

Bil.(12)dlm.JK/IP.39/54-A

Pejabat Pendaftaran,  
Mahkamah Tinggi,  
Kuala Lumpur.

6hb. September, 1979.

All Presidents, Sessions Courts;

All Magistrates, Magistrates Courts;

All Senior Assistant Registrars/Assistant Registrars, High Court,  
Peninsular Malaysia.

Registrar's Circular (A) No. 3/79

Translation Allowance

I am directed to draw your attention to the recent amendments to:

(i) Para. 11 of the Third Schedule of the Subordinate Courts  
Rules, 1950 (P.U.(A) 356/78; and

(ii) Items 85 and 86 of the Third Schedule of the Rules of  
the Supreme Court, 1957 (P.U.(A)159/79).

2. The effect of the amendments is that the fee chargeable for any translation from Malay into the English language or vice versa will be the same as the fee chargeable for the translation into or from any other language. The rate is prescribed in para 11 of the Third Schedule of the Subordinate Courts Rules, 1950 for the Sessions and Magistrates' Courts and in items 85 of the Third Schedule of the Rules of the Supreme Court, 1957 for the High Court.

3. Further, by virtue of para. 5, Chapter IX of the Fees (Public Officers) Regulation, 1953, if a translation is undertaken on the instruction of or with the permission of the Head of Department, one half of any fee levied for such translation may be refunded to the translator.

4. For easy reference para. 5 is reproduced:

"5. Translators and Interpreters are not normally permitted to undertake translations which are not required for the conduct of public business. All requests for translations made by members of the public should be directed through the Head of the Department concerned. If a translation is undertaken on the instructions of or with the permission of the Head of Department, one half of any fee levied for such translation may be refunded to the translator."

5. It must be stressed here that an interpreter is permitted to undertake a translation only on the instruction of or with the permission of the Head of Department, and not otherwise.

6. It should be noted that the provisions referred to in para. 2 apply only to translations of documents in civil matters.

7. No fee is chargeable for the translation or the correction or certification of a translation of any document tendered or to be tendered in a criminal case pending in the Court. This should be done in the course of duty.

8. The translation or correction or certification of a translation of any other document other than those mentioned in para. 7 is chargeable at the same rate as in a civil matter.

9. Every application for translation or correction or certification of a translation must be made to the Senior Assistant Registrar, the President of Sessions Courts or the Magistrate, as the case may be, of the Court where the case is pending or is likely to be instituted or nearest

the place of residence or office of the applicant. On receipt of such application it shall be the duty of the officer to instruct such interpreter(s) to do the work. If the court to which such application is made does not have an interpreter qualified in the language, the officer concerned should forward the application to the next court nearest to it having such interpreter with a request to the other officer to cause the work to be done. In such a situation the applicant should be informed who will then deal direct with the other court.

10. It goes without saying that all actions must be done promptly to avoid public inconvenience.

11. The fees must be paid in full before the translation is transmitted to the applicant. Receipt for the full sum must be issued, and a copy given to the applicant. The full fee shall be accounted for and credited to Revenue. The amount to which the officer is entitled will then be drawn on a payment voucher from the Accountant General's Office or it's respective branches. (See Treasury Instruction para. 84).

12. The following endorsement shall be made at the bottom of the last page of every translation:

Translated/corrected/certified by:.....

(Signature)

.....

(Name in full)

.....

(Designation)

.....

(Court)

Receipt No:.....

.....

(Signature of President/  
Magistrate/Registrar)

Amount paid:.....

.....

(Name in full)

Date:.....

.....

(Designation)

13. The Registrars' Circular letter No. (58) in RSC. 129/53 dated 21st April, 1959 will cease to have effect:

- (i) in respect of the Session's & Magistrates' Courts w.e.f. 22nd December, 1978; and
- (ii) in respect of the High Court w.e.f. 26th July, 1979.

(Haji Wan Mohamed bin Haji Wan Mustapha)

CHIEF REGISTRAR

c.c.:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>1. The Secretary to<br/>The Hon'ble The Lord President,<br/>Federal Court,<br/>Malaysia,<br/><u>Kuala Lumpur.</u></li> <li>2. The Secretary to<br/>The Hon'ble Chief Justice,<br/>Malaya, High Court,<br/><u>Kuala Lumpur.</u></li> </ul> | <ul style="list-style-type: none"> <li>8. The Secretary,<br/>Bar Council Malaysia,<br/>Lot 5.55, 5th Floor,<br/>Wisma Central, Jalan Ampang,<br/><u>Kuala Lumpur.</u></li> <li>9. The Secretaries,<br/>The State Bar Committees,<br/>Peninsular Malaysia.</li> </ul> |
|--|--|

3. The Secretary to  
The Hon'ble Chief Justice,  
Borneo, High Court,  
Kuching,  
Sarawak.
4. The Secretaries to  
The Hon'ble Judges,  
Federal Court,  
Malaysia,  
Kuala Lumpur.
5. The Secretaries to  
The Hon'ble Judges,  
High Court,  
Malaya & Borneo.
6. Y.B.Peguam Negara,  
Jabatan Peguam Negara,  
Kuala Lumpur.
7. Y.B.Peguamcara Negara,  
Jabatan Peguam Negara,  
Kuala Lumpur.
10. The Managing Editor,  
The Malayan Law Journal,  
1302-1304, Shenton House,  
Singapore 1.
11. The Editor,  
INSAF,  
c/o Bar Council Malaysia,  
Lot 5.55, 5th Floor,  
Wisma Central,  
Jalan Ampang,  
Kuala Lumpur.
12. The Editor,  
Adil,  
c/o Deputy Registrar,  
High Court,  
Kuala Lumpur.
13. The Registrar,  
High Court Borneo,  
Kuching,  
Sarawak.
14. The Deputy Registrar,  
High Court,  
Kota Kinabalu,  
Sabah.