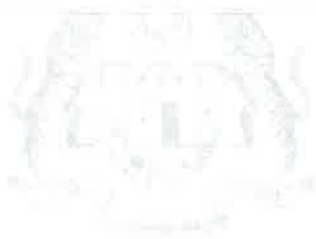




# **LAWS OF MALAYSIA**

**Act A886**

**COURTS OF JUDICATURE (AMENDMENT)  
ACT 1994**



Date of Royal Assent ... 13th June 1994

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LAW OF MALAYSIA

Act 488

ACT 488  
LAW OF MALAYSIA

# LAWS OF MALAYSIA

Act A886

## COURTS OF JUDICATURE (AMENDMENT) ACT 1994

An Act to amend the Courts of Judicature Act 1964.

[ 24th June 1994 ]

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

1. This Act may be cited as the Courts of Judicature (Amendment) Act 1994. Short title.

2. The Courts of Judicature Act 1964, which in this Act is referred to as the "principal Act", is amended in section 3— Amendment of section 3. Act 91.

(a) by substituting for the definition of "Chief Justice" the following definition:

“Chief Judge” means the Chief Judge of the High Court in Malaya or of the High Court in Sabah and Sarawak, as the case may require;’;

(b) in the definition of "Court", by substituting for the words "Supreme Court" the words "Federal Court, the Court of Appeal";

(c) in the definition of "High Court", by substituting for the word "Borneo" the words "Sabah and Sarawak";

(d) by substituting for the definition of "Judge" the following definition:

“Judge” means a Judge of the Federal Court, of the Court of Appeal or of the High Court, and includes the Chief Justice, the President and a Chief Judge;’;

(e) in the definition of "local jurisdiction", by substituting for the word "Borneo" the words "Sabah and Sarawak"; and

(f) by inserting after the definition of "permanent resident" the following definition:

‘ “President” means the President of the Court of Appeal;’.

Amendment  
of section 6.

**3. Section 6 of the principal Act is amended—**

(a) in subsection (1) by substituting for the words "Supreme" and "Lord President" the words "Federal" and "Chief Justice" respectively;

(b) by inserting after subsection (1) the following subsection:

“(1A) The Court of Appeal shall have and use as occasion may require a seal or stamp of such nature and pattern as the President may, by notification in the *Gazette*, prescribe.”; and

(c) in subsection (2), by substituting for the word "Justice" the word "Judge".

Amendment  
of section 7.

**4. Section 7 of the principal Act is amended by substituting for the words "Lord President or the Chief Justice" the words "Chief Justice, President or Chief Judge".**

Amendment  
of section 8.

**5. Section 8 of the principal Act is amended—**

(a) by substituting for the words "Lord President" in paragraph (a) the words "Chief Justice";

(b) by substituting for the words "Chief Justices" in paragraph (b) the words "President and Chief Judges";

(c) in paragraph (c)—

(i) by substituting for the word "Supreme" the word "Federal"; and

(ii) by deleting the word "and" at the end thereof; and

- (d) by inserting after paragraph (c) the following paragraph:

“(ca) the Judges of the Court of Appeal according to the priority of their respective appointments as Judges of the Court of Appeal, and where they are appointed on the same date, in such order as may be assigned to them by the Yang di-Pertuan Agong; and”.

6. Section 9 of the principal Act is amended—

Amendment  
of section 9.

(a) in subsection (1)—

- (i) by substituting for the words “Lord President” the words “Chief Justice”;
- (ii) by substituting for the word “Justice” in paragraph (a) the word “Judge”;
- (iii) by substituting for the words “Justice” and “Borneo” in paragraph (b) the words “Judge” and “Sabah and Sarawak” respectively; and
- (iv) by substituting for the words “Justices” and “Supreme” in paragraph (c) the words “Judges” and “Federal” respectively;

(b) by inserting after subsection (1) the following subsections:

“(1A) Whenever during any period, owing to illness or absence from Malaysia or any other cause, the President is unable to exercise the powers or perform the duties of his office, the powers shall be had and may be exercised and the duties shall be performed by a Judge of the Federal Court designated for that purpose by the Chief Justice or the President.

