

# Supreme Court Practice Directions (Amendment No. 3 of 2020)

## Part I: Introduction

### 1A. Definitions

In these Practice Directions, unless the context otherwise requires:

“Appellate Division” means the Appellate Division of the High Court; and

“General Division” means the General Division of the High Court.

### 7A. Business of the Registry

(1) Pursuant to section 71(1) of the Supreme Court of Judicature Act and Order 60, Rule 1(1) of the Rules of Court, the Chief Justice has directed that the Registry of the Supreme Court (“the Registry”) shall comprise the Division for the Court of Appeal and the Appellate Division, the Division for the ~~High Court~~ General Division and the Division for the Singapore International Commercial Court.

(2) There shall be a Divisional Registrar for the Court of Appeal and the Appellate Division, a Divisional Registrar for the ~~High Court~~ General Division, and a Divisional Registrar for the Singapore International Commercial Court. The Divisional Registrar for each division of the Registry shall have control and supervision of the affairs of that division. Overall control and supervision of the Registry shall remain with the Registrar of the Supreme Court.

(3) The Chief Justice may designate any Assistant Registrar as Senior Assistant Registrar. The Chief Justice may also designate the Deputy Registrar, any Senior Assistant Registrar or any Assistant Registrar as Divisional Registrar or Deputy Divisional Registrar of any division of the Registry.

(4) Appendix H sets out the names of the Registrar, Deputy Registrar, Divisional and Deputy Divisional Registrars, and Senior Assistant Registrars.

(5) Pursuant to Order 60, Rule 1(3) of the Rules of Court, the business of the Registry is governed by the Rules of Court and these Practice Directions. For the avoidance of doubt, it is hereby declared that any instruction manuals which may be issued from time to time by the Government are not applicable to the business of the Registry.

## **Part II: General Matters**

### **9. Hours for the sittings of the Supreme Court**

The Honourable the Chief Justice has directed that ~~the Judges of the High Court General Division, the Appellate Division~~ and the Court of Appeal shall sit from 10.00 a.m. to 1.00 p.m. and from 2.15 p.m. to 5.00 p.m. Registrars shall sit from 9.00 a.m. to 1.00 p.m. and from 2.30 p.m. to 5.00 p.m. This is subject to the presiding Judge's or Registrar's discretion to commence or conclude a hearing at an earlier or later time.

### **18. Forms of address**

The Honourable the Chief Justice, ~~on the advice of the Council of Judges,~~ has directed that the following forms of address shall apply:

(1) The Chief Justice, ~~the Justices of the Court of Appeal, the Judges of the Appellate Division, the Judges of the High Court, the Senior Judges, the International Judges~~ and the Judicial Commissioners shall, when sitting in open Court or in Chambers, be addressed as "Your Honour", and on social occasions or other extra-judicial occasions, as "Chief Justice" or "Judge", as the case may be.

(2) The Chief Justice, ~~the Justices of the Court of Appeal, the Judges of the Appellate Division,~~

the Judges of the High Court, the Senior Judges, the International Judges and the Judicial Commissioners shall, in all cause lists, orders of Court, correspondence and other documents, be described ~~respectively as “Chief Justice”, “Justice” or “Judicial Commissioner”~~ in the following manner without any accompanying gender prefix.:

Office	Form of Address	Abbreviated Form of Address
Chief Justice	“Chief Justice [name]”	“[name] CJ”
Justice of the Court of Appeal	“Justice [name]”	“[name] JCA”
Judge of the Appellate Division		“[name] JAD”
Judge of the High Court		“[name] J”
Senior Judge		“[name] SJ”
International Judge		“[name] IJ”
Judicial Commissioner	“Judicial Commissioner [name]”	“[name] JC”

## 24. Access to case file, inspection, taking copies and searches

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### *Electronic cause books and registers maintained by the Registry*

(9) Order 60 of the Rules of Court provides that the Registry shall maintain information prescribed or required to be kept by the Rules of Court and Practice Directions issued by the Registrar. In addition to any provisions in the Rules of Court, the Registrar hereby directs that the following information shall be maintained by the Registry:

(a) details of all originating processes, including:

(i) details of interlocutory applications;

(ii) details of appeals filed therein;

(iii) details of admiralty proceedings;

- (iv) details of caveats filed against arrest of vessels;
  - (v) details of probate proceedings, including wills and caveats filed therein;
  - (vi) details of bankruptcy proceedings; and
  - (vii) details of winding up proceedings against companies and limited liability partnerships;
- (b) details of writs of execution, writs of distress and warrants of arrest;
- (c) details of appeals filed in the Court of Appeal **and appeals filed in the Appellate Division**; and
- (d) any other information as may from time to time be found necessary.

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## **26. Filing directions to the Accountant-General for payment into and out of Court**

(1) Where monies are sought to be paid into Court pursuant to a judgment or order of the Court, a copy of the judgment or order must be referenced in the draft direction to the Accountant-General for payment in and submitted to the Legal Registry of the Supreme Court for approval.

(2) Where monies are sought to be paid out of Court pursuant to a judgment or order of the Court, pursuant to the acceptance of a payment into Court made under Order 22 of the Rules of Court or pursuant to **Order 56A, Rule 13** or Order 57, Rule 11, a copy of the judgment or order, or of the notice in Form 32 of Appendix A to the Rules of Court, or of the written consent attached to the draft direction to the Accountant-General for payment out, must be submitted to the Legal Registry for approval.

(3) Each draft direction for payment into or payment out of Court shall contain amounts in a

single currency. Where monies in different currencies are to be paid into or out of Court, separate draft directions must be prepared for each currency in which payment is to be made.

## **27. Requests and other Correspondence**

(1) All Requests relating to or in connection with any pending cause or matter are to be made using the electronic forms available through the Electronic Filing Service. Where an electronic form is available through the Electronic Filing Service for the Request that is sought, the Registry has the discretion to refuse acceptance of other forms of written correspondence (including letters) and to refuse to act on such correspondence.

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(2) Apart from Requests coming within sub-paragraph (1), all correspondence relating to or in connection with any cause or matter before the Court of Appeal, **the Appellate Division, the General Division** or a Judge shall be addressed to the Registrar.

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## **29B. Citation of Case Numbers**

(1) All originating processes and summons filed in the Supreme Court on or after 1 January 2015 shall bear case numbers in the following format:

**Description of Court/ Type of Application [Case number]/ Year filed**

For example:

<b>Case Number Format</b>	<b>Type of Case</b>
CA/CA [Case Number]/[Year filed]	Appeal to the Court of Appeal
AD/CA [Case Number]/[Year filed]	Appeal to the Appellate Division
HC/OS [Case Number]/[Year filed]	Originating Summons filed in the <del>High Court</del> General Division
SIC/S [Case Number]/[Year filed]	Writ of Summons filed in the Singapore International Commercial Court

(2) Parties are to cite the case number in full in all documents and correspondence which are submitted to the Court.

**Part III: Originating Processes and Documents**

**30. Originating Summonses**

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*Originating summonses to be heard in open Court*

(6) Order 28, Rule 2 provides that all originating summonses shall be heard in Chambers, subject to any provisions in the Rules of Court, written law, directions by the Court, or practice directions issued by the Registrar.

(7) The following are examples of originating summonses to be heard in open Court pursuant to written law:

(a) applications to wind up a company (Rule 5 of Companies (Winding Up) Rules (Cap. 50, Rule 1)); and

(b) applications to wind up a limited liability partnership (Rule 5 of Limited Liability Partnerships (Winding Up) Rules 2005 (Cap. 163A, Rule 2).

(8) In addition to any provisions in the Rules of Court or other written law, and subject to any further directions made by the Court, the Registrar hereby directs that the following applications made by originating summonses shall be heard in open Court:

(a) appeals to the ~~High Court~~ **General Division** from a Court, tribunal or person under Order 55, Rule 2(1);

(b) applications to the ~~High Court~~ **General Division** by case stated in Order 55A, Rule 2(1);

(c) applications to the Court of Appeal in Order 57, Rule 16 **and applications to the Appellate Division in Order 56A, Rule 17;**

(d) applications under the Arbitration Act (Cap. 10) in Order 69, Rule 2;

(e) applications under the International Arbitration Act (Cap. 143A) in Order 69A, Rule 2;

(f) applications for apportionment of salvage in Order 70, Rule 32;

(g) applications and appeals under the Trade Marks Act (Cap. 332) in Order 87, Rules 2 and 4;

(h) applications and appeals under the Patents Act (Cap. 221) in Order 87A, Rules 9, 10 and 13;

(i) applications for admission of advocate and solicitor under section 12 of the Legal Profession Act (Cap. 161);

(j) applications for ad hoc admissions under section 15 of the Legal Profession Act;

(k) applications for leave for eligibility for election or appointment as a member of

Council of Law Society under section 49(6) of the Legal Profession Act;

- (l) applications for the name of a solicitor to be replaced on the roll under section 102(2) of the Legal Profession Act;
- (m) [deleted];
- (n) applications for the vesting of property of a registered trade union in a trustee under section 45 of the Trade Unions Act (Cap. 333);
- (o) applications by the Public Trustee for the appointment of new trustees to administer a charitable trust under section 63(4) of the Trustees Act (Cap. 337);
- (p) applications for a company to be placed under judicial management under section 227A of the Companies Act (Cap. 50); and
- (q) applications under the Land Titles (Strata) Act (Cap. 158) in Order 100, Rule 2.

## **Part IIIA: Alternative Dispute Resolution**

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### **35B. Overview of Alternative Dispute Resolution (ADR) for civil cases**

- (1) This Part of the Practice Directions applies only to civil cases in the **High Court General Division, the Appellate Division** and the Court of Appeal.

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## **Part IV: Interlocutory Applications**

### **38. Summonses to be heard in open Court**

- (1) Order 32, Rule 11 of the Rules of Court provides that all summonses shall be heard in Chambers, subject to any provisions in the Rules of Court, written law, directions by the Court and practice directions issued by the Registrar.

- (2) The following applications are examples of summonses to be heard in open Court pursuant to written law:



- (a) applications under section 343 of the Companies Act (Cap. 50);
- (b) applications under paragraph 97 of the Fifth Schedule to the Limited Liability Partnerships Act (Cap. 163A);
- (c) applications for the committal of any person to prison for contempt in relation to winding up of a company or a limited liability partnership; and
- (d) applications to rectify the Register in relation to winding up of a company or a limited liability partnership (See Rule 5 of Companies (Winding Up) Rules (Cap. 50, Rule 1) and Rule 5 of Limited Liability Partnerships (Winding Up) Rules 2005).

(3) In addition to any provisions in the Rules of Court or other written law, and subject to further directions made by the Court, the Registrar hereby directs that the following applications by summons shall be heard in open Court:

- (a) applications for mandatory *orders*, *prohibiting orders* or *quashing orders* under Order 53, Rule 2;
- (b) issuance of summonses for order for review of *detention* under Order 54, Rule 2;
- (c) applications to the Court of Appeal in appeals under Order 57, Rule 16 **and applications to the Appellate Division in appeals under Order 56A, Rule 17;**
- (d) applications for remedies where property protected by a caveat is arrested under Order 70, Rule 6;
- (e) applications for orders for damages caused by caveats against the release of property under arrest under Order 70, Rule 13;
- (f) applications for judgment for failure to file a preliminary act under Order 70, Rule 18;

- (g) applications for judgment by default under Order 70, Rule 20;
- (h) applications for orders of priority of claims against the proceeds of sale of a ship under Order 70, Rule 21;
- (i) applications in a pending action for apportionment of salvage under Order 70, Rule 32;
- (j) applications for objections to a decision on a reference under Order 70, Rule 42;
- (k) applications under the Patents Act (Cap. 221) under Order 87A, Rule 11(6);
- (l) applications for legal officers or non-practising solicitors to be struck off the roll under section 82A(10) of the Legal Profession Act (Cap. 161); and
- (m) applications for an order that a solicitor be struck off the roll, etc. under section 98(1) of the Legal Profession Act.

#### **40. Transfer of proceedings to the State Courts**

Where a claim in the ~~High Court~~ **General Division** which may have initially exceeded \$250,000 is subsequently reduced below this amount, solicitors should bring this to the attention of the Registrar and apply by summons or at the hearing of the summons for directions for an order that the action be transferred to ~~the District Court~~ **a State Court** for trial under section 54C of the State Courts Act (Cap 321), which provides:

*General power to transfer from **General Division of High Court** to State Courts*

54C. — (1) A party to any civil proceedings pending in the **General Division of the High Court** may for any sufficient reason at any time apply to the **General Division of the High Court** for an order that the proceedings be transferred to a State Court.

(2) Subject to subsection (3), the **General Division of the** High Court may, if it thinks fit, and on such terms as it sees fit, and either on its own motion or on application, order that the proceedings be transferred accordingly notwithstanding any other provision of this Act.

(3) An order under subsection (2) may only be made in respect of such proceedings as could have been commenced in the State Court to which the application relates, if the value of the claim had been within the District Court limit or the Magistrate's Court limit, as the case may be.

\*Explanation —\* The fact that the proceedings fall within the civil jurisdiction of the State Courts would not, by itself, ordinarily constitute sufficient reason for transferring the proceedings to the State Courts, if enforcement overseas is intended of any judgment obtained in the **General Division of the** High Court under any enforcement arrangements currently in force.

## **Part VI: Evidence – Witnesses, Affidavits and Exhibits**

### **63A. Lead Counsel's Statement on Trial Proceedings**

(1) For every case proceeding to trial in the **High Court General Division**, each party shall file and serve a Lead Counsel's Statement in Form 9A of Appendix A of these Practice Directions to provide a list of issues for trial and an accurate estimation of the trial days needed after taking into account the time needed for the examination of each witness. The Lead Counsel's Statement shall be filed and served within one week after objections to affidavits of evidence-in-chief are taken, unless the Court otherwise directs.

## **Part VII: Fixing of Matters for Hearing**

### **68. Adjournment or vacation of hearings other than trials**

(1) Before solicitors make a Request through the Electronic Filing Service to the Court for an adjournment or vacation of any hearings other than trials, they should seek the consent of the other party or parties to the matter. Unilateral requests made without first seeking the consent or views of the other party or parties to the matter will not be entertained, except in the most exceptional circumstances.

(2) Subject to sub-paragraph (3) below, the Request electronic form should be filed through the Electronic Filing Service at least 2 working days before the hearing, setting out the reasons for the requested adjournment or vacation of hearings.

(3) Where an adjournment of any matter before the Court of Appeal **or the Appellate Division** is sought, the Request in electronic form should be filed through the Electronic Filing Service as soon as practicable after the sitting in which the matter is scheduled to be heard has been assigned and notified to the parties. Where there is a delay in the making of the request, the reason or reasons for the delay must be provided with the request. Any request for an adjournment on account of counsel's diaries will not readily be acceded to.

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## **Part VIII: Documents and Authorities For Use In Court**

### **71. Documents for use in trials of writ actions in open Court**

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*Opening statements*

(14) A proper opening statement is of great assistance to the Court as it sets out the case in a nutshell, both as to facts and law. It is intended to identify both for the parties and the Judge the issues that are, and are not, in dispute. It enables the Judge to appreciate what the case is about, and what he is to look out for when reading and listening to the evidence that will follow. The need for brevity is emphasised as opening statements that contain long and elaborate arguments, and citations from and references to numerous authorities, do not serve this purpose.

