

INSTRUCTIONS REGARDING THE PREPARATION AND TRANSMISSION
TO THE SUPREME COURT OF MAGISTRATE'S RECORDS IN
PRELIMINARY ENQUIRIES

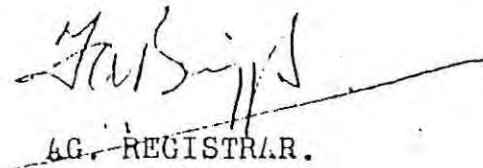
It has come to my notice that there is no uniformity in the preparation and transmission of records in Preliminary Enquiries. Therefore without prejudice to any former instructions on the subject the following practice should be adopted:-

- and (a) with regard to the number of copies
(b) with regard to the supply of copies to accused persons.

2. (a) Number of copies

- (1) Original (manuscript) to the Supreme Court. (1)
(2) One typed copy to be retained by the committing Court.
(3) One typed copy (preferably the first carbon copy) to Crown Counsel. (2)
(4) One copy to the Supreme Court (the top typed copy) for the use of the Judge.
(5) One copy in respect of each accused, to the Supreme Court; provided that if the total number of typed copies is likely to exceed five by reason of the number of the accused persons being more than two, the Magistrate concerned should decide for himself or after consultation with the District Judge⁽³⁾ or by reference to this Registry whether additional copies are really necessary. The two chief points to be remembered in connection with this are firstly, that not more than 5 good copies can be taken in one insertion in a typewriter and secondly unless the defences of the accused persons are likely to conflict, they may not require one copy each.

- (b) There will be no change in the present practice of supplying free copies to the accused. Under section 11 of the Court Fees Enactment F.M.S., each accused is entitled to a free copy of the depositions if he wants one, but many do not ask for it. In the other States and Settlements in the Union the practice adopted up till now whether by virtue of a specific provision of the law or of established practice followed in the Registry, should be continued hereafter. (4)


AG. REGISTRAR.

The Registry
Supreme Court,
Malayan Union,
Kuala Lumpur. 6th October, 1947.
(RSC 386/46)

Copies to: Magistrates through Resident Commissioners
District Judges
Assistant Registrars, Supreme Court,