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Circular No 243/2018 Dated 4 Oct 2018

To Members of the Malaysian Bar

Practice Direction of the Chief Justice No 3 of 2018 (Arahan Amalan Ketua Hakim Negara Bil 3 Tahun 2018)

Preparation of Report under Section 281 of the Criminal Procedure Code

The Chief Justice of the Federal Court of Malaysia, YAA Tan Sri Datuk Seri Panglima Richard Malanjum, has extended to us a copy of Practice Direction of the Chief Justice No 3 of 2018, dated 24 Sept 2018, pertaining to the preparation of reports under section 281 of the Criminal Procedure Code.

Please be informed that this Practice Direction came into operation on 24 Sept 2018, and Chief Judge of Malaya Circular No 2/2012 is thereby revoked.

The Practice Direction (in English and Bahasa Malaysia), which we received on 27 Sept 2018, is attached for your reference.

Thank you.

Roger Chan Weng Keng Secretary Malaysian Bar

CHIEF JUSTICE FEDERAL COURT MALAYSIA

KETUA HAKIM NEGARA MAHKAMAH PERSEKUTUAN MALAYSIA



KHN.0042 JLD. 2

24 September 2018

All Judges of the Federal Court

All Judges of the Court of Appeal

All High Court Judges/Judicial Commissioners of Malaya/Sabah and Sarawak

All Deputy Registrars/Senior Assistant Registrars
Federal Court of Malaysia, Court of Appeal and High Courts of Malaya/Sabah and
Sarawak

Y.A.A.-Y.A.A./Y.A. Tan Sri/Puan Sri/Dato' Sri/Datuk/Dato'/Datin/Tuan/Puan,

PRACTICE DIRECTION OF THE CHIEF JUSTICE NO. 3 OF 2018

PREPARATION OF REPORT UNDER SECTION 281 OF THE CRIMINAL PROCEDURE CODE

After consultation with the Right Honourable President of the Court of Appeal, the Right Honourable Chief Judge of Malaya and the Right Honourable Chief Judge of Sabah and Sarawak, I hereby issue the following Practice Direction for the preparation of report under section 281 of the Criminal Procedure Code.

PREPARATION OF REPORT BY HIGH COURT JUDGE

2. The High Court Judge who tried criminal offences cases which involved sentence of death and has passed sentence of death, shall prepare a report after the sentence of death is passed for the purpose of execution of the aforesaid sentence of death.

KHN.0042 JLD. 2

24 September 2018

All Judges of the Federal Court

All Judges of the Court of Appeal

All High Court Judges/Judicial Commissioners of Malaya/Sabah and Sarawak

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After consultation with the Right Honourable President of the Court of Appeal, the Right Honourable Chief Judge of Malaya and the Right Honourable Chief Judge of Sabah and Sarawak, I hereby issue the following Practice Direction for the preparation of report under section 281 of the Criminal Procedure Code.

PREPARATION OF REPORT BY HIGH COURT JUDGE

2. The High Court Judge who tried criminal offences cases which involved sentence of death and has passed sentence of death, shall prepare a report after the sentence of death is passed for the purpose of execution of the aforesaid sentence of death.

3. The report shall be prepared by the High Court Judge within **two (2) months** after the sentence of death is passed.

FORMAT FOR PREPARATION OF REPORT BY HIGH COURT JUDGE

- 4. The report prepared shall be signed by the High Court Judge and shall inter alia setting out his opinion whether there are any reasons, and, if any, what reasons there are, why the sentence of death should or should not be carried out.
- 5. To facilitate the preparation of the report, the High Court Judge may use the form as in Annexure A.

