



Ref. File No: MR /U/03/1 Jld. 1(2).

**PRESIDEN
MAHKAMAH RAYUAN MALAYSIA
PUTRAJAYA**

**PRESIDENT
COURT OF APPEAL MALAYSIA
PUTRAJAYA**

COURT OF APPEAL PRACTICE DIRECTION

NO. 1 OF 2017

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Court of Appeal Practice Direction No. 1 of 2017

1. In accordance with rule 77 of the Court of Appeal Rules 1994 [P.U. (A) 524/1994], I issue this Direction for all applications and appeals at the Court of Appeal Malaysia.

Commencement

2. This Direction comes into operation on **1 March 2017**.

PART I

NOTICE OF APPEAL AND NOTICE OF MOTION

3. Notice of Appeal

- 3.1 The Notice of Appeal for criminal cases shall be filed as provided for in the Criminal Procedure Code [Act 593] and the Notice of Appeal for civil cases shall be filed as provided for in the Rules of Court 2012 [P.U. (A) 205/2012].
- 3.2 The Notice of Appeal for criminal cases shall state clearly whether the appeal is against sentence only or against the whole of the decision. Form 5 (Notice of Appeal) or Form 6 (Notice on behalf of the Prisoner) of the Court of Appeal Rules 1994 shall be complied with.
- 3.3 The Registrar of the Court of Appeal shall upon receiving the Notice of Appeal for criminal cases register the appeal and notify the Registrar of the High Court in respect of the registration number of the criminal appeal for the purpose of compliance with sections 52, 53 dan 55 of the Courts of Judicature Act 1964 [Act 91].
- 3.4 The Notice of Appeal for civil cases shall state clearly whether the appeal is against the decision in an interlocutory application or after full trial. Form 1 (Notice of Appeal) of the Court of Appeal Rules 1994 shall be complied with.

4. **Notice of Motion**

4.1 The Notice of Motion for criminal cases is as provided in Chapter 3, Part II of the Court of Appeal Rules 1994 and the Notice of Motion for civil cases is as provided in Chapter 2, Part VIII of the same Rules.

4.2 Every Notice of Motion filed shall be filed together with an affidavit in support. The Affidavit in support and/or supplementary affidavit must be paginated.

5. **Classification of appeal codes**

5.1 All applications and appeals shall use the designated State Code and Item Code.

5.2 State Codes are as follow:

NO.	STATE	CODE
1.	Perak	A
2.	Selangor	B
3.	Pahang	C
4.	Kelantan	D
5.	Johore	J
6.	Kedah	K
7.	Melaka	M
8.	Negeri Sembilan	N
9.	Penang	P

NO.	STATE	CODE
10.	Sarawak	Q
11.	Perlis	R
12.	Sabah (includes the Federal Territory of Labuan)	S
13.	Terengganu	T
14.	Wilayah Persekutuan (includes Putrajaya)	W

5.3 Item Codes are as follow:

NO.	ITEM	CODE
1.	(a) Civil appeal from the High Court by or against the Government relating to or involving- i. Government Proceedings Act 1956 [Act 359] ii. Federal Constitution or State Constitution iii Land reference iv Income tax appeal (b) Civil appeal involving statutory bodies	01
2.	General civil appeal (excluding appeal under codes 01, 03 and 04)	02
3.	Civil appeal from a decision of the Registrar, Deputy Registrar or Senior Assistant Registrar of the High Court	03
5.	Criminal appeal from a decision of the High Court not involving public servant	05

NO.	ITEM	CODE
6.	Criminal appeal from a decision of the High Court involving public servant	06A
7.	Criminal appeal from a decision of the Sessions or Magistrates' Court involving public servant	06B
8.	Criminal review	06
9.	Criminal application	07
10.	Application for leave to appeal	08
11.	Civil review	08 (Review)
12.	Criminal appeal from a decision of the Sessions or Magistrates' Court not involving public servant	09

5.4 Classification of criminal appeals and codes are as follow:

NO	CLASSIFICATION	CODE
1.	Intellectual Property	09(IPCr)
2.	Decision of the High Court not involving public servant (Death Sentence)	05(M)
3.	Decision of the High Court not involving public servant (Discharge and Acquittal)	05(LB)
4.	Decision of the High Court not involving public servant (Sentence)	05(H)