(a) Opening statements will be required from all parties in all cases commenced by writ in the ~~High Court~~ **General Division**, except where dispensation has been granted by the Court and in motor vehicle accident actions.

(b) All opening statements must include the following:

(i) the nature of the case generally and the background facts insofar as they are relevant to the matter before the Court and indicating which facts, if any, are agreed;

(ii) the precise legal and factual issues involved are to be identified with cross-references as appropriate to the pleadings. These issues should be numbered and listed, and each point should be stated in no more than one or two sentences. The object here is to identify the issues in dispute and state each party's position clearly, not to argue or elaborate on them;

(iii) the principal authorities in support of each legal proposition should be listed, while the key documents and witnesses supporting each factual proposition should be identified;

(iv) where there is a counterclaim or third party action, the opening

statement must similarly address all issues raised therein; and

(v) an explanation of the reliefs claimed (if these are unusual or complicated).

(c) In cases where the Court is of the opinion that costs or hearing days have been wasted by a poorly drafted opening statement, the Court will have no hesitation in making a special order for costs against the relevant person.

(d) The following format shall be adhered to when preparing opening statements:

(i) all pages shall be paginated, with the first page (including the cover page) numbered as 'Page 1' so that the page numbers of the hard copy correspond to the page numbers in the Portable Document Format (PDF) version;

(ii) the minimum font size to be used is Times New Roman 12 or its equivalent;

(iii) the print of every page shall be double spaced;

(iv) each page may be printed on one side or both sides; and

(v) every page shall have a margin on all 4 sides, each of at least 35 mm in width.

(e) All opening statements should not exceed 20 pages (including all annexes and appendices, but excluding the cover page and backing page).

(f) Opening statements may be amended at trial, but counsel will be expected to explain the reasons for the amendments.

## **72. Bundles of authorities for other open Court hearings**

(1) In all criminal proceedings and civil and criminal appeals heard in open Court in the ~~High Court~~ **General Division**, counsel shall submit their own bundle of authorities. In this regard, paragraph 71(12) to (13) shall, *mutatis mutandis*, be complied with.

(2) In all criminal proceedings and civil and criminal appeals heard in open Court in the Court of Appeal, **all civil appeals heard in open Court in the Appellate Division**, as well as all disciplinary proceedings (or appeals therefrom) brought under any statute, including the Legal Profession Act and the Medical Registration Act which are heard by a Court of 3 Judges, counsel shall submit a soft copy of the bundle of authorities in Adobe Portable Document Format (PDF) together with the other documents required to be submitted under paragraph 88(3).

(3) With regard to soft copy bundles of authorities, the requirements set out in paragraphs 69(5), 71(12)(a), 71(12)(b) and 71(13) shall be complied with. The soft copy bundle of authorities shall contain electronic bookmarks to each case therein, bearing the name of each of the cases for easy electronic access. The page numbers of any hard copy bundle of authorities must correspond to the page numbers in the Portable Document Format (PDF) version.

## **73A. Written submissions and bundles of authorities for special date hearings**

(1) For any contested special date hearing before a Judge **sitting** in the ~~High Court~~ **General Division**, each party shall:

(a) submit to the Court and serve on the other party a hard copy of the following documents at least 1 clear day in advance of the hearing

(i) written submissions; and

(ii) bundle of authorities (which are in compliance with the requirements under paragraphs 69(5), 71(12) to (13) of these Practice Directions); and

(b) file a soft copy of his written submissions using the Electronic Filing Service no later than 1 working day after the hearing.

(2) If any party does not intend to rely on written submissions at the contested hearing referred to in sub-paragraph (1) above (e.g., where the hearing does not involve complex issues), the party should seek the Court's approval for a waiver by way of a Request using the Electronic Filing Service at least 7 days before the hearing.

(3) This paragraph does not apply to any hearing before a Judge which is fixed on the normal list. However, parties are encouraged to adhere to the directions set out in sub-paragraph (1) above if the application will be contested. In the event that this is not done, the Judge may adjourn the hearing to enable the filing of written submissions or bundle of authorities if appropriate.

(4) For any special date hearing before a Registrar, any party who wishes to rely on written submissions at the hearing is required to comply with sub-paragraph (1) above.

(5) This paragraph does not apply to any hearings for which specific directions on the filing of written submissions or bundle of authorities are provided for in these Practice Directions.

#### **74. Citation of judgments**

(1) The Honourable the Chief Justice has directed that counsel who wish to cite a judgment as authority in support of their oral or written submissions shall adhere to the following directions. These directions are intended to provide guidance to advocates and solicitors as to (a) the extent to which it is necessary to deploy both local and foreign judgments in support of their case; and (b) the practice of citing such judgments.



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The neutral citation system for local judgments

(8) A neutral citation is a Court-approved system of citation which is independent of the series of law reports or other publication, and unique to each written judgment. Each written judgment from a particular level of Court is assigned a sequential number, starting from 1 at the beginning of each calendar year. The application of the system is as follows:

(a) Cases reported in the Singapore Law Reports shall be cited using their Singapore Law Reports citations, in priority to their neutral citations.

(b) Unreported decisions shall be cited using their neutral citations.

## **COURT DESIGNATORS**

SGCA – Singapore Court of Appeal

**SGHC(A) – Singapore High Court (Appellate Division)**

**SGHC – Singapore High Court (before 2 January 2021) or Singapore High Court (General Division) (on or after 2 January 2021)**

**SGHCR – Singapore High Court Registrar (before 2 January 2021) or Singapore High Court (General Division) Registrar (on or after 2 January 2021)**

## **EXAMPLE AND EXPLANATION**

ABC Co Pte Ltd v XYZ Co Ltd [2003] SGCA 5, at [3], [8].

Year of the decision : [2003]

Level of Court : SGCA (Singapore Court of Appeal)

Sequential Number : 5 (fifth written judgment rendered by the Court of Appeal in 2003)

Paragraph Number(s): Paragraphs 3 and 8 of the judgment

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## **Part XI: Appeals and Hearings Before Court of 3 Judges**

### **81. Application of this Part**

(1) The directions in this Part shall, subject to sub-paragraph (2) below, *mutatis mutandis*, apply to appeals before the ~~High Court~~ General Division, hearings before the Appellate Division, hearings before the Court of Appeal and disciplinary proceedings (or appeals therefrom) brought under any statute, including the Legal Profession Act and the Medical Registration Act, which are heard by a Court of 3 Judges.

(2) Where disciplinary proceedings (or appeals therefrom) brought under any statute, including the Legal Profession Act and the Medical Registration Act, are heard by a Court of 3 Judges, 1 hard copy each of the parties' written submissions, the record of proceedings, the originating summons and all affidavits filed in the originating summons shall be tendered, **unless otherwise directed.**

### **83. Civil appeals before the ~~High Court~~ General Division from the State Courts**

#### ***Appeals under Order 55D of the Rules of Court***

(1) In appeals under Order 55D of the Rules of Court, the appellant and the respondent are to tender one hard copy of the record of appeal and the Cases, as well as any bundle of authorities to be relied upon to the Legal Registry of the Supreme Court not less than 5 working days before the hearing of the appeal, to assist the Judge ~~of the High Court~~ hearing the appeal.

#### ***Appeals from the Family Court***

(2) Directions for appeals from the Family Court on ancillary matters in divorce proceedings, custody matters or proceedings pursuant to s 17A(2) of the Supreme Court of Judicature Act are set out at paragraph 142.

### *Appeals from the Employment Claims Tribunal*

(3) In addition to any provisions in the Rules of Court or other written law, and subject to any further directions made by the Court, the Registrar hereby directs that appeals to the ~~High Court~~ **General Division** from the Employment Claims Tribunal shall be heard in open Court.

#### **84. Civil appeals before the ~~High Court~~ General Division from tribunal or person under Order 55 of the Rules of Court**

(1) Order 55, Rule 6(4) of the Rules of Court states that it is the appellant's duty to apply to the Judge or other person presiding at the proceedings in which the decision appealed against was given, for the signed copy of any note made by him of the proceedings and to furnish that copy for the use of the Court. For the avoidance of doubt, the onus is on the appellant to file a record of proceedings, comprising the signed copy of the notes of proceedings, and any further grounds of decision, in the ~~High Court~~ **General Division**.

(2) The appellant and the respondent are to tender one hard copy of the notes of proceedings, grounds of decision and any skeletal arguments or bundles of authorities to be relied upon to the Legal Registry of the Supreme Court not less than 5 working days before the hearing of the appeal, to assist the Judge ~~of the High Court~~ hearing the appeal.

(3) No affidavits shall be filed in respect of the appeal without the leave of court.

#### **84A. Whether an appeal to the Appellate Division is to be heard by 2 or 3 Judges**

(1) The time for an appellant to file the record of appeal, the Case and the core bundle of documents for hearing before the Appellate Division is 2 months after the service of the notice mentioned in Order 56A, Rule 7(3) of the Rules of Court where the appeal is to be heard by a 3 Judge Court, and one month after the service of that notice where the appeal is to be heard by a 2 Judge Court.

(2) To resolve any confusion or uncertainty over the issue of whether an appeal is to be heard by a 2 or 3 Judge Court, this issue will be determined by the Judge who heard the matter at first instance.

(3) The Judge of first instance will inform the Legal Registry of the Supreme Court of his decision on the issue mentioned in sub-paragraph (2), and the Legal Registry will inform the appellant in the notice mentioned in Order 56A, Rule 7(3) of the time for filing of the record of appeal, the Appellant's Case and the core bundle of documents, in accordance with whether the matter will be heard by a 2 or 3 Judge Court.

(4) If the Judge of first instance does not determine the issue of whether the appeal should be heard before a 2 or 3 Judge Court, or if the appellant should dispute the determination of the Judge of first instance, the matter will be referred to a Judge sitting in the Appellate Division, whose determination is final. An appellant who wishes to dispute the determination of the Judge of first instance must, within 7 days after the service of the notice mentioned in Order 56A, Rule 7(3), inform the Legal Registry by filing a Request.

#### **85. Whether an appeal to the Court of Appeal is to be heard by a 2 or 3 Judge Court of Appeal**

(1) The time for an appellant to file the record of appeal, the Case and the core bundle of documents for hearing before ~~a~~ the Court of Appeal is 2 months ~~from~~ after the service of the notice referred to in Order 57, Rule 5(2) of the Rules of Court where the appeal is to be heard by a 3 ~~judge~~ Judge Court, and one month after the service of that notice where the appeal is to be heard by a 2 ~~judge~~ Judge Court.

(2) To resolve any confusion or uncertainty ~~as to~~ over the issue of whether an appeal is to be heard by a 2 or 3 Judge Court of Appeal, this issue will be determined by the Judge who heard

the matter at first instance.

(3) The Judge ~~at~~ of first instance will inform the Legal Registry of the Supreme Court of his decision on the ~~above-matter~~ issue mentioned in sub-paragraph (2), and the Legal Registry will inform the appellant in the notice ~~prescribed under~~ referred to in Order 57, Rule 5(2) of the time for filing of the record of appeal, the Appellant's Case and the core bundle of documents, in accordance with whether the matter will be heard by a 2 or 3 Judge Court of Appeal.

(4) If the Judge ~~at~~ of first instance does not determine the issue of whether the appeal should be heard before a 2 or 3 Judge Court of Appeal, or if the appellant should dispute the determination of the Judge of first instance, the matter will be referred to a ~~Judge of Appeal~~ **Judge sitting in the Court of Appeal**, whose determination is final. An appellant who wishes to dispute the determination of the Judge of first instance must, within 7 days ~~of~~ after the service of the notice ~~prescribed under~~ referred to in Order 57, Rule 5(2), inform the Legal Registry by filing a Request.

#### **85A. Whether an appeal to the Court of Appeal is to be heard by 5 or any greater uneven number of Judges**

Pursuant to section ~~30(1)~~ 50(1) of the Supreme Court of Judicature Act (Cap. 322) and notwithstanding any determination that may be made under paragraph 85(2) or (4) of these Practice Directions, the Court of Appeal may determine, as and when appropriate, whether to convene a panel of 5 or any greater uneven number of Judges. Such determination of the Court of Appeal will be final.

#### **85B. Leave of the Court of Appeal ~~or the Appellate Division~~ to receive further affidavits in relation to an application to strike out a notice of appeal**

(1) Under Order 57, Rule 16, a respondent may make an application to strike out a notice of appeal within the time frame provided in the Rule. The leave of the Court of Appeal to receive

any further affidavit pursuant to Order 57, Rule 16(13), may be sought by way of correspondence to the Court of Appeal, or an appointment before a ~~Judge of Appeal~~ **Judge sitting in the Court of Appeal** in a case management conference.

~~(2) Under Order 56A, Rule 17, a respondent may make an application to strike out a notice of appeal within the time frame provided in the Rule. The leave of the Appellate Division to receive any further affidavit pursuant to Order 56A, Rule 17(16), may be sought by way of correspondence to the Appellate Division, or an appointment before a Judge sitting in the Appellate Division in a case management conference.~~

**86. Quantum of security to be provided under Order 57, Rule 3(3) of the Rules of Court as in force immediately before 2 January 2021**

~~(1) Order 57, Rule 3(3) of the Rules of Court provides:~~

~~(3) The appellant must at the time of filing the notice of appeal provide security for the respondent's costs of the appeal in the sum of \$10,000 or such other sum as may be fixed from time to time by the Chief Justice by—~~

~~(a) depositing the sum in the Registry or with the Accountant General and obtaining a certificate in Form 115; or~~

~~(b) procuring an undertaking in Form 116 from his solicitor and filing a certificate in Form 117.~~

~~(1) Pursuant to rule 14 of the Rules of Court (Amendment No. 5) Rules 2020, Order 57, Rule 3(3) of the Rules of Court as in force immediately before 2 January 2021 and sub-paragraph~~

~~(2) continue to apply:~~

~~(a) to any appeal against a decision of the High Court that is brought to the Court of Appeal before 2 January 2021 and that continues, on or after that date, in the~~

Court of Appeal in accordance with section 31(3) of the Supreme Court of Judicature (Amendment) Act 2019 (the “Amendment Act”); and

(b) to any appeal against a decision of the High Court, where that decision is made before 2 January 2021 in the circumstances mentioned in section 31(4) of the Amendment Act and either of the following applies:

(i) leave is granted as mentioned in section 31(4)(c) of the Amendment Act to bring an appeal against that decision to the Court of Appeal;

(ii) leave to appeal to the Court of Appeal is sought from the Court of Appeal under section 34 of the Supreme Court of Judicature Act as in force immediately before 2 January 2021.

(2) The Honourable the Chief Justice has, in exercise of the powers conferred on him by Order 57, Rule 3(3) of the Rules of Court as in force immediately before 2 January 2021, fixed the sum to be provided by the appellant by way of security for the respondent’s costs of an appeal to the Court of Appeal mentioned in sub-paragraph (1)(a) or (b) at \$15,000 for appeals against interlocutory orders and \$20,000 for all other appeals.

**86A. Appeals Information Sheet for civil appeals to the Court of Appeal and civil appeals to the Appellate Division**

(1) The Chief Justice has directed that for civil appeals to the Court of Appeal and civil appeals to the Appellate Division, parties shall file in court and serve on every other party to the appeal or his solicitor an Appeals Information Sheet in Form 27 of Appendix A to these Practice Directions at the same time as their respective Cases under Order 56A, Rules 8 and 9 of the Rules of Court (for appeals to the Appellate Division) and Order 57, Rules 9 and 9A of the Rules of Court (for appeals to the Court of Appeal) are filed and served.

