

MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU
IN THE STATE OF SABAH, MALAYSIA
ORIGINATING MOTION NO. _____ OF 2007

IN THE MATTER of Section 4(1B) (b) of
the Advocates Ordinance (Sabah Cap. 2)

AND

IN THE MATTER of Order 8 rule 3 of the
Rules of High Court 1980

AND

IN THE MATTER of an application by **MR
SABAH BOY (NRIC No. 123456789)**,
Advocate and Solicitor of the High Court of
Malaya, of No Permanent Address, 90712
Sandakan, Sabah for an exemption under
Section 4(1B)(b) of the Advocate Ordinance
(Sabah Cap.2)

MR SABAH BOY

... APPLICANT

ORIGINATING MOTION

TAKE NOTICE THAT THE Court will be moved on the _____ day of
2007 at _____ a.m./p.m. for an Order that the abovenamed applicant be granted part
exemption under Section 4(1B)(b) of the Advocates Ordinance (Sabah Cap.2) for a
period of nine (9) months from the period of pupillage or reading in chambers or for
such other period as the court deems fit for the purpose of fulfilling Section 4(1A)(a)
of the Advocates Ordinance (Sabah Cap.2)

AND that the costs of and incidental to this application be paid by the Applicant.

The grounds of this application are:-

(a) The applicant had completed nine (9) months of pupillage :-

(i) from 2nd March 2006 to 2 December 2006 in the Chambers of Mr. MA MA Adrian of Messrs ABRAHAM & Boss, Advocates & Solicitors of 50200 Kuala Lumpur, a legal practitioner who has been active in practice for a period of not less than seven (7) years.

(b) The applicant was admitted as an Advocate and Solicitor of the High Court of Malaya on the 12th January 2007.

The full grounds of this application are contained in the Affidavit of MR SABAH BOY sworn on the _____ and filed in support hereof.

Dated the _____ day of _____ 2007.

.....
Deputy/ Senior Assistant Registrar
High Court of Sabah and Sarawak
Kota Kinabalu

A copy of the Affidavit shall be delivered to the State Attorney-General's Chambers, Kota Kinabalu and the Sabah Law Association, Kota Kinabalu, Sabah :-

To: (1) The State Attorney General
State Attorney General's Chambers
9th Floor, Menara Tun Mustapha
Teluk Likas
88990 Kota Kinabalu

(2) Sabah Law Association
2nd Floor, 58 Jalan Pantai
Hainan Association Building
88000 Kota Kinabalu

This Originating Motion is filed on the _____ by Messrs ABC & Associates, Advocates and Solicitors for the Applicant whose address for service is 90000 Sandakan, Sabah, Malaysia.

MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU
IN THE STATE OF SABAH, MALAYSIA
ORIGINATING MOTION NO. _____ OF 2007

IN THE MATTER of Section 4(1B) (b) of
the Advocates Ordinance (Sabah Cap. 2)

AND

IN THE MATTER of Order 8 rule 3 of the
Rules of High Court 1980

AND

IN THE MATTER of an application by **MR
SABAH BOY (NRIC No. 123456789)**,
Advocate and Solicitor of the High Court of
Malaya, of No Permanent Address, 90712
Sandakan, Sabah for an exemption under
Section 4(1B)(b) of the Advocate Ordinance
(Sabah Cap.2)

MR SABAH BOY

... APPLICANT

AFFIDAVIT

I, **MR SABAH BOY (NRIC No. 123456789)**, an Advocate and Solicitor of
the High Court of Malaya of No Permanent Address, 90712 Sandakan, Sabah do
hereby solemnly and sincerely affirm and state as follows:-

1. I am the Applicant herein and the facts deposed hereto are within my
personal knowledge unless stated otherwise and where appropriate, are
supported by documents exhibited herein.