NO	CLASSIFICATION	CODE
5.	Decision of the High Court not involving public servant (Conviction and Sentence)	05(SH)
6.	Decision of the High Court involving public servant (Death Sentence)	06A(M)
7.	Decision of the High Court involving public servant (Discharge and Acquittal)	06A(LB)
8.	Decision of the High Court involving public servant (Sentence)	06A(H)
9.	Decision of the High Court involving public servant (Conviction and Sentence)	06A(SH)
10.	Decision of the High Court on an appeal from the Sessions or Magistrates' Court involving public servant (Sentence)	06B(H)
11.	Decision of the High Court on an appeal from the Sessions or Magistrates' Court not involving public servant (Sentence)	09(H)

5.5 Subject matter of civil appeals and codes are as follow:

NO.	SUBJECT MATTER	CODE
1.	Civil review	08 (Review)
2.	Admiralty	02(ADM)
3.	Admiralty (Interlocutory)	02(IM)(ADM)
4.	Construction	02(C)
5.	Construction (Interlocutory)	02(IM)(C)

NO.	SUBJECT MATTER	CODE
6.	Civil Intellectual Property	02(IPCv)
7.	Civil Intellectual Property (Interlocutory)	02(IM)(IPCv)
8.	Muamalat	02(MUA)
9.	Muamalat (Interlocutory)	02(IM)(MUA)
10.	Full Trial (Witness)	02(W)
11.	Full Trial (Affidavit)	01(A)

5.6 Example of registration of civil appeal is as follow:

Civil Appeal No. R-01(ADM)(W)-22-01/2017

CODE	DESCRIPTION
R	State
01	Item Code
(ADM)	Subject Matter
(W)	Full Trial (Witness)
22	Case Number
01	Month
2017	Year

- 5.7 In any interlocutory civil appeal, the prefix (IM) is to be inserted to the Item Code. Example of registration of interlocutory civil appeal is as follow:

Civil Appeal No. R-01(IM)(ADM) -22-01/2017

CODE	DESCRIPTION
R	State
01(IM)	Item Code (Interlocutory Matter)
(ADM)	Subject Matter
22	Case Number
01	Month
2017	Year

- 5.8 Interlocutory matters are as listed at **Annexure A** and example of Notice of Appeal for Interlocutory Matters are as at **Anexure B**.

PART II

RECORD OF APPEAL IN A CRIMINAL APPEAL

6. Preparation of Record of Appeal

- 6.1 The High Court in preparing the Record of Appeal shall ensure that the content and numbering of the record are as follow:

6.1.1 Criminal Trial Cases at the High Court

VOLUME	CONTENT
1	i. Particulars of trial at the High Court (Form 7)

VOLUME	CONTENT
	<ul style="list-style-type: none"> ii. Notice of Appeal to the Court of Appeal iii. Sealed order of the High Court iv. Charge sheet v. Grounds of judgment of the High Court
2	Notes of evidence of the High Court and Witness Statement (if available)
3	Exhibits in the form of document or photograph (coloured)
4	Written submissions by the Prosecution and the Defence. Do not include Bundle of Authorities

6.1.2 Criminal Appeal Cases of the High Court

VOLUME	CONTENT
1	<ul style="list-style-type: none"> i. Particulars of hearing at the High Court (Form 7) ii. Sealed order of the Court of Appeal (Leave to Appeal), if applicable iii. Notice of Appeal to the Court of Appeal iv. Sealed order of the High Court v. Grounds of judgment of the High Court vi. Notes of proceedings of the High Court
2	<ul style="list-style-type: none"> i. Particulars of trial at the Subordinate Court ii. Notice of Appeal to the High Court iii. Petition of Appeal to the High Court iv. Charge sheet v. Sealed order of the Subordinate Court

VOLUME	CONTENT
	vi. Grounds of judgment of the Subordinate Court
3	Notes of evidence of the Subordinate Court and Witness Statement (if available)
4	Exhibits in the form of document or photograph (coloured)
5	Written Submissions before the High Court by the Prosecution and the Defence. Do not include Bundle of Authorities
6	Written Submissions before the Subordinate Court by the Prosecution and the Defence. Do not include Bundle of Authorities

6.1.3 The word "VOLUME" shall be marked at the upper right corner of the front page of each volume of the Record of Appeal.

6.1.4 Each copy of the document included in the Record of Appeal must be clear, readable, numbered and neatly bound using comb binding. Each volume shall not exceed 200 pages.

6.1.5 If a volume exceeds 200 pages, the marking on each volume shall be as follows:

VOLUME 1(A), 1(B), 1(C) *etc.*

PART III
RECORD OF APPEAL IN A CIVIL APPEAL

7. Preparation of the Record of Appeal

7.1 The Appellant shall prepare 4 copies of the Record of Appeal as follow:

- (a) For appeals from the High Court, the Record of Appeal shall be divided into **Part A, Part B** and **Part C**; and
- (b) For appeals from the Subordinate Court, the Record of Appeal shall be divided into **Part A, Part B, Part C** and **Part D**.