(1B) Whenever during any period, owing to illness or absence from Malaysia or any other cause, the Chief Judge of the High Court in Malaya is unable to exercise the powers or perform the duties of his office, the powers shall be had and may be exercised and the duties shall be performed by a Judge of the

Federal Court designated for that purpose by the Chief Justice or the Chief Judge of that High Court.”; and

- (c) by substituting for subsection (2) the following subsection:

“(2) Whenever during any period, owing to illness or absence from Malaysia or any other cause, the Chief Judge of the High Court in Sabah and Sarawak is unable to exercise the powers or perform the duties of his office, the powers shall be had and may be exercised and the duties shall be performed by a Judge of that High Court designated for that purpose by the Chief Justice or the Chief Judge of that High Court.”.

Amendment  
of section 10.

7. Section 10 of the principal Act is amended—

- (a) by substituting for subsection (1) the following subsection:

“(1) Subject to subsection (4), the Chief Registrar, Deputy Registrars, Senior Assistant Registrars and Assistant Registrars of the Federal Court and the Registrars, Deputy Registrars, Senior Assistant Registrars and Assistant Registrars of the Court of Appeal and of the High Courts shall be appointed by the Yang di-Pertuan Agong.”;

- (b) in subsection (2)—

- (i) by substituting for the words “Lord President” the words “Chief Justice”;
- (ii) by substituting for the words “Chief Registrar,” the words “Chief Registrar or Registrar,”; and
- (iii) by substituting for the words “Supreme Court” the words “Federal Court or the Court of Appeal”;

(c) in subsection (3), by inserting after the words “Deputy Registrars” the words “, Senior Assistant Registrars”; and

(d) in subsection (4)—

(i) by substituting for the words “Sessions Court Judge” the word “Magistrates”; and

(ii) by inserting after the words “ex officio” the word “Senior”.

8. Section 11 of the principal Act is amended by substituting for the words “Lord President” in subsections (1) and (2) the words “Chief Justice”. Amendment of section 11.

9. The principal Act is amended by substituting for section 13 the following section: Amendment of section 13.

“Contempt. 13. The Federal Court, the Court of Appeal and the High Court shall have power to punish any contempt of itself.”.

10. Section 16 of the principal Act is amended— Amendment of section 16.

(a) in paragraph (a)—

(i) by substituting for the words “and the Supreme Court” the words “, the Court of Appeal and the Federal Court”; and

(ii) by substituting for the words “or to the Supreme Court” the words “, to the Court of Appeal or to the Federal Court”;

(b) by substituting for paragraph (b) the following paragraph:

“(b) for regulating and prescribing the procedure on civil or criminal appeals from any court or person to a High Court, the Court of Appeal or the Federal Court;”; and

(c) in paragraph (d), by substituting for the words “Supreme Court” the words “, Federal Court, of the Court of Appeal”.

Amendment  
of section 17.

**11. Section 17 of the principal Act is amended—**

(a) by substituting for subsection (2) the following subsection:

“(2) The Rules Committee shall consist of the following persons:

(a) the Chief Justice, who shall be the Chairman of the Committee;

(b) the President;

(c) the Chief Judges;

(d) a Judge of the Federal Court, a Judge of the Court of Appeal, a Judge of the High Court in Malaya, and a Judge of the High Court in Sabah and Sarawak, to be appointed by the Chief Justice for such period as he may specify in writing;

(e) the Attorney General, or his nominee;

(f) the Senior Judge of the Sessions Court of Kuala Lumpur;

(g) three advocates, one practising in the States of West Malaysia, one practising in Sabah and one practising in Sarawak, appointed by the Chief Justice for such period as he may specify in writing; and

(h) the Secretary General of the Ministry of Law, or his nominee.”;

(b) by inserting after subsection (2) the following subsection:

“(2A) In the absence of the Chief Justice, the President or the Chief Judge of the High Court in Malaya or the Chief Judge of the High Court in Sabah and Sarawak present shall be Chairman of the Committee.”;



(c) in paragraph (a) of the proviso to subsection (3)—

(i) by substituting for the words “Supreme Court” the words “Federal Court or the Court of Appeal”; and

(ii) by substituting for the words “Lord President” the words “Chief Justice”;

(d) in paragraph (b) of the proviso to subsection (3) by substituting for the word “Justice” the word “Judge”; and

(e) by inserting after subsection (3) the following subsection:

“(3A) Rules of court which have financial implications shall be referred to the Government for approval.”.

**12.** Section 17A of the principal Act is amended—

Amendment  
of section  
17A.

