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Malaysian Bar**

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**Resolution Adopted at the 80th Annual General Meeting of the Malaysian Bar
(Held on 14 March 2026)**

Resolution to Address Touting in Courts, Public Offices and Other Private or Non-Governmental Premises

WHEREAS:

1. Rule 51 of the Legal Profession (Practice & Etiquette) Rules 1978 states as follows: -

An advocate and solicitor shall not do or cause or allow to be done anything for the purpose of touting directly or indirectly, or which is calculated to suggest that it is done for that purpose.
2. In recent years, touting in the vicinity of courts and public offices such as land offices, hospitals, banks, police stations and others has increased tremendously despite lawyers are well aware that it is against **Rule 51 of the Legal Profession (Practice & Etiquette) Rules 1978** and is an offence under **Section 15A of the Minor Offences Act 1955**. The Malaysian Bar has consistently denounced touting and has sought to discourage and eradicate such practices by, among others, lodging complaints with the Bar Council Anti-Touting Committee or the Advocates and Solicitors Disciplinary Board (“ASDB”) and other legal proceedings.
3. Accepting employment in any legal business through a tout or seeking to do so amounts to professional misconduct pursuant to section 94(3)(h) of the Legal Profession Act 1976 and Rule 51 of the Legal Profession (Practice and Etiquette) Rules 1978.
4. Despite these provisions, in recent years, touting in the vicinity of courts, particularly in criminal matters in certain courts as well as in public offices such as land offices, hospitals, banks appears to have increased.
5. In other areas of legal practice, such as accident claims and conveyancing matters, touting activities often originate at police stations, hospitals and banks, where touts or third parties approach injured persons, individuals involved in accidents, or customers seeking loan or financing facilities under the pretext of offering assistance, with the intention of directing such persons to specific law firms.

6. The *Yayasan Bantuan Guaman Kebangsaan* (“YBGK”), which commenced operations in April 2012, was established to provide legal assistance to Malaysians irrespective of financial means at police stations, during remand proceedings and upon being charged in court. The YBGK scheme has enabled numerous Malaysians who would otherwise not have had legal representation to receive legal assistance and representation, thereby enhancing access to justice.
7. While the objectives and contributions of YBGK are acknowledged and supported, all lawyers participating in the YBGK scheme remain subject to the Legal Profession Act 1976, the Legal Profession (Practice & Etiquette) Rules 1978, and the ethical obligations governing advocates and solicitors. Any conduct amounting to touting, solicitation of clients, or other unethical practices, whether carried out directly or indirectly through third parties, is strictly prohibited.
8. Accordingly, while the Malaysian Bar continues to support the role and objectives of the YBGK scheme in ensuring access to justice, any allegation of touting or unethical conduct by participating lawyers must be addressed through the existing disciplinary and regulatory mechanisms of the Malaysian Bar.

Therefore, it is hereby resolved that: -

1. The Bar Council Anti-Touting Committee shall take the necessary steps to address and curb the prevalence of touting within the legal profession, including making proposals to the Bar Council:
 - a. to clarify and codify what constitutes touting; and
 - b. to review the current guidelines on touting and strengthening the regulatory framework governing such conduct, including where necessary proposing amendments to the Legal Profession Act 1976 and related rules.
2. The Malaysian Bar, through the Bar Council and the Bar Council Anti-Touting Committee, shall engage with the Judiciary, PDRM, MACC and other relevant authorities to establish appropriate rules, policies or guidelines to curb touting within court premises and other public institutions.
3. The Malaysian Bar shall continue to uphold the integrity and dignity of the legal profession by ensuring that complaints or credible information relating to touting and other unethical client procurement activities are addressed promptly through the existing regulatory and disciplinary mechanisms under the Legal Profession Act 1976.
4. The Malaysian Bar, acting through, the National Legal Aid and YBGK Committee (“Committee”), receives a complaint concerning any Member of the Malaysian Bar such complaint shall be investigated without delay and if there is credible evidence that such member has engaged in touting activities, the Malaysian Bar shall, amongst others, lodge a complaint to the ASDB and take all other necessary disciplinary steps and actions to protect the integrity of the Malaysian Bar and the work of the Committee.