7.2 Appeals from the High Court/Subordinate Courts

PART	CONTENT
A	<ul style="list-style-type: none">i. Indexii. Chronology of the case, starting from the date the case was filed at the court of first instance until the date the Record of Appeal is filediii. Memorandum of Appealiv. Judgment, decree or order appealed fromv. Notice of Appealvi. Grounds of judgment or grounds of decision of the High Courtvii. Pleadings and/or Originating Summons at the High Court

PART	CONTENT
<p style="text-align: center;">B</p>	<ul style="list-style-type: none"> i. Index with pagination regarding the witness referred to in the notes of evidence and/or affidavit by the deponent filed and/or read at the High Court ii. Transcribed notes of evidence of the High Court. If such transcribed notes of evidence cannot be filed or is not available, the notes of evidence in the form of a Compact Disc (CD) can be filed subject to the court's instruction iii. Copies of the affidavit (without exhibit) filed and/or read at the High Court appealed from and such affidavits shall be arranged according to the date filed
<p style="text-align: center;">C</p>	<ul style="list-style-type: none"> i. Index ii. The exhibit documents to be included shall be- <ul style="list-style-type: none"> (a) relevant (b) filed in one copy only (c) clearly marked (d) arranged in chronological order iii. Written submissions of the parties. Do not include Bundle of Authorities
<p style="text-align: center;">D</p>	<ul style="list-style-type: none"> i. Index ii. Grounds of judgment in the Subordinate Court

PART	CONTENT
	iii. Judgment or order of the Subordinate Court
	iv. Pleadings and/or Originating Summons at the Subordinate Court
	v. Notes of evidence at the Subordinate Court

7.3 **Parts A, B, C and D** shall be as follow:

(a) divided into 3 volumes and marked-

VOLUME	PART
1	A
2	B and C
3	D

(b) each volume shall not exceed 200 pages;

(c) if any volume exceeds 200 pages, each volume shall be divided and marked as for example volume 2A, 2B *etc.* Each volume shall have a clear and detailed index;

(d) each numbered page shall be arranged sequentially starting from the first page in Volume 1; and

(e) if the total number of pages of the Record of Appeal is less than 50 pages, all three volumes may be combined into one volume only consisting of **Parts A, B, C and/or D**;

7.4 In the middle of the front page of each volume shall state the *intitulement* of the action at the Court of Appeal or appeal at the High Court and at the bottom of the

page with the name of the Legal Firm representing the Appellant and the Respondent.

- 7.5 Each copy of the document that is included in the Record of Appeal shall be clear, readable and neatly bound using the comb binding.
- 7.6 Record of Appeal and Supplementary Record of Appeal shall be filed at the Registry Office within the time stipulated in subrules 18(7) and 18(7A) Court of Appeal Rules 1994.

**PART IV
DOCUMENTS FOR APPEAL**

8. Colour code

The colour of the cover of the relevant document shall be as follow:

DOCUMENT	COLOUR CODE
Record of Appeal(Criminal)	Pink
Record of Appeal(Civil)	Red
Common core bundle	Yellow
Appellant/Applicant (Criminal, Civil and Notice of Motion) i. Executive summary ii. Written submissions iii. Bundle of authorities	Blue

DOCUMENT	COLOUR CODE
<p>Respondent (Criminal, Civil and Notice of Motion)</p> <p>i. Executive summary ii. Written submissions iii. Bundle of authorities</p>	<p>Orange</p>
<p>Intervener or other parties (as the case maybe)</p> <p>i. Executive summary ii. Written submission iii. Bundle of authorities</p>	<p>White</p>

9. **Common core bundle**

- 9.1 The common core bundle comprises documentary evidence of all parties which will assist the court in the hearing of the appeal.
- 9.2 The common core bundle is intended to facilitate the appeal proceedings where the Record of Appeal exceeds 5 volumes.
- 9.3 The common core bundle shall be renumbered sequentially at the bottom right corner of each page.
- 9.4 The common core bundle shall be filed in 4 copies.

10. **Written submission**

- 10.1 Written submissions shall include the following:
- (a) Agreed facts;
- (b) Non-agreed facts;

- (c) Reference to the particular ground of appeal in the Memorandum of Appeal as submitted in the Record of Appeal; and
- (d) Relevant authorities cited.