SUBMISSION AND KEEPING OF REPORT BY HIGH COURT JUDGE

- 6. The report shall be prepared in three (3) copies and shall be kept and submitted in accordance with the following:
 - (a) one (1) original copy of the report is inserted into a sealed envelope and submitted to the Deputy Registrar/Senior Assistant Registrar of the High Court who in charge of criminal cases to be kept in safekeeping at the Registry Office of the High Court; and
 - (b) two (2) copies of the original report are inserted into a sealed envelope and submitted to the Deputy Registrar/Senior Assistant Registrar of the High Court concerned for submission as follows:
 - (i) If there is no notice of appeal is filed against the decision of the High Court Judge, the report shall be forwarded to the Menteri Besar or the Chief Minister (as the case may be) of the State in which the crime was committed. The report shall be submitted within **two (2)** months from the date of expiry period of the appeal together with a copy of the notes of evidence taken on the trial.
 - (ii) If there is no appeal to the Federal Court after the sentence of death is affirmed by the Court of Appeal, the report shall be submitted at the Registry of the Court of Appeal within **two (2) weeks** from the date of the letter of application for the report by the Deputy Registrar of the Court of Appeal;
 - (iii) If there is an appeal to the Federal Court and the sentence of death is affirmed by the Federal Court, the report shall be submitted at the Registry of the Federal Court within **two (2) weeks** from the date of the letter of application for the report by the Deputy Registrar of the Federal Court.

PREPARATION OF REPORT BY THE JUDGES OF THE COURT OF APPEAL

- 7. If the Panel of Judges of the Court of Appeal hearing an appeal reverse the order of acquittal of an accused or other order than sentence of death decided by the High Court Judge and passed sentence of death, the Chairman of the Panel of Judges of the Court of Appeal hearing the appeal shall prepare a report for the purpose of execution of the sentence of death.
- 8. The report shall be prepared by the Chairman of the Panel of Judges of the Court of Appeal hearing the appeal within two (2) months after the sentence of death is passed.

FORMAT FOR PREPARATION OF REPORT BY THE JUDGES OF THE COURT OF APPEAL

- 9. The report prepared shall be signed by the Chairman of the Panel of Judges of the Court of Appeal hearing the aforesaid appeal and shall inter alia setting out his opinion whether there are any reasons, and, if any, what reasons there are why the sentence of death should or should not be carried out.
- 10. To facilitate the preparation of the report, the Chairman of the Panel of Judges of the Court of Appeal may use the form as in Annexure B.

SUBMISSION AND KEEPING OF REPORT BY THE JUDGES OF THE COURT OF APPEAL

- 11. The report shall be prepared in three (3) copies and shall be kept and submitted in accordance with the following:
 - (a) one (1) original copy of the report is inserted into a sealed envelope and submitted to the Deputy Registrar/Senior Assistant Registrar of the Court of Appeal in charge of criminal cases to be kept in safekeeping at the Registry Office of the Court of Appeal; and
 - (b) two (2) copies of the original report are inserted into a sealed envelope and submitted to the Deputy Registrar/Senior Assistant Registrar of the Court of Appeal for submission as follows:
 - (i) If there is no notice of appeal is filed against the decision of the Court of Appeal, the report shall be forwarded to the Menteri Besar or the Chief Minister (as the case may be) of the State in which the crime was committed. The report shall be submitted within two (2) months from the date of expiry period of the appeal together with a copy of the record of appeal of the case.

(ii) If there is an appeal to the Federal Court and the sentence of death is affirmed by the Federal Court, the report shall be submitted at the Registry of the Federal Court within **two (2) weeks** from the date of letter of application for the report by the Deputy Registrar of the Federal Court.

PREPARATION OF REPORT BY THE JUDGES OF THE FEDERAL COURT

- 12. If the Panel of Judges of the Federal Court hearing an appeal reverse the order of acquittal of an accused or other order than sentence of death decided by the High Court Judge or the Court of Appeal Judges and passed sentence of death, the Chairman of the Panel of Judges of the Federal Court hearing the appeal shall prepare a report for the purpose of execution of the sentence of death.
- 13. The report shall be prepared by the Chairman of the Panel of Judges of the Federal Court hearing the aforesaid appeal within **two (2) months** after sentence of death is passed or affirmed.