(2) Where appropriate, parties or their solicitors may be required to attend in person to take directions on the conduct of the appeal.

**87. Filing of records of appeal, core bundles and written Cases for civil appeals under Order 56A, Rules 8 and 9 and Order 57, Rules 9 and 9A of the Rules of Court**

(1) Under Order 56A, Rule 8(1) and Order 57, Rule 9(1) of the Rules of Court, the appellant is required to file the record of appeal (or in the case of a further appeal from the Appellate Division, the supplemental record of appeal), the Appellant's Case and the core bundle. Under Order 56A, Rule 9(2) and (3) and Order 57, Rule 9A(2) and (2A), the respondent has to file the Respondent's Case and the Respondent's supplemental core bundle (if any). Under Order 56A, Rule 9(7) and (9) and Order 57, Rule 9A(5A) and (5C), the appellant may file an Appellant's Reply and the Appellant's supplemental core bundle (if any). The record of appeal (and the supplemental record of appeal, if any), core bundle and supplemental core bundle are collectively referred to in this paragraph as "appeal bundles".

(2) For the purpose of complying with Order 56A, Rules 8 and 9 and Order 57, Rules 9 and 9A, the parties are required to file the following documents using the Electronic Filing Service in accordance with the specified time frames in Order 56A, Rules 8(1) and 9(2) and (7) and Order 57, Rules 9(1), and 9A(2) and 9A (5A).

(a) The appellant is required to file one copy of the following:

- (i) Form of the record of appeal in lieu of the record of appeal (except that in the case of a further appeal to the Court of Appeal from the Appellate Division, the appellant is to file the form of the supplemental record of appeal in lieu of the supplemental record of appeal);
- (ii) Form of the core bundle in lieu of the core bundle; and
- (iii) Appellant's Case.

(b) The respondent is required to file one copy of the following:

- (i) Respondent's Case; and



(ii) Form of the Respondent's supplemental core bundle (if any) in lieu of the supplemental core bundle.

(c) Where applicable, the appellant may also file one copy of the following:

(i) Appellant's Reply; and

(ii) Form of the Appellant's supplemental core bundle (if any) in lieu of the supplemental core bundle.

(3) The form of the record of appeal, **form of the supplemental record of appeal**, form of **the** core bundle and form of **the** supplemental core bundle (collectively referred to in this paragraph as “forms of appeal bundles”) filed pursuant to sub- paragraph (2) must be in accordance with Forms 12, **12A**, 13 and 14 of Appendix A of these Practice Directions. For the avoidance of doubt, the documents contained in the hard copies of the appeal bundles must coincide with the documents listed in the form of the appeal bundles.

(4) The attention of parties is also drawn to the Court fees payable under Order 90B read with Appendix B of the Rules of Court, and the importance of brevity and restraint in the compilation of core bundles.

(4A) The Chief Justice has further directed that the Appellant’s Case and the Respondent’s Case in civil matters before the Court of Appeal **and civil matters before the Appellate Division** shall not exceed 50 pages unless leave of the Court of Appeal **or the Appellate Division (as the case may be)** is obtained. The Appellant’s Reply, if any, shall not exceed 30 pages unless leave of the Court of Appeal **or the Appellate Division (as the case may be)** is obtained. The process for obtaining leave of the Court of Appeal **or the Appellate Division** may be found in paragraph 87A of these Practice Directions. Any Appellant’s Case, Respondent’s Case, and Appellant’s Reply in breach of this requirement will be rejected. The cover page and backing page shall be excluded from any computation of the number of pages. Parties are reminded to comply with **Order 56A, Rule 9 and Order 57, Rule 9A** of the Rules of Court **(as the case may be)** in respect

of the preparation of their Cases, and the Appellant's Reply, as well as the following requirements:

(a) all pages should be paginated, with the page numbers corresponding to the Portable Document Format version of the Case or the Appellant's Reply, as the case may be;

(b) the minimum font size to be used is Times New Roman 12 or its equivalent;

(c) the print of every page shall be double-spaced; and

(d) every page shall have a margin on all 4 sides, each of at least 35 mm in width.

(4B) Parties are to take note of the following when preparing their Cases:

(a) Parties should ensure that all documents which they refer to in their submissions (whether in their Cases or in the oral submissions) are contained in the core bundle or the supplemental core bundle. As a matter of practice, parties should not be making submissions based on documents contained solely in the record of appeal **or the supplemental record of appeal** unless they are responding to questions from the coram; and

(b) Any document referred to in a Case should be suitably described in such a manner as to allow the court to identify the nature of the document. Parties' attention is drawn to paragraph 89(5A) for illustrations of suitable descriptions.

(5) If a party wishes to rely on a document which does not exist in the electronic case file, he must file the document *together* with the respective forms of appeal bundles. Further, a table of contents must be included for these documents. These documents must be paginated consecutively at the centre top of the page and the solicitor must ensure that the pagination

takes into account the pages comprising the respective forms of appeal bundles and the table of contents for these additional documents. For example, if the form of the core bundle is 5 pages and the table of contents for the additional documents is 2 pages, the first page of the first document should be paginated as page 8.

(6) When the core bundles and supplemental core bundles are tendered at the Legal Registry of the Supreme Court pursuant to paragraph 88(1), the Legal Registry staff will state on the top right hand corner of the bundle the exact amount of Court fees payable under Order 90B. The parties should then pay the Court fees as indicated.

**87A. Request for leave to exceed page limit for Appellant’s Case, Respondent’s Case and Appellant’s Reply for civil appeals to the Court of Appeal and civil appeals to the Appellate Division**

(1) Parties shall apply for leave of the Court of Appeal or the Appellate Division (as the case may be) to exceed the page limit for the Appellant’s Case, the Respondent’s Case or the Appellant’s Reply by filing a Request in the Electronic Filing Service stating the reasons for requiring additional pages and the number of additional pages required.

(2) The application for leave to exceed the page limit for the Appellant’s Case or the Respondent’s Case shall be filed at least 14 days before the date the Appellant’s Case or the Respondent’s Case, as the case may be, is due to be filed. The application for leave to exceed the page limit for the Appellant’s Reply shall be filed at least 7 days before the date the Appellant’s Reply is due to be filed. Applications filed out of time will be rejected.

**88. Hard copies and soft copies for hearing of civil appeals before the Court of Appeal under Order 57 of the Rules of Court and civil appeals before the Appellate Division**

(1) In order to assist the Judges ~~of sitting in~~ the Court of Appeal or the Appellate Division, the appellant and the respondent are required to tender hard copies of the Appellant’s and Respondent’s Cases, the Appellant’s Reply (if any), core bundles of documents and

supplemental core bundles of documents (if any) to the Legal Registry of the Supreme Court at the same time when filing them within the prescribed time under **Order 56A, Rule 9** or Order 57, Rule 9A of the Rules of Court **(as the case may be)**. The following directions must be complied with:

(a) Where the appeal is to be heard by a 3-~~judge~~ **Judge** Court, 4 hard copies of the Cases and the Appellant's Reply (if any), the core bundles and supplemental core bundles of documents (if any) shall be tendered.

(b) Where the appeal is to be heard by a 2-~~judge~~ **Judge** Court, 3 hard copies of the Cases and the Appellant's Reply (if any), the core bundles and supplemental core bundles of documents (if any) shall be tendered.

(2) The directions set out in paragraph 89 apply in relation to the preparation of the appeal bundles in hard copy, which may be printed on one side or both sides of each page.

(3) In addition to the hard copies, the appellant and respondent are required to tender soft copies of the following documents in Portable Document Format (PDF) at the same time in a CD-ROM:

(a) Appellant's and Respondent's Cases;

(b) the Appellant's Reply;

(c) Core bundles of documents and supplemental core bundles of documents;

(d) Record of appeal **(or, in the case of a further appeal from the Appellate Division, the supplemental record of appeal)**; and

(e) Bundles of authorities.

(4) The files in the CD-ROM should be named in accordance with the following format:

<party> - <document title>

For example -

1st Appellant – Appellant’s Case

1st Appellant – Appellant’s Reply

1st Appellant – Bundle of Authorities Vol 1

1st Appellant – Bundle of Authorities Vol 2

1st Appellant – Record of Appeal Vol 1

1st Appellant – Record of Appeal Vol 2

(5) The CD-ROM shall be clearly labelled with the case number and title of the proceedings.

If there is more than one CD-ROM, the CD-ROMs shall be numbered sequentially.

## **89. Preparation of appeal records in civil appeals to the Court of Appeal and civil appeals to the Appellate Division**

### *Arrangement*

(1) This sub-paragraph sets out the manner of arranging appeal records.

(a) To facilitate cross-referencing, ~~appeal records~~ the record of appeal shall be arranged in the following separate volumes:

(i) **Volume I** – Judgment or grounds of decision and the engrossed order of Court of judgment appealed from.

(ii) **Volume II** – Notice of appeal, certificate of security for costs and pleadings (to include all originating processes).

(iii) **Volume III** – Affidavits (in chronological order), and transcripts or notes of evidence and arguments.

(iv) **Volume IV** – All such exhibits and documents as they were tendered in the Court below, but which did not form an exhibit to any affidavit.

(v) **Volume V** – The Agreed Bundle (if any) in its original physical form as it was tendered in the Court below.

(b) Where there are no exhibits or documents referred to in sub-paragraph (1)(a)(iv) above, Volume IV need not be produced, and Volume V shall be renumbered as Volume IV.

(ba) To facilitate cross-referencing, any supplemental record of appeal shall be arranged in the following manner in one volume:

(i) the notice of appeal to the Court of Appeal;

(ii) the certificate of payment of security for costs in respect of the appeal to the Court of Appeal;

(iii) the record of proceedings before the Appellate Division mentioned in Order 57, Rule 5(3);

(iv) the order granting leave to appeal to the Court of Appeal; and

(v) the Cases filed under Order 56A, Rule 9.

(c) If any volume should exceed 300 pages, then that volume shall be sub-divided, at a convenient page, into sub-volumes designated as part thereof, for example, Volume III Part A, Volume III Part B and so on. Conversely, if any of the volumes (with the exception of Volumes I and II which shall remain as separate volumes) should be less

than 100 pages each, these may be amalgamated into combined volumes, each not exceeding 300 pages, and renumbered accordingly.

(d) The following additional directions shall apply to the form of the record of appeal:

(i) The documents in Volumes I, II, and III shall be arranged strictly in the order stated in sub-paragraph (1)(a) above.

(ii) The **documentary** exhibits in Volume IV shall be arranged in the most convenient way for the use of the Court, as the circumstances of the case require. The documents shall, as far as suitable, be arranged in chronological order, mixing plaintiff's and defendant's documents together when necessary (for example, in a series of correspondence). If proceedings in a suit other than the one under appeal appear as exhibits, then these shall be kept together. However, the documents from each suit shall be arranged in the chronological order of the suits.

(iii) Each document in Volume IV shall show its exhibit mark and whether it is the plaintiff's or the defendant's document, unless this is clear from the mark.

...

***Core bundles – Order 56A, Rule 8(3) and Order 57, Rule 9(2A)***

(5) The documents to be included in the core bundle are stipulated in **Order 56A, Rule 8(3) and Order 57, Rule 9(2A)**. The contents of the core bundle shall be arranged in the following separate volumes:

(a) **Volume I** – a copy of the grounds of the judgment or order, the judgment or order

appealed from and an index of the documents included therein.

(b) **Volume II** – all other documents referred to in **Order 56A, Rule 8(3) or Order 57, Rule 9(2A) (as the case may be)**, and an index of the documents included therein.

Each volume of the core bundle shall begin at page 1, every page shall be numbered and the page number of the core bundle shall correspond to the page number of the PDF version.

...

***Superfluous, irrelevant or duplicative documents***

(7) With regard to the inclusion of documents, the solicitor's attention is drawn to the provisions of **Order 56A, Rule 8(2), (3) and (4) and Order 57, ~~Rules~~ Rule 9(2), (2A) and (3)** as well as **Order 56A, Rule 9(3) and (9) and Order 57, ~~Rules~~ Rule 9A(2A) and (5C)**. Only documents which are relevant to the subject matter of the appeal, or, in the case of core bundles and supplemental core bundles, will be referred to in the Cases, shall be included in the appeal records.

(8) Parties are reminded not to exhibit duplicate documents in their supplemental core bundle if such documents are already included in a core bundle or supplemental core bundle that has been filed earlier. Documents shall not appear more than once in the records, even if exhibited to different affidavits.

(9) The Court of Appeal **or the Appellate Division (as the case may be)** will have no hesitation in making a special order for costs in cases in which it is of the opinion that costs have been wasted by the inclusion of superfluous, irrelevant or duplicative documents.



**89A. Bundle of documents filed with leave of the Court of Appeal or the Appellate Division**

(1) Where leave is granted by the Court of Appeal or the Appellate Division for the filing of any bundle of documents under Order 57, Rule 9A(23) or Order 56A, Rule 9(22) (as the case may be), the party shall file the bundle of documents by tendering the requisite hard copies of the bundle of documents to the Legal Registry of the Supreme Court in accordance with paragraph 88(1) of these Practice Directions.

(2) In addition to hard copies, the party filing the bundle of documents is required to tender soft copies of the bundle of documents in Portable Document Format (PDF) at the same time in a CD-ROM in accordance with paragraphs 88(4) and (5) of these Practice Directions.

(3) When the bundle of documents is tendered at the Legal Registry of the Supreme Court pursuant to this paragraph, the Legal Registry staff will state on the top right hand corner of the bundle the exact amount of Court fees payable under Order 90B. The parties should then pay the Court fees as indicated.

(4) The directions set out in paragraph 89 of these Practice Directions in relation to the preparation of the bundles shall, with the necessary modifications, apply to the bundle of documents.

**89B. Inclusion in appeal bundles of documents ordered to be sealed or redacted**

(1) This paragraph applies only where certain documents tendered before the court below have been ordered to be sealed or redacted.

(2) Counsel should carefully consider whether it is necessary to include in the record of appeal (or, in the case of a further appeal from the Appellate Division, the supplemental record of

**appeal**), core bundle or supplemental core bundle (collectively known as “appeal bundles”) any document that has been ordered to be sealed or redacted, having regard to paragraph 89(7) of these Practice Directions.

...

(7) For the avoidance of doubt, documents that have been ordered to be expunged should not in any event be tendered to the Court of Appeal **or the Appellate Division** in any form.

**90. Skeletal arguments for appeals and matters before the ~~High Court~~ General Division, Appellate Division, Court of Appeal and Court of 3 Judges**

(1) For the avoidance of doubt, this paragraph applies to:

(a) civil and criminal appeals in the ~~High Court~~ General Division, excluding appeals from the Registrar to a Judge in Chambers;

**(aa) civil appeals and any other civil matters, before the Appellate Division;**

(b) civil appeals and any other civil matters, before the Court of Appeal; and

(c) criminal appeals and other criminal matters before the Court of Appeal.

(2) The term “skeletal arguments” includes “skeletal submissions”, “written submissions”, “written arguments” and all other variant terms by which such documents are known.

(3) Counsel should submit skeletal arguments for the hearing of the appeal or matter and give a copy to counsel for the other parties. Hard copies of skeletal arguments may be printed on one side or both sides of each page.

