

LAWS OF BRUNEI

CHAPTER 162

INTERMEDIATE COURTS

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CHAPTER 162
INTERMEDIATE COURTS
ARRANGEMENT OF SECTIONS

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INTERMEDIATE COURTS ACT

An Act to establish Intermediate Courts and to provide for the constitution, jurisdiction and powers thereof and the administration of justice therein

Commencement: 1st July 1991
[S 21/91]

PART I

PRELIMINARY

Citation.

1. This Act may be cited as the Intermediate Courts Act.

Interpretation and conflicting laws.

2. (1) In this Act, unless the context otherwise requires —

“action” means any civil proceeding commenced in such manner as may be provided for by the practice and procedure for the time being in force of the High Court;

“judgment” includes decree, order, ruling, sentence or decision;

“judicial officer” means a Judge of the Intermediate Courts or the registrar;

“Registrar” means the Registrar of the Intermediate Courts and includes a Deputy Registrar;

“seal” includes stamp.

(2) Except so far as is expressly enacted in this Act to the contrary, no written law so far as inconsistent with this Act applies or shall be deemed to affect the Intermediate Courts in the exercise of their jurisdiction under this Act.

PART II

CONSTITUTION

Intermediate Courts.

3. There are hereby established Intermediate Courts which are courts of record with such jurisdiction, powers, duties and authority as are conferred and imposed by this Act and by any other written law.

Court houses.

4. The Chief Justice may appoint such places as he thinks fit as court houses for such courts.

Seal.

5. An Intermediate Court shall have and use as occasion may require a seal of such nature as the Chief Justice may, by notification published in the *Gazette*, prescribe.

Language of Intermediate Courts. [S 57/04]

5A. All proceedings in the Intermediate Courts shall be in the English language:

Provided that the Courts may in the interests of justice allow the giving of evidence by a witness in any other language.

Process of Courts.

6. All writs, summonses, warrants, orders, notices and other mandatory processes issued by an Intermediate Court shall be signed by a judicial officer and bear the seal of the court issuing the same.

Sitting in camera.

7. (1) The places in which an Intermediate Court is held are deemed to be an open court to which the public generally may have access:

Provided that —

(a) the court shall have power to hear any proceeding or any part thereof in camera if the court is satisfied that it is expedient in the interests of justice, public security or propriety, or for other sufficient reason so to do;

(b) the court shall ordinarily exclude a witness until he has given evidence in proceedings where the court is exercising criminal jurisdiction.

(2) An Intermediate Court may at any time order that no person shall publish the name, address or photograph of any witness in any proceedings or any evidence or any other thing likely to lead to the identification of any such witness; and any person who acts in contravention of any such order shall, notwithstanding any other written law, be liable to a fine of \$5,000 and to imprisonment for one year or both.

(3) Whenever any party or an Intermediate Court in any proceedings or any part thereof —

(a) makes a reference, whether orally or in writing, directly or indirectly, to any act, decision, grant, revocation or suspension, or refusal or omission to do so, any exercise of or refusal or omission to exercise any power, authority or discretion by His Majesty the Sultan and Yang Di-Pertuan; or

(b) intends to refer to any issue or matter that may directly or indirectly pertain to or concern the inviolability, sanctity or interests of the position, dignity, standing, honour, eminence or sovereignty of His Majesty the Sultan and Yang Di-Pertuan,

the Intermediate Court shall hold such proceedings or such part thereof in camera:

Provided that His Majesty the Sultan and Yang Di-Pertuan may issue a direction in writing to the Intermediate Court that such proceedings or such part thereof not be heard in camera.

[S 57/04]

(4) Without prejudice to His Majesty the Sultan and Yang Di-Pertuan's power in subsection (3), His Majesty the Sultan and Yang Di-Pertuan may issue a direction in writing to an Intermediate Court to hold the hearing of any proceedings or any part thereof in camera.

[S 57/04]

(5) His Majesty the Sultan and Yang Di-Pertuan may issue a direction in writing to an Intermediate Court to hold the hearing of any proceedings or any part thereof at such time and venue as His Majesty the Sultan and Yang Di-Pertuan may determine.

[S 57/04]

(6) Any direction issued by His Majesty the Sultan and Yang Di-Pertuan under subsection (3), (4) or (5) shall not be called in question in or be subject to any judicial review by or appeal to any court.