FORMAT FOR PREPARATION OF REPORT BY THE FEDERAL COURT JUDGES

- 14. The report prepared shall be signed by the Chairman of the Panel of Judges of the Federal Court hearing the appeal and shall inter alia setting out his opinion whether there are any reasons, and, if any, what reasons there are why the sentence of death should or should not be carried out.
- 15. To facilitate the preparation of the report, the Chairman of the Panel of Judges of the Federal Court may use the form as in Annexure C.

SUBMISSION AND KEEPING OF REPORT BY THE FEDERAL COURT JUDGES

- 16. The report shall be prepared in two (2) copies and shall be kept and submitted in accordance with the following:
 - (a) one (1) original copy of the report is inserted into a sealed envelope and submitted to the Deputy Registrar/Senior Assistant Registrar of the Federal Court in charge of criminal cases to be kept in safekeeping at the Registry Office of the Federal Court; and
 - (b) one (1) original copy of the report is inserted into a sealed envelope and submitted to the Deputy Registrar/Senior Assistant Registrar of the Registry of the Federal Court to be forwarded to the Menteri Besar or the Chief Minister (as the case may be) of the State in which the crime was committed.

(c) Submission to the Menteri Besar or the Chief Minister shall be made immediately upon receipt of the report together with a copy of record of appeal of the case and the report of the High Court Judge or the Court of Appeal Judges, as the case may be.

EFFECTIVE DATE

This Direction takes effect immediately and the Chief Judge of Malaya Circular No. 2/2012 is hereby revoked.

Thank You.

(TAN SRI DATUK SERI PANGLIMA RICHARD MALANJUM)

Chief Justice

FORMAT LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH (MAHKAMAH TINGGI)

DALAM MAHKAMAH TINGGI MALAYA DI
PERBICARAAN JENAYAH NO:

PENDAKWA RAYA LAWAN (NAMA TERTUDUH)

LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

- 1. RINGKASAN PERTUDUHAN
- 2. RINGKASAN FAKTA KES
- 3. KEPUTUSAN MAHKAMAH TINGGI & RINGKASAN PENEMUAN FAKTA (BRIEF FINDING OF FACTS)
- 4. PENDAPAT HAKIM MAHKAMAH TINGGI SAMA ADA HUKUMAN MATI PATUT ATAU TIDAK PATUT DILAKSANAKAN & ALASAN-ALASAN

TANDATANGAN HAKIM MAHKAMAH TINGGI NAMA & JAWATAN HAKIM TARIKH KEPUTUSAN: TARIKH LAPORAN DISEDIAKAN:

FORMAT LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH (MAHKAMAH RAYUAN)

DALAM MAHKAMAH RAYUAN RAYUAN JENAYAH NO:

PENDAKWA RAYA LAWAN (NAMA TERTUDUH)

LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

- 1. RINGKASAN PERTUDUHAN
- 2. RINGKASAN FAKTA KES
- 3. KEPUTUSAN MAHKAMAH RAYUAN & RINGKASAN PENEMUAN FAKTA (BRIEF FINDING OF FACTS)
- 4. PENDAPAT PENGERUSI BAGI PANEL HAKIM MAHKAMAH RAYUAN SAMA ADA HUKUMAN MATI PATUT ATAU TIDAK PATUT DILAKSANAKAN & ALASAN-ALASAN

TANDATANGAN PENGERUSI BAGI PANEL MAHKAMAH RAYUAN NAMA & JAWATAN:
TARIKH KEPUTUSAN:
TARIKH LAPORAN DISEDIAKAN:

LAMPIRAN C

SULIT

FORMAT LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH (MAHKAMAH PERSEKUTUAN)

KEPADA:

Yang Dipertuan Agong/ Duli Yang Maha Mulia Sultan/ Tuan Yang Terutama (mengikut mana yang berkenaan)

