parliament in 2022 citing unconstitutionality because it breaches many fundamental rights belonging to the people. The matter is still ongoing at the moment. Secondly, a couple of months ago, there was a breaking news on the issue relating to the independence of the Judiciary where the Malaysian Anti-Corruption Commission had allegedly tried to intimidate the judges and in the process skewered the independence of Judiciary. Because of that, the Malaysian Bar held another EGM on 10 May 2023 and the House passed a resolution to admonish the Minister of Law and the Attorney General. The resolution has since been handed over to the Minister of Law and will be handed over to the Attorney General soon.</p> <p>Apart from that, in the last six months, the Bar Council had organised a trade delegation visit to Indonesia and Japan where they met up with PERADI and the Japan Federation of Bar Associations respectively. The Bar Council recognises the need for closer working relationship with each and every Bar in the region. The other bar associations and law societies can expect a letter from the Malaysian delegation on a trade visit soon.</p>
4	<p><b>Overview of the POLA Member Reports</b></p> <p>Giving an overview of the reports, the Chairman took cognisance of some of the interesting developments that have taken place in the POLA Member countries. She mentioned a few of them as follows:</p> <ul style="list-style-type: none"> <li>(a) Concerns about the setting up of an Independent Regulatory Board and the appointment of officers by a Government Minister in New Zealand</li> <li>(b) Launch of the highly sophisticated <i>My Lawyer</i> platform by the Korean Bar Association which POLA Members could learn something from</li> <li>(c) Abolishment of death penalty and the implementation of IT infrastructure in the courts in Japan</li> <li>(d) Elimination of the use of cheques in Singapore effective 2025 which may become a trend in the future</li> <li>(e) Supportive approach to the legal profession by the new Fiji Government which is similar to Malaysia at the moment</li> <li>(f) Issue of law firms being subjected to report to the Investment Board in Indonesia and whether PERADI needs to be assisted in that regard</li> <li>(g) Second wave of the #MeToo movement in Taiwan which is a good development</li> </ul> <p>The Chairman asked if anyone has anything to raise with regards to the matters highlighted in the presentation.</p>

	<p>No questions were raised.</p> <p>The Chairman proceeded to the next item on the agenda.</p>
5	<p><b>Review of POLA Charter (Report of the Working Group)</b></p> <p>By way of background, the Chairman informed the POLA Members that in 2018, the Law Council of Australia had called for a review of the POLA Charter after 30 years of POLA gatherings. Several countries formed a Working Group to review POLA’s objectives, its founding Charter and operations. The Report of the Working Group’s recommendation is now before the meeting. The Chairman then called upon Luke Murphy to explain briefly the Working Group’s Report.</p> <p>Luke Murphy said that the catalyst for the review of the Charter was the 29<sup>th</sup> POLA conference in 2018. Since then, the Working Group’s draft report was tabled and discussed at the 2022 POLA Summit in Singapore where there was a general agreement to the proposed amendments subject to adding three substantive amendments.</p> <p>Luke Murphy highlighted that one of the amendments to the Charter is regarding the name of the organisation. The Working Group has recommended that the name POLA shall be the “Presidents of Law Associations in Asia” and not “Presidents of Law Associations of Asia”. Further changes that have been proposed by the Working Group since the last POLA Summit in Singapore are set out from pages 15 – 26 of the folder together with notes on the Working Group discussions. The changes are marked in red. Most of the amendments are relatively administrative. The three items which the Working Group was asked to consider in 2022 was:-</p> <ol style="list-style-type: none"> <li>1. the consistent use of POLA Summit rather than POLA Conference</li> <li>2. the inclusion of jurisdiction in Article 4(4) rather than in relation to membership</li> <li>3. some further details in relation to Article 7</li> </ol> <p>Luke Murphy said that he will be happy to explain any of the amendments if anyone wishes him to. He then sought the POLA Members endorsement and adoption of the amended Charter. It is relatively imperative that an association of legal bodies have a Charter that refers to itself by a name, and deals with membership as well as provide a mechanism for the way in which to conduct its affairs into the future.</p> <p>The Chairman thanked Luke Murphy for the short brief. She said that it has been five years since the POLA Charter has been worked on. It is time to move ahead with the amendments as most of it is purely administrative. Having said that, she made two observations on the amended POLA Charter.</p> <p><b><u>Article 2A. (Attendance)</u></b>  <i>Attendance in person by POLA Members at POLA Summits is preferred and strongly encouraged. However, it is recognised that on occasion it may be necessary and pragmatic for a POLA Member to attend by virtual means. In such a situation, prior notice of virtual attendance must be given to the Host Bar Association. The POLA Member attending by virtual means, having given prior notice, will have all the rights afforded to POLA Members attending in person, including the right to vote on any resolution.</i></p> <p>One is that there seems to be a discrepancy in the above Article 2A of the amended Charter regarding attendance. In order to move with the times, the possibility of attending the POLA Summit virtually has been opened up. This may result in the physical attendance at a POLA Summit being less robust. For the 2023 POLA Summit, as the Host Bar, Malaysia</p>