[S 57/04]

(7) No person shall publish or reproduce in Brunei Darussalam or elsewhere any or any part of proceedings, including but not limited to any evidence, exhibit, judgment or document produced in any proceedings, that may have the effect of lowering or adversely affecting directly or indirectly the position, dignity, standing, honour, eminence or sovereignty of His Majesty the Sultan and Yang Di-Pertuan; and any person who acts in contravention of this subsection is guilty of an offence and liable on conviction to a fine not exceeding \$5,000, imprisonment for a term not exceeding one year or both.

[S 57/04]

(8) Nothing in subsection (7) shall prevent any person from referring to or reproducing any or any part of such proceedings where —

(a) such reference or reproduction is reasonably necessary or required in any court in Brunei Darussalam or elsewhere under the law applicable in that court for the purpose of enabling that person to pursue or defend any proceedings in that court, and the person seeking such reference or reproduction applies to that court, whether successfully or not, for an order that such reference or reproduction be made in camera in that court; or

(b) such reference or reproduction (other than in any court in Brunei Darussalam or elsewhere) is reasonably necessary to enable a party to any proceedings in Brunei Darussalam or elsewhere to prepare for or conduct those proceedings, or to enable a person to obtain legal advice in respect of any dispute or actual or contemplated proceedings, provided that party takes all reasonable steps to ensure the confidentiality of the information or documents to be referred to or reproduced.

[S 74/04]

Contempt.

8. Notwithstanding any other written law, where any contempt is committed in the face of an Intermediate Court, the court may at any time before rising on the same day, take cognisance of the offence, record the facts constituting the offence and the statement, if any, made by the offender and sentence the offender to a fine of \$1,000 and to imprisonment for 6 months or both:

Provided that the court may, in its discretion —

(a) discharge the offender or remit the punishment on his making an apology to the satisfaction of the court;

(b) *in lieu* of taking cognisance of the offence, authorise a prosecution.

Right of audience.

9. Subject to Chapter XL of the Criminal Procedure Code (Chapter 7), in any proceeding in an Intermediate Court, whether in the exercise of its criminal or civil jurisdiction, any of the following may address the Court —

(a) any party to the proceedings;

(b) an advocate and solicitor of the Supreme Court;

(c) a person admitted to practise for the purpose of those proceedings under section 7(1) of the Legal Profession Act (Chapter 132);

(d) any other person allowed by leave of the court to appear instead of a party to the proceedings.

PART III

APPOINTMENTS AND FUNCTIONS

Judges.

10. (1) Every Intermediate Court shall be presided over by a Judge of the Intermediate Courts sitting alone.

(2) Judges of the Intermediate Courts shall be appointed by His Majesty the Sultan and Yang Di-Pertuan who may appoint as many Judges as he may think fit.

(3) A person shall not be qualified for appointment as a Judge of the Intermediate Courts unless he has been entitled to practise in a court having unlimited jurisdiction in civil and criminal matters in Brunei Darussalam or in some part of the Commonwealth for not less than 5 years.

(4) A Judge of the Intermediate Courts shall not enter upon the duties of his office unless he has taken and subscribed the oath of office in such form as may be prescribed by His Majesty the Sultan and Yang Di-Pertuan.

Registrar and Deputy Registrars.

11. (1) His Majesty the Sultan and Yang Di-Pertuan may appoint a Registrar and Deputy Registrars for the Intermediate Courts.

(2) The Registrar and Deputy Registrars shall be *ex-officio* commissioners for oaths and notaries public.

(3) All the powers and duties conferred and imposed on the Registrar may be exercised and performed by a Deputy Registrar.

Subordinate Officers.

12. (1) There shall be attached to the Intermediate Courts such interpreters, clerks, bailiffs, process-servers and other officers as, from time to time, appear to the Chief Justice to be necessary for the administration of justice and the due execution of all powers and duties which are vested in the Intermediate Courts.

(2) Bailiffs, process-servers and any person generally or specially authorised to do so shall execute all writs, summonses, warrants, orders, notices and other mandatory processes of an Intermediate Court given to them, and shall make a return of the same together with the manner of the execution thereof to the Court from which the process was issued, and shall arrest and receive all such persons and property as are committed to the custody of the Intermediate Court.

(3) A bailiff or other person in executing any writ of seizure and sale or any other writ of execution or of distress may effect an entry into any building, and for that purpose, if necessary, may break open any outer or inner door or window of the building or any receptacle therein, using such force as is reasonably necessary to effect an entry.

