

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE
STATE COURTS PRACTICE DIRECTIONS 2021
AMENDMENT NO. 5 OF 2022

It is hereby notified for general information that amendments have been made to Parts IV, V, VIII, IX, XII, XIX, Appendix A1, Appendix B and Appendix C of the State Courts Practice Directions 2021. The amendments are summarised below:

- (1) amendments to Practice Direction 35 on The SMCL Process;
- (2) amendments to Practice Direction 36 on Simplified Process under Order 65 of the Rules of Court 2021;
- (3) amendments to Practice Direction 37 on General Process;
- (4) amendments to Practice Direction 39 on Personal Injury Claims and Non-injury Motor Accident (“NIMA”) Claims;
- (5) amendments to Practice Direction 40 on Medical Negligence Claims;
- (6) amendments to Practice Direction 41 on Claims in negligence (excluding medical negligence, personal injury and non-injury motor accident (“NIMA”) claims);
- (7) amendments to Practice Direction 45 on Assessment of Damages;
- (8) amendments to Practice Direction 48 on Applications in pending cases;
- (9) amendments to Practice Direction 52 on “Documents-only” Civil Trials and Assessments of Damages;
- (10) amendments to Practice Direction 58 on Witnesses;
- (11) amendments to Practice Direction 72 on Electronic filing of documents and authorities for use in Court;
- (12) amendments to Practice Direction 73 on Documents for use in trials in open Court;
- (13) amendments to Practice Direction 74 on Hearing in Chambers;
- (14) amendments to Practice Direction 84 on Appointment of agent to establish service bureau;
- (15) amendments to Practice Direction 91 on Filing documents through service bureau;
- (16) amendments to Practice Direction 92 on Filing of documents to the State Courts through a Supreme Court or Family Justice Courts service bureau;
- (17) amendments to Practice Direction 128 on Community Justice and Tribunals System;
- (18) amendments to Form 6 (Court Alternative Dispute Resolution (Court ADR) Form) of Appendix A1;
- (19) introduction of new Form 14A (Request for Permission to File Application) to Appendix A1;
- (20) amendments to Form 30 (Application for Records of Criminal Proceedings For Non-ICMS Cases) of Appendix A1;
- (21) amendments to Appendix B (Pre-Action Protocol for Personal Injury Claims and Non-Injury Motor Accident Claims); and
- (22) amendments to Appendix C (Guidelines for Court Dispute Resolution Case Conferences for Personal Injury Claims and Non-Injury Motor Accident Claims).

2 The amendments will take effect on 28 July 2022 and will be reflected at <https://epd-statecourts-2021.opendoc.gov.sg/> from 28 July 2022.

3 Please find attached a document reflecting the marked-up amendments to the Practice Directions 2021.

Dated this 18th day of July 2022.



CHRISTOPHER TAN
REGISTRAR
STATE COURTS

State Courts Practice Directions 2021 (Amendment No. 5 of 2022)

PART IV: CASE MANAGEMENT AND COURT ALTERNATIVE DISPUTE RESOLUTION

35. The SMCL Process

Scope of the SMCL Process

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- (2) Civil claims exceeding \$150,000 in the following categories are included in the SMCL:
- (a) Banking;
 - (b) Corporate Finance;
 - (c) Company Law;
 - (d) Intellectual Property;
 - (e) Securities;
 - (f) Equity and Trust;
 - ~~(g) Professional Negligence;~~
 - ~~(h)~~(g) Construction Disputes; and
 - ~~(i) Medical Law;~~
 - ~~(j) All cases that are transferred to the State Courts from the High Court, except for motor and industrial accident cases which undergo the Court Dispute Resolution (“CDR”) process at the Court Dispute Resolution Cluster (“CDRC”);~~
 - ~~(k)~~(h) Consolidated suits where the total claim exceeds \$150,000.;
 - ~~(l) Representative proceedings under Order 4, Rule 6 of the Rules of Court 2021;~~
 - ~~(m) Defamation actions commenced in the District Courts (“DC”); and~~
 - ~~(n) Any case deemed suitable for the SMCL at the discretion of the Court or on the application of parties.~~
- (2A) In addition to paragraph (2) above, civil claims in the following categories are also included in the SMCL:
- (a) District Court cases concerning:
 - (i) representative proceedings under Order 4, Rule 6 of the Rules of Court

2021; and

(ii) defamation actions; and

(b) any case deemed suitable for the SMCL at the discretion of the Court or on the application of parties.