MELALUI:

Setuausaha Sulit Yang Dipertuan Agong/ Duli Yang Maha Mulia Sultan/ Tuan Yang Terutama (mengikut mana yang berkenaan)

MELALUI:

Perdana Menteri/ Menteri Besar/ Ketua Menteri (mengikut mana yang berkenaan)

DALAM MAHKAMAH PERSEKUTUAN MALAYSIA RAYUAN JENAYAH NO:

PENDAKWA RAYA LAWAN (NAMA TERTUDUH)

LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

- 1. RINGKASAN PERTUDUHAN
- 2. RINGKASAN FAKTA KES
- 3. KEPUTUSAN MAHKAMAH PERSEKUTUAN & RINGKASAN PENEMUAN FAKTA (BRIEF FINDING OF FACTS)
- 4. PENDAPAT PENGERUSI BAGI PANEL HAKIM MAHKAMAH PERSEKUTUAN SAMA ADA HUKUMAN MATI PATUT ATAU TIDAK PATUT DILAKSANAKAN & ALASAN-ALASAN

TANDATANGAN PENGERUSI BAGI PANEL MAHKAMAH PERSEKUTUAN NAMA & JAWATAN:
TARIKH KEPUTUSAN:
TARIKH LAPORAN DISEDIAKAN:

KETUA HAKIM NEGARA MAHKAMAH PERSEKUTUAN MALAYSIA



KHN.0042 JLD. 2

24 September 2018

Semua Yang Arif Hakim Mahkamah Persekutuan Mahkamah Persekutuan Malaysia

Semua Yang Arif Hakim Mahkamah Rayuan Mahkamah Rayuan Malaysia

Semua Yang Arif Hakim Mahkamah Tinggi/ Pesuruhjaya Kehakiman Mahkamah Tinggi Malaya/ Sabah & Sarawak

Semua Timbalan Pendaftar/ Penolong Kanan Pendaftar Mahkamah Persekutuan Malaysia, Mahkamah Rayuan Malaysia dan Mahkamah Tinggi Malaya/ Sabah & Sarawak

Y.A.A/Y.A. Tan Sri/ Puan Sri/ Dato' Sri/ Datuk/ Dato' Datin/ Tuan/ Puan,

ARAHAN AMALAN KETUA HAKIM NEGARA BIL. 3/2018 PENYEDIAAN LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

Setelah berunding dengan YAA Presiden Mahkamah Rayuan, YAA Hakim Besar Malaya dan YAA Hakim Besar Sabah dan Sarawak, saya dengan ini mengeluarkan arahan seperti yang berikut bagi penyediaan laporan di bawah Seksyen 281 Kanun Tatacara Jenayah.

PENYEDIAAN LAPORAN OLEH HAKIM MAHKAMAH TINGGI

- 2. YA Hakim Mahkamah Tinggi yang membicarakan kes kesalahan jenayah yang melibatkan hukuman mati dan telah menjatuhkan hukuman mati, hendaklah menyediakan laporan selepas suatu hukuman mati dijatuhkan bagi tujuan pelaksanaan hukuman mati tersebut.
- 3. Laporan tersebut hendaklah disediakan oleh YA Hakim Mahkamah Tinggi dalam tempoh **dua (2) bulan** selepas suatu hukuman mati dijatuhkan.

KHN.0042 JLD. 2

24 September 2018

Semua Yang Arif Hakim Mahkamah Persekutuan Mahkamah Persekutuan Malaysia

Semua Yang Arif Hakim Mahkamah Rayuan Mahkamah Rayuan Malaysia

Semua Yang Arif Hakim Mahkamah Tinggi/ Pesuruhjaya Kehakiman Mahkamah Tinggi Malaya/ Sabah & Sarawak

Semua Timbalan Pendaftar/ Penolong Kanan Pendaftar Mahkamah Persekutuan Malaysia, Mahkamah Rayuan Malaysia dan Mahkamah Tinggi Malaya/ Sabah & Sarawak

Y.A.A/Y.A. Tan Sri/ Puan Sri/ Dato' Sri/ Datuk/ Dato'/ Datin/ Tuan/ Puan.