PART IV

CRIMINAL JURISDICTION

Criminal jurisdiction.

13. (1) Notwithstanding any other written law but subject to subsection (3), Intermediate Courts in the exercise of their criminal jurisdiction shall have (concurrently with the High Court) all the jurisdiction, powers, duties and authority as are vested, conferred and imposed on the High Court in the exercise of its original criminal jurisdiction.

(2) For the purpose of subsection (1), all such written laws shall be construed subject to such modifications as may be necessary to bring them into conformity with this Act.

(3) Intermediate Courts shall not have jurisdiction —

(a) in respect of any offence punishable with death or with imprisonment for life; or

(b) to impose a period of imprisonment longer than 20 years in respect of any offence.

(4) In any trial before an Intermediate Court in which it appears after the conviction of the accused that a period of imprisonment longer than 20 years should be imposed in respect of the offence, the Intermediate Court may commit him to the High Court for sentence.

(5) On a committal of an accused under subsection (4), the Intermediate Court may remand him in custody pending the sentence of the High Court which shall have the power to sentence him in accordance with the law under which he was found guilty by the Intermediate Court.

(6) Where the High Court and Intermediate Courts have concurrent jurisdiction in respect of any prosecution or proceeding, the Public Prosecutor or any person expressly authorised by him in writing shall direct in which of those Courts they shall be instituted:

Provided that, subject to this Act, section 189 of the Criminal Procedure Code (Chapter 7) shall apply to an Intermediate Court as it applies to the Court of a Magistrate.

PART V

CIVIL JURISDICTION

General civil jurisdiction.

14. (1) Notwithstanding any other written law but subject to this Act, Intermediate Courts shall have in the exercise of their civil jurisdiction original jurisdiction in every action where the amount claimed or the value of the subject-matter in dispute exceeds \$50,000 but does not exceed \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette*, if —

[S 80/06; S 23/11]

(a) the cause of action arose in Brunei Darussalam;

(b) the defendant or any one of the defendants at the time of the institution of the action resides or carries on business or has property or personally works for gain in Brunei Darussalam; or

(c) the facts on which the action is based exist or are alleged to have occurred in Brunei Darussalam.

(2) Intermediate Courts shall have jurisdiction to try any action where the amount claimed or the value of the subject-matter in dispute consists of a balance not exceeding \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette* after a set-off of any debt or demand claimed or recoverable by the defendant from the plaintiff, being a set-off admitted by the plaintiff in the particulars of his claim or demand.

[S 23/11]

(3) Intermediate Courts shall have no jurisdiction in any action —

(a) subject to section 15(3) and (5), for the recovery of immovable property or where there is a dispute as to a title registered under the Land Code (Chapter 40);

(b) for the interpretation of a trust instrument, the execution or administration of a trust or for a declaration that a trust subsists;

(c) subject to section 16, for the grant or revocation of probate or letters of administration in respect of the estate of a deceased person;

(d) for the interpretation of a will or, subject to section 17, for the administration of the estate of a deceased person;

(e) for a declaratory decree, except in interpleader proceedings under section 18;

(f) wherein the legitimacy of any person is in question;

(g) wherein the guardianship or custody of a minor is in question;

(h) wherein the validity or dissolution of any marriage is in question.

(4) A judgment of an Intermediate Court shall, except as provided by this Act, be final and conclusive between the parties.

Actions concerning immovable property.

15. (1) Where an action for the recovery of immovable property is commenced in an Intermediate Court, the defendant may, within one month apply to the High Court for the action to be transferred to the High Court on the ground that there is a dispute as to a title registered under the Land Code (Chapter 40).

(2) On the hearing of any such application, a Judge of the High Court, if satisfied that there is a dispute as to the title, may order that the action be transferred to the High Court.

(3) Where no application is made under subsection (1) or where such an application is made but no order is made for the transfer of the action, an Intermediate Court shall have jurisdiction to try the action.

(4) Where, in an action in an Intermediate Court, there is a dispute as to a title to any immovable property registered under the Land Code (Chapter 40), it shall have jurisdiction if all the parties to the action agree in writing; but, if any party does not agree, he shall, within one month from the date of such agreement apply to the High Court for the action to be transferred to the High Court.