had asked for a full physical POLA Summit partly to enable the POLA Members to attend the International Malaysia Law Conference from 10-13 July 2023 which ran back to back with the POLA Conference.

The Chairman asked if the rest of the POLA Members are comfortable with lesser physical attendance at future POLA Summits once the virtual attendance is permitted.

Members had no objection to allowing virtual attendance for POLA Summits.

**Article 3. (Objects)**

*The objects of POLA shall be:*

1. *To exchange information and mutually cooperate regarding the operation and organisation of the bar associations;*
2. *To provide regional cooperation for the promotion of peace and human rights activities;*
3. *To make joint efforts for the enhancement of the rule of law;*
4. *To cooperate in advancing the status of lawyers, in developing the legal profession and the scope of its activities and in strengthening the activities of the bar associations in the region;*
5. *To cooperate with related international or global organisations such as the United Nations, and other regional or international legal profession organisations;*

The Chairman said her second observation is regarding Article 3 of the objects of POLA. The amended POLA Charter has listed five objectives whilst on the POLA website, eight objectives are listed. The eight items listed on the website are the same as the objects listed in the POLA booklet that were distributed to members for this Summit. Since taking over the management of the POLA website in 2022, the Malaysian Bar has tried to trace the history behind this discrepancy but was unable to come to any conclusion or landing on how these objects evolved over time. Given that situation, the Chairman proposed that all eight objects be listed in the revised Charter as she cannot see anything objectionable to doing that. The Chairman asked if the POLA Members are agreeable to this.

No objections were recorded at this point.

Moving on to Article 5 and 6 of the Charter, the Chairman asked if POLA Members are comfortable with these amendments or they want to discuss the amendments further before the meeting adopts the amendments. If anyone has reservations on the amendments to a certain article within the POLA Charter, the adoption of that article could be left for further discussion whereas all the other articles that are non objectionable could be adopted.

Since there were no responses, the Chairman said she will take it that the meeting is agreeable to adopting the amendments as recommended by the Working Group.

Expressing his support to adopting the amended POLA Charter as it stood, Prashant Kumar said that the Working Group has provided further refinement in the form of notes at the end of each amendment. Right now, whatever work that has been done on the POLA Charter is an improvement from the previous version. Hence, the POLA Members should go along with it. If they wish to further refine the POLA Charter, they can always bring the proposed amendment in by moving a motion. Prashant Kumar is of the view that the POLA Members should not get into five years of work by the Working Group. Something has been produced here. Unless there is something objectionable to it, he called upon the POLA Members to move ahead with the adoption.