ARAHAN AMALAN KETUA HAKIM NEGARA BIL. 3/2018 PENYEDIAAN LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

Setelah berunding dengan YAA Presiden Mahkamah Rayuan, YAA Hakim Besar Malaya dan YAA Hakim Besar Sabah dan Sarawak, saya dengan ini mengeluarkan arahan seperti yang berikut bagi penyediaan laporan di bawah Seksyen 281 Kanun Tatacara Jenayah.

PENYEDIAAN LAPORAN OLEH HAKIM MAHKAMAH TINGGI

- YA Hakim Mahkamah Tinggi yang membicarakan kes kesalahan jenayah yang melibatkan hukuman mati dan telah menjatuhkan hukuman mati, hendaklah menyediakan laporan selepas suatu hukuman mati dijatuhkan bagi tujuan pelaksanaan hukuman mati tersebut.
- 3. Laporan tersebut hendaklah disediakan oleh YA Hakim Mahkamah Tinggi dalam tempoh **dua (2) bulan** selepas suatu hukuman mati dijatuhkan.

FORMAT PENYEDIAAN LAPORAN HAKIM MAHKAMAH TINGGI

- 4. Laporan yang disediakan hendaklah ditandatangani oleh YA Hakim Mahkamah Tinggi dan hendaklah antara lain menyatakan pendapat YA Hakim Mahkamah Tinggi berserta alasan sama ada hukuman mati tersebut patut dilaksanakan atau sebaliknya.
- 5. Bagi memudahkan penyediaan laporan tersebut, YA Hakim Mahkamah Tinggi boleh menggunakan format seperti di Lampiran A.

PENYERAHAN DAN PENYIMPANAN LAPORAN HAKIM MAHKAMAH TINGGI

- 6. Laporan hendaklah disediakan sebanyak tiga (3) salinan dan disimpan serta diserahkan mengikut ketetapan seperti yang berikut:
 - (a) satu (1) salinan asal laporan dimasukkan ke dalam satu sampul surat yang dimeterai dan diserahkan kepada Timbalan Pendaftar/Penolong Kanan Pendaftar Mahkamah Tinggi yang mengendalikan kes jenayah untuk disimpan dalam simpanan selamat di Pejabat Pendaftaran Mahkamah Tinggi; dan
 - (b) dua (2) salinan asal laporan dimasukkan ke dalam satu sampul surat yang dimeterai dan diserahkan kepada Timbalan Pendaftar/Penolong Kanan Pendaftar Mahkamah Tinggi berkenaan untuk serahan seperti yang berikut:
 - (i) Jika tiada notis rayuan difailkan terhadap keputusan YA Hakim Mahkamah Tinggi, laporan hendaklah diserahkan kepada Menteri Besar atau Ketua Menteri (mengikut mana yang berkenaan) bagi Negeri di mana kesalahan tersebut dilakukan. Laporan hendaklah diserahkan dalam tempoh dua (2) bulan dari tarikh tamat tempoh rayuan dan hendaklah disertakan bersama salinan nota keterangan kes.
 - (ii) Jika tiada rayuan ke Mahkamah Persekutuan selepas hukuman mati disahkan oleh Mahkamah Rayuan, laporan hendaklah diserahkan ke Pejabat Pendaftaran Mahkamah Rayuan dalam tempoh dua (2) minggu dari tarikh surat permohonan laporan oleh Timbalan Pendaftar Mahkamah Rayuan;
 - (iii) Jika terdapat rayuan ke Mahkamah Persekutuan dan hukuman mati disahkan oleh Mahkamah Persekutuan, laporan hendaklah diserahkan ke Pejabat Pendaftaran Mahkamah Persekutuan dalam tempoh dua (2) minggu dari tarikh surat permohonan laporan oleh Timbalan Pendaftar Mahkamah Persekutuan.