(5) Notwithstanding that the amount claimed or the value of the property in dispute exceeds \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette*, an Intermediate Court shall have jurisdiction in any action for the recovery of immovable property, with or without a claim for rent or mesne profits or for damages if there is no dispute as to a title registered under the Land Code (Chapter 40), where the rent payable in respect thereof does not exceed a sum equivalent to \$3,000

per month or such other sum as the Chief Justice may prescribe by order published in the *Gazette* in respect of any area specified in that order.

[S 23/11]

Jurisdiction to grant probates etc.

16. An Intermediate Court shall have jurisdiction for the grant of probate or letters of administration in respect of the estate within Brunei Darussalam of a deceased person, where the estate in respect of which the grant is applied for, exclusive of what the deceased was possessed of or entitled to as a trustee and not beneficially but without deducting anything on account of the debts due or owing from the deceased, do not exceed in value \$250,000; and may alter, revoke or annul the same.

Administration actions.

17. An Intermediate Court shall have jurisdiction to try actions in respect of the administration of the estate within Brunei Darussalam of a deceased person and to enforce the due distribution thereof, where the estate, exclusive of what the deceased was possessed of or entitled to as a trustee and not beneficially but without deducting anything on account of the debts due or owing from the deceased, do not exceed in value \$250,000.

Interpleader proceedings.

18. An Intermediate Court shall have jurisdiction to grant relief by way of interpleader —

(a) where a bailiff or other person is charged with the execution of a writ, warrant or order of an Intermediate Court and a claim is made to any money or other movable property taken or intended to be taken in execution of that writ, warrant or order, or to the proceeds or value of any such property, by any person other than the person against whom the writ, warrant or order was issued or made; and

(b) where the person seeking relief is under liability for any debt, money or other movable property of which the amount or value does not exceed \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette* and for or in respect of which he has been or expects to be sued by two or more parties making adverse claims thereto.

[S 23/11]

Other jurisdiction.

19. (1) Where a plaintiff has a cause of action for more than \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette* in which, if it were not for more than that amount, an Intermediate Court would have jurisdiction, the plaintiff may abandon the excess in order to bring it within the jurisdiction of the Intermediate Court, and thereupon the Intermediate Court shall have jurisdiction to try the action, however the plaintiff shall not recover in that action or in any subsequent action the excess so abandoned.

[S 23/11]

(2) Where an Intermediate Court has jurisdiction to try an action under subsection (1), the judgment shall be in full discharge of all demands in respect of the cause of action.

(3) The parties to an action in which an Intermediate Court, if the amount claimed or the value of the subject-matter in dispute did not exceed \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette*, would have jurisdiction may agree by a signed memorandum filed in the Intermediate Court that it shall have jurisdiction, notwithstanding that the amount claimed or the value of the subject-matter in dispute exceeds that amount.

[S 23/11]

Transfer of counterclaim etc. to High Court.

20. (1) Where, in an action in an Intermediate Court, the counterclaim or defence of any defendant involves a matter beyond its jurisdiction, any party to the action may apply to the High Court within one month of the service on him of such counterclaim or defence for an order that the whole proceedings, or the proceedings on the counterclaim or defence, be transferred to the High Court.

(2) On any such application, the High Court may, as it thinks fit, order either —

(a) that the whole proceedings be transferred to the High Court, whereupon the action shall then be entered in the cause book of the

High Court and proceeded with as if the action had been originally instituted therein;

(b) that the whole proceedings be tried in the Intermediate Court whereupon the Intermediate Court may continue with jurisdiction and dispose of the same notwithstanding that the counterclaim or defence involves an amount claimed or subject-matter in dispute the value of which exceeds \$300,000 or such higher sum as the Chief Justice may prescribe by order published in the *Gazette*;

[S 23/11]

(c) that the proceedings on the counterclaim be transferred to the High Court and that the proceedings on the plaintiff's claim and the defence hereto other than the set-off (if any) be tried in the Intermediate Court:

Provided that, where an order is made under paragraph (c) and judgment on his claim is given for the plaintiff, execution thereon shall, unless the High Court at any time otherwise orders, be stayed until the proceedings transferred to the High Court have been concluded.

(3) Notwithstanding any other provision of this Act, where no application is made under subsection (1) or where on such an application it is ordered that the whole proceedings be tried in an Intermediate Court, the Intermediate Court shall have jurisdiction.

Fees and costs.

21. Where an action has been commenced in an Intermediate Court, the same costs and fees shall apply as if it had been commenced in the High Court.