2. I am a Malaysian citizen born in Sandakan, in the State of Sabah. A certified true copy of my Identity Card and Birth Certificate are annexed hereto and marked as exhibits “**CJY-1**” and “**CJY-2**” respectively.
3. I was awarded the Degree of Bachelor of Laws (LLB) by the University of the West of England, Bristol, United Kingdom in 2004. A certified true copy of the said Degree Certificate is annexed hereto and marked as exhibit “**CJY-3**”.
4. I was further awarded the Post Graduate Diploma in Law (PGDL) of the Bar Vocational Course (BVC) by the University of the West of England, Bristol, United Kingdom and also, the Certificate of Standing by the Honourable Society of Lincoln’s Inn, England and called to the Bar of England and Wales as a Barrister-at-Law (Lincoln’s Inn, England) in 2005. A certified true copy of the said Post Graduate Diploma in Law (PGDL) of the Bar Vocational Course (BVC) and the said Certificate of Standing from the Honourable Society of Lincoln’s Inn, England are annexed hereto and marked as exhibits “**CJY-4**” and “**CJY-5**” respectively.
5. I commenced my pupillage in Kuala Lumpur on 02.03.2006 upon filing my petition for admission as an Advocate and Solicitor of the High Court of Malaya at Kuala Lumpur. A certified true copy of the said petition with Petition No. XX-XXX-06 is annexed hereto and marked as exhibit “**CJY-6**”.
6. I completed my 9 months’ pupillage under Mr. Ma Ma Adrian of Messrs

Abraham & Boss from 02.03.2006 to 02.12.2006.

7. A certified true copy of the Certificate of Diligence by Mr. Ma Ma Adrian dated 08.12.2006 is annexed hereto and marked as exhibit “**CJY-7**”.
8. I was called to the Malaysian Bar of the States of Malaya vide an Order of High Court of Malaya at Kuala Lumpur dated 12.01.2007. A certified true copy of the said Order is annexed hereto and marked as exhibit “**CJY-8**”.
9. I verily believe that I have satisfied the requirement under Section 4(1B)(b) of the Advocates Ordinance (Sabah Cap.2) by completing my 9 months pupillage from 02.03.2006 to 02.12.2006 under my master, Mr. Ma Ma Adrian who is a legal practitioner in active practice of not less than 5 years standing in West Malaysia.
10. I am desirous of being admitted as an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah.
11. I therefore humbly pray to this Honourable Court for an Order that I may be granted part exemption under Section 4(1B)(b) of the Advocates Ordinance (Sabah Cap.2) for a period of 9 months from the pupillage or reading in chambers or such other period as this Honourable Court deems fit for the purpose of fulfilling Section 4(1A)(a) of the Advocates Ordinance (Sabah Cap.2).

SWORN by the abovenamed)

MR SABAH BOY)

at Sandakan)

this day of)

[Interpretation not required])

Before me

.....
COMMISSIONER OF OATHS

This Affidavit is sworn on the _____ by Messrs ABC & Associates,
Advocates and Solicitors for the Applicant whose address for service is some
place in Sandakan.

MALAYSIA

IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU

IN THE STATE OF SABAH, MALAYSIA

ORIGINATING SUMMONS NO. _____ OF 2007

IN THE MATTER of Section 4, 5 and 6 of
the Advocates Ordinance (Sabah Cap. 2)

AND

IN THE MATTER of an application by **MR
SABAH BOY (NRIC No. 123456789)**, Advocate
and Solicitor of the High Court of Malaya of
90712 Sandakan, Sabah for admission as an
Advocate and Solicitor of the High Court of
Sabah and Sarawak in the State of Sabah,
Malaysia.

MR SABAH BOY

... APPLICANT

SUPPLEMENTARY AFFIDAVIT

I, **MR SABAH BOY (NRIC No. 123456789)**, an Advocate and Solicitor of

the High Court of Malaya of No Permanent Address, 90712 Sandakan, Sabah do hereby solemnly and sincerely affirm and state as follows:-

1. I am the Applicant herein and the facts deposed hereto are within my personal knowledge unless stated otherwise and where appropriate, are supported by documents exhibited herein.