The Chairman concurred with Prashant Kumar that the meeting needs to move on with the adoption of the amended POLA Charter. If there is a need to amend it later, members can

	<p>always come back to it at a later time. That would mean that this version of the amended POLA Charter will be the version that is now applicable and will go onto the website.</p> <p>The amended POLA Charter was adopted.</p> <p><b><u>Article 4 (Membership)</u></b></p> <p><i>1. Any bar organisation representing a majority of the practising lawyers in a country or area in Asia shall be eligible to apply to become a POLA Member. The term “bar organisation” shall include a bar association, a lawyers’ council, a law society, or any other organisation of lawyers with a similar name.</i></p> <p>Cui Haiyan referred to Article 4(1) in the amended POLA Charter and suggested that in all future POLA meetings and documents/materials, the term “POLA Member” be used to refer to the POLA report/member instead of using the term “country/region report” so that the term is in compliance with the Charter.</p> <p>Concurring with Cui Haiyan’s suggestion, the Chairman said that use of correct terminology is important. Given that the POLA Charter is an old document which has been in existence from 1990, variations in terminology is to be expected. For example, the name of the POLA association back then was different. Over the years, the POLA Charter has evolved into the type of document it is today. For practicing lawyers, use of terminologies that comply with the Charter is essential.</p> <p>Johannes Sahetapy-Engel proposed that the list of POLA members, which is limited to members of Asian countries, be expanded to include Australia and New Zealand.</p> <p>The Chairman asked if Johannes is proposing that “Asia” be expanded to Asia Pacific.</p> <p>Johannes Sahetapy-Engel answered in the affirmative.</p> <p>Prashant Kumar said that “Asia” should be maintained because there is an understanding that POLA Members are not going to expel Australia and New Zealand.</p> <p>Luke Murphy agreed that the word Asia in POLA be kept as it is since Australia and New Zealand consider themselves to be part of Asia.</p> <p>The Chairman said the word “Asia” in POLA will be maintained with the understanding that POLA is an inclusive organisation. Now that the amended POLA Charter has been adopted, it will be uploaded onto the POLA website.</p> <p><b><u>Decision</u></b></p> <p>The revised POLA Charter was adopted.</p>
6	<p><b>Hosts for POLA 2025 and 2026</b></p> <p>The Chairman said that everyone is aware that the POLA Conference 2024 will be hosted by Hong Kong. For purposes of certainty, it will be good to discuss which country is to host POLA 2025 and 2026.</p> <p>At this point, Prashant Kumar put forth the Bar Association of India’s proposal to host POLA 2025 in New Delhi. He expressed hope that the POLA Members will endorse India as the host in 2025. For members’ information, India has hosted POLA twice in the past. One was in 2002/3 and another in 2015 in Goa. It is the Bar Association of India’s wish to once again welcome everyone to India after a lapse of 10 years.</p>

	<p>Kim Young Hoon expressed the KBA’s support for India’s bid to host POLA 2025.</p> <p>Prashant Kumar thanked Kim Young Hoon for the support.</p> <p>The Chairman asked if anyone wishes to bid for POLA 2025 other than India.</p> <p>Johannes Sahetapy-Engel said that before bidding, he would first like to find out if the POLA Conference has to be held within a particular month in a year.</p> <p>The Chairman said the past POLA Conferences have mostly been held in the months of July and August.</p> <p>Prashant Kumar said that the POLA conferences are usually held mid-year between the months of May to August. It may differ from country to country depending on the country’s legal calendar which lists out the court vacations and the legal profession vacations. Slight adjustments may have to be made to accommodate the dignitaries and others.</p> <p>Johannes Sahetapy-Engel said in that case, he would withdraw his country’s unspoken bid as the current Board’s term ends in April 2025.</p> <p>The Chairman said that since there is no other bids, on behalf of the POLA Members, she congratulated India who will now host POLA 2025.</p> <p>The Chairman asked if anyone wishes to bid for POLA 2026.</p> <p>Prashant Kumar said an indication of interest should be fine at this stage.</p> <p>The Chairman agreed.</p> <p>Johannes Sahetapy-Engel indicated PERADI’s interest to host POLA 2026.</p> <p>The Chairman said that the meeting will note PERADI’s expression of interest for POLA 2026.</p> <p><b><u>Decision:</u></b>  (a) The Bar Association of India was confirmed as the Host for POLA 2025.  (b) Indonesia’s PERADI has indicated interest to host POLA 2026.</p>
7	<p><b>To consider the proposal to establish a POLA secretariat</b></p> <p>The Chairman briefed the POLA Members on this proposal. She said that the Malaysian Bar is proposing to establish a POLA secretariat for purposes of providing administrative support to POLA. Many who are attending this POLA Summit would probably not remember what had transpired 20 years ago or even just 5 years ago at POLA. Since taking over the management of the website from the Korean Bar Association in 2022, one of the challenges faced by the Malaysian Bar is in finding POLA related materials to be uploaded onto the website. Those who have visited the POLA website would notice that the information contained therein is quite skeletal. Not much historical information has been gathered since 1990, the year when POLA was established. Although POLA is 32 years old, even attempts to get past minutes of POLA meetings have been difficult. Without these records, there is a real concern that some of those past decisions have been lost and because of that, the reasons behind why certain decisions were made have been lost as well.</p>

