

A BILL

i n t i t u l e d

An Act to amend the Subordinate Courts Rules Act 1955.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Subordinate Courts Rules (Amendment) Act 2020.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 2

2. The Subordinate Courts Rules Act 1955 [*Act 55*], which is referred to as the “principal Act” in this Act, is amended in section 2 by inserting after the definition of “proceeding” the following definition:

‘ “remote communication technology” means a live video link, a live television link or any other electronic means of communication;’.

Amendment of section 3

3. Subsection 3(2) of the principal Act is amended by substituting for paragraph (f) the following paragraph:

“(f) the Chief Registrar of the Federal Court;”.

Amendment of section 4

4. Section 4 of the principal Act is amended by inserting after paragraph (a) the following paragraph:

“(aa) for regulating and prescribing the procedure and the practice to be followed in Subordinate Courts in all causes and matters whatsoever in or with respect to the hearing of any matter or proceeding through a remote communication technology;”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Subordinate Courts Rules Act (“Act 55”).

2. *Clause 1* contains the short title and provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend section 2 of Act 55 to introduce a new definition of “remote communication technology”.
4. *Clause 3* seeks to amend subsection 3(2) of Act 55 in relation to the membership of the Subordinate Courts Rules Committee. Under the proposed amendment, the membership of the Senior Judge of the Sessions Court of Kuala Lumpur will be substituted by the membership of the Chief Registrar of the Federal Court. The Chief Registrar of the Federal Court is the Head of Department and is responsible for the administration of the Judiciary in Malaysia, including the supervision of all State Court Directors.
5. *Clause 4* seeks to amend section 4 of Act 55 to provide that the Rules of Court may be made for regulating and prescribing the procedure with respect to the hearing of any matter or proceeding through a remote communication technology.

FINANCIAL IMPLICATIONS

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

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