10.2 Written submissions shall comply with the following:

- (a) Four copies of the written submissions shall be filed at the Registry of the Court of Appeal not later than 14 days before the date of the appeal;
- (b) A soft copy of such submissions shall also be sent at the same time to the email address designated at case management from the following email addresses:
 - (i) coap1@kehakiman.gov.my;
 - (ii) coap2@kehakiman.gov.my;
 - (iii) coap3@kehakiman.gov.my;
 - (iv) coap4@kehakiman.gov.my;
 - (v) coaft1@kehakiman.gov.my;
 - (vi) coaft2@kehakiman.gov.my;
 - (vii) coaj1@kehakiman.gov.my; and
 - (viii) coaj2@kehakiman.gov.my.
- (c) An executive summary shall be filed if the written submissions exceeds 30 pages;
- (d) All written submissions shall be of font Arial, size 14 and spacing 1.5; and
- (e) The date for the hearing of the appeal shall be clearly stated at the upper right corner of the cover page of the written submissions or the executive summary.

10.3 If the written submissions is not filed within the time prescribed in paragraph 10(2)(a), the time for oral submission will be limited to 15 minutes only and any extension of time shall be at the discretion of the Chairman of the Panel.

11. Documents referred in Court

11.1 At the hearing of the appeal, parties shall refer to the documents as follow:

DOCUMENT	DESCRIPTION
Appellant's Record of Appeal	R/P
Appellant/Applicant's Bundle of Authorities	IA (P)
Respondent's Bundle of Authorities	IA (R)
Intervener's Bundle of Authorities	IA (C)

11.2 If there is more than one document, the documents shall be marked sequentially. For example, IA(P)(1), IA(P)(2) *etc.*

**PART V
CASE MANAGEMENT**

12. Conduct of case management

12.1 Case management for each appeal filed shall be fixed before the Judge, Registrar, Senior Deputy Registrar, Deputy Registrar or Senior Assistant Registrar, of the Court of Appeal.

12.2 The date for the case management will be fixed within 4 weeks after the filing of the Notice of Appeal.

- 12.3 The counsel handling the appeal must be present at the date of the case management. If he is unable to attend, the counsel's firm must ensure that any other counsel present during the case management is able to provide the information requested regarding the appeal including the free dates of the counsel handling the appeal.
- 12.3 Parties must complete **Annexure C** for Criminal Appeal and **Annexure D** for Civil Appeal and submit the relevant Annexure to the Registry of the Court of Appeal. Annexures B and C can be downloaded from the Website of the Office of the Chief Registrar of the Federal Court.
- 12.5. Parties must comply with all and/or any instruction given during the case management.

PART VI DRAFT ORDER AND FAIR ORDER

13. Filing of the draft order and fair order

- 13.1 A copy of the draft order together with a cover letter shall be filed not later than 7 days from the date of the approval of the draft order from the other party as provided for under Order 42 rule 8(1) Rules of Court 2012 [*P.U. (A) 205/2012*].
- 13.2 The draft order shall be in the format as provided **Annexure E (i) to (vi)**.
- 13.3 A properly formatted draft order will be approved within 7 working days from the date the draft order is received by the Registry of the Court of Appeal.
- 13.4 An improperly formatted draft order will be returned without correction and without approval. A reformatted draft order shall be refiled at the Registry of the Court of Appeal within 3 days from the date it was first returned.
- 13.5 The party filing the draft order shall ensure that the names of the relevant Judges are correct.
- 13.6 Two copies of the fair order shall be filed within 7 days from the date of receipt of the approved draft order. The Registry of the Court of Appeal

shall issue the sealed fair order within 3 working days and upon payment of the appropriate fee.

13.7 A certified true copy will only be issued upon production of the original copy of the sealed fair order and upon payment of the appropriate fee.

13.8 Where the order includes an order for costs, the order for costs shall be subjected to payment of the allocatur fee as provided for in the **Chief Justice's Practice Direction No. 1 of 2016**.

PART VII
SUB-REGISTRY OFFICE OF THE COURT OF APPEAL
SABAH AND SARAWAK

14. Sub-Registry Office

For the purpose of filing of the appeal, a Sub-Registry Office is established in Sabah and Sarawak.

15. Documents

All documents filed in relation to the appeal shall be filed at the relevant Sub-Registry.

16. Criminal and civil appeals

16.1 Every Notice of Appeal shall be filed at the High Court

16.2 The Registry Office of the High Court shall send 7 copies of the Notice of Appeal to the relevant Sub-Registry Office which will then send 4 copies of the Notice of Appeal to the Registrar of the Court of Appeal at Putrajaya.

16.3 The Registrar of the Court of Appeal at Putrajaya shall register the appeal and thereafter inform the parties of the registration details of the appeal.

16.4 The parties shall comply with this Direction with regard to filing and preparation of the Record of Appeal.

17. Correspondence

All correspondence in respect of any appeal shall be addressed to the Registrar of the Court of Appeal at Putrajaya.