The Chairman said that the Malaysian Bar has the resources to establish a secretariat for POLA and is happy to volunteer and offer a depository service so that the work of extracting the relevant POLA related materials/documents for purposes of information gathering can be carried out to build the POLA website. If there is a need for a reference point at any time in the future, then this exercise would benefit not only those who seek such information now but also benefit future bar leaders maybe 10 years down the line.

Prashant Kumar said that he would support the endorsement of the Malaysian Bar's proposal. He is saying this partly because the Bar Association of India, which is a founding member of POLA, had not been invited to the 32<sup>nd</sup> POLA Conference in Singapore last year. That is the reason why the Bar Association of India had been absent at that conference. He had then realised that proper records and information are not maintained and updated. Prashant Kumar suggested that the new secretariat be called a POLA Facilitation Centre which would then become a permanent POLA Facilitation Office. Perhaps a mandate could be given to the Malaysian Bar for a period of 3-5 years to run the center. Thereafter, the centre's functioning can be improved by way of experience and more things can be brought into play. There is certainly

a need for a centre. If the function of the centre can be defined in a way that does not conflict with the POLA Charter, this proposal ought to be given the go ahead.

The Chairman pointed out that the "facilitation centre" would function merely as a central depository. It would not do anything more than that. For example, when the Hong Kong Bar Association hosts the POLA Conference next year (2024), as the host country, they would decide on the programme and the invitations, etc. The host country would retain full discretion in terms of organising the POLA Conference. But should there be a need for them to get hold of the minutes of the POLA meetings of a given year, then that is something that the Malaysian Bar, through its depository centre, would be able to provide.

Having noted that Article 11 of the POLA Charter regarding secretariat has been crossed out completely in the amended Charter, Prashant Kumar said that he sees no harm in the POLA Members taking a decision on the proposal now and see how it functions. The functioning of the centre can always be reviewed later should there be anything that has to be improved on.

Victor Daves said that the rationale why Article 11 on the appointment of a secretariat had been removed when the re-drafting of the POLA Charter was done was that the Working Group found Article 11 to be not compatible with the revised Article 7(4). Article 11 is now covered by the revised Article 7(4). That is why in the drafting notes, the Working Group has pointed to Article 7(4) where the host bar is supposed to play the role of the Secretariat rather than having a fixed Secretariat.

Luke Murphy said that the revision was done in order for the host bar to administer the annual POLA conference in an efficient way.