(a) in subsection (1) by substituting for the words “Lord President” the words “Chief Justice”;

(b) by inserting after subsection (1) the following subsection:

“(1A) The President may, with the approval of the Chief Justice, convene a Council of Judges of the Court of Appeal as and when he deems it necessary.”; and

(c) in subsection (2)—

(i) by substituting for the word “Justice” the word “Judge”; and

(ii) by substituting for the words “Lord President” the words “Chief Justice”.

**13.** Sections 19 and 20 of the principal Act are amended by substituting for the word “Justice” the word “Judge”.

Amendment  
of sections 19  
and 20.

**14.** Section 21 of the principal Act is amended by substituting for the word “Justice” the word “Judge”.

Amendment  
of section 21.

Amendment  
of section 29.

**15.** Section 29 of the principal Act is amended by substituting for the words "Supreme Court" the words "Court of Appeal".

General  
amendment  
of Part III.

**16.** The principal Act is amended in Part III—

- (a) by substituting for the words "SUPREME COURT" the words "COURT OF APPEAL";
- (b) by substituting for the words "Supreme Court" wherever they appear the words "Court of Appeal";
- (c) by substituting for the words "Lord President" wherever they appear the word "President"; and
- (d) by substituting for the words "Registrar of the High Court" wherever they appear the words "Registrar of the Court from which the appeal lies".

Deletion of  
sections 45,  
46, 47, 48  
and 49.

**17.** The principal Act is amended by deleting sections 45, 46, 47, 48 and 49.

Amendment  
of section 50.

**18.** The principal Act is amended by substituting for section 50 the following section:

"Jurisdic-  
tion to  
hear and  
determine  
criminal  
appeals.

**50.** (1) Subject to any rules regulating the proceedings of the Court of Appeal in respect of criminal appeals, the Court of Appeal shall have jurisdiction to hear and determine any appeal against any decision made by the High Court—

- (a) in the exercise of its original jurisdiction; and
- (b) in the exercise of its appellate jurisdiction in respect of any criminal matter decided by the Sessions Court.

(2) An appeal shall lie to the Court of Appeal, with the leave of the Court of Appeal, against any decision of the High Court in the exercise of its appellate jurisdiction in respect of any criminal matter decided by a Magistrate's Court but such appeal shall be confined to only questions of law.

(3) Notice of any appeal by the Public Prosecutor shall be given by, or with the consent in writing of, that officer only; and notwithstanding subsection (2) no leave of the Court of Appeal is required.

(4) Except as otherwise provided in this section, an appeal may lie on a question of fact or a question of law or on a question of mixed fact and law.”.

**19. Section 68 of the principal Act is amended—**

Amendment  
of section 68.

(a) in subsection (1)—

(i) in paragraph (a), by substituting for the words “one hundred” the words “two hundred and fifty”; and

(ii) in paragraphs (a) and (c), by deleting the words “or a Judge of the High Court”;

(b) by deleting subsection (2); and

(c) in subsection (3), by deleting the words “or a Judge of the High Court”.

**20. The principal Act is amended by inserting after Part III the following Part:**

New Part IV.

“

**PART IV**

**THE FEDERAL COURT**

*General*

Composi-  
tion of the  
Federal  
Court.

74. (1) Subject as hereinafter provided, every proceeding in the Federal Court shall be heard and disposed of by three Judges or such greater uneven number of Judges as the Chief Justice may in any particular case determine.

(2) In the absence of the Chief Justice, the most senior member of the Court shall preside.

Sittings of  
the Court.

75. (1) The Court shall sit on such dates and at such places as the Chief Justice may from time to time appoint:

Provided that the Chief Justice may, when he deems it expedient, direct that any appeal be heard at any time and in any place in Malaysia.

(2) The Chief Justice may cancel or postpone any sitting of the Court which has been appointed under subsection (1).

Vacations.

76. The Chief Justice may make rules as to vacations of the Federal Court not exceeding one month in any calendar year.

Proceed-  
ings how  
decided.

77. Proceedings shall be decided in accordance with the opinion of the majority of the Judges composing the Court.

Continua-  
tion of  
proceedings  
notwith-  
standing  
absence of  
Judge.