(4) Skeletal arguments are abbreviated notes of the arguments that will be presented. Skeletal arguments are not formal documents and do not bind parties. They are a valuable tool to the

Judges and are meant to expedite the hearing of the appeal. These notes should comply with the following requirements:

- (a) they should contain a numbered list of the points proposed to be argued, stated in no more than one or 2 sentences;
- (b) each listed point should be accompanied by a full reference to the material to which counsel will be referring, i.e., the relevant pages or passages in authorities, the record of appeal (**or the supplemental record of appeal**), the bundles of documents, affidavits, transcripts and the judgment under appeal;
- (c) all pages should be paginated, with the first page (not including any cover page) numbered as “Page 1”;
- (d) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (e) the print of every page shall be double-spaced; and
- (f) every page shall have a margin on all 4 sides, each of at least 35mm in width.

***Skeletal arguments for civil matters before the Court of Appeal and civil matters before the Appellate Division***

(5) The need for parties to avoid prolixity in their “skeletal arguments” is emphasised. All skeletal arguments in civil matters before the Court of Appeal, **and civil matters before the Appellate Division**, shall not exceed 20 pages. Any skeletal arguments in breach of this requirement will be rejected. The cover page and backing page shall be excluded from any computation of the number of pages.

(6) Where the appeal or matter is before the Court of Appeal **or the Appellate Division**, the

skeletal arguments must be filed by 4 p.m. on the Monday three weeks before the start of **the sitting period of the Court of Appeal ~~sitting period~~ or the Appellate Division (as the case may be)** within which that appeal or matter is scheduled for hearing, regardless of the actual day (within that sitting period) on which that appeal or matter is scheduled for hearing before the Court of Appeal **or the Appellate Division**. (For example, if the sitting period **of the Court of Appeal** starts on Monday, 18 February 2019 and ends on Friday, 8 March 2019, all skeletal arguments for appeals or matters listed before the Court of Appeal in that sitting period must be filed by 4 p.m. on Monday, 28 January 2019.) The skeletal arguments should be filed by tendering 4 hard copies to the Legal Registry of the Supreme Court and filing one soft copy through the Electronic Filing Service. Skeletal arguments filed in breach of this timeline will be rejected.

(7) As with other non-compliance with timelines, costs may be imposed against the party in default or his counsel personally in the event of non-compliance with sub-paragraph (6) above. Unless approval for late filing has been granted, the party in default may not file or tender these skeletal arguments in Court.

(8) Parties whose skeletal arguments have been rejected for filing may re-file their skeletal arguments, provided they comply with sub-paragraphs (4) to (7) above.

***Further skeletal arguments for civil and criminal matters before the Court of Appeal and civil matters before the Appellate Division***

(8A) Where the Court of Appeal orders further skeletal arguments (including any submissions on costs) to be filed for any civil or criminal matter, such skeletal arguments shall not exceed 10 pages unless otherwise directed by the Court of Appeal. **Where the Appellate Division orders further skeletal arguments (including any submissions on costs) to be filed for any civil matter, such skeletal arguments shall not exceed 10 pages unless otherwise directed by the**

**Appellate Division.** Any skeletal arguments filed in breach of ~~this~~ any requirement in this sub-paragraph will be rejected. The cover page and backing page shall be excluded from any computation of the number of pages.

***Timelines for submission of skeletal arguments for appeal before the ~~High-Court~~ General Division***

(9) Where the appeal is a civil appeal before the ~~High-Court~~ General Division, the skeletal arguments should be sent to the Legal Registry at least 2 working days before the hearing of the appeal.

(10) Where the appeal is a criminal appeal before the ~~High-Court~~ General Division, the skeletal arguments should be sent to the Legal Registry at least 10 days before the hearing of the appeal. Skeletal arguments filed in breach of this timeline will be stamped “Late Submission”.

***Application of this paragraph to Court of 3 Judges***

(11) Sub-paragraphs (1) to (8A) also apply to disciplinary proceedings, or appeals therefrom, brought under any statute, including the Legal Profession Act (Cap. 161) and the Medical Registration Act (Cap. 174), which are heard by a Court of 3 Judges.

**90A. Applications in civil matters before the Court of Appeal and civil matters before the Appellate Division**

(1) Unless otherwise provided by any written law or otherwise directed, reply affidavits (if any) for applications in civil matters before the Court of Appeal and civil matters before the Appellate Division are to be filed and served within 7 days after the date the application and the affidavit in support of the application (if any) are served on the party.

(2) No further affidavits shall be filed without the leave of the Court of Appeal or the Appellate

Division (as the case may be).

(3) Unless otherwise provided by any written law or unless otherwise directed, parties are to file and serve **written** submissions (if any) in respect of the application before the Court of Appeal **or the Appellate Division (as the case may be)** within 7 days after the date the reply affidavit is due for filing and service.

(4) The **written** submissions should comply with the following requirements:

- (a) they should not exceed 20 pages, excluding the cover page and the backing page;
- (b) all pages should be paginated, with the first page (not including any cover page) **number numbered** as “Page 1”;
- (c) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (d) the print of every page shall be double-spaced; and
- (e) every page shall have a margin on all 4 sides, each of at least 35mm in width.

(5) If no affidavits or submissions are filed by the timelines prescribed by this paragraph, the Court of Appeal **or the Appellate Division (as the case may be)** will proceed on the basis that the party does not intend to file any affidavit or submissions and may, in accordance with **s 34A(1) section 55(1)(a) or section 37(1)(a)** of the Supreme Court of Judicature Act **(as the case may be)**, decide the matter based on the documents before it without hearing oral arguments.

#### **90B. Applications to the Court of Appeal, and applications to the Appellate Division, for leave to appeal in civil matters**

(1) Any written submissions in respect of:

- (a) an application to the Court of Appeal under Order 57, Rule 2A of the Rules of Court for leave to appeal against a decision of the General Division; and
- (b) an application to the Appellate Division under Order 56A, Rule 3 of the Rules of Court for leave to appeal against a decision of the General Division,

shall be in Form 31A or 31B of Appendix A of these Practice Directions.

(2) Any written submissions in respect of an application to the Court of Appeal under Order 57, Rule 2A of the Rules of Court for leave to appeal against a decision of the Appellate Division shall be in Form 32A or 32B of Appendix A of these Practice Directions.

(3) The written submissions mentioned in sub-paragraphs (1) and (2) should comply with the following requirements:

(a) they should not exceed 12 pages, excluding the cover page and the backing page;

(b) all pages should be paginated, with the first page (not including any cover page) numbered as “Page 1”;

(c) the minimum font size to be used is Times New Roman 12 or its equivalent;

(d) the print of every page shall be double-spaced; and

(e) every page shall have a margin on all 4 sides, each of at least 35mm in width.

(4) If no written submissions are filed in the Court of Appeal or the Appellate Division by the timelines prescribed by Order 57, Rule 2A or Order 56A, Rule 3 of the Rules of Court (as the case may be), the Court of Appeal or the Appellate Division (as the case may be) will proceed on the basis that the party does not intend to file any written submissions and may, in accordance with section 55(1)(a) or section 37(1)(a) of the Supreme Court of Judicature Act (as the case may be), decide the matter based on the documents before it without hearing oral arguments.

(5) This paragraph does not apply to any application for leave to appeal against a decision of

the General Division made before 2 January 2021 against which no appeal was brought before 2 January 2021, in a case where leave of the Court of Appeal was required to bring an appeal to the Court of Appeal under section 34(2), (2A) or (4) of the Supreme Court of Judicature Act as in force immediately before 2 January 2021. For any such application for leave to appeal, paragraph 90A sets out the directions for the filing of affidavits and written submissions.

**91. Use of presentation slides for all proceedings before the ~~High Court~~ General Division, Appellate Division, Court of Appeal and Court of 3 Judges**

Subject to approval by the Court, parties may utilise presentation slides to assist in oral submissions before the Court. Presentation slides may be projected in the courtroom or hearing chambers when oral submissions are made. Presentation slides shall comply with the following standards:

***Typeface***

(1) A clear typeface such as Arial or Times New Roman should be used; care should be taken to ensure that the font used is of at least a size equivalent to Arial font size 32. Bold and italicised fonts should be used sparingly.

***Colours***

(2) There should be sufficient contrast between the slide background and text: it is preferable to use black or dark fonts with a light background. The colours used in slide backgrounds should be muted and preferably monochromatic.

***Animation and sounds***

(3) Animation of slides or elements within a slide should be avoided; similarly, sounds should not be incorporated in the presentation slides unless they are necessary.



### *Corporate logos*

(4) Corporate logos of the law practice may be displayed on the presentation slides. Care should be taken to ensure that the size and location of corporate logos do not distract from the substance of the presentation slides.

### **92. Further arguments before the Court of Appeal **and the Appellate Division****

(1) From time to time, requests are received for further arguments to be presented before the Court of Appeal **or the Appellate Division** after the conclusion of the hearing of the appeal. Such requests should not be made as all relevant arguments should have been presented at the hearing proper.

(2) The Honourable the Chief Justice has therefore directed that as a general rule, unless asked for by the Court of Appeal **or the Appellate Division** itself, the Court of Appeal **and the Appellate Division** will not receive further arguments after the conclusion of the hearing of the appeal.

(3) The general rule will be relaxed in only very exceptional circumstances, e.g., if an authority not available at the hearing would be decisive. Counsel seeking to submit further arguments should therefore satisfy themselves that very exceptional circumstances exist. If they are of the view that such circumstances do exist, they must also seek the consent of the other parties to their request.

(4) All requests for further arguments shall be made by filing a Request through the Electronic Filing Service and should:

(a) state the party making the requests;

(b) identify the Judges constituting the Court of Appeal **or the Appellate Division** who

heard the matter in question;

(c) specify when the order concerned was made;

(d) state the very exceptional reasons which justify the request;

(e) state whether the other parties consent to the request;

(f) set out the proposed further arguments briefly, together with any authorities; and

(g) include a copy of each of the authorities cited.

(5) Any request for further arguments must be received by the Registrar within one week after the conclusion of the hearing of the appeal, failing which it cannot be considered and will be rejected.

(6) A copy of the request should be furnished to all parties concerned.

(7) All requests should be addressed to the Registrar.

## **Part XII: Taxation Matters and Costs**

### **99A. Costs Scheduling**

(1) The directions contained in this paragraph shall apply to:

(a) trials in open court for all writ actions and originating summonses ordered to be continued as if the cause or matter had been begun by writ;

(b) originating summonses involving cross-examination of any deponent; and

(c) civil appeals before the Court of Appeal **and civil appeals before the Appellate Division.**

(2) Each party to the proceedings described in sub-paragraph (1) shall be required to file a costs schedule using Form 18A in Appendix A of these Practice Directions. The costs schedule should set out with sufficient particularity the quantum of party-and-party costs and disbursements that the party intends to claim in the event that the party succeeds. A specimen form illustrating the use of Form 18A can be found in Appendix F of these Practice Directions.

(3) The relevant costs schedule will be taken into account for the purposes of assessing the quantum of costs to be awarded for the proceedings.

(4) The costs schedule for the proceedings described in sub-paragraphs (1)(a) and (b) shall be filed together with the parties' written closing submissions or, where there are no written closing submissions, before the parties' oral closing submissions are presented.

(5) The costs schedule for the proceedings described in sub-paragraph 1(c) shall be filed together with the parties' skeletal arguments.

### **Part XIII: Electronic Filing and Service**

#### **104. Documents which must be filed, served, delivered or otherwise conveyed using the Electronic Filing Service**

(1) Pursuant to Order 63A, Rules 1 and 8 of the Rules of Court, the Registrar hereby specifies that all documents to be filed with, served on, delivered or otherwise conveyed to the Registrar in all proceedings other than criminal proceedings (which are governed by Part XIV of these Practice Directions and the Criminal Procedure Code (Electronic Filing and Service) Regulations), subject to the exceptions which appear later in this paragraph, must be so filed, served, delivered or otherwise conveyed using the Electronic Filing Service.

...

(4) In respect of appeals under Order 55D, it shall not be necessary to file, serve, deliver or convey any document at the ~~High Court~~ **General Division** using Electronic Filing Service if its filing, service, delivery or conveyance is not required under Order 55D.

## **Part XIV: Electronic Filing and Service for Criminal Proceedings**

### **116. Application**

(1) The directions contained in this Part shall apply to the filing, service, delivery and conveyance of documents in criminal proceedings commenced in the High Court ~~and on or after 10 January 2005 but before 2 January 2021 or in the General Division on or after 2 January 2021, and criminal proceedings commenced in~~ the Court of Appeal on or after 10 January 2005.

(2) The attention of solicitors is drawn to the Criminal Procedure Code (Electronic Filing and Service **for Supreme Court**) Regulations 2012, which shall have effect in relation to any document that is required to be filed with, served on, delivered or otherwise conveyed to the Supreme Court or any party to any criminal matter that is to be heard in the Supreme Court under the Criminal Procedure Code (Cap 68).

(3) In addition, the following paragraphs of these Practice Directions shall apply, *mutatis mutandis*, to specified documents filed under this Part:

(a) 12(8);

(b) 27;

(c) 31(6);

- (d) 34(3)(b) and (c);
  - (e) 35(2) to (6);
  - (f) 57, save for sub-paragraph (4)(e);
  - (g) 106;
  - (h) 107;
  - (i) 108, save for the provisions relating to fees;
  - (j) 109;
  - (k) 110;
  - (l) 111;
  - (m) 112, save for the provision relating to fees;
- and
- (n) 112.

### **117. Hard copies of documents**

(1) The provisions of this paragraph are without prejudice to the provisions of the Criminal Procedure Code (Electronic Filing and Service **for Supreme Court**) Regulations 2012.

(2) Counsel in magistrate's appeals, criminal revisions, criminal motions, show cause proceedings and special case hearings before the **High-Court General Division** should ensure that 2 hard copies each of any skeletal arguments and/or bundles of authorities are tendered to the Legal Registry of the Supreme Court.

(3) Counsel in criminal appeals, criminal motions and criminal references before the Court of Appeal should ensure that 4 hard copies of any skeletal arguments are tendered to the Legal Registry.

(4) For the avoidance of doubt, it shall not be necessary for bundles of authorities to be filed electronically.

### **118. Timelines for filing**

(1) Skeletal arguments that are to be electronically filed must be filed and served in accordance with the following timelines:

(a) in a case where the matter is before the ~~High Court~~ **General Division**, at least 10 days before the hearing; and

(b) in a case where the matter is before the Court of Appeal, by 4 p.m. on the Monday three weeks before the start of the Court of Appeal sitting period within which that matter is scheduled for hearing, regardless of the actual day (within that sitting period) on which that matter is scheduled for hearing before the Court of Appeal. (For example, if the sitting period starts on Monday, 18 February 2019 and ends on Friday, 8 March 2019, all skeletal arguments for matters listed before the Court of Appeal in that sitting period must be filed by 4 p.m. on Monday, 28 January 2019.)

...

## **Part XIX: Matrimonial Proceedings and Matters Relating To The Guardianship of Infants**

### **138. Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings**

(1) The Honourable the Chief Justice has made the following orders under section 28A of the Supreme Court of Judicature Act (Cap. 322):

(a) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 1996, which came into operation on 1 April 1996 (“the 1996 Transfer Order”);

(b) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2003, which came into operation on 15 December 2003 (“the 2003 Transfer Order”);

(c) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2005, which came into operation on 1 April 2006 (“the 2005 Transfer Order”); and

(d) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2007, which came into operation on 1 January 2008 (“the 2007 Transfer Order”).