PENYEDIAAN LAPORAN OLEH HAKIM MAHKAMAH RAYUAN

- 7. Sekiranya Panel Hakim Mahkamah Rayuan yang mendengar rayuan mengakas perintah pembebasan OKT atau perintah selain hukuman mati yang diputuskan oleh YA Hakim Mahkamah Tinggi dan menjatuhkan hukuman mati, Pengerusi bagi Panel Hakim Mahkamah Rayuan yang mendengar rayuan tersebut hendaklah menyediakan laporan bagi tujuan pelaksanaan hukuman mati itu.
- 8. Laporan tersebut hendaklah disediakan oleh Pengerusi Panel Hakim Mahkamah Rayuan yang mendengar rayuan tersebut dalam tempoh **dua (2) bulan** selepas suatu hukuman mati dijatuhkan.

FORMAT PENYEDIAAN LAPORAN HAKIM MAHKAMAH RAYUAN

- 9. Laporan yang disediakan hendaklah ditandatangani oleh Pengerusi Panel Hakim Mahkamah Rayuan yang mendengar rayuan tersebut dan hendaklah antara lain menyatakan pendapat YA Hakim Mahkamah Rayuan berserta alasan sama ada hukuman mati tersebut patut dilaksanakan atau sebaliknya.
- 10. Bagi memudahkan penyediaan laporan tersebut, Pengerusi Panel Hakim Mahkamah Rayuan boleh menggunakan format seperti di Lampiran B.

PENYERAHAN DAN PENYIMPANAN LAPORAN HAKIM MAHKAMAH RAYUAN

- 11. Laporan hendaklah disediakan sebanyak tiga (3) salinan dan disimpan serta diserahkan mengikut ketetapan seperti yang berikut:
 - (a) satu (1) salinan asal laporan dimasukkan ke dalam satu sampul surat yang dimeterai dan diserahkan kepada Timbalan Pendaftar/Penolong Kanan Pendaftar Mahkamah Rayuan yang mengendalikan kes jenayah untuk disimpan dalam simpanan selamat di Pejabat Pendaftaran Mahkamah Rayuan; dan
 - (b) dua (2) salinan asal laporan dimasukkan ke dalam satu sampul surat yang dimeterai dan diserahkan kepada Timbalan Pendaftar/Penolong Kanan Pendaftar Pejabat Pendaftaran Mahkamah Rayuan untuk serahan seperti yang berikut:
 - (i) Jika tiada notis rayuan difailkan terhadap keputusan Mahkamah Rayuan, laporan hendaklah diserahkan kepada Menteri Besar atau Ketua Menteri (mengikut mana yang berkenaan) bagi Negeri di mana kesalahan tersebut dilakukan. Laporan hendaklah diserahkan dalam

- tempoh dua (2) bulan dari tarikh tamat tempoh rayuan dan hendaklah disertakan bersama salinan rekod rayuan kes.
- (ii) Jika terdapat rayuan ke Mahkamah Persekutuan dan hukuman mati disahkan oleh Mahkamah Persekutuan, laporan hendaklah diserahkan ke Pejabat Pendaftaran Mahkamah Persekutuan dalam tempoh dua (2) minggu dari tarikh surat permohonan laporan oleh Timbalan Pendaftar Mahkamah Persekutuan.

PENYEDIAAN LAPORAN OLEH HAKIM MAHKAMAH PERSEKUTUAN

- 12. Sekiranya Panel Hakim Mahkamah Persekutuan yang mendengar rayuan mengakas perintah pembebasan OKT atau perintah selain hukuman mati yang diputuskan oleh YA Hakim Mahkamah Tinggi atau YA Hakim Mahkamah Rayuan dan menjatuhkan hukuman mati, Pengerusi bagi Panel Hakim Mahkamah Persekutuan yang mendengar rayuan tersebut hendaklah menyediakan laporan bagi tujuan pelaksanaan hukuman mati itu.
- 13. Laporan tersebut hendaklah disediakan oleh Pengerusi Panel Hakim Mahkamah Persekutuan yang mendengar rayuan tersebut dalam tempoh **dua (2) bulan** selepas suatu hukuman mati dijatuhkan atau disahkan.