C.M. Chan said that for purposes of POLA 2024, the Hong Kong Bar Association and the Law Society of Hong Kong will be playing a large role in the administration of the conference. The idea of having a depository for record purposes is good so long as the centre functions as a record keeper and that the discretion will always rest with the host

	<p>country in terms of how to hold the Summit. If that is the understanding then he would support the proposal.</p> <p>The Chairman said the decision regarding the programme and the agenda are best left with the host country because those are within the host country's discretion.</p> <p>C.M. Chan said that is a valid point which Hong Kong will bear in mind when planning the functions ahead of POLA 2024.</p> <p>Prashant Kumar proposed that the meeting gives the Malaysian Bar a 3-5 year mandate to carry out the administrative function instead of putting the establishment of such an office into the POLA constitution.</p> <p>The Chairman said that the Malaysian Bar is, at this point in time, looking for a mandate from the POLA Members to set up the centre so that they can start writing to the POLA Members to request for materials/documents. There must be an understanding that when the Malaysian Bar writes to a certain POLA Member, that Member is then able to furnish the materials/documents needed and is comfortable in providing the information. Thereafter, the information can be uploaded onto the POLA website.</p> <p>Prashant Kumar said that the POLA meeting was most productive when it was bifurcated into two meetings where a meeting is held at the start of the conference and another towards the end of the conference. In between the 1.5 days of these two meetings, the delegates could have side discussions, issue statements and decide on the resolutions that have to be passed. The consensus can be built during this time making each Summit more productive rather than carrying forward the issues to the following year when the next Summit takes place. This was a practice that worked very well in previous years. This meeting can adopt this practice as best practice rather than having everything written in the Charter.</p> <p>The Chairman sought the POLA Members consensus on a name for the depository centre so that the Malaysian Bar is able to formally address itself when it starts writing to them. She sought consensus on the name "POLA Facilitation Centre."</p> <p>Members had no objection to the name "POLA Facilitation Centre".</p> <p>Luke Murphy thanked the Malaysian Bar for taking on the task to itself in order to complete the history of POLA. He said that the Chairman has the POLA Members' confidence to carry on with the task.</p> <p>The Chairman thanked the delegates for the approval. She said that she looks forward to undertaking this project of having a depository of all POLA historical documents in a chronological order.</p> <p><b><u>Decision:</u></b>  Malaysian Bar to serve as the POLA Facilitation Centre. The role of the Centre is as follows:</p> <ul style="list-style-type: none"> <li>(a) To serve as a central depository of records relating to POLA;</li> <li>(b) To seek and attempt to compile previous records;</li> <li>(c) To share the central depository of records with all POLA Members;</li> <li>(d) To be responsible for the updating of the POLA Database; and</li> <li>(e) To serve as a point of reference and to provide support to the Host Bar Association when it organises the POLA Summit.</li> </ul>
8	<b>Any other business</b>

	<p>The Chairman asked if the POLA Members have other issues to raise.</p> <p>Prashant Kumar suggested that the Chairman, on behalf of the POLA Members, convey their condolences to the LSS over the tragic loss of President Adrian Tan.</p> <p>In support of Prashant Kumar’s call, the Chairman said that she had considered the late Adrian Tan as not just an acquaintance but her friend. Having met Adrian Tan at the last POLA conference in Singapore where he had been the Host, she had the benefit of speaking with him on a one to one basis and had found him to be a warm, down to earth and a wonderfully witty person. The legal profession as well as POLA has lost someone valuable to the profession. These are some very big shoes to fill and to that end, she hopes that the Malaysian Bar, as host of POLA 2023, had done him justice.</p> <p>Addressing Lisa Sam of LSS, the Chairman placed on record the POLA Members deepest condolences for the loss of Adrian Tan.</p>
9	<p><b>Closing</b></p> <p>The Chairman thanked everyone for their participation and concluded the 33<sup>rd</sup> POLA Summit at 5.00 pm.</p> <p>Johannes Sahetapy-Engel recorded his appreciation to the Chairman and the Organising Team of the Malaysian Bar for having hosted a wonderful POLA 2023.</p> <p>Prashant Kumar recorded a vote of thanks to the Chairman.</p> <p>A photography session took place immediately thereafter.</p>

Karen Cheah Yee Lynn  
President  
Malaysian Bar