

**KETUA HAKIM NEGARA
MAHKAMAH PERSEKUTUAN
MALAYSIA
PUTRAJAYA**



**CHIEF JUSTICE
FEDERAL COURT
MALAYSIA**

PKPMP.PKHN.600-3/3/1

8 June 2022

Judges
Federal Court

Judges
Court of Appeal

Judges / Judicial Commissioners
High Courts
Throughout Malaysia

Sessions Court Judges
Sessions Courts
Throughout Malaysia

Magistrates
Magistrates' Courts
Throughout Malaysia

Research Officers/ Deputy Registrars/Senior Assistant Registrars
Federal Court/ Court of Appeal/ High Courts/ Subordinate Courts
throughout Malaysia

**PRACTICE DIRECTION OF THE CHIEF JUSTICE
NUMBER 3 OF YEAR 2022
MATTERS AND CONDUCT OF CIVIL CASES AND CRIMINAL CASES
IN COURTS THROUGHOUT MALAYSIA IN ACCORDANCE WITH THE
ENDEMIC TRANSITION PHASE**

IN exercise of the powers conferred by section 17B of the Courts of
Judicature Act 1964 [Act 91] and section 107A of the Subordinate Courts

Act 1948 [Act 92], I, after consultation with Rt. Hon. the President of the Court of Appeal, Rt. Hon. the Chief Judge of the High Court of Malaya and the Rt. Hon. the Chief Judge of the High Court of Sabah and Sarawak, issue this Practice Direction to prescribe the Matters and Conduct of Civil Cases and Criminal Cases in Courts throughout Malaysia In Accordance With the Endemic Transition Phase as follows:

APPLICATION

2. This Practice Direction is applicable to all members of the Court and any person who attends and deals with Courts throughout Malaysia in accordance with the announcement of the relaxation of the Standard Operating Procedures (“SOP”) for COVID-19 by the Ministry of Health Malaysia (“MOH”) which comes into effect from 1 May 2022.

3. This Practice Direction shall be read together with the SOP for the Operation of Courts throughout Malaysia in Accordance with the Endemic Transition Phase which has been circulated by the Office of the Chief Registrar of the Federal Court of Malaysia (PKPMP) and which comes into effect from 15 June 2022.

INTERPRETATION

4. In this Practice Direction, unless the context otherwise requires—

“Judge” means the Chief Justice, President of the Court of Appeal, Chief Judge of the High Court in Malaya, Chief Judge of the High Court in Sabah and Sarawak, Judge of the Federal

Court, Judge of the Court of Appeal, Judge of the High Court, Judicial Commissioner, Sessions Court Judge, Deputy Registrar, Magistrate or Senior Assistant Registrar;

“remote communication technology” has the same meaning as assigned to it under the Courts of Judicature Act 1964, the Subordinate Courts Act 1948 and the Subordinate Courts Rules Act 1955 [Act 55].

MATTERS AND CONDUCT OF CIVIL CASES AND CRIMINAL CASES IN COURT

A. Case Management

5. Civil case management is conducted through a remote communication technology, unless otherwise directed by the Court.

6. Criminal case management, if appropriate may be conducted through a remote communication technology.

B. Trial / Hearing of Cases

7. Trials / hearings of civil cases may be conducted through a remote communication technology as per the procedure in the Practice Direction of the Chief Justice Number 1 of 2021 on the Conduct of Civil Case Proceedings through Remote Communication Technology for Courts throughout Malaysia.

8. Trials / hearings of criminal cases / criminal appeals are conducted in open Court unless otherwise determined by the Judge.

REVOCAATION

9. The following Directives of the Chief Justice are revoked:

- (a) Directive of the Chief Justice Number 5 of 2021 on the Conduct of Civil Case Proceedings in Court During the Movement Control Order Period dated 17 February 2021;
- (b) Directive of the Chief Justice Number 6 of 2021 on the Conduct of Criminal Appeal Hearing Proceedings Through Remote Communication Technology During The Pandemic Period dated 26 February 2021;
- (c) Directive of the Chief Justice Number 8 of 2021 on the Exemption from the Application of Legal Provisions Relating to Court Matters throughout Malaysia dated 31 May 2021;
- (d) Directive of the Chief Justice Number 9 of 2021 on the Matters and Conduct of Criminal Case Proceedings in Court During Phases I and II of the National Recovery Plan dated 3 July 2021; and
- (e) Directive of the Chief Justice Number 10 of 2021 on the Matters and Conduct of Criminal Case Proceedings in Court

During Phase III of the National Recovery Plan dated 9 August 2021.

10. This Practice Direction comes into operation on **15 June 2022**.

TUN TENGKU MAIMUN BINTI TUAN MAT
Chief Justice of Malaysia
Palace of Justice
Putrajaya

C.C:

The Rt. Hon. the President of the Court of Appeal
Federal Court
Palace of Justice
Putrajaya

The Rt. Hon. the Chief Judge of Malaya
Federal Court of Malaysia
Palace of Justice
Putrajaya

The Rt. Hon. the Chief Judge of Sabah and Sarawak
Federal Court
Palace of Justice
Putrajaya

The Hon. Attorney General
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Presint 4, 62100 Putrajaya

Chief Registrar
Federal Court
Palace of Justice
Putrajaya

Deputy Chief Registrar
Federal Court
Palace of Justice
Putrajaya

Registrar
Court of Appeal
Palace of Justice
Putrajaya

Registrar
High Court of Malaya
Palace of Justice
Putrajaya

Registrar
High Court of Sabah and Sarawak
Kota Kinabalu
Sabah

Registrar
Subordinate Courts of Malaya
Palace of Justice
Putrajaya

Registrar
Subordinate Courts of Sabah & Sarawak
Kota Kinabalu
Sabah

Librarian
Federal Court
Palace of Justice
Putrajaya

President
Malaysian Bar
Kuala Lumpur

President
Sabah Law Society
Sabah

President
Advocates' Association of Sarawak
Sarawak

During Phase III of the National Recovery Plan dated 9 August 2021.

10. This Practice Direction comes into operation on **15 June 2022**.

Sgd.

TUN TENGKU MAIMUN BINTI TUAN MAT
Chief Justice of Malaysia
Palace of Justice
Putrajaya