FORMAT PENYEDIAAN LAPORAN HAKIM MAHKAMAH PERSEKUTUAN

- 14. Laporan yang disediakan hendaklah ditandatangani oleh Pengerusi Panel Hakim Mahkamah Persekutuan yang mendengar rayuan tersebut dan hendaklah antara lain menyatakan pendapat YAA/YA Hakim Mahkamah Persekutuan berserta alasan sama ada hukuman mati tersebut patut dilaksanakan atau sebaliknya.
- 15. Bagi memudahkan penyediaan laporan tersebut, Pengerusi Panel Hakim Mahkamah Persekutuan boleh menggunakan format seperti di Lampiran C.

PENYERAHAN DAN PENYIMPANAN LAPORAN HAKIM MAHKAMAH PERSEKUTUAN

- 16. Laporan hendaklah disediakan sebanyak dua (2) salinan dan disimpan serta diserahkan mengikut ketetapan seperti yang berikut:
 - (a) satu (1) salinan asal laporan dimasukkan ke dalam satu sampul surat yang dimeterai dan diserahkan kepada Timbalan Pendaftar/Penolong Kanan Pendaftar Mahkamah Persekutuan yang mengendalikan kes jenayah untuk disimpan dalam simpanan selamat di Pejabat Pendaftaran Mahkamah Persekutuan; dan

- (b) satu (1) salinan asal laporan dimasukkan ke dalam satu sampul surat yang dimeterai dan diserahkan kepada Timbalan Pendaftar/Penolong Kanan Pendaftar Pejabat Pendaftaran Mahkamah Persekutuan untuk diserahkan kepada Menteri Besar atau Ketua Menteri (mengikut mana yang berkenaan) bagi Negeri di mana kesalahan tersebut dilakukan.
- (c) Serahan kepada Menteri Besar atau Ketua Menteri hendaklah dibuat dengan kadar segera setelah laporan tersebut diterima dan hendaklah disertakan bersama sesalinan rekod rayuan kes serta Laporan YA Hakim Mahkamah Tinggi atau YA Hakim Mahkamah Rayuan, mengikut yang berkenaan.

TARIKH KUAT KUASA

(17) Arahan ini berkuatkuasa serta merta dan Pekeliling Hakim Besar Malaya Bil. 2/2012 adalah dengan ini dibatalkan.

Sekian, terima kasih.

(TAN SRI DATUK SERI PANGLIMA RICHARD MALANJUM)

Ketua Hakim Negara

Salinan Kepada:

YAA Presiden Mahkamah Rayuan Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

YAA Hakim Besar Malaya Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

YAA Hakim Besar Sabah dan Sarawak Mahkamah Tinggi Kuching KUCHING, SARAWAK

YBhg. Peguam Negara Malaysia Jabatan Peguam Negara Malaysia PUTRAJAYA

YA Hakim-Hakim Pengurus

Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

Ketua Pendaftar

Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

Timbalan Ketua Pendaftar (Operasi)

Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

Timbalan Ketua Pendaftar (Polisi)

Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

Pendaftar

Mahkamah Rayuan Malaysia Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

Pendaftar

Mahkamah Tinggi Malaya Istana Kehakiman PUTRAJAYA

Pendaftar

Mahkamah Tinggi Sabah dan Sarawak Mahkamah Tinggi Kuching KUCHING, SARAWAK

Pendaftar

Mahkamah Rendah Malaya Istana Kehakiman PUTRAJAYA

Pendaftar

Mahkamah Rendah Sabah dan Sarawak Mahkamah Tinggi Kuching KUCHING, SARAWAK Pengarah Mahkamah Negeri Seluruh Semenanjung Malaysia