Satisfaction of judgments for payment of money.

22. (1) Where a judgment is given under which a sum of money is payable, whether by way of satisfaction of the claim or counterclaim in the action or by way of costs or otherwise, the court may, as it thinks fit, order the money to be paid either —

(a) in one sum, whether forthwith or within such period as it thinks fit; or

(b) by such instalments payable at such times as it thinks fit.

(2) If at any time it appears to the satisfaction of the court that a party to an action is unable from any cause to pay any sum ordered to be paid by him (whether by way of satisfaction of the claim, a counterclaim or by way of costs or otherwise) or any instalment thereof, it may, in its discretion, suspend or stay the judgment for such time and on such terms as it thinks fit, until it appears that the inability has ceased.

(3) Where an order for payment by instalments is made, the payments shall be made into court, and no execution shall issue except with the leave of the court.

No division of causes of action.

23. A cause of action shall not be split or divided and pursued in separate actions in an Intermediate Court for the sole purpose of bringing the amount claimed in each of such actions within the jurisdiction of such Intermediate Court.

Transfer to High Court.

24. Where it is made to appear to a Judge of the High Court, on the application of a party to an action in an Intermediate Court, that the action involves some important question of law, is a test case, or for any other sufficient reason is one which should be tried in the High Court, it may order the action to be transferred to the High Court.

Transfer of proceedings from High Court. [S 23/11]

24A. (1) Where by an order of the High Court made under section 16A of Supreme Court Act (Chapter 5), any proceedings are to be transferred to the Intermediate Court or an issue is directed to be tried in the Intermediate Court, the Registrar of the Intermediate Court, on receipt of the relevant documents, shall either —

(a) refer them to the Judge of the Intermediate Court for directions; or

(b) enter the proceedings or issue in the records of the Intermediate Court and fix a date for —

(i) the hearing of the proceedings or issue; or

(ii) if he thinks fit, a pre-trial review,

and give 14 days' notice thereof to every party.

(2) Nothing in subsection (1) shall require the Registrar to fix a date in an action so transferred unless —

(a) before it was transferred to the Intermediate Court, the action had been set down for hearing in the High Court; or

(b) a request for a date to be fixed is made pursuant to directions under Order 25 of the Rules of Court made under section 12 of the Supreme Court Act (Chapter 5),

and where proceedings are transferred from the High Court, the pleadings shall, for the purposes of Order 25, be deemed to be closed at the end of 14 days from the date of transfer.

(3) The party lodging or causing to be lodged with the Registrar the relevant documents for the purposes of subsection (1) shall, at the same time, file —

(a) a statement of the names and addresses of the parties and of their solicitors;

(b) if he is the plaintiff and has not endorsed a statement of claim on the writ or served a statement of claim in the High Court, particulars of his claim together with a copy for each defendant;

(c) if he is the defendant and only a counterclaim is transferred and the counterclaim has not been served in the High Court, particulars of the counterclaim together with a copy for the plaintiff;

(d) where money has been paid into the High Court, a copy of the notice of payment into court; and

(e) a copy of any other pleading served but not filed in the High Court.

(4) Where —

(a) a statement of claim has been endorsed on the writ or served in the High Court but no defence has been served therein; or

(b) particulars of claim have been filed in the Intermediate Court pursuant to subsection 3(b),

the defendant shall, within 14 days after receipt of the notice given under subsection (1)(b), deliver at the court registry a defence and, if he has a counterclaim, particulars of the counterclaim together with a copy thereof for the plaintiff.

(5) Where only a counterclaim is transferred, subsection (4) shall apply, with the necessary modifications, to the counterclaim as it applies to a claim.

(6) On receipt of any document filed by the plaintiff pursuant to subsection (3)(b) or by the defendant pursuant to subsection (3)(c) or (4), the Registrar shall send a copy to each defendant or, as the case may be, to the plaintiff.

(7) Where proceedings are transferred to the Intermediate Court pursuant to an order of the High Court referred to in subsection (1), the Intermediate Court shall have jurisdiction —

(a) to hear and determine those proceedings; and

(b) to award any relief, including any amount of damages, within the extent of the Intermediate Court's jurisdiction.

(8) In this section, “relevant documents” means —

- (a) the order of the High Court referred to in subsection (1) or a copy thereof;
- (b) any documents required by the order of the High Court to be filed in the Intermediate Court;
- (c) the writ or a copy thereof; and
- (d) all pleadings and affidavits filed in the High Court.

