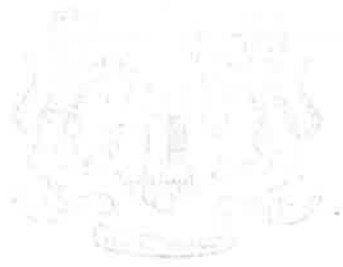


UNDANG² MALAYSIA

Akta A33

AKTA (PINDAAN) MAHKAMAH, 1971



Tarikh Persetujuan di-Raja ... 16hb April, 1971

UNDANG-UNDANG

Tarikh di-terbitkan dalam *Warta* ... 29hb April, 1971

AKTA 133

AKTA (UNDANG-UNDANG) MALAYSIA 1971

UNDANG² MALAYSIA

Akta A33

AKTA (PINDAAN) MAHKAMAH, 1971

Suatu Akta bagi meminda Akta Mahkamah Ke'adilan, 1964, Ordinan Mahkamah, 1948 dan Kanun² Achara Jenayah bagi Negeri² Melayu Bersekutu dan Negeri² Selat.

[30hb April, 1971.]

MAKA INI-LAH DI-PERBUAT UNDANG² oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Ra'ayat yang bersidang dalam Parlimen, dan dengan kuasa daripada-nya, saperti berikut:

1. Akta ini boleh-lah di-namakan Akta (Pindaan) Mahkamah, 1971.

Tajok ringkas.

2. Akta Mahkamah Ke'adilan, 1964, Ordinan Mahkamah, 1948 dan Kanun² Achara Jenayah bagi Negeri² Melayu Bersekutu dan Negeri² Selat ada-lah dengan ini di-pinda mengikut sa-bagaimana yang di-nyatakan masing² dalam Jadual bersama ini.

Pindaan².
7/64, 43/48,
N.M.B.
Bab 6 dan
N.S. Bab 21.

3. Ordinan No. 14 (Kuasa² Perlu) Dharurat, 1969 ada-lah dengan ini di-mansokhkan.

Peman-sokhan.

JADUAL

(Sekshen 2)

(1) Pindaan² kapada Akta Mahkamah Ke'adilan, 1964.

(a) Sekshen 9 (2)—

Masokkan perkataan "the Judge of the Federal Court or" antara perkataan "by" dan perkataan "the Judge", yang di-dapati di-barisan enam.

(b) Sekshen 17—

Masokkan yang berikut sa-lepas sahaja sekshen 17—

17A. A Council of Judges shall, unless either the Lord President or the Chief Justice deems it unnecessary, assemble once at least in each year, on such day or days as shall be fixed by the Lord President."

"Council of Judges.

(2) Pindaan kepada Ordinan Mahkamah, 1948.

(a) Sekshen 63—

- (i) gantikan perkataan “seven” yang terdapat dalam sekshen-kecil (1) dengan perkataan “ten”;
- (ii) tambah suatu sekshen-kecil (3) yang baharu seperti berikut—

“(3) The Yang di-Pertuan Agong may, on the advice of the Chief Justice, by notification in the *Gazette*, confer upon any President of a Sessions Court, special jurisdiction to try offences for which the maximum term of imprisonment provided by law does not exceed fourteen years’ imprisonment and offences under sections 326, 329, 376 and 377 of the Penal Code and section 30 of the Arms Act, 1960.”.

(b) Sekshen 64—

Gantikan perenggan (a) dan (b) sekshen-kecil (1) dengan yang berikut—

“(a) five years’ imprisonment, or in the case of a President of a Sessions Court conferred with special jurisdiction under sub-section (3) of section 63, seven years’ imprisonment;

(b) a fine of ten thousand dollars, or in the case of a President of a Sessions Court conferred with special jurisdiction under sub-section (3) of section 63, a fine of twenty thousand dollars.”.

(c) Sekshen 65—

- (i) gantikan perkataan “two” yang terdapat dalam sekshen-kecil (1) dengan perkataan “five”;
- (ii) tambah suatu sekshen-kecil (4) yang baharu seperti berikut—

“(4) The Yang di-Pertuan Agong may, on the advice of the Chief Justice, by notification in the *Gazette*, confer upon any President of a Sessions Court, special jurisdiction to try actions and suits of a civil nature where the amount in dispute or value of the subject matter does not exceed ten thousand dollars.”.