**PART VIII
MISCELLANEOUS**

18. Matters that do not require leave to appeal

Matters that do not require leave to appeal are–

- (a) Certiorari;
- (b) Declaration;
- (c) Injunction (except for action which originates from Sessions Court);
- (d) Bankruptcy proceedings;
- (e) Matters relating to matrimonial proceedings under the Law Reform (Marriage and Divorce) Act 1976 [Act 164];
- (f) Company winding-up petition; and
- (g) Judgment for unliquidated damages/unliquidated amount.

19. Request for an urgent hearing

19.1 Any party filing a Notice of Appeal under Rule 22 of the Court of Appeal Rules 1994 [*P.U. (A) 524/1994*] shall state–

- (a) Facts of appeal;

- (b) Reasons for the appeal to be heard on an expedited basis; and
- (c) Whether the other party has any objections, if so, to state the objection in detail.

19.2 The application for an urgent hearing shall be made in 2 copies and in the format is as provided in **Annexure F**.

20. **Application of written law**

Notwithstanding anything in this Direction, the written law regarding appeals at the Court of Appeal shall apply.

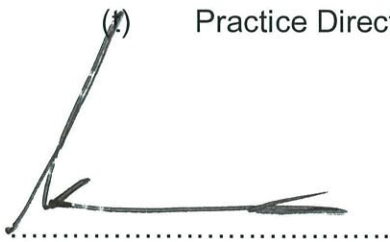
**PART IX
REVOCATION**

21. **Revocation of the Court of Appeal Practice Directions**

With the commencement of this Direction, the following Court of Appeal Practice Directions are revoked:

- (a) Practice Direction No.1/1995;
- (b) Practice Direction No.2/1995;
- (c) Practice Direction No.1/2008;
- (d) Practice Direction No.2/2008;
- (e) Practice Direction No.3/2008;
- (f) Practice Direction No.1/2009;
- (g) Practice Direction No.1/2010;

- (h) Practice Direction No.2/2010
- (i) Practice Direction No.1//2011;
- (j) Practice Direction No.2/2011;
- (k) Practice Direction No.3/2011;
- (l) Practice Direction No.4/2011;
- (m) Practice Direction No.1/2012;
- (n) Practice Direction No.2/2012;
- (o) Practice Direction No.1/2014;
- (p) Practice Direction No.2/2014;
- (q) Practice Direction No.3/2014;
- (r) Practice Direction No.1/2015;
- (s) Practice Direction No.2/2015; and
- (t) Practice Direction No.1/2016.



President Court of Appeal Malaysia
Putrajaya

23 FEB 2017

Date:

To:

The Attorney General of Malaysia

The State Attorney General Chambers of Sarawak, Kuching

The State Attorney General Chambers of Sabah, Kota Kinabalu

The Chief Registrar of the Federal Court of Malaysia

The Deputy Chief Registrar I (Operation)

The Deputy Chief Registrar II (Policy)

The State Legal Advisors

The Registrar of the Court of Appeal

The Registrar of the High Court of Malaya

The Registrar of the High Court of Sabah and Sarawak

The Director of the Chief Justice Office and Research

The Director of the Registry Office of the Federal Court of Malaysia

The Special Officer/Researcher/Senior Assistant Registrar of the High Court of Malaya,
Sabah and Sarawak

The President, Bar Council of Malaysia

The President, Advocates Association of Sarawak, Kuching, Sarawak

The President, Sabah Law Association, Kota Kinabalu, Sabah

The Secretary, Bar Council of Malaysia

The Secretary, Advocates Association of Sarawak, Kuching, Sarawak

The Secretary, Sabah Law Association, Kota Kinabalu, Sabah

All Secretaries, Committees of the Malaysia Bar

The Librarian of the Federal Court of Malaysia

The Librarian of the Attorney General's Chambers

Lexisnexis Malaysia

Current Law Journal

Sweet & Maxwell

Copy to:

The Chief Justice of Malaysia

The Chief Judge of Malaya

The Chief Judge of Sabah and Sarawak

The Federal Court Judges

The Court of Appeal Judges

The High Court Judges/Judicial Commissioners of the High Court of Malaya, Sabah and Sarawak

EXAMPLES OF INTERLOCUTORY MATTERS

[PART I, Paragraph 5.8]