(2) To improve efficiency in the administration of justice and to provide for speedier disposal of proceedings commenced in the High Court **before 1 October 2014**, pursuant to the 1996 Transfer Order, **the 2003 Transfer Order, the 2005 Transfer Order and the 2007 Transfer Order**:

(a) all proceedings under section 59 and Part X of the Women’s Charter (Cap. 353) and the Guardianship of Infants Act (Cap. 122) (referred to in this Part as “family proceedings”), commenced in the High Court on or after 1 April 1996 **but before 1 October 2014**, shall be transferred to and be heard and determined by a District Court;

and

(b) all family proceedings commenced before 1 April 1996 as well as any proceedings ancillary thereto shall continue to be heard and determined by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021.**

(3) The transfer of family proceedings to the District Court can result in the District Court hearing family proceedings in which the value of the matrimonial assets concerned far exceeds the normal civil jurisdictional limit of the District Court. Further, to encourage the growth of family law jurisprudence, the 2003 Transfer Order and the 2005 Transfer Order provide that proceedings under Part X of the Women's Charter, in which there is a contested application for the division of matrimonial assets asserted by any party to the proceedings to be worth a gross value of \$1.5 million or more, shall be transferred from the District Court to the High Court to be heard and determined. This "transfer back" to the High Court based on the gross value of assets applied to proceedings under Part X of the Women's Charter commenced on or after 15 December 2003 **but before 1 January 2008.**

(4) There can however be cases where the actual net value of the assets available for matrimonial distribution is in fact much lower than \$1.5 million, because of existing liabilities such as an outstanding mortgage loan on the matrimonial property. In order to ensure that the High Court's resources are utilised to deal only with those cases where the actual value of the matrimonial assets available for distribution is sufficiently high, the 2007 Transfer Order provides that the net value instead of the gross value shall be used to determine whether the proceedings should be transferred from the District Court to the High Court.

(5) The new jurisdictional threshold based on net value takes effect from 1 January 2008 and



applies to proceedings under Part X of the Women’s Charter commenced on or after 15 December 2003 **but before 1 October 2014**. However, proceedings under Part X of the Women’s Charter which have already been transferred to the High Court based on the gross value threshold, pursuant to the 2003 Transfer Order or the 2005 Transfer Order, will not be affected and will remain in the High Court **before 2 January 2021 or the General Division on or after 2 January 2021**.

(6) Practitioners should pay particular attention to the requirement of leave to appeal in the relevant provisions of the 2007 Transfer Order.

(7) Practitioners are responsible for identifying the correct Transfer Order applicable to their case.

(8) Pursuant to the Family Justice Act 2014 (Act No. 27 of 2014), with effect from 1 October 2014, family proceedings shall be heard and determined by the Family Justice Courts. Notwithstanding this, any family proceedings commenced in or transferred to the High Court before 1 October 2014 shall, on and after that date, be continued in and dealt with by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021**.

### **139. Transfer of Section 17A(2) Supreme Court of Judicature Act Proceedings**

(1) In relation to proceedings which may be heard and determined by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021** pursuant to section 17A(2) of the Supreme Court of Judicature Act (referred to in this Part as “section 17A(2) proceedings”), the Honourable the Chief Justice has made the following orders under section 28A of the Supreme Court of Judicature Act:

(a) The Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 1999, which came into operation on 1 August 1999 (“the 1999 Transfer Order”);

(b) The Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 2004, which came into operation on 1 November 2004 (“the 2004 Transfer Order”); and

(c) The Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 2007, which came into operation on 1 January 2008 (“the 2007 Transfer Order for section 17A(2) proceedings”).

(2) To improve efficiency in the administration of justice and to provide for more speedy disposal of proceedings commenced in the High Court **before 1 October 2014**, pursuant to the 1999 Transfer Order, **the 2004 Transfer Order and the 2007 Transfer Order**, all section 17A(2) proceedings shall be transferred to and be heard and determined by a District Court.

(3) The transfer of section 17A(2) proceedings to the District Court can result in the District Court hearing section 17A(2) proceedings in which the value of the matrimonial assets concerned far exceeds the normal civil jurisdictional limit of the District Court. Further, to encourage the growth of family law jurisprudence, the 2004 Transfer Order provides that section 17A(2) proceedings, in which there is a contested application for the division of matrimonial assets asserted by any party to the proceedings to be worth a gross value of \$1.5 million or more, shall be transferred from the District Court to the **High Court** to be heard and determined. This “transfer back” to the **High Court** based on the gross value of assets applied to section 17A(2) proceedings commenced on or after 1 November 2004 **but before 1 January 2008**.

(4) There can however be cases where the actual *net* value of the assets available for matrimonial distribution is in fact much lower than \$1.5 million, because of existing liabilities such as an outstanding mortgage loan on the matrimonial property. In order to ensure that the **High Court**'s resources are utilised to deal only with those cases where the actual value of the matrimonial assets available for distribution is sufficiently high, the 2007 Transfer Order for section 17A(2) proceedings provides that the net value instead of the *gross* value shall be used to determine whether the proceedings should be transferred from the District Court to the **High Court**.

(5) The new jurisdictional threshold based on net value takes effect from 1 January 2008 and applies to section 17A(2) proceedings commenced on or after 1 November 2004 **but before 1 October 2014**. However, section 17A(2) proceedings which have already been transferred to the **High Court** based on the gross value threshold, pursuant to the 2004 Transfer Order, will not be affected and will remain in the High Court **before 2 January 2021 or the General Division on or after 2 January 2021**.

(6) Practitioners should pay particular attention to the requirement of leave to appeal in the relevant provisions of the 2007 Transfer Order for section 17A(2) proceedings.

(7) Practitioners are responsible for identifying the correct Transfer Order applicable to their case.

(8) Pursuant to the Family Justice Act 2014, with effect from 1 October 2014, section 17A(2) proceedings shall be heard and determined by the Family Justice Courts. Notwithstanding this, any section 17A(2) proceedings commenced in or transferred to the **High Court** before 1 October 2014 shall, on and after that date, be continued in and dealt with by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021**.

#### **140. Documents to be filed at the Legal Registry of the Supreme Court**

(1) All documents relating to family proceedings and section 17A(2) proceedings which are to be heard and determined by the High Court **before 2 January 2021, or the General Division on or after 2 January 2021**, shall be filed at the Legal Registry of the Supreme Court. These include:

- (a) all originating processes to commence family proceedings before 1 April 1996;
- (b) all subsequent applications and documents in or ancillary to family proceedings commenced before 1 April 1996;
- (c) all applications and documents in or ancillary to family proceedings commenced on or after 15 December 2003 **but before 1 October 2014** involving the division of matrimonial assets with a net value of \$1.5 million or more, which have been transferred to the High Court upon the direction of the Registrar of the State Courts;
- (d) all applications and documents in or ancillary to section 17A(2) proceedings commenced on or after 1 November 2004 **but before 1 October 2014** involving the division of matrimonial assets with a net value of \$1.5 million or more, which have been transferred to the High Court upon the direction of the Registrar of the State Courts; and
- (e) all applications and documents to vary any Order of the High Court **or the General Division (as the case may be)** in the proceedings referred to in sub-paragraphs (1)(a) to (d).

(2) Save for the documents listed in sub-paragraph (1), the Legal Registry will cease to accept the filing of the processes in relation to family proceedings with effect from 1 April 1996. ~~These processes shall be filed at the sub-registry of the Supreme Court at the Family and Juvenile Court.~~

(3) For the avoidance of doubt, all documents relating to family proceedings that are filed at the Legal Registry shall bear the title “In the High Court of the Republic of Singapore” ~~if they are filed before 2 January 2021~~ or “In the General Division of the High Court of the Republic of Singapore” ~~if they are filed on or after 2 January 2021~~.

**142. Appeals on ancillary matters in Divorce Proceedings, Custody Matters or Section 17A(2) Supreme Court of Judicature Act Proceedings ~~from the Family Court to the High Court~~ filed before 1 October 2014**

(1) Appeals against final orders made by the District Judge in chambers on ancillary matters in divorce proceedings under the Women’s Charter (Cap. 353), custody proceedings under the Guardianship of Infants Act (Cap. 122), or section 17A(2) proceedings, which are filed before 1 October 2014, shall be heard and determined by the High Court ~~before 2 January 2021 or the General Division on or after 2 January 2021~~, and are governed by Order 55C of the Rules of Court. In practice, the District Judges furnish grounds of decision within 8 weeks of the filing of the notice of appeal although the furnishing of grounds of decision is not a requirement under the Rules of Court.

(2) To facilitate the conduct of appeal hearings before the Judge ~~of the High Court~~ in Chambers, parties are required to file the following documents prior to the appeal hearing:

- (a) the appellant shall, within one week from the date of the release of the grounds of decision, file his submission, the record of appeal, and where the record of appeal

exceeds 1000 pages, a core bundle, and serve a copy thereof on every respondent to the appeal or his solicitor; and

(b) the respondent shall, within one week from the date of the service of the documents referred to in sub-paragraph (2)(a), file his submission and a supplemental core bundle, where necessary, and serve a copy thereof on the appellant or his solicitor.

(3) The submissions to be filed by parties shall set out as concisely as possible:

(a) the circumstances out of which the appeal arises;

(b) the issues arising in the appeal;

(c) the contentions to be urged by the party filing it and the authorities in support thereof; and

(d) the reasons for or against the appeal, as the case may be.

(4) The parties shall file together with their submissions a bundle of authorities relied on by the Court below as well as other authorities to be relied on at the hearing of the appeal and serve such bundle of authorities on the other party.

(5) The record of appeal shall consist of:

(a) the notice of appeal;

(b) the certified copy of the grounds of decision;

(c) the certified copy of the notes of evidence;

(d) the originating process and all subsequent pleadings;

(e) the affidavits filed or referred to by parties for the hearing and any other

documents, so far as relevant to the matter decided and the nature of the appeal; and

(f) the judgment or order appealed from.

(6) The core bundle shall contain a copy of:

(a) the grounds of decision;

(b) the judgment or order appealed from;

(c) the documents, including notes of evidence, pleadings and affidavits or portions thereof that are of particular relevance to any question in the appeal or that will be referred to at the appeal; and

(d) an index of the documents included therein, which shall cross-refer each document to its location in the record of appeal.

(7) If the respondent intends to refer to documents at the appeal that are not included in the core bundle filed by the appellant, the respondent shall file a supplemental core bundle that contains a copy of the documents, together with an index of the documents which shall cross-refer each document to its location in the record of appeal.

(8) The core bundle filed by the appellant shall not exceed 100 pages and the supplemental core bundle filed by the respondent shall not exceed 50 pages. In computing the number of pages, the copy of the order appealed from, the grounds of decision and the index of documents shall be excluded. The Judge ~~of the High Court~~ hearing the appeal may take into consideration any failure to comply with this direction in deciding the costs to be awarded at the hearing of the appeal.

(9) The submissions, the record of appeal, the core bundle and the respondent's core bundle

shall be filed at the Registry of the State Courts.

(10) In order to assist the Judge hearing the appeal, the appellant and the respondent are to tender one hard copy of the record of appeal, submissions and the core bundle, where applicable, as well as any bundle of authorities to be relied upon to the Legal Registry of the Supreme Court not less than 5 working days before the hearing of the appeal.

## **Part XXI: Applications Under The Mental Capacity Act**

### **147. Transfer of mental capacity proceedings to District Court**

(1) The Supreme Court of Judicature (Transfer of Mental Capacity Proceedings to District Court) Order 2010, made under section 28A of the Supreme Court of Judicature Act (Cap. 322), came into operation on 1 March 2010 (“the Transfer Order”).

(2) Pursuant to the Transfer Order –

(a) any proceedings under the Mental Capacity Act ~~2008~~(Cap. 177A) (referred to in this Part as “the MCA”) commenced in the High Court on or after 1 March 2010 **but before 1 October 2014** shall be transferred to and be heard and determined by a District Court; and

(b) any application under the MCA made, on or after 1 March 2010, in relation to any proceedings commenced in the High Court before that date under Part I of the Mental Disorders and Treatment Act (Cap. 178) (referred to in this Part as “the MDTA”) in force before that date, shall be heard and determined by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021**.

(3) Pursuant to the Family Justice Act 2014, with effect from 1 October 2014, proceedings under the MCA shall be heard and determined by the Family Justice Courts. Notwithstanding this, any proceedings under the MCA commenced in the High Court before 1 October 2014



shall, on and after that date, be continued in and dealt with by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021**.

**148. Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building**

(1) All documents relating to mental capacity proceedings which are to be heard and determined by the High Court **before 2 January 2021 or the General Division on or after 2 January 2021** shall be filed at the Legal Registry of the Supreme Court at the Supreme Court Building. These include:

(a) all applications and documents to vary any Order of the High Court **or the General Division (as the case may be)** in proceedings under the MDTA commenced before 1 March 2010;

(b) all documents in or ancillary to any application under the MCA made, on or after 1 March 2010, in relation to any proceedings commenced in the High Court before that date under Part 1 of the MDTA in force before that date; and

(c) all applications and documents to vary any Order of the High Court **or the General Division (as the case may be)** in proceedings referred to in sub-paragraph (b) above.

(2) All applications subsequent to the filing of the originating summons in any mental capacity proceedings in the High Court **or the General Division (as the case may be)** shall be made by way of summons.

(3) An affidavit stating clearly the grounds for the application shall be filed together with the summons.

(4) Where permission is not required to make the application, the affidavit should state the

applicant's belief that he or she falls within the categories of persons listed within section 38(1) of the MCA and Order 99, Rule 2(3) of the Rules of Court **as in force immediately before 1 January 2015**.

(5) Where permission is required to make the application, that prayer may be included in the main application itself. There is no requirement for a separate application for permission. The grounds upon which the applicant is relying to obtain such permission must be stated clearly in the supporting affidavit. The Court will decide whether to grant such permission based on the grounds stated in the affidavit.

(6) Relevant documents, such as copies of birth certificates, marriage certificates, the lasting powers of attorney, or of the court orders appointing deputies, must be exhibited to support the averments in the affidavit. Originals of the exhibits must be made available for inspection by the Court during the hearing, if required.

(7) Where an order is sought relating to the property and affairs of a person under section 20 of the MCA, the affidavit should set out the necessary supporting facts. In particular, in an application to sell the residential property of the person lacking capacity, the supporting affidavit should elaborate on why it is just or for the benefit of that person that a sale of the property is ordered, and where that person will be residing if the property were sold.

(8) The affidavit must include any other material information and supporting documents, such as the consents of all relevant family members and a property valuation report.

## **Part XXIII: Medical Negligence Claims**

### **158. Compliance with protocol**

(1) With effect from 1 July 2017, parties in medical negligence claims are to comply with the ~~High Court~~ Protocol for Medical Negligence Cases **in the General Division of the High Court**

at Appendix J of these Practice Directions. A breach by one party will not exempt the other parties in the claim from following the protocol insofar as they are able to do so.

...

## Appendix A

6.

Para. ~~42(1)~~(2)(a)      **Order to allow Entry and Search of Premises**

**IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

[CASE NO.]