Pustakawan Pejabat Ketua Pendaftar Mahkamah Persekutuan Malaysia Istana Kehakiman PUTRAJAYA

Presiden Majlis Peguam Malaysia KUALA LUMPUR

FORMAT LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH (MAHKAMAH TINGGI)

DALAM MAHKAMAH TINGGI MALAYA DI	
PERBICARAAN JENAYAH NO:	

PENDAKWA RAYA LAWAN (NAMA TERTUDUH)

LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

- 1. RINGKASAN PERTUDUHAN
- 2. RINGKASAN FAKTA KES
- 3. KEPUTUSAN MAHKAMAH TINGGI & RINGKASAN PENEMUAN FAKTA (BRIEF FINDING OF FACTS)
- 4. PENDAPAT HAKIM MAHKAMAH TINGGI SAMA ADA HUKUMAN MATI PATUT ATAU TIDAK PATUT DILAKSANAKAN & ALASAN-ALASAN

TANDATANGAN HAKIM MAHKAMAH TINGGI NAMA & JAWATAN HAKIM TARIKH KEPUTUSAN: TARIKH LAPORAN DISEDIAKAN:

FORMAT LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH (MAHKAMAH RAYUAN)

DALAM MAHKAMAH RAYUAN	
•	
RAYUAN JENAYAH NO:	

PENDAKWA RAYA LAWAN (NAMA TERTUDUH)

LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

- 1. RINGKASAN PERTUDUHAN
- 2. RINGKASAN FAKTA KES
- 3. KEPUTUSAN MAHKAMAH RAYUAN & RINGKASAN PENEMUAN FAKTA (BRIEF FINDING OF FACTS)
- 4. PENDAPAT PENGERUSI BAGI PANEL HAKIM MAHKAMAH RAYUAN SAMA ADA HUKUMAN MATI PATUT ATAU TIDAK PATUT DILAKSANAKAN & ALASAN-ALASAN

TANDATANGAN PENGERUSI BAGI PANEL MAHKAMAH RAYUAN NAMA & JAWATAN:
TARIKH KEPUTUSAN:
TARIKH LAPORAN DISEDIAKAN:

FORMAT LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH (MAHKAMAH PERSEKUTUAN)

KEPADA:

Yang Dipertuan Agong/ Duli Yang Maha Mulia Sultan/ Tuan Yang Terutama (mengikut mana yang berkenaan)

MELALUI:

Setuausaha Sulit Yang Dipertuan Agong/ Duli Yang Maha Mulia Sultan/ Tuan Yang Terutama (mengikut mana yang berkenaan)

MELALUI:

Perdana Menteri/ Menteri Besar/ Ketua Menteri (mengikut mana yang berkenaan)

DALAM MAHKAMAH PERSEKUTUAN MALAYSIA RAYUAN JENAYAH NO:

PENDAKWA RAYA LAWAN (NAMA TERTUDUH)

LAPORAN DI BAWAH SEKSYEN 281 KANUN TATACARA JENAYAH

- 1. RINGKASAN PERTUDUHAN
- 2. RINGKASAN FAKTA KES
- 3. KEPUTUSAN MAHKAMAH PERSEKUTUAN & RINGKASAN PENEMUAN FAKTA (BRIEF FINDING OF FACTS)
- 4. PENDAPAT PENGERUSI BAGI PANEL HAKIM MAHKAMAH PERSEKUTUAN SAMA ADA HUKUMAN MATI PATUT ATAU TIDAK PATUT DILAKSANAKAN & ALASAN-ALASAN

TANDATANGAN PENGERUSI BAGI PANEL MAHKAMAH PERSEKUTUAN NAMA & JAWATAN:

TARIKH KEPUTUSAN:

TARIKH LAPORAN DISEDIAKAN: