HAKIM BESAR SABAH & SARAWAK
MALAYSIA

CHIEF JUDGE OF SABAH & SARAWAK
MALAYSIA

Ruj. Kami : CJSS/01/2018

Tarikh : 4 September 2018

The Honourable Judges & Judicial Commissioners
High Court in Sabah and Sarawak

Sessions Court Judges
Sabah and Sarawak

Deputy Registrars / Senior Assistant Registrars
High Court in Sabah and Sarawak

Magistrates
Sabah and Sarawak

Yang Arif Datuk/Dato/Tuan/Puan,

PRACTICE DIRECTION OF THE CHIEF JUDGE OF THE HIGH COURTS IN SABAH AND SARAWAK NO. 1 OF 2018

ORAL SUBMISSION AND GROUNDS OF DECISION

I respectfully refer to the above matter.

Kamar Hakim Besar Sabah & Sarawak, Aras 5 Istana Kehakiman, Presint 3, 62508 Putrajaya, Malaysia
(Chief Judge Sabah & Sarawak Chambers, Level 5, Istana Kehakiman, Precinct 3, 62506 Putrajaya, Malaysia)
Tel: 03-88803559 Fax: 03-88883944 Email: cjss@kehakiman.gov.my
Kamar Hakim Besar, Mahkamah Tinggi, Jalan Gersik, Petra Jaya, 93050 Kuching, Sarawak, Malaysia
(Chief Judge's Chambers, High Court, Jalan Gersik, Petra Jaya, 93050 Kuching, Sarawak, Malaysia)
Tel: 082-449989 Fax: 082-313400 Email: cjss@kehakiman.gov.my

(A) Oral Submission in both Civil and Criminal Cases

2. For all contested civil cases and criminal cases pending hearing in all the subordinate courts and High Court in Sabah and Sarawak, the Honourable High Court Judges / Judicial Commissioners and Judicial Officers shall fix a date of hearing of an Oral Submission to be made by the counsel for the respective party on all salient points of facts, issues and laws of the case at hand on top of the written submissions which may have been filed by the counsel for respective party.

(B) Summary ground and full Ground of Decision in both Civil and Criminal Cases

3. In respect of an interlocutory application which is dismissed by the court, at least a summary / brief ground of decision shall be furnished by the court to the parties at the time of the delivery of the decision.

4. In respect of an interlocutory application which is allowed by the court, a summary / brief ground of decision shall be furnished to the parties at the time of the delivery of the decision followed by a full ground of decision to be furnished to the parties within one (1) month from the date of decision.

5. In respect of a decision made after trial in the court, a summary / brief ground of decision shall be furnished to the parties at the time of the delivery of the decision followed by a full ground of decision to be furnished to the parties within two (2) months from the date of the decision.

6. All the previous practice directions and/or circulars relating to grounds of judgment including the Registrar's Circular No. 2 of 2016 dated 5th August 2016 issued by the High Court in Sabah and Sarawak shall be superseded by this Practice Direction.

7. This directive shall take effect immediately.

"BERKHIDMAT UNTUK NEGARA"

(DATUK DAVID WONG DAK WAH)

Chief Judge of the High Courts in Sabah and Sarawak

c.c. 1. The Right Honourable Chief Justice
Federal Court of Malaysia
Putrajaya

2. The Right Honourable President of the Court of Appeal
Federal Court of Malaysia
Putrajaya

3. Chief Registrar of the Federal Court
Federal Court of Malaysia
Putrajaya

4. Deputy Chief Registrar I (Policy)
Federal Court of Malaysia
Putrajaya

5. Deputy Chief Registrar II (Operation)
Federal Court of Malaysia
Putrajaya

6. Registrar of the Court of Appeal
Federal Court of Malaysia
Putrajaya

7. Registrar of the High Court of Sabah and Sarawak
High Court of Sabah and Sarawak
Kuching

8. Registrar of the Subordinate Court of Sabah and Sarawak
High Court of Sabah and Sarawak
Kuching

9. Sabah State Attorney General
Sabah State Attorney-General's Chambers
Kota Kinabalu

10. Sarawak State Attorney General
Sarawak State Attorney-General's Chambers
Kuching

11. Sabah Director of Prosecution
Attorney General's Chambers Branch Sabah
Kota Kinabalu

12. Sarawak Director of Prosecution
Attorney General's Chambers Branch Sarawak
Kuching

13. President
Sabah Law Society
Kota Kinabalu

14. President
The Advocates Association of Sarawak
Miri

15. Librarian
Federal Court of Malaysia
Putrajaya