Between

[Intended] Plaintiff

And

[Intended] Defendant

BEFORE THE HONOURABLE JUSTICE \_\_\_\_\_ IN CHAMBERS

**ORDER TO ALLOW ENTRY AND SEARCH OF PREMISES**

...

7.

Para 42~~(1)~~(2)(b)

**Injunction Prohibiting Disposal of Assets Worldwide  
IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF  
SINGAPORE**

[CASE NO.]

Between

[Intended] Plaintiff

And

[Intended] Defendant

BEFORE THE HONOURABLE JUSTICE \_\_\_\_\_ IN CHAMBERS

**INJUNCTION PROHIBITING DISPOSAL OF ASSETS WORLDWIDE IMPORTANT:  
- NOTICE TO THE DEFENDANT**

...

8.

Para 42~~(1)~~(2)(c)

**Injunction Prohibiting Disposal of Assets in Singapore**  
**IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

[CASE NO.]

Between

[Intended] Plaintiff

And

[Intended] Defendant

BEFORE THE HONOURABLE JUSTICE \_\_\_\_\_ IN CHAMBERS

**INJUNCTION PROHIBITING DISPOSAL OF ASSETS IN SINGAPORE IMPORTANT:**  
**- NOTICE TO THE DEFENDANT**

...

**12.**

Para. 87(3)

**Form of Record of Appeal**

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with **Order 56A, Rule 8(2)** or Order 57, Rule 9(2) of the Rules of Court, deemed to be filed.

...

## 12A.

Para. 87(3)

### Form of Supplemental Record of Appeal

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9(2AA) of the Rules of Court, deemed to be filed.

S/N.	Filing Date	Description of Document	Pages
1.		Notice of appeal	
2.		Certificate of payment of security for costs	
3.		Record of proceedings:-	
		(a) (to be itemised)	
		(b) (to be itemised)	
		(c) (to be itemised)	
4.		Order granting leave to appeal to the Court of Appeal	
5.		Cases filed under Order 56A, Rule 8	
		(a) (to be itemised)	
		(b) (to be itemised)	

*\* Specific pages must be stated if the party only intends to include in the form of record of appeal a portion of a document which is filed or is available in the electronic case file.*

The format of the separate table of contents under paragraph 87(5) is as follows:-

S/N.	Description of Document	Pages**

\*\* The solicitor's attention is drawn to the directions in paragraph 89(2) pertaining to pagination.



13.

Para. 87(3)

**Form of Core Bundle**

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with **Order 56A, Rule 8(3)** or Order 57, Rule 9(2A) of the Rules of Court, deemed to be filed.

S/N.	Filing Date	Description of document	Pages*
1.		Grounds of judgment or order	
2.		Judgment or order appealed from	
		<del>Relevant documents as defined in O 57 r 9(2A)(b) of the Rules of Court:—</del> Documents that are relevant to any question in the appeal or will be mentioned in the Appellant's Case, the Respondent's Case or the joint Case or at the appeal	
3.	(To state the filing date of AEIC of Z)	(a) Email correspondence between Y and Z dated dd/mm/yyyy	(Eg pages 4 to 15 of AEIC of Z)
4.		(b) (to be itemized)	

...

14.

Para. 87(3)

**Form of Supplemental Core Bundle**

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with **Order 56A, Rule 9(3) or Order 57, Rule 9A(2A)\***, deemed to be filed.

S/N.	Filing Date	Description of Document	Pages**
		Additional documents as defined in <b>O 56A r 9(3)(a) or O 57 r 9A(2A)(a)*</b> of the Rules of Court	
1.	(To state the filing date of AEIC of Z)	(a) Email correspondence between Y and Z dated dd/mm/yyyy	(Eg pages 4 to 15 of AEIC of Z)
2.		(b) (to be itemised)	

*\* The references should be changed to ~~Order 57, Rule 9A(5C) and O 57, R 9A(5C)(a)~~ “**Order 56A, Rule 9(9) or Order 57, Rule 9A(5C)**” and “**O 56A r 9(9)(a) or O 57 r 9A(5C)(a)**” respectively in relation to any supplemental core bundle filed with an Appellant’s Reply.*

...

**14B.**

Para. 87B

**Form Showing Lack of Means**

[Title in action]

**FORM SHOWING LACK OF MEANS**

NOTE: You should check if you qualify for Legal Aid (see ~~<https://www.mlaw.gov.sg/content/lab/en/eligibility/do-i-qualify-for-legal-aid.html>~~ <https://lab.mlaw.gov.sg/legal-services/do-i-qualify/>) before filling this form. If you qualify for Legal Aid, you can only use this form if you have applied for Legal Aid and your application has been rejected.

...

Para.  
94(3)(a)(~~iii~~)(ii)

**Bill of Costs for Contentious Business – Trials**

**IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Suit No. of 20**

**Bill of Costs No. of 20**

**GST Reg. No. (solicitors for [state the party]):** [Set out the GST number]

**GST Reg. No. (state the party):** [Indicate the GST number or “No GST No.” and the percentage of input tax applicable to each party entitled to costs.]

**Between**

..... Plaintiff(s)

**And**

..... Defendant(s)

**BILL OF COSTS FOR CONTENTIOUS BUSINESS – TRIALS**

Applicant: [State the party for whom the bill is filed].

Nature of bill: [State whether the bill is a party-and-party or solicitor-and-~~client~~ bill].

Basis of taxation: [State the basis of taxation, that is, standard or indemnity basis].

Basis for taxation: Judgment dated \_\_\_\_\_ ordering [set out the order on costs under which the bill is to be taxed, including such details as the party who is ordered to pay costs and the party entitled to claim costs].

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The claim</b>		
1.1	Nature of claim	[Give a brief description of the nature of claim].	
<b>2.</b>	<b>Pleadings</b>		
2.1	Writ & statement of claim	[Set out the number of pages in each pleading].	

2.2	Defence & counterclaim	[Set out the number of pages in each pleading].	
<i>No.-</i>	<i>Item-</i>	<i>Description-</i>	<i>Remarks-</i>
2.3	Reply & defence to counterclaim	[Set out the number of pages in each pleading].	
2.4	Relief claimed	[Set out succinctly the reliefs claimed in the statement of claim and counterclaim, if any].	
2.5	Affidavits deemed or ordered to stand as pleadings	[Set out the number of pages in each affidavit].	
<b>3.</b>	<b>Interlocutory attendances</b>		
3.1	Interlocutory applications costs fixed by Court	[Set out in relation to each interlocutory application, the application number, the nature of the application, the number of affidavits filed, the orders made on costs and the amount of costs awarded].	[Set out the amount of time taken for the hearing and such other relevant information as enabled the Court to determine the costs awarded for the application].
3.2	Interlocutory applications – costs not fixed by Court	[Set out in relation to each interlocutory application, the application number, the nature of the application and the orders made on costs].	[Set out the amount of time taken for the hearing and such other information as will enable the Court to determine the costs to award for the application].

3.3	Appeals to Judge in chambers	[Set out in relation to each appeal, the appeal number, the nature of the appeal, the orders made on costs and the amount of costs awarded, if any].	[Set out the amount of time taken for the hearing and such other information as will enable the Court to determine the costs to award for the appeal].
<i>No.-</i>	<i>Item-</i>	<i>Description-</i>	<i>Remarks-</i>
3.4	Pre-trial conferences	[Set out the dates of the PTCs].	[Provide details if a substantial application is heard during a PTC and the amount of time taken.]
3.5	Other attendances	[Set out the dates and the nature of hearings if there are other attendances in Court which should be taken into consideration.]	[Set out the amount of time taken for the hearing and such other relevant information as will enable the Court to determine the costs to award for the hearing.]
<b>4.</b>	<b>Discovery</b>		
4.1	Number of lists of documents	[Set out the number of lists of documents, including supplementary lists, filed by each party.]	
4.2	Total number of documents disclosed	[Set out the number of documents, with the total number of pages, disclosed by each party.]	[Provide such information as is relevant, such as the number of pages that overlap.]
<b>5.</b>	<b>Trial</b>		
5.1	Opening statement	[Set out the number of pages of opening statement filed by each party.]	

5.2	Number of days and date(s) of trial.	<i>[Indicate the total number of days fixed for trial, the actual number of days taken and the date(s) of the trial.]</i>	<i>[Provide such information as is relevant, such as whether digital or mechanical recording was used during the trial].</i>
<i>No.-</i>	<i>Item-</i>	<i>Description-</i>	<i>Remarks-</i>
5.4	Affidavits of evidence in chief – text and exhibits	<i>[Set out the number of affidavits filed by each party and the total number of pages of text and exhibits of all affidavits filed].</i>	
5.5	Bundle of documents	<i>[Set out the number of volumes and the total number of pages in each bundle filed in respect of the trial].</i>	
5.6	Witnesses at trial	<i>[Set out the number of witnesses of fact and expert witnesses for each party].</i>	
5.7	Closing submissions and authorities cited	<i>[Set out the number of pages and authorities cited in the closing submissions, if any, of each party].</i>	
5.8	Submissions in reply and authorities cited	<i>[Set out the number of pages and authorities cited in the reply submissions, if any, of each party].</i>	
5.9	Other post-trial filings/matters	<i>[Set out the number of pages and authorities cited in any other documents, filed by each party].</i>	
<b>6.</b>	<b>Complexity of Cases</b>		
6.1	Legal issues	<i>[Set out succinctly all the legal issues raised].</i>	
6.2	Factual issues	<i>[Set out succinctly all the factual issues raised].</i>	
6.3	<i>Complexity</i>	<i>[Set out succinctly the matters that affect the complexity of the case].</i>	

6.4	<i>Grounds of decision</i>	<i>[Set out the number of pages in the grounds of decision and highlight the paragraph(s) where the Court commented on the complexity of the case or the novelty of the issues raised].</i>	
<del>No.-</del>	<del>Item-</del>	<del>Description-</del>	<del>Remarks-</del>
<b>7.</b>	<b>Urgency</b>		
7.1	Urgency	<i>[Set out the factors that rendered the suit one of urgency for the party entitled to claim costs].</i>	
7.2	Importance to client	<i>[Set out the factors that rendered the suit one of importance for the party entitled to claim costs].</i>	
<b>8.</b>	<b>Time and labour expended</b>		
8.1	Number of letters/faxes/emails exchanged between the parties	<i>[Set out the total amount of correspondence exchanged between the parties and also between the parties and the Court].</i>	
8.2	Number of letters/faxes/emails to client	<i>[Set out the total amount of correspondence between the party entitled to claim costs and counsel].</i>	
8.3	Meetings with opposing counsel	<i>[Set out the total number of meetings, and the time taken for them].</i>	
8.4	Time spent	<i>[Set out the total number of hours spent on the case by each counsel or solicitor].</i>	
8.5	Others	<i>[Set out any other relevant factors for the Court's consideration].</i>	



<b>9.</b>	<b>Counsels and solicitors involved</b>		
9.1	Counsel and solicitors	[List all the lawyers acting for each party and their seniority].	
9.2	Certificate of more than 2 counsel	[Indicate if the Court has certified that the costs of more than two counsel are allowed].	
<i>No.-</i>	<i>Item-</i>	<i>Description-</i>	<i>Remarks-</i>
<b>10.</b>	<b>Costs claimed</b>		
10.1	Amount claimed	<p><b>Amount claimed for</b> [<i>specify name of counsel or solicitor</i>]: \$ [<i>insert amount</i>].</p> <p>[Set out in relation to each counsel or solicitor, the amount of costs claimed for Section 1, with a breakdown of –</p> <ul style="list-style-type: none"> <li>(a) the amount claimed for work done by the counsel or solicitor;</li> <li>(b) <del>(b)</del> the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</li> <li>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</li> <li>(d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</li> </ul>	
<b>Section 2:-Work done for taxation</b>			
11.	Work done	[Describe the work done for the preparation of the bill of costs and the taxation of the bill].	

<i>No.-</i>	<i>Item-</i>	<i>Description-</i>	<i>Remarks-</i>
12.	Amount claimed	<p><b>Total amount claimed:</b> \$ [insert amount].</p> <p><i>[Set out the amount of costs claimed for Section 2, with a breakdown of –</i></p> <p><i>(a) the amount claimed for work done for Section 2;</i></p> <p><i>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</i></p> <p><i>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</i></p> <p><i>(d) the GST claimed for work done,</i></p> <p><i>in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</i></p>	
<b>Section 3: Disbursements</b>			
13.	[Set out in different rows the dates or period of time when each disbursement is incurred].	[Set out the <i>description and amount</i> of each disbursement claimed].	

[ ]	-	<p><b>Total amount claimed: \$</b> <i>[insert amount]</i>.</p> <p><i>[Set out the total amount of disbursements claimed for Section 3, with a breakdown of –</i></p> <ul style="list-style-type: none"> <li><i>(a) the amount claimed for disbursements for Section 3;</i></li> <li><i>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</i></li> <li><i>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</i></li> <li><i>(d) the GST claimed for disbursements,</i></li> </ul> <p><i>in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</i></p>	
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17.

Para.  
94(3)(a)(iii)

**Bill of Costs for Contentious Business other than Trials**

~~**Trials**~~

**IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Suit No. of 20**

**Bill of Costs No. of 20**

**GST Reg. No. (solicitors for [state the party]):** [Set out the GST number]

**GST Reg. No. (state the party):** [Indicate the GST number or "No GST No." and the percentage of input tax applicable to each party entitled to costs.]

**Between**

..... Plaintiff(s)

**And**

..... Defendant(s)

**BILL OF COSTS FOR CONTENTIOUS BUSINESS OTHER THAN TRIALS**

Applicant: [State the party for whom the bill is filed].

Nature of bill: [State whether the bill is a party-and-party or solicitor--and--client bill].

Basis of taxation: [State the basis of taxation, that is, standard or indemnity basis].

Basis for taxation: Judgment dated \_\_\_\_\_ ordering [set out the order on costs under which the bill is to be taxed, including such details as the party who is ordered to pay costs and the party entitled to claim costs].

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The Claim</b>		
1.1	Nature of claim	[Give a brief description of the nature of claim, such as whether the substantive claim is for breach of contract or negligence].	
<b>2.</b>	<b>Application / Proceedings</b>		

2.1	Nature of application or proceedings for taxation	[Give a brief description of the nature of proceedings or application to which the bill relates, eg., for an appeal or interlocutory application].	
<del>No.</del>	<del>Item</del>	<del>Description</del>	<del>Remarks</del> -
<b>3.</b>	<b>Interlocutory attendances</b>		
3.1	Interlocutory applications – costs fixed by Court	[Set out in relation to each interlocutory application, the application number, the nature of the application, the number of affidavits filed, the orders made on costs and the amount of costs awarded].	[Set out the amount of time taken for the hearing and such other relevant information as enabled the Court to determine the costs awarded for the application].
3.2	Interlocutory applications – costs not fixed by Court	[Set out in relation to each interlocutory application, the application number, the nature of the application, the number of affidavits filed and the orders made on costs].	[Set out the amount of time taken for the hearing and such other information as will enable the Court to determine the costs to award for the application].
3.3	Appeals to Judge in chambers	[Set out in relation to each appeal, the appeal number, the nature of the appeal, the orders made on costs and the amount of costs awarded, if any].	[Set out the amount of time taken for the hearing and such other information as will enable the Court to determine the costs to award for the appeal].
3.4	Other attendances	[Set out the dates and the nature of hearings if there are other attendances in Court which should be taken into consideration.]	[Set out the amount of time taken for the hearing and such other relevant information as will enable the Court to determine the costs to award for the hearing.]
<b>4.</b>	<b>Hearing</b>		
4.1	Number of days/hours and date(s) of hearing	[Indicate the total number of days or hours fixed for the hearing, the actual number of days or hours taken and the date(s) of the hearing.]	[Provide such information as is relevant, such as whether digital or mechanical recording was used].
4.2	Documents (apart from written submissions and authorities)	[Set out the number of volumes and the total number of pages in each bundle filed in respect of the hearing].	

