

(21)

THE JUDICIAL DEPARTMENT, FEDERATION OF MALAYA,

REGISTRAR'S CIRCULAR NO. 3 OF 1956.

Appeals in Criminal Courts.

A long-standing practice has been in operation in some Courts, (and which it has recently been ascertained that certain other Courts are not following) whereby as soon as a Notice of Appeal in a Criminal Case is filed in a subordinate Court, copies thereof are sent immediately to the High Court Registry and D.P.P. concerned. This practice has merit in that it enables both High Court and D.P.P. to know early what appeals are pending, and also it affords a check on undue delays in preparation of appeal records. It should therefore be adopted by all Courts in future, where it is not followed already.

2. The procedure followed in the Selangor Registry is that a file is kept for each subordinate Court coming under it, and the Notices are filed and numbered consecutively and annually therein. Such numbering is only for convenience and has no relation to the eventual appeal number and should not be confused therewith. It is the duty of the Criminal Clerk to peruse these files periodically and to draw the attention of the Senior Assistant Registrar to cases where delay is apparent. This seems a good procedure and is recommended to other Registries.

3. A Practice Note, (copy attached hereto) is being issued to all Members of the Bar asking them in future to file in quintuplicate instead of in triplicate as laid down in the Criminal Procedure Code. The attention of the Attorney-General is being drawn to the desirability of amending the Codes, but until this is done, a subordinate Court cannot insist on the filing of more than three copies. In the unlikely event of a practitioner refusing to supply more than three copies, the subordinate Court will have to prepare the other two.

(D.H. SHACKLES)
REGISTRAR.

The Federal Registry,
Supreme Court, F. of M.,
Kuala Lumpur, 8th February, 1956.
(REG. 59/54/21 & REG. 5/56/5).
DHS/CJR.

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