



Sessions Court Judges  
Sessions Courts  
Throughout Malaysia

Magistrates  
Magistrates' Courts  
Throughout Malaysia

Deputy Registrars / Senior Assistant Registrars  
High Courts/ Subordinate Courts throughout Malaysia

Registrars/ Assistant Registrars  
Subordinate Courts  
Throughout Malaysia

**DIRECTIVE OF THE CHIEF JUSTICE  
NUMBER 7 OF 2021  
COMPLETION OF BAIL PROCESS THROUGH REMOTE  
COMMUNICATION TECHNOLOGY**

IN exercise of the powers conferred by section 16A of the Courts of Judicature Act 1964 [Act 91] and section 3A of the Subordinate Courts Act 1948 [Act 92] as modified through the Temporary Measures for Reducing the Impact of the Coronavirus Disease 2019 [Act 829], I issue this Directive to set the procedure in relation to the completion of the bail process through a remote communication technology as follows:

## **APPLICATION OF DIRECTIVE**

2. This Directive is applicable to the handling of the bail process in the High Court, Sessions Court and Magistrates' Court throughout Malaysia involving Accused Persons (OKT) who are remanded in prison for failing to complete bail on the day the OKT is charged in Court.

## **INTERPRETATION**

3. In this Directive, unless the context otherwise requires, "Court" means the High Court, Sessions Court or Magistrates' Court throughout Malaysia.

## **COMPLETION OF BAIL PROCESS THROUGH REMOTE COMMUNICATION TECHNOLOGY**

4. OKT who is allowed to be bailed by the Court may complete the bail process through a remote communication technology before the OKT is released from prison.

5. Notwithstanding the relevant written laws in relation to this matter and in accordance with the provision under section 3 of Act 829, the physical presence of OKT in Court to complete the bail process is exempted.

6. For the purposes of this Directive, the completion of the bail process through a remote communication technology is through the use of a video conferencing platform.

## **PROCEDURE FOR COMPLETION OF BAIL PROCESS THROUGH VIDEO CONFERENCING PLATFORM**

7. The procedure for the completion of the bail process through a video conferencing platform is as in **Annexure A**.

### **DATE OF COMMENCEMENT**

8. This Directive comes into operation on **15 March 2021**.

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

C.C:

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Federal Court of Malaysia  
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Chief Registrar  
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*The Advocates' Association of Sarawak*  
Sarawak

**PROCEDURE FOR COMPLETION OF BAIL PROCESS THROUGH  
VIDEO CONFERENCING PLATFORM**

1. In order to enable the OKT held on remand to be released on the same day of the completion of the bail process, the Bailor must attend the Court where the bail order is given before 11.00 am and submit the details relating to the OKT to be bailed to the Court registry.
2. The Bailor can choose to complete the payment of or deposit the bail through the e-Jamin system or at the bank. The Bailor will be notified by the Court to attend at the location and at the appointed time for the bail process to be conducted through the video conference platform.
3. The prison must ensure—
  - (a) that the OKT is present through the video conferencing platform on the appointed date and time as notified by the Court; and
  - (b) that the OKT is released on the same day after the bail process through the video conferencing platform is completed.
4. The parties involved must be ready at the designated location at least fifteen (15) minutes before the bail process begins through the video conferencing platform.

5. When the proceedings through the video conferencing platform begin, the OKT must introduce himself as per the details stated in the bail bond.
6. The OKT and the Bailor must understand the bail conditions read and explained by the Court and further agree to comply with the bail conditions that have been set.
7. The OKT must sign the bail bond in a manner that can be seen by all parties and the OKT must show his signature to all parties on the screen.
8. The bail process through the video conferencing platform will end once the Court acknowledges receipt of the bail bond via email from the prison.
9. The prison must submit the bail bond signed by the OKT to the Court via email and the Bailor and the Court will sign the bail bond.
10. Once the process of signing the bail bond and the bail bond documentation is complete, the Bailor and the prison will receive a copy of the bail bond and the OKT will be released.
11. The Court can cancel the completion of the bail process through the video conferencing platform in the event of any technical disruption or for certain reasons and the Court can set another date to conduct the completion of the bail process.

## **PROCEDURE FOR COMPLETION OF BAIL PROCESS THROUGH VIDEO CONFERENCING PLATFORM**

7. The procedure for the completion of the bail process through a video conferencing platform is as in **Annexure A**.

### **DATE OF COMMENCEMENT**

8. This Directive comes into operation on **15 March 2021**.

**Sgd.**

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