4.3	Witnesses (if any)	[Set out the number of witnesses of fact and expert witnesses for each party, if any].	
4.4	Written submissions	[Set out the number of pages of the submissions, if any, filed by each party].	
<del>No-</del>	<del>Item-</del>	<del>Description-</del>	<del>Remarks-</del>
			-
4.5	Authorities cited	[Set out the number of authorities cited by each party].	
4.6	Other post-hearing filings	[Set out the number of pages and authorities cited in any other documents, filed by each party].	
<b>5.</b>	<b>Complexity of case</b>		
5.1	<i>Legal issues</i>	<i>[Set out succinctly all the legal issues raised].</i>	
5.2	<i>Factual issues</i>	<i>[Set out succinctly all the factual issues raised].</i>	
5.3	<i>Complexity</i>	<i>[Set out succinctly the matters that affect the complexity of the case].</i>	
5.4	<i>Grounds of decision</i>	<i>[Set out the number of pages in the grounds of decision and highlight the paragraph(s) where the Court commented on the complexity of the case or the novelty of the issues raised].</i>	
<b>6.</b>	<b>Urgency and importance to client</b>		
6.1	Urgency	[Set out the factors that rendered the suit one of urgency for the party entitled to claim costs].	
6.2	Importance to client	[Set out the factors that rendered the suit one of importance for the party entitled to claim costs].	
6.3	Amount involved	[Set out the amount involved in the substantive dispute between the parties].	
<b>7.</b>	<b>Time and labour expended</b>		
7.1	Number of letters/ faxes/emails exchanged between the parties	[Set out the total amount of correspondence exchanged between the parties and also between the parties and the Court].	

7.2	Number of letters/ faxes/emails to client	[Set out the total amount of correspondence between the party entitled to claim costs and counsel].	
7.3	Meetings with opposing counsel	[Set out the total number of meetings, and the time taken for them].	
7.4	Time spent	[Set out the total number of hours spent on the case by each counsel or solicitor].	
<del>No.-</del>	<del>Item-</del>	<del>Description-</del>	<del>Remarks-</del> -
7.5	Others	[Set out any other relevant factors for the Court's consideration].	
<b>8.</b>	<b>Counsel and solicitors involved</b>		
8.1	Counsel and solicitors	[List all the lawyers acting for each party and their seniority].	
8.2	Certificate of more than 2 counsel	[Indicate if the Court has certified that the costs of more than two counsel are allowed].	
<b>9.</b>	<b>Costs claimed</b>		
9.1	Amount claimed	<b>Amount claimed for</b> [specify name of counsel or solicitor]: \$ [insert amount]. [Set out in relation to each counsel or solicitor, the amount of costs claimed for Section 1, with a breakdown of – (a) the amount claimed for work done by the counsel or solicitor; (b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit; (c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and (d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]	
<b>Section 2: Work done for taxation</b>			
10.	Work done	[Describe the work done for the preparation of the bill of costs and the taxation of the bill].	

11.	Amount claimed	<p><b>Total amount claimed: \$ [insert amount].</b>  [Set out the amount of costs claimed for Section 2, with a breakdown of –</p> <ul style="list-style-type: none"> <li>(a) the amount claimed for work done for Section 2;</li> <li>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</li> <li>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</li> <li>(d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</li> </ul>	
<b>Section 3: Disbursements</b>			
<del>No.-</del>	<del>Date-</del>	<del>Description and amount claimed-</del>	<del>Remarks-</del>
12.	[Set out in different rows the dates or period of time when each disbursement is incurred].	[Set out the <i>description and</i> amount of each disbursement claimed].	-
<del>No.-</del>	<del>Item-</del>	<del>Description-</del>	<del>Remarks-</del>
[ ]	-	<p><b>Total amount claimed: \$ [insert amount].</b>  [Set out the total amount of disbursements claimed for Section 3, with a breakdown of –</p> <ul style="list-style-type: none"> <li>(a) the amount claimed for disbursements for Section 3;</li> <li>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</li> <li>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</li> <li>(d) the GST claimed for disbursements, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</li> </ul>	



Para.  
94(3)(a)(iv)

**Bill of Costs for Non-contentious Business**

**IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Bill of Costs No.            of 20**

**GST Reg. No. (solicitors for [state the party]):** [Set out the GST number]

**GST Reg. No. (state the party):** [Indicate the GST number or “No GST No.” and the percentage of input tax applicable to each party entitled to costs.]

In the matter of ...

**BILL OF COSTS FOR NON-CONTENTIOUS BUSINESS**

Applicant:                    [State the party for whom the bill is filed].  
Nature of bill:                [State whether the bill is a party-and-party or solicitor-and-client bill].  
Basis of taxation:            [State the basis of taxation, that is, standard or indemnity basis].  
Basis for taxation:          [Set out the basis under which the bill of costs may be taxed].

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The work done</b>		
1.1	Nature of work	[Give a brief description of the nature of work to which the bill relates].	
1.2	Scope of brief (including relevant Court orders, if any)	[Give a brief description of the scope of the brief].	
1.3	Period of work	[State the period(s) of time in which the work was done].	
<b>2.</b>	<b>Complexity of matter</b>		
2.1	Legal issues	[Set out succinctly all the legal issues raised].	
2.2	Factual issues	[Set out succinctly all the factual issues raised].	
2.3	Complexity	[Set out succinctly the matters that affect the complexity of the work].	

2.4	Amount involved	[Set out the amount involved in relation to the work done].	
<i>No.-</i>	<i>Item-</i>	<i>Description-</i>	<i>Remarks-</i>
			-
<b>3.</b>	<b>Time and labour expended</b>		
3.1	Number of letters/ faxes/emails exchanged with others	[Set out the total amount of correspondence exchanged between the parties and also between the parties and the Court].	
3.2	Number of letters/ faxes/emails to client	[Set out the total amount of correspondence between the party entitled to claim costs and counsel].	
3.3	Meetings with client	[Set out the total number of meetings and the time taken].	
3.4	Meetings with other parties (by class)	[Set out the total number of meetings and the time taken].	
3.5	Documents (including legal opinions)	[Set out the total number of pages of documents perused and legal opinions rendered.]	
3.6	Time spent	[Set out the total number of hours spent on the case by each counsel or solicitor].	
3.7	Other relevant work	[Set out any other relevant factors for the Court's consideration].	
<b>4.</b>	<b>Counsel and solicitors involved</b>		
4.1	Solicitor	[List all the lawyers acting for each party and their seniority].	
<b>5.</b>	<b>Cost claimed</b>		

5.1	Amount claimed	<p><b>Amount claimed for</b> [specify name of counsel or solicitor]:  <b>\$</b> [insert amount].  [Set out in relation to each counsel or solicitor, the amount of costs claimed for Section 1, with a breakdown of—</p> <p>(a) the amount claimed for work done by the counsel or solicitor;  (b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;  (c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and  (d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</p>	
<del>No.-</del>	<del>Item-</del>	<del>Description-</del>	<del>Remarks-</del>
<b>Section 2: Work done for taxation</b>			
6.	Work done	[Describe the work done for the preparation of the bill of costs and the taxation of the bill].	
7.	Amount claimed	<p><b>Total amount claimed: \$</b> [insert amount].  [Set out the amount of costs claimed for Section 2, with a breakdown of—</p> <p>(a) the amount claimed for work done for Section 2;  (b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;  (c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and  (d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</p>	
<b>Section 3: Disbursements</b>			
8.	[Set out in different rows the dates or period of time when each disbursement is incurred].	[Set out the <b>description and</b> amount of each disbursement claimed].	

19.

Para. 96(1)

Notice of Dispute

**IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF  
SINGAPORE**

Suit No. of .  
Bill of Costs No. of .

...

-

~~Para. 132(2) Schedule of Assets~~

-

-

~~[This form is to be annexed to an affidavit and filed separately with the Court as well. It will be annexed to the grant of representation.]~~

-

IN THE HIGH COURT OF  
THE REPUBLIC OF  
SINGAPORE

IN THE ESTATE OF:  
(Name), ID no., deceased

~~SCHEDULE OF ASSETS~~

-

<del>Deceased's Property in Singapore</del>	<del>Market Value as at Date of Death (S\$)</del>
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
<del>Deceased's Movable Property outside Singapore (for deceased person domiciled in Singapore at date of death)</del>	<del>Market Value as at Date of Death (S\$)</del>
-	-
-	-
-	-
<del>Total (S\$)</del>	-

-

-

-

Para. ~~86(A)~~ 86A**Appeals Information Sheet**

<b>Case Number(s)</b>	
<b>Name(s) of Party / Parties</b>	
<b>Name(s) of Lead Counsel</b>	

**Important or Significant Questions of Law on Appeal**

1. Please specify ~~any question of law on appeal that is of public importance or jurisprudential significance.~~ if there is any important or significant question of law raised in the appeal. This includes, but is not limited to, any ~~questions~~ question of law that (a) is novel or highly complex; (b) may lead to a significant development in the law; (c) involves potentially distinguishing or overruling of existing precedent cases; and (d) is of significant public importance.

If there is any such question of law raised in the appeal, please state the question of law and the factor or factors that make it important or significant.

Please include ~~the~~ relevant case citations with pinpoint references if possible.

**Matters in the Sixth Schedule to the Supreme Court of Judicature Act<sup>1</sup>**

- 2. If you are the Appellant, please state whether any legal issue raised in the appeal engages any matter set out in paragraph 1(a) to (j) of the Sixth Schedule to the Supreme Court of Judicature Act.<sup>2</sup>

If so, please state every such issue and every such matter that is engaged.

**[For appeals to the Appellate Division] Whether it is more appropriate for the Court of Appeal to hear the appeal**

- 3. Please state whether any of the matters set out in Order 56A, Rule 12(3) of the Rules of Court is present in this appeal, and provide brief reasons.

---

<sup>1</sup> Please answer this question only if section 29C(2) of the Supreme Court of Judicature Act (Cap 322) (“SCJA”) as in force on 2 January 2021 applies to the appeal. Please see the transitional provisions in section 31 of the Supreme Court of Judicature (Amendment) Act 2019.

<sup>2</sup> See Order 56A, Rule 12(2)(c) and Order 57, Rule 10A(1)(b) of the Rules of Court.

**[For appeals to the Appellate Division] Application for Transfer to the Court of Appeal**

4. Please state if you intend to apply to transfer the appeal to the Court of Appeal.<sup>3</sup>

Yes  No

If so, please state whether all parties to the appeal consent to the application.

Yes  No

**[For appeals to the Appellate Division] Composition of the Appellate Division**

5. If the appeal is scheduled to be heard by the Appellate Division consisting of 3 Judges, please state whether you consent for the appeal to be decided by the Appellate Division consisting of 2 Judges.<sup>4</sup>

Yes  No  
 Not Applicable

**Whether party consents to the court deciding without hearing oral arguments**

6. Please state whether you consent to the appeal being decided without hearing oral arguments.<sup>5</sup>

Yes  No  
 Not Applicable

**Related Matters**

7. Please state any proceedings (pending or concluded) in ~~the High Court or~~ the Court of Appeal, ~~the Appellate Division or the General Division~~ which are related to ~~this the~~ appeal.

---

<sup>3</sup> See section 29D(2)(c)(ii) of the SCJA read with Order 56A, Rule 12(1) of the Rules of Court.

<sup>4</sup> See section 36(1) read with paragraph 2(k) of the Seventh Schedule to the SCJA.

<sup>5</sup> See section 55(1)(b) read with paragraph 2 of the Eighth Schedule to the SCJA (for appeals to the Court of Appeal) / section 37(1)(b) read with paragraph 1 of the Eighth Schedule to the SCJA (for appeals to the Appellate Division).



**Availability-Unavailability Dates**

8. Are there any days, within the sitting for which ~~this~~-the appeal is fixed, that you will not be able to attend court for the appeal hearing?  Yes  No

9. If “Yes”, please provide details.

Date(s) Unavailable	Reason(s)

**Applications**

10. Do you have any applications (ie Court of Appeal or Appellate Division summonses) to make in ~~this~~-the appeal?  Yes  No

11. If “Yes”, please state the nature of the application (*eg* application to strike out the appeal, application to adduce fresh evidence, application for judge(s) to be recused, *etc*).

Application	Brief Description of Application	Number of Judges required <sup>†</sup>

### Possible Alternative Dispute Resolution

12. Would some form of Alternative Dispute Resolution assist to resolve or narrow the disputes on appeal? Has this been considered between the party / parties and its legal representatives and / or explored with the other party / parties to the appeal?

--

<sup>†</sup>-See sections 30 and 36 of the Supreme Court of Judicature Act (Cap 322).-

**Any Other Matters or Comments**

Para. ~~89(B)~~ 89B(4) and (6) **Undertaking that Appeal Bundles Do Not Contain Sealed or Unredacted Documents**

(Title as in cause or matter)

I, ..... , solicitor for the ..... , provide an undertaking to the Court that the Record of Appeal/ **Supplemental Record of Appeal**/ Core Bundle/ Respondent's Supplemental Core Bundle/ Appellant's Supplemental Core Bundle\* are in good order and that it/they\* does/do\* not contain any document subjected to a sealing order or any document ordered to be redacted in its unredacted form.

...

### 31A.

Para. 90B(1)

#### Submissions for Application for Leave to Appeal against a Decision of the General Division (Applicant)

##### Part A

Case Number(s)	
Name(s) of Applicant(s) and Counsel	
Brief summary of the decision in respect of which leave to appeal is sought	
Pertinent facts / procedural history	
Ground(s) of the application (to be elaborated upon below in Part B)	<input type="checkbox"/> <i>Prima facie</i> case of error <input type="checkbox"/> Question of general principle decided for the first time <input type="checkbox"/> Question of importance upon which further argument and a decision of a higher tribunal would be to the public advantage <input type="checkbox"/> Other(s): _____

Note: These written submissions should comply with the following requirements (see also paragraph 90B(3) of the Supreme Court Practice Directions):

- (a) they should not exceed 12 pages, excluding the cover page and the backing page;
- (b) all pages should be paginated, with the first page (not including any cover page) numbered as "Page 1";
- (c) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (d) the print of every page shall be double-spaced; and
- (e) every page shall have a margin on all 4 sides, each of at least 35mm in width.

## **Part B**

### **Ground(s) of the application**

1. [State the first ground of the application, corresponding to the ground(s) as indicated in Part A]

[State supporting reasons and include references to citations of legal authorities where relevant.]

2. [State the second ground (if any) of the application, corresponding to the ground(s) as indicated in Part A]^

[State supporting reasons and include references to citations of legal authorities where relevant.]

### **Any Other Matters**

\_\_\_\_\_  
Signature of Applicant(s) or Counsel:

Name:

Date:

^ Please omit/repeat as appropriate, corresponding to the ground(s) of the application as indicated in Part A.

**31B.**

Para. 90B(1)

**Submissions for Application for Leave to Appeal against a Decision of the  
General Division (Respondent)**

**Part A**

Case Number(s)	
Name(s) of Respondent(s) and Counsel	
Brief summary of the decision in respect of which leave to appeal is sought	
Pertinent facts / procedural history	
Ground(s) for contesting the application (to be enumerated in brief and to be elaborated upon below in Part B)	

Note: These written submissions should comply with the following requirements (see also paragraph 90B(3) of the Supreme Court Practice Directions):

- (a) they should not exceed 12 pages, excluding the cover page and the backing page;
- (b) all pages should be paginated, with the first page (not including any cover page) numbered as “Page 1”;
- (c) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (d) the print of every page shall be double-spaced; and
- (e) every page shall have a margin on all 4 sides, each of at least 35mm in width.

**Part B**

**Ground(s) for contesting the application**

1. [State the first ground for contesting the application, corresponding to the ground(s) as indicated in Part A]

[State supporting reasons and include references to citations of legal authorities where relevant.]

2. [State the second ground (if any) for contesting the application, corresponding to the ground(s) as indicated in Part A]^

[State supporting reasons and include references to citations of legal authorities where relevant.]

**Any Other Matters**

\_\_\_\_\_  
Signature of Respondent(s) or Counsel:

Name:

Date:

^ Please omit/repeat as appropriate, corresponding to the ground(s) for contesting the application as indicated in Part A.



**32A.**

Para. 90B(2)

**Submissions for Applications for Leave to Appeal against a Decision of the  
Appellate Division (Applicant)**

**Part A**

Case Number(s)	
Name(s) of Applicant(s) and Counsel	
Brief summary of the decision in respect of which leave to appeal is sought	
Pertinent facts / procedural history	
Point of law of public importance which the appeal will raise	
Ground(s) for the submission that it is appropriate for the Court of Appeal to hear a further appeal from the Appellate Division (to be elaborated upon below in Part B)	<input type="checkbox"/> A decision of the Court of Appeal is required to resolve the point of law <input type="checkbox"/> The interests of the administration of justice require the consideration by the Court of Appeal of the point of law <input type="checkbox"/> Other(s): _____

**Note:** These written submissions should comply with the following requirements (see also paragraph 90B(3) of the Supreme Court Practice Directions):

- (a) they should not exceed 12 pages, excluding the cover page and the backing page;
- (b) all pages should be paginated, with the first page (not including any cover page) numbered as “Page 1”;
- (c) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (d) the print of every page shall be double-spaced; and
- (e) every page shall have a margin on all 4 sides, each of at least 35mm in width.

**Part B**

**Ground(s) for the submission that the appeal will raise a point of law of public importance**

*[State supporting reasons and include references to citations of legal authorities where relevant.]*

**Ground(s) for the submission that it is appropriate for the Court of Appeal to hear a further appeal from the Appellate Division**

1. *[State the first ground, corresponding to the ground(s) as indicated in Part A]*

*[State supporting reasons and include references to citations of legal authorities where relevant.]*

2. *[State the second ground (if any), corresponding to the ground(s) as indicated in Part A]*<sup>^</sup>

*[State supporting reasons and include references to citations of legal authorities where relevant.]*

<sup>^</sup> Please omit/repeat as appropriate, corresponding to the ground(s) for the submission as indicated in Part A.

**Any Other Matters**

--

\_\_\_\_\_  
Signature of Applicant(s) or Counsel:

Name:

Date:

**32B.**

Para. 90B(2)

**Submissions for Application for Leave to Appeal against a Decision of the  
Appellate Division (Respondent)**

**Part A**

Case Number(s)	
Name(s) of Respondent(s) and Counsel	
Brief summary of the decision in respect of which leave to appeal is sought	
Pertinent facts / procedural history	
Ground(s) for contesting the application (to be enumerated in brief and to be elaborated upon below in Part B)	

Note: These written submissions should comply with the following requirements (see also paragraph 90B(3) of the Supreme Court Practice Directions):

- (a) they should not exceed 12 pages, excluding the cover page and the backing page;
- (b) all pages should be paginated, with the first page (not including any cover page) numbered as "Page 1";
- (c) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (d) the print of every page shall be double-spaced; and
- (e) every page shall have a margin on all 4 sides, each of at least 35mm in width.

**Part B**

**Ground(s) for contesting the application**

1. [State the first ground for contesting the application, corresponding to the ground(s) as indicated in Part A]

[State supporting reasons and include references to citations of legal authorities where relevant.]

2. [State the second ground (if any) for contesting the application, corresponding to the ground(s) as indicated in Part A]^

[State supporting reasons and include references to citations of legal authorities where relevant.]

**Any Other Matters**

\_\_\_\_\_  
Signature of Respondent(s) or Counsel:

Name:

Date:

<sup>^</sup> Please omit/repeat as appropriate, corresponding to the ground(s) for contesting the application as indicated in Part A.

## Appendix B

Para. 64(1)

### WAITING PERIODS

<b>S/N TYPE OF PROCEEDINGS</b>	<b>Target</b>
<b>Pre-trial conferences</b>	
1. Pre-Trial Conferences in Suits:	
(a) Where the writ has not been served.	6 weeks from the date of commencement of writ
(b) Where the writ has been served or memorandum of appearance has been entered.	8 weeks from the date of service of writ/memorandum of appearance
<b>High Court General Division – Original Civil Jurisdiction</b>	
2. Trials in Suits	8 weeks from the date of setting down
3. Bankruptcy Originating Summonses	
-Application for bankruptcy order	6 weeks from the date of filing
-Other originating summonses	2 weeks from the date of filing
4. Companies Winding-Up Originating Summonses	4 weeks from the date of filing
<b>Before Registrar / Judge</b>	
5. Originating Summons	
(a) <i>Inter Partes</i> Originating Summons	6 weeks from the date of filing
(b) <i>Ex parte</i> Originating Summons	3 weeks from the date of filing
6. Summonses before Judge and Registrar other than applications for summary judgment	3 weeks from the date of filing
7. Applications for summary judgment	5 weeks from the date of filing (statutory)

pursuant to Order 14	minimum period)
8. Bankruptcy Applications (summonses) -	
- Application for Discharge	4 weeks from the date of filing
- Other applications	2 weeks from the date of filing
9. Taxation: General bills	3 weeks from the date of filing
10. Review of Taxation before Judges	3 weeks from the date of filing
11. Assessment of Damages	3 weeks from the date of filing [Includes time taken to subpoena witness to court]
12. Examination of Judgment Debtors	3 weeks from the date of filing of request* for hearing date
<b>High Court General Division – Appellate Civil Jurisdiction</b>	
13. Registrar’s Appeals (from <del>High Court General Division</del> )	4 weeks from the date of filing for appeals involving assessment of damages
	3 weeks from the date of filing for other appeals
14. Appeals in civil matters from the State Courts (District Court Appeals and Small Claims Tribunals Appeals)	4 weeks from the of receipt of the record of proceedings from the State Courts
<b>High Court General Division – Criminal Jurisdiction</b>	
15. Pre-trial conference in Criminal Cases	12 weeks from date accused is first charged in the State Courts
16. Trials of Criminal Cases	6 weeks from date of the final Criminal Case Disclosure Conference or Pre-trial Conference before trial (whichever is later)
17. Appeals in criminal matters from the State Courts (Magistrate’s Appeals)	12 weeks from the date of receipt of the record of proceedings

\* Formerly known as “praecipe”.

## **APPENDIX C: SAMPLE BILLS OF COSTS**

Para. 94(3)(b) **Sample Bill of Costs for contentious matters – Trials**

### **IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Suit No. of 20**

**Bill of Costs No. of 20**

...

Para. 94(3)(b) **Sample Bill of Costs for contentious matters other than trials**

### **IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Suit No. of 20**

**Bill of Costs No. of 20**

**GST Reg. No. (solicitors for appellant): 12345**

**GST Reg. No. (1st appellant): 67890 (20%)**

**2nd appellant: No GST Reg. No. (100%)**

...

Para. 94(3)(b) **Sample Bill of Costs for non-contentious matters**

### **IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Bill of Costs No. of 20**

**GST Reg. No. : 12345**

...



## APPENDIX G

Para. 99B(1)

### GUIDELINES FOR PARTY-AND-PARTY COSTS AWARDS IN THE SUPREME COURT OF SINGAPORE

...

#### III. Costs Guidelines for Trials (excluding Assessments of Damages (“AD”))

##### A. Section 1 Costs

...

##### *(iii) Party-and-Party Costs for hearings other than trials (excluding AD)*

Type of hearings	Costs (\$)
Contentious originating summons before <del>High Court</del> <b>General Division</b>	<ul style="list-style-type: none"> <li>• Without cross-examination: 12,000 per day</li> <li>• Without cross-examination (with Digital Transcription Service (“DTS”)): 15,000 per day</li> <li>• With cross examination: 15,000 per day</li> <li>• With cross-examination (with DTS): 20,000 per day</li> </ul>
Appeals before Judge <del>sitting in High Court</del> <b>General Division</b>	<ul style="list-style-type: none"> <li>• 10,000 per day</li> <li>• 15,000 per day (with DTS)</li> </ul>
Appeals before <del>Appellate Division and</del> <b>Appellate Division and</b> Court of Appeal	<ul style="list-style-type: none"> <li>• Interlocutory applications: 15,000 – 25,000</li> <li>• Standard trials / OS (up to 10 days): 30,000 – 40,000</li> <li>• Standard trials / OS (&gt; 10 days): 40,000 – 60,000</li> <li>• Complex trials / OS: 60,000 – 100,000</li> </ul>

...

#### IV. Costs Guidelines for AD

##### A. Section 1 Costs

...

##### *(iii) Party-and-Party Costs for Appeals*

Type of hearings	Costs (\$)
Appeals before Judge <del>sitting in High Court</del> <b>General Division</b>	<ul style="list-style-type: none"> <li>• 10,000 per day</li> <li>• 15,000 per day (with DTS)</li> </ul>
Appeals before <del>Appellate Division and</del> <b>Appellate Division and</b> Court of Appeal	<ul style="list-style-type: none"> <li>• Interlocutory applications: 15,000 – 25,000</li> <li>• Standard trials / OS (up to 10 days): 30,000 – 40,000</li> <li>• Standard trials / OS (&gt; 10 days): 40,000 – 60,000</li> <li>• Complex trials / OS: 60,000 – 100,000</li> </ul>

...

## APPENDIX H

Para. 7A

### Registrar, Deputy Registrar, Divisional and Deputy Divisional Registrars, and Senior Assistant Registrars

#### REGISTRAR AND DEPUTY REGISTRAR

	Name	Appointment date
Registrar	Ms Teh Hwee Hwee	9 April 2019
Deputy Registrar	Mr Phang Hsiao Chung	9 April 2019

#### DIVISIONAL REGISTRARS

Divisional Registrar	Name	Appointment date
Court of Appeal and Appellate Division of the High Court	Ms Chong Chin Chin	9 April 2019 (re-designated on 2 January 2021)
General Division of the High Court	Ms Cornie Ng	1 January 2015 (re-designated on 2 January 2021)
Singapore International Commercial Court	Mr Phang Hsiao Chung	9 April 2019

#### SENIOR ASSISTANT REGISTRARS

Senior Assistant Registrar	Appointment date
Ms Cornie Ng	15 April 2011
Mr Edwin San	1 May 2016
Ms Chong Chin Chin	1 October 2018
Ms Cheng Pei Feng	1 October 2018
Mr David Lee	6 January 2020

### DEPUTY DIVISIONAL REGISTRARS

<b>Deputy Divisional Registrar</b>	<b>Name</b>	<b>Appointment date</b>
<del>Court of Appeal</del>	<del>Ms Janice Wong Mr Paul Chan Mr Justin Yeo Mr Colin Seow</del>	<del>9 April 2019</del>
<del>Singapore International Commercial Court</del>	<del>Ms Una Khng Ms Carol Liew Ms Crystal Tan</del>	<del>9 April 2019 6 January 2020 6 January 2020</del>

### DEPUTY DIVISIONAL REGISTRARS

<b>Deputy Divisional Registrar</b>	<b>Name</b>	<b>Appointment date</b>
Court of Appeal and Appellate Division of the High Court	Ms Janice Wong	9 April 2019 (re-designated on 2 January 2021)
	Mr Paul Chan	9 April 2019 (re-designated on 2 January 2021)
	Mr Justin Yeo	9 April 2019 (re-designated on 2 January 2021)
	Mr Colin Seow	9 April 2019 (re-designated on 2 January 2021)
	Mr Rajaram Vikram Raja	2 January 2021
Singapore International Commercial Court	Ms Una Khng	9 April 2019
	Ms Carol Liew	6 January 2020
	Ms Crystal Tan	6 January 2020

## APPENDIX J

Para. 158(1)

### **HIGH-COURT PROTOCOL FOR MEDICAL NEGLIGENCE CASES IN THE GENERAL DIVISION OF THE HIGH COURT**

#### **PART ONE: PRE-ACTION SPECIFIC DISCOVERY OF DOCUMENTS**

##### **1. AIM OF PROTOCOL ON PRE-ACTION SPECIFIC DISCOVERY**

..

1.2 The aim of Part One of the ~~High Court~~ Protocol for Medical Negligence Cases **in the General Division of the High Court** (the “Protocol”) is to establish a protocol on pre-action specific discovery of documents. It is to prescribe a framework for pre-writ exchange of information with a view to resolving medical negligence disputes without protracted litigation. It is hoped that this will help to standardise and streamline the disclosure of medical records to a claimant who is considering pursuing a medical negligence claim. It aims to facilitate the exchange of relevant information and medical records so as to increase the prospect that medical negligence disputes can be resolved quickly.

1.3 Part One of the Protocol will apply from the time a claimant contemplates commencing a medical negligence suit in the **General Division of the High Court (the “General Division”)** against his health care providers.

...

#### **PART TWO: COMMENCEMENT OF SUIT AND PRE-TRIAL PROCEEDINGS**

3. Part Two of the Protocol relates to the commencement of ~~High Court cases for~~ medical negligence cases **in the General Division** and the pre-trial procedures undertaken in such cases.

##### **4. FILING OF MEDICAL REPORTS WITH PLEADINGS**

4.1 With effect from 1 July 2017, a plaintiff commencing a medical negligence suit in the ~~High Court~~ **General Division** is required to file and serve the main documents relied on in support of the claim including expert report(s) together with the Statement of Claim.

...

##### **6. EARLY PRO-ACTIVE JUDGE LED CASE MANAGEMENT**

6.1 For all medical negligence cases commenced in the ~~High Court~~ **General Division**, the 1<sup>st</sup> PTC before a Judge (“JPTC”) will be convened 3 weeks after the close of pleadings.

...

**FORM 1**  
**SAMPLE LETTER OF REQUEST FOR MEDICAL REPORT AND OTHER**  
**RELATED MEDICAL RECORDS**

...

6 Please let us know within 7 days from the receipt of this letter the requisite charges for the medical reports and/or medical records. Upon payment of the requisite charges by our client, please let us have the said medical report and/or medical records within 6 weeks as prescribed under the Protocol for Medical Negligence Cases **in the General Division of the High Court** found in Appendix J of the Supreme Court Practice Directions.

...