1. Withdrawal of solicitor
2. Disclosure and re-examination
3. Summary judgment
4. Application to strike out pleadings
5. Stay of proceedings
6. Extension of time to file pleadings and affidavits
7. Taxation for costs
8. Appointment of *Guardian Ad Litem*
9. Exemption of guarantor
10. Security for costs
11. Assessment of damages
12. Submission of statement of account
13. Extension of period of the validity of the writ
14. Evidence by affidavit
15. Reinstatement of the writ of summons
16. Setting aside the judgment in default
17. Service out of jurisdiction
18. Interim injunction/injunction
19. Suspension order
20. Application for further particulars
21. Amendment of pleadings
22. Application to intervene
23. Withdrawal and discontinuance of action
24. Committal order
25. Amendment of the order and judgment
26. Change of parties/names of the parties
27. Joinder of parties
28. Leave to use affidavit
29. Setting aside appearance and defence
30. Misjoinder and non-joinder of parties
31. Proceedings in absence of parties
32. Reinstatement of Summons in Chambers
33. Change of parties by reason of death
34. Application to set aside for non-compliance/irregularity
35. Mode of commencement of proceedings
36. Application for other relief
37. Order to produce documents
38. Judgment in default
39. Judgment on admission of facts
40. Judgment in default of defence on part of claim
41. Expert evidence
42. Leave to enter judgment in default in actions regarding mortgage

43. Reinstatement of Notice of Appeal
44. Interpleader Summons
45. *Ex-parte* order of sale
46. Extension of caveat
47. Withdrawal of caveat
48. Service of documents
49. Ratifying grants
50. Registration of caveat

NOTICE OF APPEAL IN INTERLOCUTORY MATTER
[PART I Paragraph 5(1) (6)]

Example 1:

NOTICE OF APPEAL

TAKE NOTICE that the Appellant here , -----being dissatisfied with the decision by the Judge -----, given in the High Court ----- on ----- appealed to the Court of appeal against part of the decision which allows the appeal by the Respondent against the decision of the Session Court at ----- **that dismissed the Appellant’s application which was made under Order 14 rule 21(a) Rules of Court 2012 and under subsection 6(2) Limitation Act 1953 [Act 254], with costs.**

Dated -----20-----

Solicitors for the Appellant

Example2:

NOTICE OF APPEAL

TAKE NOTICE that the Appellant here, -----being dissatisfied with the decision by the Judge -----, given in the High Court ----- on ----- appealed to the Court of appeal against the whole of the decision **that dismissed the Appellant/Defendant’s application for leave to file contempt of court proceedings against the Respondent/Plaintiff (Annexure-----) who failed to comply with the Court order dated -----with costs in the cause.**

Dated -----20-----

Solicitors for the Appellant

Example 3:

NOTICE OF APPEAL

TAKE NOTICE that the Appellant here, -----being dissatisfied with the decision by the Judge -----, given in the High Court ----- on ----- appealed to the Court of appeal against the whole of the decision as decides that **the Respondent's application to record the final judgment in pursuant to Order 14 Rules of Court 2012 is allowed to the extend of RM....., interest and costs.**

Dated -----20-----

Solicitors for the Appellant

Example 4:

NOTICE OF APPEAL

TAKE NOTICE that the Appellant here, -----being dissatisfied with the decision by the Judge -----, given in the High Court ----- on ----- appealed to the Court of appeal against the whole of the decision as decides that **the interlocutory application Annexure ----- to suspend the proceedings until the appeal is decided was dismissed with costs.**

Dated -----20-----

Solicitors for the Appellant

CASE MANAGEMENT
[PART V, Paragraph 12.4]

COURT OF APPEAL CRIMINAL APPEAL NO:

Case Management Date:

	Apellant		Respondent
Parties			
Solicitors/Counsel			
Appointment of Counsel for the Accused	Assigned by the Court of Appeal/ Appointed by the Accused*		
	<i>*Delete whichever is inappropriate</i>		
Judge			
Date Notice of Appeal is filed			
Charge(s)/Offence(s)			
Verdict/Sentence			
Appeal against	Sentence only	Conviction & Sentence	Discharge & Acquittal
Tick (v)			
Court	Magistrate Court	Sessions Court	High Court
Tick (v)			
Is the Appeal Record served?	Yes/No*		
	<i>*Delete whichever is inappropriate</i>		
Has Petition of Appeal been filed?	Yes/No*		Date :
	<i>*Delete whichever is inappropriate</i>		

Name of prison when Accused is serving sentence		
Date of release from prison (if relevant)		
Brief facts		
Issues to be raised		
Estimated time for oral submission	Appellant	Respondent
Available hearing date	Appellant	Respondent
Appeal/Motion/ Next CM date	Date	Panel

CASE MANAGEMENT
[PART V, Paragraph 12.4]

COURT OF APPEAL CIVIL APPEAL NO:

Case Management Date:

