

UNDANG-UNDANG MALAYSIA

Akta A556

**AKTA MAHKAMAH KEHAKIMAN
(PINDAAN) 1983**

Tarikh Persetujuan Diraja ... 11hb Mei 1983

Tarikh diterbitkan dalam *Warta* ... 12hb Mei 1983

DETA SIA.

AMMAHLE WAMA/SHIA ATDA
(B-DAAN) 1983

UNDANG-UNDANG MALAYSIA

Akta A556

AKTA MAHKAMAH KEHAKIMAN (PINDAAN) 1983

Suatu Akta untuk meminda Akta Mahkamah Kehakiman 1964.

[13.5.1983]

MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut:

1. Akta ini bolehlah dinamakan Akta Mahkamah Kehakiman (Pindaan) 1983. Tajuk ringkas.
2. Seksyen 8 Akta Mahkamah Kehakiman 1964, yang disebut "Akta ibu" dalam Akta ini, adalah dipinda dengan menggantikannya dengan yang berikut: Pindaan seksyen 8. Akta 91.

"Precedence of Judges." 8. The Judges shall take precedence in the following order:

- (a) the Lord President;
- (b) the Chief Justices in such order as may be assigned to them by the Yang di-Pertuan Agong;
- (c) the Judges of the Federal Court according to the priority of their respective appointments as Judges of the Federal Court 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

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

Pindaan
seksyen 37.

3. Seksyen 37 Akta ibu adalah dipinda dengan memotong perkataan-perkataan “section 64 (2) or by” dan “(as the case may be)”.

Pindaan
seksyen 50.

4. Seksyen 50 Akta ibu adalah dipinda—

(a) dalam subseksyen (2):

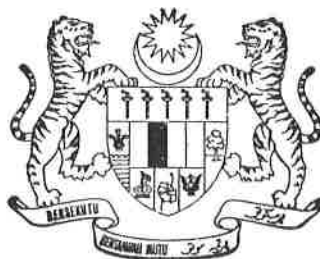
(i) dengan memasukkan selepas sahaja perkataan-perkataan “a person convicted” perkataan-perkataan “or otherwise found guilty”; dan

(ii) dengan memasukkan selepas sahaja perkataan “conviction” perkataan-perkataan “or finding of guilt”;

(b) dengan memasukkan selepas sahaja subseksyen (3) subseksyen (3A) baru yang berikut:

“(3A) (i) Notwithstanding the preceding provisions of this section, either party may apply to the Federal Court for leave to appeal against any other order made by the High Court involving a question of law of public interest that would affect or has affected the course of the trial in the exercise of its original criminal jurisdiction.

(ii) The application for leave referred to in paragraph (i) shall be made to the Federal Court by motion within seven days of the making of the order sought to be appealed against, and in the event leave is granted, the appeal shall proceed to be heard on the motion for leave.”.



Date of Royal Assent ... 11th May 1983

LAWS OF MALAYSIA

Date of publication in Gazette ... 12th May 1983

Act A556

COURTS OF JUDICATURE (AMENDMENT) ACT 1983



Date of Royal Assent ... 11th May 1983

AKT 1583

Date of publication in *Gazette* ... 12th May 1983

AKT 1583

(TERTUTUP) BERKAITAN DENGAN
AKT 1583

LAWS OF MALAYSIA

Act A556

COURTS OF JUDICATURE (AMENDMENT)

ACT 1983

An Act to amend the Courts of Judicature Act 1964.

13th May 1983

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 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 1983. Short title.

2. Section 8 of the Courts of Judicature Act 1964, which in this Act is referred to as "the principal Act", is amended by substituting the following therefor: Amendment of section 8. Act 91.

8. The Judges shall take precedence in the following order:

- (a) the Lord President;
- (b) the Chief Justices in such order as may be assigned to them by the Yang di-Pertuan Agong;
- (c) the Judges of the Federal Court according to the priority of their respective appointments as Judges of the Federal Court 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
- (d) the other Judges according to the priority of their respective appointments as Judges and where they are appointed on the same date, in such order as may be assigned to them by the Yang di-Pertuan Agong."

Amendment
of section
37.

3. Section 37 of the principal Act is amended by deleting the words "section 64 (2) or by" and "(as the case may be)".

Amendment
of section
50.

4. Section 50 of the principal Act is amended—

(a) in subsection (2):

(i) by inserting immediately after the words "a person convicted" the words "or otherwise found guilty"; and

(ii) by inserting immediately after the word "conviction" the words "or finding of guilt,";

(b) by inserting immediately after subsection (3) the following new subsection (3A):

"(3A) (i) Notwithstanding the preceding provisions of this section, either party may apply to the Federal Court for leave to appeal against any other order made by the High Court involving a question of law of public interest that would affect or has affected the course of the trial in the exercise of its original criminal jurisdiction.

(ii) The application for leave referred to in paragraph (i) shall be made to the Federal Court by motion within seven days of the making of the order sought to be appealed against, and in the event leave is granted, the appeal shall proceed to be heard on the motion for leave."