

Jabatan Kehakiman,
Mahkamah Tinggi,
Kuala Lumpur.

1hb. Disember, 1971.

Semua Penolong Kanan Pendaftar/Penolong Pendaftar, Mahkamah Tinggi.
Semua Yang di-Pertua Khas/Kanan, Yang di-Pertua, Mahkamah Seshen.
Semua Mejjisteret, Mahkamah Mejjisteret.

REGISTRAR'S CIRCULAR NO. 11 OF 1971

SECT. 399 C.P.C. : APPLIES TO MEDICAL OFFICERS
IN THE ARMED FORCES

I am directed by the Honourable the Chief Justice to remind all practitioners and prosecuting officers that section 399 of the Criminal Procedure Code applies also to Medical Officers in the Armed Forces.

2. An appeal has been made by the Director of Medical Services of the Malaysian Armed Forces that the attendance in court of medical officers wherever stationed - but particularly in East Malaysia - be dispensed with unless for sufficiently cogent reasons their attendance is absolutely necessary.

3. In many instances, Regional Medical Officers have been summoned all the way back to West Malaysia merely to give evidence where their reports pursuant to section 399 of the Criminal Procedure Code would have sufficed. Not rarely, too, after having been brought back to give evidence the trial was postponed and their evidence not taken, when it should have been done, to obviate the Medical Officer being required to attend again.

4. The Honourable the Attorney-General has given an assurance that, as far as possible, all prosecuting officers would make the fullest use of section 399. At the request of defence counsel, prosecuting officers will gladly co-operate, in supplying copies of medical reports, provided sufficient notice is given. Furthermore, in order that every effort be made to dispense with unnecessary attendances of Medical Officers in court, any relevant questions desired to be asked of them in court may be asked, which the Medical Officers will do their best to answer in writing for use at the trial.

2 DEC 1971

Dispatched on
By



(DATU SHEIKH ABDUL RAHMAN B. SHEIKH ABU BAKAR)
PENDAFTAR

s.k.

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Surat tuan bil.KP.O.5761/Jil.3(12) bertarikh 15.9.71
ada berkaitan.