	Appellant	Respondent
Parties		
Solicitors/Counsel		
Judge(s) who cannot hear this appeal/motion		
Cause of Action/Relief sought		
Subject matter <i>(eg. commercial, civil, RKK, interlocutory matter)</i>		
Appeal against decision after Full Trial	Full Trial Witnesses	Full Trial Affidavit
Tick (v)		
Appeal against interlocutory matter	Yes/No*	
	<i>*Delete whichever is inappropriate</i>	
Type of interlocutory application		
Papers in order (Appeal Record/ Supplementary Appeal Record) is complete and ready for hearing	Yes/No*	
	<i>*Delete whichever is inappropriate</i>	

Whether Appeal Record incomplete or in compliance with Rule 18 RCA Tick (v) if complied Tick (X) if not complied	Notes of Evidence	Grounds of Judgment/ Decision	A copy of seal order	Others
Issues involved				
Estimated time taken for oral submissions	Appellant		Respondent	
Notice of Motion not fixed or outstanding				
Available hearing date	Appellant		Respondent	
Appeal/Motion/Next CM Date	Date		Panel	

IN THE COURT OF APPEAL MALAYSIA
(APPELLATE JURISDICTION)

CIVIL APPLICATION/APPEAL NO. X-00-0000-0000

BETWEEN

XXX ... APPELLANT/APPLICANT

AND

XXX ... RESPONDENT

[In The Matter Of High Court In Malaya At XXXXXXXXX
Civil Appeal No. 00-00-0000

Between

XXX ... Plaintiff

And

XXX ... Defendant

CORAM:

XXXX, JCA

XXXX, JCA

XXXX, JCA

ON XXXXXXXXXXXX 20XX

IN OPEN COURT

EXAMPLE OF AN ORDER

ORDER

THIS APPEAL/ MOTION is fixed for hearing / mention today in the presence of XXXXX counsel on behalf of the Appellant/Applicant and XXXX counsel on behalf of the Respondent AND UPON READING the Appeal Records/ Notice Of Appeal Motion Enclosure (...) dated ...and affidavit / affidavits/ filed herein AND UPON

IN THE COURT OF APPEAL MALAYSIA
(APPELLATE JURISDICTION)

CIVIL APPLICATION/APPEAL NO. X-00-0000-0000

BETWEEN

XXX ... APPLICANT/APPELLANT

AND

XXX ... RESPONDENT

[In The Matter Of High Court In Malaya At XXXXXXXXX
Civil Appeal No. 00-00-0000

Between

XXX ...Plaintiff

And

XXX ... Defendant

CORAM:

XXXX, JCA

XXXX, JCA

XXXX, JCA

ON XXXXXXXXXXXX 20XX

IN OPEN COURT

EXAMPLE OF ORDER HEARD TOGETHER

ORDER

THIS APPEAL/MOTION is fixed for hearing together with W-00-0001-0000 today in the presence of XXXXX counsel on behalf of the Appellant/Applicant and XXXX counsel on behalf of the Respondent **AND UPON READING** Appeal Records/Notice Of Motion Enclosure (...) dated ... and affidavits filed herein **AND**

IN THE COURT OF APPEAL MALAYSIA
(APPELLATE JURISDICTION)

CIVIL APPLICATION/APPEAL NO. X-00-0000-0000

BETWEEN

XXX ... APPLICANT/APPELLANT

AND

XXX ... RESPONDENT

[In The Matter Of High Court In Malaya At XXXXXXXXX
Civil Appeal No. 00-00-0000

Between

XXX ... Plaintiff

And

XXX ... Defendant

CORAM:

XXXX, JCA

XXXX, JCA

XXXX, JCA

ON XXXXXXXXXXXX 20XX

IN OPEN COURT

EXAMPLE OF ORDER TO WITHDRAW

ORDER

THIS APPEAL/MOTION is fixed for hearing/mention/disposal today in the presence of XXXXX counsel on behalf of the Appellant/Applicant and XXXX counsel on behalf of the Respondent **AND UPON HEARING** the Appeal counsel/Applicant/

withdrawing the said Appeal/Motion IT IS HEREBY ORDERED/UNANIMOUSLY ORDERED/ORDERED BY CONSENT that:

- (a) Appeal/Appellant Respondent's application for ... is struck off without costs/ with costs to be borne by each parties/with costs in the cause/with costs of RMXXXXXX subject to allocator fee;
- (b) xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx; and
- (c) xxxxxxxxxxxxxxxxxxxxxxx.

GIVEN under my hand and Seal of the Court on XXX 20XX.

