



14 Disember 2020
14 December 2020
P.U. (A) 352

WARTA KERAJAAN PERSEKUTUAN

*FEDERAL GOVERNMENT
GAZETTE*

KAEDAH-KAEDAH MAHKAMAH RAYUAN
(PINDAAN) 2020

*RULES OF THE COURT OF APPEAL
(AMENDMENT) 2020*

DISIARKAN OLEH/
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AKTA MAHKAMAH KEHAKIMAN 1964

KAEDAH-KAEDAH MAHKAMAH RAYUAN (PINDAAN) 2020

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) 2020**.

(2) Kaedah-Kaedah ini mula berkuat kuasa pada 15 Disember 2020.

Pindaan kaedah 77

2. Kaedah-Kaedah Mahkamah Rayuan 1994 [*P.U. (A) 524/1994*], yang disebut “Kaedah-Kaedah ibu” dalam Kaedah-Kaedah ini, dipinda dalam kaedah 77 dengan memasukkan selepas perkataan “urusan” perkataan “Mahkamah dan”.

Kaedah baharu 95A

3. Kaedah-Kaedah ibu dipinda dengan memasukkan selepas kaedah 95 kaedah yang berikut:

“Prosiding melalui teknologi komunikasi jarak jauh.

95A. (1) Walau apa pun apa-apa jua dalam Kaedah-Kaedah ini, kaedah ini hendaklah terpakai bagi mana-mana prosiding yang dijalankan melalui suatu teknologi komunikasi jarak jauh.

(2) Mahkamah atau Pendaftar boleh mengarahkan supaya apa-apa kausa atau perkara di bawah Kaedah-Kaedah ini untuk

didengar atau mana-mana prosiding untuk dijalankan melalui suatu teknologi komunikasi jarak jauh sebagaimana yang diluluskan oleh Mahkamah.

(3) Kuasa yang diberikan ke atas Mahkamah atau Pendaftar dalam subkaedah (2) boleh dijalankan atas usulnya sendiri atau apabila permohonan dibuat oleh mana-mana pihak kepada suatu prosiding.

(4) Jika suatu permohonan dibuat di bawah subkaedah (3), Mahkamah atau Pendaftar boleh memberikan arahan tentang perjalanan lanjut prosiding itu berhubung dengan kausa atau perkara itu.

(5) Bagi maksud kaedah ini, tatacara dan amalan dalam Kaedah-Kaedah Mahkamah 2012 hendaklah terpakai *mutatis mutandis*”.

Dibuat 14 Disember 2020
[PKPMP.BD.600-1/5/26; PN(PU2)323]

Jawatankuasa Kaedah-Kaedah:

TUN TENGKU MAIMUN BINTI TUAN MAT
Ketua Hakim Negara, Malaysia

TAN SRI ROHANA BINTI YUSUF
Presiden Mahkamah Rayuan, Malaysia

TAN SRI DATO' SRI AZAHAR BIN MOHAMED
Hakim Besar Mahkamah Tinggi di Malaya

DATO' ABANG ISKANDAR BIN ABANG HASHIM
Hakim Besar Mahkamah Tinggi di Sabah and Sarawak

TAN SRI IDRUS BIN HARUN
Peguam Negara, Malaysia

DATO' SERI HAJI MOHD ZAWAWI BIN SALLEH
Hakim Mahkamah Persekutuan

DATUK HAJJAH AZIZAH BINTI HAJI NAWAWI
Hakim Mahkamah Rayuan

TUAN COLLIN LAWRENCE SEQUERAH
Hakim Mahkamah Tinggi di Malaya

TUAN AZHAHARI KAMAL BIN RAMLI
Hakim Mahkamah Tinggi di Sabah and Sarawak

TUAN AHMAD TERRIRUDIN BIN MOHD SALLEH
Ketua Pendaftar Mahkamah Persekutuan

ENCIK SALIM BIN BASHIR BHASKARAN
Peguam Bela, Semenanjung Malaysia

ENCIK ROGER CHIN KEN FONG
Peguam Bela, Sabah

ENCIK RANBIR SINGH SANGHA
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) 2020

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) 2020**.

(2) These Rules come into operation on 15 December 2020.

Amendment of rule 77

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 77 by inserting after the word “business” the words “of the Court and”.

New rule 95A

3. The principal Rules are amended by inserting after rule 95 the following rule:

“Proceedings through remote communication technology.	95A. (1) Notwithstanding anything in these Rules, this rule shall apply to any proceeding conducted through a remote communication technology.
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(2) The Court or Registrar may direct that any cause or matter under these Rules is to be heard or any proceeding is to be conducted through a remote communication technology as approved by the Court.

(3) The power conferred on the Court or Registrar in subrule (2) may be exercised on its own motion or upon application made by any party to a proceeding.

(4) Where an application is made under subrule (3), the Court or Registrar may give directions as to the further conduct of the proceedings in relation to the cause or matter.

(5) For the purpose of this rule, the procedure and practice in the Rules of Court 2012 shall apply *mutatis mutandis*.”.

Made 14 December 2020
[PKPMP.BD.600-1/5/26; PN(PU2)323]

Rules Committee:

TUN TENGKU MAIMUN BINTI TUAN MAT
Chief Justice, Malaysia

TAN SRI ROHANA BINTI YUSUF
President of the Court of Appeal, Malaysia

TAN SRI DATO' SRI AZAHAR BIN MOHAMED
Chief Judge of the High Court in Malaya

DATO' ABANG ISKANDAR BIN ABANG HASHIM
Chief Judge of the High Court in Sabah and Sarawak

TAN SRI IDRUS BIN HARUN
Attorney General, Malaysia

DATO' SERI HAJI MOHD ZAWAWI BIN SALLEH
Judge of the Federal Court

DATUK HAJJAH AZIZAH BINTI HAJI NAWAWI
Judge of the Court of Appeal

TUAN COLLIN LAWRENCE SEQUERAH
Judge of the High Court in Malaya

TUAN AZHAHARI KAMAL BIN RAMLI
Judge of the High Court in Sabah and Sarawak

TUAN AHMAD TERRIRUDIN BIN MOHD SALLEH
Chief Registrar of the Federal Court

ENCIK SALIM BIN BASHIR BHASKARAN
Advocate, Peninsular Malaysia

ENCIK ROGER CHIN KEN FONG
Advocate, Sabah

ENCIK RANBIR SINGH SANGHA
Advocate, Sarawak

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