

24th February, 1981.

All Presidents, Sessions Courts
All Magistrates, Magistrates Courts,
West Malaysia.

Registrar's Circular No(U) 5 of 1981
Subordinate Courts Rules, 1980.

I am directed by the Hon, the Chief Justice, Malaya to inform you that the Subordinate Courts Rules, 1980 will come into force on 1st April, 1981, replacing the Subordinate Courts Rules, 1950.

2. Applications and Proceedings in Chambers
(Order 24)

2.1. In exercise of the powers conferred by Order 24, rule 13, the Chief Justice, Malaya directs that Registrars may only hear non-contentious applications. All contentious applications shall be heard by Presidents or Magistrates, as the case may be.

2.2. This direction does not apply to matters which are specifically provided by the Rules to be heard by Registrars, for example, trials before and inquiries by Registrars (Order 51).

2.3. When an application is filed the Registrar shall determine whether the matter is likely to be contentious or not. If it is not, he should fix it before himself. If it is, he should fix it before the President or Magistrate, as the case may be.

2.4. All applications in chambers in courts which have no Registrars resident thereat shall be heard by the Presidents or Magistrates covering those courts.

2.5. As far as possible, the hearing of applications in Chambers by Presidents and Magistrates should be done daily from 8.30 am to 9.00 a.m.

3. Registry: When open to public (Order 52, rule 7(2)).

3.1. The Hon. the Chief Justice, Malaya directs that the hours during which the Registry of the Sessions and Magistrates' Courts shall be open to the public shall be as follows:-

- (i) on days other than days preceding weekly holidays, between the hours of nine in the forenoon and quarter to one in the afternoon, and between the hours of two and half-past three in the afternoon:

Provided that in States where Fridays are working days, on Fridays, between the hours of nine in the forenoon and twelve noon, and between the hours of half-past two and half-past three in the afternoon.

(ii) on days preceding weekly holidays between the hours of nine in the forenoon and twelve noon.

3.2. Please note that the above office hours apply only in respect of civil matters such as filing of documents. It does not apply to criminal matters.

3.3. Notices, in the National Language, stating in brief the hours during which the Registry is open to the public, should be exhibited at conspicuous place (s) at the Registry.

4. Books to be kept in the Registry (Order 52 rule 2).

4.1. The Judicial Department is in the process of having the books printed. In the meantime foolscap exercise books with hard covers may be used.

5. General

5.1. In the implementation of these rules, there are bound to be problems. No one can envisage all these problems and supply ready made answers. It is hoped that Presidents and Magistrates will exercise their discretion in ever-coming them. If necessary my attention should be drawn so that remedial actions can be taken immediately.

t.t.

(SITI NORMA YAAKOB)
Chief Registrar.

c.c.

- 1) Hon'ble the Lord President, Federal Court, Malaysia, Kuala Lumpur.
- 2) Hon'ble the Chief Justice, Malaya, High Court, Kuala Lumpur.
- 3) Hon'ble the Chief Justice, Borneo, High Court, Kuching, Sarawak;
- 4) Hon'ble Judges of the Federal Court, Malaysia, Kuala Lumpur.
- 5) Hon'ble Judges of the High Court, Malaya.
- 6) Y.B. Peguam Negara, Malaysia, Jabatan Peguam Negara, Kuala Lumpur.
- 7) Hon'ble the Solicitor-General, Malaysia, Kuala Lumpur.

- 8) Senior Federal Counsel, Civil Division,
Attorney General's Chambers;
- 9) All State Legal Advisers, West Malaysia;
- 10.) Registrar, High Court, Borneo, Kuching,
Sarawak;
- 11) Deputy Registrar, High Court, Kota Kinabalu,
Sabah;
- 12) All Senior Assistant Registrars, High Courts,
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- 13) All Assistant Registrars, High Courts, Malaya;
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