Ancillary jurisdiction and powers of Judge.

25. (1) The Judge of an Intermediate Court shall in any action before him —

- (a) grant such relief, redress or remedy or combination of remedies, either absolute or conditional; and
- (b) give such and the same effect to every ground of defence or counterclaim, equitable or legal,

as ought to be granted or given in a similar action before the High Court.

(2) The Judge of an Intermediate Court shall have jurisdiction in any action pending in the Intermediate Courts to make any order or to exercise on an *ex parte* application any authority or jurisdiction which, if it related to proceedings pending in the High Court, might be made or exercised by a Judge of the High Court in chambers.

PART VI

APPEALS ETC. FROM INTERMEDIATE COURT

Civil appeals.

26. (1) Subject to subsection (2), an appeal from an Intermediate Court in the exercise of its civil jurisdiction shall lie to the Court of Appeal as if it was an appeal from the High Court.

(2) No appeal shall lie from any judgment of an Intermediate Court if, before it is given, the parties to the action agree in writing that it shall be final and conclusive between them.

Criminal appeals, reviews and references.

27. There shall lie to the Court of Appeal from an Intermediate Court in the exercise of its criminal jurisdiction —

(a) an appeal;

(b) a review of a sentence passed on any person; and

(c) a reference of a point of law for its opinion thereon where any person has been acquitted,

as if it was an appeal, review or reference (as the case may be) from the High Court, and for those purposes all written laws shall be construed subject to such modifications as may be necessary to bring them into conformity with this Act.

PART VII

GENERAL

Protection of judicial and other officers.

28. (1) A judicial officer shall not be liable to be sued any act done by him in the discharge of his judicial duty, whether or not within the limits of his jurisdiction, provided that at the time in good faith he believed himself to have jurisdiction to do that act.

(2) No officer of an Intermediate Court or other person charged with the duty of executing any writ, summons, warrant, order, notice or other mandatory process of an Intermediate Court shall be liable to be sued for the execution of or attempting to execute such writ, summons, warrant, order, notice or other mandatory process, or in respect of any damage caused to any property in effecting or attempting to effect execution, unless he knowingly acted in excess of the authority conferred upon him by such writ, summons, warrant, order, notice or other mandatory process in question, and he shall

not be deemed to have acted knowingly in excess of his authority merely by reason of the existence of a dispute as to the ownership of any property seized under any writ or order or execution.

Absence of Judge before conclusion of proceedings.

29. Where a Judge of an Intermediate Court is prevented for any reason whatsoever from concluding any proceeding, whether in the exercise of the criminal or civil jurisdiction of the court, any other Judge of an Intermediate Court may, with the consent of the parties, proceed therewith and may give judgment therein, and in so doing, may act not only upon any further evidence adduced in the proceedings but also upon any evidence already received in so far as it had been recorded.

His Majesty the Sultan and Yang Di-Pertuan not compellable to attend Intermediate Courts. [S 57/04]

29A. (1) For the avoidance of doubt, it is hereby declared that His Majesty the Sultan and Yang Di-Pertuan shall not be compellable to attend any proceedings in or be summoned before the Intermediate Courts.

(2) His Majesty the Sultan and Yang Di-Pertuan may, in writing, exempt any person who is required to attend any proceedings in or summoned before an Intermediate Court, from having to comply with such requirement or summons; and such exemption shall not be called in question in or be subject to any judicial review by or appeal to any court.

Practice and procedure.

30. Subject to this Act, the practice and procedure for the time being in force —

(a) of the High Court, in the exercise of its criminal and civil jurisdiction; and

(b) on appeals to the Court of Appeal from the High Court,

shall apply in relation to the Intermediate Courts and for those shall be construed subject to such modifications as may be necessary to bring them into conformity with this Act.

Enabling powers.

31. (1) His Majesty the Sultan and Yang Di-Pertuan may by order make such provisions as may appear to him to be necessary or expedient —

(a) for giving effect to this Act;

(b) for the purpose of bringing any other written law into accord with this Act or with any Act made hereunder.

(2) The Chief Justice may give such directions in either a particular proceeding or in proceedings of a specified class or description or generally, as may appear to him to be necessary or expedient to meet any difficulty arising from the construction of section 13(2), 27 and 30.