Sir/Madam, For your approval,

.....
 (Signature)
 (Messrs)

.....
 (Signature)
**DEPUTY REGISTRAR
 COURT OF APPEAL MALAYSIA
 PUTRAJAYA**

.....
 (Signature)
 (Messrs)

This Draft Order is filed by Messrs.xxxxxxxxxxxxxxxxxx Solicitor for the Appellant/Applicant/Respondent whose address for service is at xxxxxxxxxxxxxxxx
 xxxxxxxxxxxxxxxxxxxxxxxx
 Tel. No.: xxx-xxxxxx Fax No.: xxx-xxxxxx

IN THE COURT OF APPEAL MALAYSIA
(APPELLATE JURISDICTION)

CIVIL APPLICATION/APPEAL NO. X-00-0000-0000

BETWEEN

XXX ... APPLICANT/APPELLANT

AND

XXX ... RESPONDENT

[In The Matter Of High Court In Malaya At XXXXXXXXX
Civil Appeal No. 00-00-0000

Between

XXX ... Plaintiff

And

XXX ... Defendant

CORAM:

XXXX, JCA

XXXX, JCA

XXXX, JCA

ON XXXXXXXXXXXX 20XX

IN OPEN COURT

EXAMPLE OF ORDER TO POSTPONE

ORDER

THIS APPEAL fixed for hearing on [first hearing date] in the presence of
XXXXX counsel on behalf of the Applicant/Appellant and XXXX counsel on behalf of

IN THE COURT OF APPEAL MALAYSIA
(APPELLATE JURISDICTION)

CIVIL APPLICATION / APPEAL NO. X-00-0000-0000

BETWEEN

XXX

... APPLICANT/APPELLANT

AND

XXX

... RESPONDENT

CONSOLIDATED WITH

CIVIL APPLICATION / APPEAL NO. X-00-0000-0000

BETWEEN

XXX

... APPLICANT/APPELLANT

AND

XXX

... RESPONDENT

[In The Matter Of High Court In Sabah And Sarawak At XXXXXXXXX
Civil Appeal No. 00-00-0000

Between

XXX

... Plaintiff

And

XXX

... Defendant

.....

(Signature)

(Messrs)

This Draft Order is filed by Messrs. xxxxxxxxxxxxxxxx Solicitor for the Appellant/
Applicant/Respondent whose address for service is at xxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxxxx
Tel. No.: xxx-xxxxxx Fax No.: xxx-xxxxxx

IN THE COURT OF APPEAL MALAYSIA
(APPELLATE JURISDICTION)
CIVIL APPLICATION / APPEAL NO. X-00-0000-0000

BETWEEN

XXX - APPLICANT/APPELLANT

AND

XXX - RESPONDENT

[In The Matter Of High Court In Malaya At XXXXXXXXX
Civil Appeal No. 00-00-0000

Between

XXX ... Plaintiff

And

XXX ... Defendant

CERTIFICATE OF ALLOCATOR

THE COURT has by order dated determined costs to
.....(*fill in the name of the party receiving the costs)
for the sum of RM.....(Malaysia
Ringgit:.....) ONLY.

THE COURT hereby certifies that the amount of the allocator fee is
RM.....(Malaysia Ringgit:.....) ONLY.

Dated

Sir/Madam, For your approval,

.....

(Signature)

(Messrs)

.....

(Signature)

**DEPUTY REGISTRAR
COURT OF APPEAL MALAYSIA
PUTRAJAYA**

.....

(Signature)

(Messrs)

This CERTIFICATE OF ALLOCATUR is filed by Messrs, Solicitor for the Applicant/Plaintiff/Appellant/Defendant/Respondent, whose address is at

[File No.:.....]

APPLICATION FOR URGENT HEARING
[PART VIII, Paragraph 19.2]

LETTERHEAD OF THE LEGAL FIRM

Date:

To

President of the Court of Appeal
Palace of Justice
Precint 3
62506 PUTRAJAYA

APPLICATION FOR URGENT HEARING

We (*name of the Counsel's Firm*) on behalf of
the Appellant/Respondent (*name of the Appellant/Respondent*)
wish to apply to fix an early hearing date for the appeal.

Appeal Case No :

Date Notice of Appeal is filed :

Appellant :

Respondent :

Date of the decision at the
High Court :

Record of Appeal
[complete/incomplete.
If incomplete, state document
yet to be included] :

Brief facts of the case :

Reason hearing of appeal is to
be expedited :

Whether the other party has
any objection: If yes, state
reason :

Thank you.

Yours Sincerely,

.....
(signature)

Date:

FOR THE USE OF THE REGISTRY OF THE COURT OF APPEAL

ALLOWED AND DATE FOR HEARING OF THE APPEAL/DISALLOWED.

.....
President of the Court of Appeal

Date: