



NEUTRAL CITATION NUMBER: [2026] CIGC (Misc) 1

IN THE GRAND COURT OF THE CAYMAN ISLANDS

MISCELLANEOUS PROCEEDINGS

CAUSE NO: MPG 20260022

In the matter of an Application by PHANG LING SAN, to be granted General Admission as an Attorney-at- Law of the Cayman Islands

And

In the matter of THE LEGAL SERVICES ACT (2020) Section 34

CORAM: RAMSAY-HALE CJ

**Appearances: Mr. Jonathan Moffat of Mourant
Ms Reshma Sharma, Solicitor General *amicus***

Heard: 11 March 2026

Delivered: 13 March 2026

Ex Tempore Ruling

1. This is an application by Ms Phang Ling San for general admission as an attorney-at-law of the Cayman Islands pursuant to section 34 of the **Legal Services Act, 2020**.
2. Ms Phang is admitted as an Advocate and Solicitor of the High Court of Malaysia and has practised for more than thirteen years in the field of banking and finance law. She has been practising Cayman Islands law since 2019 in the London offices of offshore firms and has been employed by Mourant since September 2022. She was promoted to Counsel in 2025. Nothing in this application raises any issue as to her professional competence, experience or character. The very opposite. She is obviously a talented and well-respected member of her team.
3. The difficulty arises from the statutory framework now in force.
4. Prior to 1 January 2026, the admission of attorneys-at-law in the Cayman Islands was governed by the **Legal Practitioners Act**. Under that regime, admission was open to persons admitted in a Commonwealth jurisdiction, including Malaysia, provided the Court was satisfied that the applicant's qualifications were comparable in standard, law, practice and procedure to those of the jurisdictions specified. It is common ground that, had Ms Phang's application been heard



before 1 January 2026, she would likely have been eligible for admission under that earlier statutory scheme.

5. However, the **Legal Services Act** introduced a new qualification framework which has deliberately omitted that provision. Instead, section 32(3) requires that an applicant for admission be admitted to practise law in one of the jurisdictions listed in that section. Malaysia is not among those jurisdictions.
6. Ms Phang, therefore, seeks to rely upon regulation 2(c) of the **Legal Services (Savings and Transitional) Regulations, 2025** (SL 48 of 2025). Those Regulations come into force on 1 January 2026. Regulation 2(c) applies where, *prior to the commencement of the Act*, a law firm or an affiliate of a law firm employs, or has a contract of employment with, a person for the practice of Cayman Islands law by that person. It then provides that certain specified requirements of the new Act do not apply to that person.
7. More specifically, regulation 2(c) disapplies three requirements. First, it disapplies the requirement in section 32(3)(e) for the applicant to hold a current practicing certificate in the court where he was admitted. Second, it disapplies section 33(1) if the person holds at least three years' post-qualification experience in the practice of law, including Cayman Islands law and/or practice in a court or jurisdiction referred to in section 32(3)(e). Third, it disapplies the requirement in section 33(2) if the person's removal from the register or equivalent was not the result of, or connected with, professional misconduct or disciplinary proceedings.
8. However, regulation 2(c) does **not** disapply the general requirement in section 32(3) that an applicant be admitted in one of the jurisdictions listed in that section. It only relaxes the separate requirement in section 32(3)(e) as to being entitled to practise in the relevant court or jurisdiction.
9. On behalf of Ms Phang, it is submitted that the regulation should be construed purposively so as to preserve the ability of pre-commencement employees who would have been eligible for admission under the previous legislative regime to obtain admission under the new Act. Reliance is placed upon principles applicable to transitional provisions, including the importance of continuity and the legitimate expectations of those affected by legislative change.
10. I accept that transitional provisions are often intended to ease the effects of legislative change. I also accept that Ms Phang falls within the class of practitioners whose position has been affected by the introduction of the new regime, and that she would likely have been eligible for admission under the previous statute.

11. However, the Court must apply the legislation as enacted.
12. Regulation 2(c) expressly identifies certain provisions of the new Act which do not apply to the class of pre-commencement employees. The listed jurisdiction requirement contained in section 32(3) is not among those provisions. Given how carefully the regulations specifies the requirements which are to be disappplied, the Court must assume that the omission of the listed jurisdiction requirement was deliberate.
13. In those circumstances, it is not open to the Court to interpret the regulation as if it also disappplied the listed jurisdiction requirement. To do so would effectively involve adding a further exception to the statute which the legislature has not provided.
14. It follows that, notwithstanding Ms Phang’s professional standing and experience, she does not satisfy the qualification requirements for admission under the Legal Services Act.
15. The Court therefore has no alternative but to refuse the application.
16. I add only this. The conclusion I have reached reflects the effect of the statutory framework rather than any deficiency on Ms Phang’s part. She is plainly an accomplished practitioner and the Court’s decision should not be understood as suggesting otherwise.
17. The application is refused.



RAMSAY-HALE CJ
13 March 2026