

JOHORE BAR COMMITTEE

JAWATANKUASA PEGUAM NEGERI JOHOR

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CIRCULAR NO. 82/20

FOR MEMBERS ONLY
Internal Circulation

14th January 2021

PRIVATE & CONFIDENTIAL

TO ALL MEMBERS OF THE JOHORE BAR

BY EMAIL/JBC WEBSITE/FACEBOOK/WHATSAPP

(Note: As the circular is distributed via email/fax, in the event it is forwarded to one person in a firm, Kindly print the same and distribute amongst the other lawyers and pupils in your office)

MOVEMENT CONTROL ORDER 2.0 **UPDATES ON OPERATION OF LAW FIRMS,** **COURT AND CONVEYANCING MATTERS**

On 11 Jan 2021, the Prime Minister announced the Movement Control Order ("MCO 2.0") from 13 Jan to 26 Jan 2021. Johor is among the states affected by MCO 2.0.

Members are accordingly informed of the following.

OPERATION OF LAW FIRMS

1. By the media statement of YB Dato' Seri Mohamed Azmin Ali, Minister of International Trade and Industry, in particular "*Lampiran 1, Category C, item 27*" it is confirmed that legal firms are allowed to operate during MCO 2.0 subject to compliance of the Standard Operating Procedure and guidelines applicable to the legal sector. The Bar Council Circular 007/2021 is attached as **APPENDIX – 1**.

2. The "*SOP AM PERINTAH KAWALAN PERGERAKAN (PKP)*" as at 12/01/2021 from the Majlis Keselamatan Negara website is at **APPENDIX-1A**.

COURT MATTERS

3. The Office of Chief Registrar of the Federal Court of Malaysia has issued the directive "*Operasi Mahkamah Semasa Pelaksanaan Perintah Kawalan Pergerakan (PKP) Berkuat Kuasa Mulai 13 Hingga 26 Januari 2021*", pertaining to Court operations during the MCO 2.0. With the issuance of this directive, all previous directions relating to court are thereby revoked. The directive is attached as **APPENDIX-2**.

APPENDIX-3 is the "*Arahan Amalan Ketua Hakim Negara Bilangan 1 Tahun 2021*" referred in said directive.

4. JOHOR BAHRU

4.1 HIGH COURT

4.1.1 Deputy Registrar, Puan Azureen Sahira Binti Sauffee Afandi, confirmed the directions during MCO 2.0 as follows:-

General Information

- (i) no matters shall be conducted by physical attendance;
- (ii) all counters at the High Court are closed;
- (iii) the list of Judicial Officers with their contact details is at **APPENDIX-4**.

Civil Courts

- (i) all matters involving the physical attendance the public will be rescheduled to a date to be notified. Members are required to check for the next dates via the e-filing system;
- (ii) cases scheduled online (ie. e-Review, email, Skype, Zoom etc.) will proceed as scheduled and those not requiring physical attendance of the public will be conducted online.

Criminal Courts

- (i) matters which cannot proceed online will be rescheduled to a date to be notified;
- (ii) case managements to be conducted online by consent of the parties.

4.1.2 Auction Proceedings

All foreclosure proceedings (Case Managements, hearings, auctions) are adjourned as follows:-

Scheduled Dates	Rescheduled Case Management/Hearing Dates [9:00 a.m.]	Rescheduled Auction Dates [Manual] [2:30 p.m.]
13 January 2021	9 February 2021	22 February 2021
14 January 2021	10 February 2021	No cases
18 January 2021	16 February 2021	No cases
19 January 2021	17 February 2021	24 February 2021
20 January 2021	18 February 2021	1 March 2021
21 January 2021	22 February 2021	No cases
25 January 2021	23 February 2021	3 March 2021
26 January 2021	24 February 2021	8 March 2021

The letter dated 12/1/2021 from Tuan Mohd Farid Nazzrin bin Ahmad, Senior Assistant Registrar High Court Johor Bahru captioned “*PENANGGUHAN PERBICARAAN KES LELONGAN AWAM (MANUAL) DI MAHKAMAH TINGGI JOHOR BAHRU (KOD 38)*” is attached as **APPENDIX-5**.

Please note that the new official email address of **Unit Pelaksanaan Mahkamah Tinggi Johor Bahru** is mtjbpelaksanaan@kehakiman.gov.my [**APPENDIX-6**].

4.2 SUBORDINATE COURTS

The information from Johor Bahru Subordinate Courts Senior Assistant Registrar, Tuan Mohd Zulhilmi Bin Ibrahim is per below.

Civil Courts

- (i) all courts are closed;
- (ii) cases which can be disposed by way of remote hearing will proceed online;
- (iii) Trials scheduled during the MCO 2.0 are vacated. The Court will liaise directly with members concerned concerning the further conduct of said matters;
- (iv) cases with certificates of urgency will be heard by the Sessions Court Judge or Magistrate on duty per the schedules attached as **APPENDIX-7** and **APPENDIX-8** respectively.

Criminal Courts

- (i) courts will operate according to a rotation schedule, which will be circulated once JBC receives it;
- (ii) only proceedings concerning fresh charges and remands will proceed;
- (iii) cases set down for Trials and Mentions are postponed to after MCO 2.0.

5. MUAR

5.1 HIGH COURT

High Court Muar Deputy Registrar, Puan Noor Shahidah binti Saharom informed that:-

5.1.1 Cases in High Court 1

- (i) HC 1 is closed during the MCO 2.0;
- (ii) all matters are rescheduled. A circular will be issued upon receipt of the list of rescheduled matters from the Court.

5.1.2 Cases in High Court 2

- (i) HC 2 is closed during the MCO 2.0;
- (ii) scheduled matters are converted to Case Management via email or e-Review. Members are advised to email Senior Assistant Registrar, Puan Kartini Binti Kasran at kkartini@kehakiman.gov.my

5.2 SESSIONS COURT

Puan Shahidah kindly checked with Sessions Court Judge, Tuan Amran who confirmed that matters set down for trial before him are adjourned. The Court Interpreter will contact the solicitors concerned for rescheduling.

CONVEYANCING MATTERS

6. *Pejabat Tanah dan Galian, Johor* notified JBC as follows:-

“Kaunter Urusniaga Dan Bukan Urusniaga Pentadbiran Tanah Johor akan dibuka mengikut waktu pejabat tetapi hanya 3 kaunter Urusniaga sahaja yang beroperasi. Bilangan pelanggan yang dibenarkan memasuki bangunan PTG hanya semaksimum 30 orang dalam satu-satu masa. SOP PKP adalah terpakai bagi semua pelanggan dengan menguatkuasakan pematuhannya. Semua pihak yang berurusan dengan PTG@PTD diingatkan agar mematuhi SOP yang ditetapkan. Kegagalan pematuhan akan menyebabkan mereka tidak dibenarkan berurusan dengan pentadbiran ini.”

As announced in JBC Circular 46/20, Video Conference Facilities are available at the Secretariat from Monday to Friday at 8:30 a.m. to 5:30 p.m. As the use of these facilities is subject to availability, members are required to make prior reservation, with the Secretariat, for the specific time and date.

Members will be kept duly informed of developments. As always, stay safe and well.

Please do not hesitate to forward any queries, concerns or issues, to the Johore Bar Secretariat at secretariat@johorebar.org.my

Thank you.

**SHAHAREEN BEGUM BINTI ABDUL SUBHAN
CHAIRMAN**