78. (1) If, in the course of any proceeding, or, in the case of a reserved judgment, at any time before delivery of the judgment, any Judge of the Court hearing the proceeding is unable, through illness or any other cause, to attend the proceeding or otherwise exercise his functions as a Judge of that Court, the hearing of the proceeding shall, if the parties consent, continue before, and judgment or reserved judgment, as the case may be, shall be given by, the remaining Judges of the Court, not being less than two, and the Court shall, for the purposes of the proceeding, be deemed to be duly constituted notwithstanding the absence or inability to act of the Judge as aforesaid.

(2) In any such case as is mentioned in subsection (1) the proceeding shall be determined in accordance with the opinion of the majority of the remaining Judges of the Court, and, if there is no majority the proceeding shall be re-heard.

(3) If the parties do not consent as aforesaid the appeal shall be re-heard.

Applica-  
tions.

79. Whenever application may be made either to the Court of Appeal or to the Federal Court, it shall be made in the first instance to the Court of Appeal.

Incidental  
directions  
and interim  
orders.

80. (1) In any proceeding pending before the Federal Court any direction incidental thereto not involving the decision of the proceeding, any interim order to prevent prejudice to the claims of parties pending the hearing of the proceeding, any order for security for costs, and for the dismissal of a proceeding for default in furnishing security so ordered may at any time be made by a Judge of the Federal Court.

(2) Every application under subsection (1) shall be deemed to be a proceeding in the Federal Court.

(3) Every order so made may be discharged or varied by the full Court.

*Original Jurisdiction*

Jurisdiction  
and powers.

81. Save as hereinafter in this Act provided the Federal Court for the purposes of its jurisdiction under Article 128(1) and (2) of the Constitution (herein called the "original jurisdiction") shall have the same jurisdiction and may exercise the same powers as are had and may be exercised by the High Court.

Judgment  
to be  
declaratory.

82. The Federal Court in the exercise of its original jurisdiction under Article 128(1)(b) of the Constitution in respect of a dispute between States or between the Federation and any State shall not pronounce any judgment other than a declaratory judgment.

Costs.

83. The Federal Court shall not make any order as to the costs of any proceeding had under its original jurisdiction:

Provided that in any proceedings under section 84 the High Court may make any order as to costs in respect of proceedings in the Federal Court.

Reference  
of con-  
stitutional  
question  
by High  
Court.

84. (1) Where in any proceedings in the High Court a question arises as to the effect of any provision of the Constitution the Judge hearing the proceedings may stay the same on such terms as may be just to await the decision of the question by the Federal Court.

(2) An order staying proceedings under this section may be made by the Judge of his own motion or on the application of any party and shall be made at such stage of the proceedings as the Judge may see fit having regard to the decision of such questions of fact as may be necessary to be settled to assist the Federal Court in deciding the question which has arisen and to the speedy and economical final determination of the proceedings.

(3) Where an order for stay of proceedings has been made under this section the Judge shall state the question which in his opinion has arisen as to the effect of the Constitution in the form of a special case which so far as may be possible shall state the said question in a form which shall permit of an answer being given in the affirmative or the negative.

(4) Where a Judge shall have stated a special case under this section the same shall be transmitted to the Federal Court in accordance with the rules of court of the Federal Court.

Proceedings  
in Federal  
Court.

85. (1) Where a special case has been transmitted to the Federal Court under section 84, the Federal Court shall, subject to any rules of court of the Federal Court, deal with the case and hear and determine it in the same way as an appeal to the Federal Court.

(2) When the Federal Court shall have determined any special case under this section the High Court in which the proceedings in the course of which the case has been stated are pending shall continue and dispose of the



proceedings in accordance with the judgment of the Federal Court and otherwise according to law.

*Appellate Jurisdiction – Criminal Appeals*

Jurisdiction and powers.

86. Save as in this Act provided, in the exercise of its appellate jurisdiction, the Federal Court shall have the same jurisdiction, may exercise the same powers and may make any order as are had and may be exercised or made by the Court of Appeal or by the High Court.

Jurisdiction to hear and determine criminal appeals.

87. (1) The Federal Court shall have jurisdiction to hear and determine any appeal from any decision of the Court of Appeal in its appellate jurisdiction in respect of any criminal matter decided by the High Court in its original jurisdiction subject to any rules regulating the proceedings of the Federal Court in respect of appeals from the Court of Appeal.

(2) Notice of any appeal by the Public Prosecutor shall be given by, or with the consent in writing of, that officer only.

(3) An appeal may lie on a question of fact or a question of law or on a question of mixed fact and law.

On appeal against acquittal, accused may be arrested.

88. Where an appeal is presented against an acquittal, the Federal Court may issue a warrant directing that the accused be arrested and brought before it and may remand him to prison pending the disposal of the appeal or admit him to bail.

Appeal not to operate as stay of execution.

89. (1) Except in the cases mentioned in subsection (3) and section 88, no appeal shall operate as a stay of execution on any judgment, order, conviction or sentence pending appeal on such terms as to security for the payment of any money or the performance or non-performance of any act or the suffering of any punishment ordered by or in the judgment, order, conviction, or sentence as to the Court may seem reasonable.

(2) If the appellant is ultimately sentenced to imprisonment, the time during which the execution of the sentence was stayed shall be excluded in computing the term of his sentence unless the Federal Court otherwise orders.

(3) In the case of a conviction involving sentence of death or corporal punishment—

- (a) the sentence shall not in any case be executed until after the expiration of the time within which notice of appeal may be given or any extension of time which may be permitted; and
- (b) if notice is so given the sentence shall not be executed until after the determination of the appeal.

Summary  
rejection  
of appeal.

90. Where the grounds of appeal do not raise any question of law and it appears to the Chief Justice and two other Judges of the Federal Court that the evidence is sufficient to support the conviction and that there is no material in the circumstances of the case which could raise a reasonable doubt whether the conviction was right or lead the Federal Court to consider that the sentence ought to be reduced, the appeal may, without being set down for hearing, be summarily rejected by an order under the hand of the Chief Justice, certifying that the said Judges, having perused the record, are satisfied that the appeal has been brought without any sufficient ground of complaint and notice of the rejection shall be served upon the appellant:

Provided that—

- (i) if, in any case rejected under this section, the appellant gives, within seven days of service of notice of rejection upon him, notice to the Registrar of the Federal Court of application for leave to amend



his grounds of appeal so as to raise a question of law, accompanied by a certificate signed by an advocate specifying the question to be raised and undertaking to argue it, the Federal Court may grant leave to amend accordingly and shall restore the appeal for hearing; and

- (ii) for the purpose of this section, the question whether a sentence ought to be reduced shall be deemed not to be a question of law.

Notice and  
time of  
hearing.

91. Where the Federal Court does not reject an appeal summarily under section 90, or where the Public Prosecutor is the appellant, the Federal Court shall cause notice of the time and place for the hearing of the appeal to be given to the parties thereto.

Powers of  
Federal  
Court.

92. (1) At the hearing of an appeal the Federal Court shall hear the appellant or his advocate, if he appears, and, if it thinks fit, the respondent or his advocate, if he appears, and may hear the appellant or his advocate in reply, and the Federal Court may thereupon confirm, reverse or vary the decision of the trial court, or may order a retrial or may remit the matter with the opinion of the Federal Court thereon to the trial court, or may make such other order in the matter as to it may seem just, and may by that order exercise any power which the trial court might have exercised:

Provided that the Federal Court may, notwithstanding that it is of opinion that the point raised in the appeal might be decided in favour of the appellant, dismiss the appeal if it considers that no substantial miscarriage of justice has occurred.

(2) At the hearing of an appeal the Federal Court may, if it thinks that a different sentence should have been passed, quash the sentence passed by the trial court and pass such other sentence warranted in law (whether more or less severe) in substitution therefor as it thinks ought to have been passed.

(3) The Federal Court shall in no case make any order under this section as to payment of costs of any appeal to or by the appellant or respondent.

Additional  
evidence.

93. (1) In dealing with any appeal in a criminal case the Federal Court may, if it thinks additional evidence to be necessary, either take such evidence itself or direct it to be taken by the trial court.

(2) When the additional evidence is taken by the trial court, it shall certify the evidence, with a statement of its opinion on the case considered with regard to the additional evidence, to the Federal Court, and the Federal Court shall thereupon proceed to dispose of the appeal.

(3) The parties to the appeal shall be present when additional evidence is taken, but the evidence shall not be taken in the presence of a jury or assessors.

(4) In dealing with any appeal in a criminal case the Federal Court may also, if it thinks fit, call for and receive from the trial court a report of any matter connected with the trial.

Judgment.

94. (1) On the termination of the hearing of an appeal the Federal Court shall, either at once or on some future day which shall either then be appointed for the purpose or of which notice shall subsequently be given to the parties, deliver judgment in open court.

(2) In criminal appeals and matters the Federal Court shall ordinarily give only one judgment, which may be pronounced by the Chief Justice or by such other member of the Federal Court as the Chief Justice may direct:

Provided that separate judgments shall be delivered if the Chief Justice so determines.

(3) The judgment of any member of the Federal Court who is absent may be read by any other Judge.

Judgment  
to be  
certified to  
trial court.

95. (1) Whenever a criminal case is decided on appeal, the Federal Court shall certify its judgment or order to the trial court.

(2) The trial court shall thereupon make such orders as are conformable to the judgment or order of the Federal Court, and, if necessary, the record shall be amended in accordance therewith.

(3) Upon the withdrawal or discontinuance of any appeal the Registrar of the Federal Court shall notify the trial court accordingly and, if any stay of execution has been granted, the sentence or order of the trial court shall forthwith be enforced.

*Appellate Jurisdiction – Civil Appeal*

Conditions  
of appeal.

96. Subject to any enactments or rules regulating the proceedings of the Federal Court in respect of appeals from the Court of Appeal, an appeal shall lie from the Court of Appeal to the Federal Court with the leave of the Federal Court granted in accordance with section 97—

(a) from any final judgment or order in any civil matter where—

(i) the matter in dispute in the appeal amounts to or is of the value of two hundred and fifty thousand ringgit or more; or

- (ii) the appeal involves, directly or indirectly, a claim to or respecting property or some civil right of the like amount or value:

Provided that the Federal Court may summarily refuse leave under subparagraphs (i) and (ii) if it appears that the intended appeal in essence involves factual grounds; and

- (b) from any decision as to the effect of any provision of the Constitution including the validity of any written law relating to any such provision.

Leave to appeal.

97. (1) An application under section 96 for leave to appeal to the Federal Court shall be made to the Federal Court within one month from the date on which the decision appealed against was given, or within such further time as may be allowed by the Court.

(2) Where the judgment appealed against requires the appellant to pay money or perform a duty, the Federal Court shall have power, when granting leave to appeal, either to direct that the judgment shall be carried into execution or that the execution thereof shall be suspended pending the appeal, as to the Court shall seem just; and in case the Court shall direct the judgment to be carried into execution, the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security to the satisfaction of that Court for the due performance of any order as the Federal Court may make in order to give effect thereto.

Procedure to enforce order of the Federal Court.

98. Any person who desires to enforce or obtain execution of any order of the Federal Court shall file in the trial court a certified copy of the order which shall be enforced or executed in the same way as is enforced or executed a judgment of the Court of Appeal.

**Costs.** 99. (1) The costs incurred in the prosecution of any appeal or application for leave to appeal under this Part shall be paid by such party or parties, person or persons as the Federal Court may by order direct and the amount of any such costs shall be taxed by the Chief Registrar of the Federal Court in accordance with the rules of court.

(2) The Federal Court may make such order as to the whole or any part of the costs in the Federal Court, or in the Court of Appeal or in the High Court as is just.

**New trial.** 100. (1) Except as hereinafter provided the Federal Court shall have power to order that a new trial be had of any cause or matter tried by the High Court in the exercise of its original or appellate jurisdiction.

(2) A new trial shall not be granted on the ground of improper admission or rejection of evidence unless in the opinion of the Federal Court some substantial wrong or miscarriage of justice has been thereby occasioned; and if it appears to the Federal Court that the wrong or miscarriage affects part only of the matters in controversy, or some or one only of the parties, the Federal Court may give final judgment as to part thereof, or as to some or one only of the parties, and direct a new trial as to the other part only, or as to the other party or parties.

(3) A new trial may be ordered on any question without interfering with the finding or decision of the court below upon any other question.

**Immaterial errors.** 101. No judgment or order of the High Court, or of any Judge, shall be reversed or substantially varied on appeal, nor a new trial ordered by the Federal Court, on account of any error, defect, or irregularity, whether in the decision or otherwise, not affecting the merits or the jurisdiction of the Court.

Appeal not  
to operate  
as stay of  
execution.

102. An appeal shall not operate as a stay of execution or of proceedings under the decision appealed from unless the court below or the Federal Court so orders and no intermediate act or proceeding shall be invalidated except so far as the Federal Court may direct.”.



DICETAK OLEH  
PERCETAKAN NASIONAL MALAYSIA BERHAD, IBU PEJABAT, KUALA LUMPUR  
BAGI PIHAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA  
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