

Sessions Courts Circuits

1 The Hon'ble the Chief Justice of Malaya directs that with effect from 1 January 1989, Sessions Court Judges will go on circuit to all outstation courts, including (at present) 'closed courts', to hear civil and criminal Sessions Courts cases registered at such courts. For the purpose of this Practice Direction, 'outstation court' means a court where there is no resident Sessions Court Judge.

2 *Registration*

With effect from that date all civil and criminal Sessions Courts cases arising from the local limits of jurisdiction (district) where the Magistrates' Courts are located shall be registered at such courts.

3 *Transfer of cases*

- (a) All civil and criminal Sessions Courts cases now pending in the Sessions Courts at present which originate from outstation districts may be transferred to the appropriate outstation court by the Sessions Court Judge either on his own motion or at the request of any party interested in the case.
- (b) The application to transfer a case to another court may be made orally in open court when the case comes up on the return date or for mention.
- (c) Either party may, by letter with notice to the other party, apply for such transfer. If the other party consents in writing, the case may be transferred without a hearing. Such applications shall be made not less than 30 days before the date fixed for hearing in the present court.

4 *Magistrates' Courts civil cases*

Sessions Court Judges whilst on circuit shall also hear all Magistrates' Courts civil cases (both First Class and Second Class). This is to enable magistrates to have more judicial time to clear the backlog of criminal cases. Magistrates in outstation courts are, however, required to issue summonses and other processes in respect of both Sessions Courts and Magistrates' Courts civil cases in their respective courts: see s 5, Subordinate Courts Act 1948.

5 *Closed courts*

At present there are 40 'closed courts' in Semenanjung Malaysia, some with staff and some without any staff. Action is being taken to provide clerical and other subordinate staff in all such courts, so that all courts, whether there are resident magistrates or not, will remain open for court business every day of the year except on a weekly holiday or a public holiday as provided by O 52 r 7 of the Subordinate Courts Rules 1980.

'Berkhidmat untuk Negara'

Saya yang menurut perintah

ZAINAL ABIDIN BIN MOHD WAZIR

*Pendaftar*

*Mahkamah Tinggi Malaya*

*Kuala Lumpur*

18 November 1988

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