



29 Jun 2011
29 June 2011
P.U. (A) 209

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

KAEDAH-KAEDAH MAHKAMAH RAYUAN (PINDAAN)
2011

RULES OF THE COURT OF APPEAL (AMENDMENT) 2011



DISIARKAN OLEH/
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AKTA MAHKAMAH KEHAKIMAN 1964

KAEDAH-KAEDAH MAHKAMAH RAYUAN (PINDAAN) 2011

PADA menjalankan kuasa yang diberikan oleh seksyen 17 Akta Mahkamah Kehakiman 1964 [*Akta 91*] dan dengan persetujuan Ketua Hakim Negara, Jawatankuasa Kaedah-Kaedah membuat kaedah-kaedah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Kaedah-kaedah ini bolehlah dinamakan **Kaedah-Kaedah Mahkamah Rayuan (Pindaan) 2011**.

(2) Kaedah-Kaedah ini disifatkan telah mula berkuat kuasa pada 1 Mac 2011.

Pindaan kaedah 2

2. Kaedah-Kaedah Mahkamah Rayuan 1994 [*P.U. (A) 524/1994*], yang disebut “Kaedah-Kaedah ibu” dalam Kaedah-Kaedah ini, dipinda dalam kaedah 2 dengan memasukkan sebelum takrif “fail” takrif yang berikut:

‘ “cara mekanikal” termasuk apa-apa kelengkapan, peranti, radas atau perantaraan yang dikendalikan secara digital, elektronik, magnetik atau mekanikal; ’.

Pindaan kaedah 18

3. Kaedah 18 Kaedah-Kaedah ibu dipinda dalam perenggan (4)(b) dengan memasukkan selepas perkataan “keputusan yang dirayukan itu telah diberikan” perkataan “yang mungkin keseluruhannya atau sebahagiannya direkodkan dengan cara mekanikal”.

Pindaan kaedah 78

4. Kaedah 78 Kaedah-Kaedah ibu dipinda dengan memasukkan selepas perkataan “dari semasa ke semasa” perkataan “, dan meterai itu termasuk meterai elektronik”.

Kaedah baru 80A

3. Kaedah-Kaedah ibu dipinda dengan memasukkan selepas kaedah 80 kaedah yang berikut:

“Pemfailan elektronik. 80A. Apa-apa dokumen yang dikehendaki untuk difailkan atau dikeluarkan di bawah Kaedah-Kaedah ini boleh difailkan atau dikeluarkan secara elektronik; dan pemfailan atau pengeluaran itu hendaklah disifatkan telah mematuhi Kaedah-Kaedah ini.”.

Dibuat 24 Jun 2011
[JK/MP 63 Jld.1; PN(PU2)153/XIV]

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DATUK JOHN SIKAYUN
Peguam bela, Sabah

ENCIK KHAIRIL AZMI BIN MOHD HASBIE
Peguam bela, Sarawak

[Akan dibentangkan di Dewan Rakyat menurut subseksyen 17(5) Akta Mahkamah Kehakiman 1964]

COURTS OF JUDICATURE ACT 1964

RULES OF THE COURT OF APPEAL (AMENDMENT) 2011

IN exercise of the powers conferred by section 17 of the Courts of Judicature Act 1964 [Act 91] and with the consent of the Chief Justice, the Rules Committee makes the following rules:

Citation and commencement

1. (1) These rules may be cited as the **Rules of the Court of Appeal (Amendment) 2011**.

(2) These Rules are deemed to have come into operation on 1 March 2011.

Amendment of rule 2

2. The Rules of the Court of Appeal 1994 [P.U. (A) 524/1994], which are referred to as the “principal Rules” in these Rules, are amended in rule 2 by inserting after the definition of “Judge” the following definition:

‘ “mechanical means” includes any equipment, device, apparatus or medium operated digitally, electronically, magnetically or mechanically; ’

Amendment of rule 18

3. Rule 18 of the principal Rules is amended in paragraph (4)(b) by inserting after the words “the decision appealed against was given” the words “which may be recorded wholly or partly by mechanical means”.

Amendment of rule 78

4. Rule 78 of the principal Rules is amended by inserting after the word “directs” the words “, and such seal includes an electronic seal”.

New rule 80A

5. The principal Rules are amended by inserting after rule 80 the following rule:

“Electronic filing. 80A. Any document required to be filed or issued under these Rules may be filed or issued electronically; and such filing or issue shall be deemed to comply with these Rules.”.

Made 24 June 2011
[JK/MP 63 Jld.1; PN(PU2)153/XIV]

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*[To be laid before the Dewan Rakyat pursuant to subsection 17(5) of the Court of
Judicature Act 1964]*