2. I seek the permission of this Honourable Court to refer to the affidavit of MR SABAH BOY (hereinafter referred to as the “said Affidavit”) that was affirmed on _____ and filed in this Honourable Court on _____.

3. I refer to paragraph 14 of the said Affidavit wherein which I undertook to submit to this Honourable Court, the Sabah Law Association and the Attorney General’s Chambers a copy of my Certificate of Attendance (hereinafter referred to as the “said Certificate of Attendance”) which I obtained from attending the seminar on Advocates (Practice and Etiquette) Rules conducted by the Sabah Law Association on _____.

4. Annexed hereto is to a certified true copy of the said Certificate of Attendance dated _____ and marked as exhibit “A”.

MALAYSIA

IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU

IN THE STATE OF SABAH, MALAYSIA

ORIGINATING SUMMONS NO. _____ 2007

IN THE MATTER of Section 4, 5 and 6
of the Advocates Ordinance (Cap.2)

AND

IN THE MATTER of an application by
MR SABAH BOY, Advocate and
Solicitor of the High Court of Malaya of
Somewhere 90712 Sandakan, Sabah for
admission as Advocate and Solicitor of
the High Court of Sabah and Sarawak in
the State of Sabah, Malaysia.

MR SABAH BOY

...APPLICANT

ORIGINATING SUMMONS

LET ALL PARTIES CONCERNED attend before the Honourable Chief Judge of the High Court in Sabah and Sarawak at Kota Kinabalu on the day of 2007 at a.m./p.m. on the hearing of an application by MR SABAH BOY for an Order that the Applicant be admitted and enrolled as an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah and that upon payment of the prescribed fees, the Registrar shall cause the name of the Applicant be entered on the Roll of Advocates pursuant to Section 6 of the Advocates Ordinance (Sabah Cap. 2)

Dated the day of 2007

.....
Deputy/Senior Assistant Registrar
High Court of Sabah and Sarawak
Kota Kinabalu

The Affidavit of MR SABAH BOY affirmed on the day of 2007 and filed on the day of 2007 will be read in support of this Originating Summons.

This Originating Summons is taken out by Messrs ABC, Advocates & Solicitors for the Applicant whose address for service is at 90000 Sandakan, Sabah, Malaysia.

A copy of this Originating Summons shall be delivered to:-

(1) The State Attorney General

State Attorney General's Chambers
9th Floor, Menara Tun Mustapha
Teluk Likas
88990 Kota Kinabalu.

(2) Sabah Law Association

2nd Floor, 58 Jalan Pantai
Hainan Association Building
88000 Kota Kinabalu
Sabah.

CERTIFICATE OF DILIGENCE

Re: MR SABAH BOY (NRIC NO. 12345678)

I, **MRS ABC**, an Advocate and Solicitor of the High Court of Sabah and Sarawak practising under the name and style of Messrs ABC & Associates, 90000 Sandakan, Sabah, do hereby certify as follows:-

1. I am an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah and have been lawfully practising as Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah since the year 1995, a period of not less than 11 years immediately prior to the commencement of Mr. MR SABAH BOY reading in chambers as my pupil.
2. MR SABAH BOY is personally known to me and has for the period not less than three (3) months from 23rd January 2007 to 11th May 2007 inclusive of both dates read in my chambers of the aforesaid firm as my pupil.
3. Mr. MR SABAH BOY has during the abovementioned period received instruction and gained experience in the law and its practice.
4. Mr. MR SABAH BOY has been diligent in his work as my pupil and from my knowledge and observation of him, I am of the opinion that he is a fit and proper person for admission to the Roll of an Advocate and Solicitor of the High Court of Sabah and Sarawak.

Dated this 14th day of MAY 2007.

.....

MRS ABC

Advocate and Solicitor

Messrs ABC & Associates

90000 Sandakan.

Sabah.

MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU
IN THE STATE OF SABAH, MALAYSIA

ORIGINATING SUMMONS NO. **2007**

IN THE MATTER of Section 4, 5 and 6
of the Advocates Ordinance (Cap.2)

AND

IN THE MATTER of an application by
MR SABAH BOY, Advocate and
Solicitor of the High Court of Malaya of
Somewhere 90712 Sandakan, Sabah for
admission as Advocate and Solicitor of
the High Court of Sabah and Sarawak in
the State of Sabah, Malaysia.

MR SABAH BOY

...APPLICANT

CERTIFICATE

I hereby certify that the following are the Exhibits marked “**CJY-1**”, “**CJY-2**”,
“**CJY-3**”, “**CJY-4**”, “**CJY-5**”, “**CJY-6**”, “**CJY-7**”, “**CJY-8**”, “**CJY-9**”, “**CJY-10**”, and
“**CJY-11**” referred to in the Affidavit-In-Support of MR SABAH BOY affirmed on
the day of 2007.

COMMISSIONER FOR OATHS

MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU
IN THE STATE OF SABAH, MALAYSIA
ORIGINATING SUMMONS NO. _____ OF 2007

IN THE MATTER of Section 4, 5 and 6 of
the Advocates Ordinance (Sabah Cap. 2)

AND

IN THE MATTER of an application by **MR
SABAH BOY (NRIC No. 123456789)**, Advocate
and Solicitor of the High Court of Malaya of No
Permanent Address, 90712 Sandakan, Sabah for
admission as an Advocate and Solicitor of the
High Court of Sabah and Sarawak in the State of
Sabah, Malaysia.

MR SABAH BOY

... APPLICANT

AFFIDAVIT-IN-SUPPORT

I, **MR SABAH BOY (NRIC No. 123456789)**, an Advocate and Solicitor of the
High Court of Malaya of No Permanent Address, 90712 Sandakan, Sabah do hereby
solemnly and sincerely affirm and state as follows:-

1. I am the Applicant herein and the facts deposed hereto are within my personal
knowledge unless stated otherwise and where appropriate, are supported by
documents exhibited herein.

2. I am a Malaysian citizen born in Sandakan, in the State of Sabah. A certified true
copy of my Identity Card and Birth Certificate are annexed hereto and marked as

exhibits “**CJY-1**” and “**CJY-2**” respectively.

3. I was awarded the Degree of Bachelor of Laws (LLB) by the University of the West of England, Bristol, United Kingdom in 2004. A certified true copy of the said Degree Certificate is annexed hereto and marked as exhibit “**CJY-3**”.

4. I am a “Qualified Persons” as provided under Section 4(1) (a) of the Advocates Ordinance (Sabah Cap.2) as I was awarded the Post Graduate Diploma in Law (PGDL) of the Bar Vocational Course (BVC) by the University of the West of England, Bristol, United Kingdom and also, the Certificate of Standing by the Honourable Society of Lincoln’s Inn, England and called to the Bar of England and Wales as a Barrister-at-Law (Lincoln’s Inn, England) in 2005. Certified true copies of the said Post Graduate Diploma in Law (PGDL) of the Bar Vocational Course (BVC) and Certificate of Standing from the Honourable Society of Lincoln’s Inn, England are annexed hereto and marked as exhibits “**CJY-4**” and “**CJY-5**” respectively.

5. I commenced my pupillage in Kuala Lumpur on 02.03.2006 upon filing my petition for admission as an Advocate and Solicitor of the High Court of Malaya at Kuala Lumpur. A certified true copy of the said petition with Petition No. XX-XXX-06 is annexed hereto and marked as exhibit “**CJY-6**”.

6. I completed my 9 months’ pupillage under Mr. MA MA Adrian of Messrs Abraham & Boss from 02.03.2006 to 02.12.2006.

7. A certified true copy of the Certificate of Diligence by Mr. MA MA Adrian dated

08.12.2006 is annexed hereto and marked as exhibit “**CJY-7**”.

8. I was called to the Malaysian Bar of the States of Malaya vide an Order of High Court of Malaya at Kuala Lumpur dated 12.01.2007. A certified true copy of the said Order is annexed hereto and marked as exhibit “**CJY-8**”.
9. On 23.01.2007, I commenced to read and have since been reading in the chambers of MRS ABC of Messrs ABC, an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah who has been lawfully and actively practising as an Advocate and Solicitor in the State of Sabah for a period of not less than eleven (11) years immediately prior to the commencement of my reading in chambers as her pupil.
10. On 17.04.2007, I have filed an Originating Motion for an order of part exemption of nine (9) months period of pupillage or reading in chambers under Section 4 (1B) (b) of the Advocates Ordinance (Sabah Cap.2) vide Originating Motion No. K-17-14 of 2007.
11. I have completed my three (3) months pupillage or reading in chambers under the guidance, instructions and supervision of my pupil master, MRS ABC on 30.04.2007. A copy of the Certificate of Diligence by my pupil master to that effect is annexed hereto and marked as exhibit “**CJY-9**”.
12. In the course of my pupillage with or reading in chambers of my pupil master, MRS ABC, I was instructed on various areas and matters of law and practice such as, *inter alia*, civil litigation, conveyancing and criminal litigation, and drafting legal

documents and conducting general legal research for civil litigation, conveyancing and criminal litigation. I was also edified on the importance of the rules of etiquette and professional conduct.

13. As I have completed three (3) months pupillage or reading in chambers, I verily believe that I have satisfied the requirement under Section 4(1A)(a) of the Advocates Ordinance (Sabah Cap.2).

14. I depose that at the time of filing of this affidavit, I have yet to attend the seminar on Advocates (Practice & Etiquette) Rules conducted by the Sabah Law Association. I hereby undertake to attend the seminar that will be held on 16.06.2007 and I will undertake to submit a copy of the Certificate of Attendance to this Court, the Sabah Law Association and the Attorney General's Chambers.

15. I also satisfy the requirement of Section 4(2)(a), (b) and (c) of the Advocates Ordinance (Sabah Cap.2) as;

1. I have not been at the date hereof, disbarred, struck off, suspended in any manner disentitled to practice as an Advocate or legal practitioner, by whatsoever name and style designated in any territory within the Commonwealth or elsewhere, except on my own motion, and is not subject to any present or pending disciplinary proceedings in connection with my practice nor have I ever been convicted in and subject to any pending or present criminal proceedings involving dishonesty in any territory within the Commonwealth or elsewhere.

2. I am not an undischarged bankrupt or the subject of any bankruptcy proceedings within the Commonwealth or elsewhere.

3. I have Sabah Connections in that I am a Sabah Origin and was born here on 21.03.1980.

16. I am the person referred to in two recent testimonials of good character from Ms. ZZZ and Mr. YYY, both of whom are legal practitioners in Sabah. True copies of the said testimonials both dated 14.05.2007, are now produced and annexed as exhibits “**CJY-10**” and “**CJY-11**” respectively.
17. I intend and always have the intention to practise as an Advocate and Solicitor in the State of Sabah and for this purpose I am making this application to enable me to be admitted and enrolled as an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah.
18. In the premises, I verily believe that I have satisfied the requirements under Sections 4 and 5 of the Advocates Ordinance (Sabah Cap.2) and I am also in all aspect fit, proper and eligible to be admitted and enrolled as an Advocate and Solicitor for the High Court of Sabah and Sarawak in the State of Sabah.
19. I, therefore, humbly pray to this Honourable Court for an Order that I be admitted and enrolled as an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah and that upon payment of the prescribed fee, the Registrar shall cause my name to be entered on the Roll of Advocates pursuant to Section 6 of the Advocates Ordinance (Sabah Cap.2).

MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU
IN THE STATE OF SABAH, MALAYSIA
ORIGINATING MOTION NO. K17-14 OF 2007

IN THE MATTER of **MR SABAH BOY**
(**NRIC No. 123456789**), Advocate and Solicitor
of the High Court of Malaya

IN THE MATTER of Section 4(1B) (b) of
the Advocates Ordinance (Sabah Cap. 2)

AND

IN THE MATTER of Order 8 rule 3 of the
Rules of High Court 1980

MR SABAH BOY

... APPLICANT

BEFORE HIS LORDSHIP
DATUK IAN CHIN HON CHONG
HIGH COURT JUDGE
IN SABAH AND SARAWAK
AT KOTA KINABALU

IN OPEN COURT

THIS 15TH DAY OF
JUNE 2007

ORDER

UPON THE APPLICATION of **MR SABAH BOY** **AND UPON READING** the
Originating Motion dated 17th day of April 2007 and the Affidavit of Mr Sabah Boy

affirmed on the 11th day of April 2007 filed herein **AND UPON HEARING MOSES TOM**, counsel for the Applicant, **MRS ANN CU** Esqess., Senior State Counsel appearing for and on behalf of the Sabah State Attorney General **AND JOHN K** Esq., President of Sabah Law Association appearing for and on behalf of the Sabah Law Association.

IT IS HEREBY ORDERED THAT the Applicant, **MR SABAH BOY** be granted part exemption under Section 4(1B)(b) of the Advocates Ordinance (Sabah Cap.2) for a period of nine (9) months from the period of pupillage or reading in chamber for the purpose of fulfilling Section 4(1A) of the Advocates Ordinance (Sabah Cap.2) and that the costs of this application be paid by the Applicant.

Dated the day of 2007

.....
Deputy/ Senior Assistant Registrar
High Court of Sabah and Sarawak
Kota Kinabalu

This Order is filed on the by Messrs ABC & Associates,
Advocates and Solicitors for the Applicant whose address for service is 90000
Sandakan, Sabah, Malaysia.

MALAYSIA
IN THE HIGH COURT OF SABAH AND SARAWAK AT KOTA KINABALU
IN THE STATE OF SABAH, MALAYSIA

ORIGINATING SUMMONS NO. K18-15 OF 2007

IN THE MATTER of Section 4, 5 and 6 of
the Advocates Ordinance (Cap.2)

AND

IN THE MATTER of an application by
MR SABAH BOY, Advocate and Solicitor
of the High Court of Malaya of Somewhere
90712 Sandakan, Sabah for admission as
Advocate and Solicitor of the High Court of
Sabah and Sarawak in the State of Sabah,
Malaysia.

MR SABAH BOY

... APPLICANT

BEFORE HIS LORDSHIP
DATUK IAN CHIN HON CHONG
HIGH COURT JUDGE
IN SABAH AND SARAWAK
AT KOTA KINABALU

IN OPEN COURT

THIS 15TH DAY OF
JUNE 2007

ORDER

UPON THE APPLICATION of the Applicant, MR SABAH BOY **AND UPON**
READING the Originating Summons dated 17th day of May 2007 AND the
Affidavit-In-Support of MR SABAH BOY affirmed on the 11th day of May 2007 filed
herein **AND UPON HEARING** MOSSES TOM Esq, counsel for the Applicant, **AND**

SOME ONE ELSE Esqess., Senior State Counsel appearing for and on behalf of the Sabah State Attorney General AND JOHN K Esq., President of Sabah Law Association appearing for and on behalf of the Sabah Law Association.

IT IS HEREBY ORDERED THAT the Applicant, **MR SABAH BOY** be admitted and enrolled as an Advocate and Solicitor of the High Court of Sabah and Sarawak in the State of Sabah and that upon payment of the prescribed fee, the Registrar shall cause the name of the Applicant to be entered on the Roll of Advocates pursuant to Section 6 of the Advocates Ordinance (Sabah Cap.2).

Dated the day of 2007

.....
Deputy/ Senior Assistant Registrar
High Court of Sabah and Sarawak
Kota Kinabalu

This Order is filed on the by Messrs ABC & Associates,
Advocates and Solicitors for the Applicant whose address for service 90000
Sandakan, Sabah, Malaysia.