(d) Sekshen 70—

Gantikan sekshen-kecil (3) dengan yang berikut—

“(3) Such jurisdiction shall not be exercised when the money claimed exceeds the sum of six thousand dollars, or where the rent payable in respect of the premises exceeds the sum of six thousand dollars per annum or five hundred dollars *per mensem*.”.

(e) Sekshen 72—

Gantikan perkataan "twelve hundred" yang terdapat di-dalam-nya dengan perkataan "six thousand".

(f) Sekshen 73—

Gantikan perkataan "one thousand" yang terdapat dalam perenggan (b) dengan perkataan "five thousand".

(g) Sekshen 85—

Gantikan perkataan "does not exceed three years' imprisonment of either description" dengan perkataan "does not exceed five years' imprisonment".

(h) Sekshen 87 (1)—

(i) gantikan perenggan (a) dengan yang berikut—

"(a) two years' imprisonment;"

(ii) gantikan perkataan "two" yang terdapat dalam perenggan (b) dengan perkataan "five".

(i) Sekshen 90—

Gantikan perkataan "one thousand" yang terdapat di-dalam-nya dengan perkataan "two thousand".

(j) Sekshen 93—

(i) gantikan perenggan-kecil (i) dan (ii) perenggan (b) sekshen-kecil (1) dengan yang berikut—

"(i) the words 'three thousand dollars' were substituted for the words 'six thousand dollars' wherever they occur;

(ii) the words 'two hundred and fifty dollars' were substituted for the words 'five hundred dollars';"

(ii) gantikan perenggan (c) sekshen-kecil (1) dengan yang berikut—

"(c) section 72 of this Ordinance shall be read as if the words 'three thousand dollars' were substituted for the words 'six thousand dollars'."

(3) Pindaan kepada Kanun Achara Jenayah bagi Malaysia Barat.

(a) Sekshen 272 Kanun Achara Jenayah (N.M.B. Bab 6).

Masokkan yang berikut sa-lepas sahaja sekshen 272—

"Other persons may be authorised to take down notes of evidence.

272A. Nothing in this Chapter shall prevent a Judge or Magistrate in an inquiry or trial causing verbatim notes to be taken by another person of what each witness deposes in addition to any note of a substance thereof which may be made or taken by the Judge or Magistrate himself; and such note shall form part of the record."

[Jadual]

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AKTA A33

(b) Sekshen 266 Kanun Achara Jenayah (N.S. Bab 21).

Masokkan yang berikut sa-lepas sahaja sekshen 266—

"Other persons
may be
authorised to
take down
notes of
evidence."

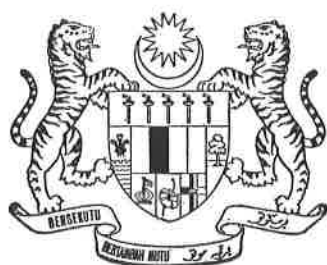
266A. Nothing in this Chapter shall prevent a Judge or Magistrate in an inquiry or trial causing verbatim notes to be taken by another person of what each witness deposes in addition to any note of a substance thereof which may be made or taken by the Judge or Magistrate himself; and such note shall form part of the record."

KUALA LUMPUR

DI-CETAK OLEH PIMANGKU PENCETAK KERAJAAN DAN DI-TERDITKAN DENGAN PERENTAH PADA

29HB APRIL, 1971

Harga: 50 sen



LAWS OF MALAYSIA

Act A33

COURTS (AMENDMENT) ACT, 1971



Date of Royal Assent ... 16th April, 1971

LAWS OF MALAYSIA

Date of publication in *Gazette* ... 29th April, 1971

Act 33

COURTS (AMENDMENT) ACT 1971

LAWS OF MALAYSIA

Act A33

COURTS (AMENDMENT) ACT, 1971

An Act to amend the Courts of Judicature Act, 1964, the Courts Ordinance, 1948 and the Criminal Procedure Codes of the Federated Malay States and the Straits Settlements.

[30th April, 1971.]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Courts (Amendment) Act, 1971. Short title.
2. The Courts of Judicature Act, 1964, the Courts Ordinance, 1948 and the Criminal Procedure Codes of the Federated Malay States and the Straits Settlements are hereby amended as respectively specified in the Schedule hereto. Amend-
ments
7/64, 43/48,
F.M.S.
Cap. 6 and
S.S. Cap. 21.
3. The Emergency (Essential Powers) Ordinance No. 14, 1969 is hereby repealed. Repeal.

SCHEDULE

(Section 2)

- (1) Amendments to the Courts of Judicature Act, 1964.

(a) Section 9 (2)—

Insert between the word "by" and the words "the Judge" appearing in the sixth line the words "the Judge of the Federal Court or".

(b) Section 17—

Insert immediately after section 17 the following—

"Council of
Judges.

17A. A Council of Judges shall, unless either the Lord President or the Chief Justice deems it unnecessary, assemble once at least in each year, on such day or days as shall be fixed by the Lord President."

Revised Law

[Schedule]

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ACT A33

*Revised Laws
Subordinate
Courts
Act*

(2) Amendments to the Courts Ordinance, 1948.

(a) Section 63—

(i) substitute for the word "seven" appearing in sub-section (1) the word "ten";

(ii) add a new sub-section (3) as follows—

"(3) The Yang di-Pertuan Agong may, on the advice of the Chief Justice, by notification in the *Gazette*, confer upon any President of a Sessions Court, special jurisdiction to try offences for which the maximum term of imprisonment provided by law does not exceed fourteen years' imprisonment and offences under sections 326, 329, 376 and 377 of the Penal Code and section 30 of the Arms Act, 1960."

(b) Section 64—

Substitute for paragraphs (a) and (b) of sub-section (1) the following—

"(a) five years' imprisonment, or in the case of a President of a Sessions Court conferred with special jurisdiction under sub-section (3) of section 63, seven years' imprisonment;

(b) a fine of ten thousand dollars, or in the case of a President of a Sessions Court conferred with special jurisdiction under sub-section (3) of section 63, a fine of twenty thousand dollars."

(c) Section 65—

(i) substitute for the word "two" appearing in sub-section (1) the word "five";

(ii) add a new sub-section (4) as follows—

"(4) The Yang di-Pertuan Agong may, on the advice of the Chief Justice, by notification in the *Gazette*, confer upon any President of a Sessions Court, special jurisdiction to try actions and suits of a civil nature where the amount in dispute or value of the subject matter does not exceed ten thousand dollars."

(d) Section 70—

Substitute for sub-section (3) the following—

"(3) Such jurisdiction shall not be exercised when the money claimed exceeds the sum of six thousand dollars, or where the rent payable in respect of the premises exceeds the sum of six thousand dollars per annum or five hundred dollars *per mensem*."

(e) Section 72—

Substitute for the words "twelve hundred" appearing therein the words "six thousand".

COURTS (AMENDMENT)

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(f) Section 73—

Substitute for the words "one thousand" appearing in paragraph (b) the words "five thousand".

(g) Section 85—

Substitute for the words "does not exceed three years' imprisonment of either description" the words "does not exceed five years' imprisonment".

(h) Section 87 (1)—

(i) substitute for paragraph (a) the following—

—“(a) two years' imprisonment;”;

—(ii) substitute for the word “two” appearing in paragraph (b) the word “five”.

(i) Section 90—

Substitute for the words “one thousand” appearing therein the words “two thousand”.

(j) Section 93—

(i) substitute for sub-paragraphs (i) and (ii) of paragraph (b) of sub-section (1) the following—

“(i) the words ‘three thousand dollars’ were substituted for the words ‘six thousand dollars’ wherever they occur;

(ii) the words ‘two hundred and fifty dollars’ were substituted for the words ‘five hundred dollars’;”;

—(ii) substitute for paragraph (c) of sub-section (1) the following—

“(c) section 72 of this Ordinance shall be read as if the words ‘three thousand dollars’ were substituted for the words ‘six thousand dollars’.”.

(3) Amendments to the Criminal Procedure Codes of West Malaysia.

(a) Section 272 of the Criminal Procedure Code (F.M.S. Cap. 6).

Insert immediately after section 272 the following—

“Other persons may be authorised to take down notes of evidence.

272A. Nothing in this Chapter shall prevent a Judge or Magistrate in an inquiry or trial causing verbatim notes to be taken by another person of what each witness deposes in addition to any note of a substance thereof which may be made or taken by the Judge or Magistrate himself; and such note shall form part of the record.”.

Reprint.

[Schedule]

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ACT A33

(b) Section 266 of the Criminal Procedure Code (S.S. Cap. 21).

Insert immediately after section 266 the following—

"Other persons
may be
authorised to
take down
notes of
evidence."

266A. Nothing in this Chapter shall prevent a Judge or Magistrate in an inquiry or trial causing verbatim notes to be taken by another person of what each witness deposes in addition to any note of a substance thereof which may be made or taken by the Judge or Magistrate himself; and such note shall form part of the record."

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