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General provisions for procedure of SMCL CCs

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(15) If judgment is entered on liability for damages to be assessed, a further SMCL CC will be fixed around ~~7~~3 weeks after the date judgment is entered. A fresh SMCL CC Notice will be issued to the claimant and any party against whom judgment on liability has been entered (if that party has filed a notice of intention to contest), notifying parties of the date of the CC, and directing parties to file the necessary documents and take the necessary steps within a prescribed time for directions to be given to move the matter towards settlement or an Assessment of Damages hearing.

36. Simplified Process under Order 65 of the Rules of Court 2021

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General provisions for Civil Simplified CCs

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(17) If judgment is entered on liability for damages to be assessed, an Assessment of Damages CC will be fixed around ~~3~~7 weeks after the date judgment is entered. A CC Notice will be issued to the claimant and any party against whom judgment on liability has been entered (if that party has filed a notice of intention to contest) notifying parties of the date of the CC, and directing parties to file the necessary documents and take the necessary steps within a prescribed time for directions to be given to move the matter towards settlement or an Assessment of Damages hearing.

37. General Process

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General Process CCs and SAPT

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(8) If judgment is entered on liability for damages to be assessed, an Assessment of Damages CC will be fixed around ~~3~~7 weeks after the date judgment is entered. A CC Notice will be issued to the claimant and the parties against whom judgment on liability has been entered notifying parties of the date of the CC, and directing parties to file the

necessary documents and take the necessary steps within a prescribed time for directions to be given to move the matter towards settlement or an Assessment of Damages hearing.

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39. Personal Injury Claims and Non-injury Motor Accident (“NIMA”) Claims

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Recording of terms of settlement agreement, consent ~~interlocutory~~ judgment on liability or consent judgment

- (17) If the parties reach agreement on the issue of liability for the claim or quantum of damages or both, they must submit Form 7 of Appendix A1 to these Practice Directions to the Court to record the terms of settlement agreement or to enter a consent judgment on liability or consent judgment as the case may be.

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40. Medical Negligence Claims

Compliance with Protocol for Medical Negligence Claims

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- (2) Parties in medical negligence claims must comply with the terms of the Protocol for Medical Negligence Claims at Appendix E of these Practice Directions (“**the Medical Negligence protocol**”) both in substance and spirit. A breach by one party will not exempt the other parties in the claim from following the protocol.
- (3) In exercising its discretion as to costs, the Court will consider compliance with the **Medical Negligence** protocol. If non-compliance ~~with the protocol~~ has led to unnecessary costs, the Court may make, *inter alia*, the following orders:

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Recording of terms of settlement agreement, consent ~~interlocutory~~ judgment on liability or consent judgment

- (11) If the parties reach agreement on the issue of liability for the claim or quantum of damages or both, they must submit Form 7 of Appendix A1 to these Practice Directions to the Court to record the terms of settlement agreement or to enter a consent judgment on liability or consent judgment as the case may be.

41. Claims in negligence (excluding medical negligence, personal injury and non-injury motor accident (“NIMA”) claims)

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Recording of terms of settlement agreement, consent ~~interlocutory~~ judgment on liability or consent judgment

- (10) If the parties reach agreement on the issue of liability for the claim or quantum of damages or both, they must submit Form 7 of Appendix A1 to these Practice Directions to the Court to record the terms of settlement agreement or to enter a consent judgment on liability or consent judgment as the case may be.

45. Assessment of Damages and Taking of Accounts

Convening of Assessment of Damages Case Conference

- (1) This Practice Direction applies where a case is bifurcated, and the Court gives judgment on liability and for damages to be assessed or the taking of accounts. References to the “assessment phase” of the proceedings and to an “Assessment of Damages” hearing should be read as including the proceedings leading up to the taking of accounts and the hearing for the taking of accounts respectively.
- (1A) Where judgment on liability is entered in any action in the State Courts, in which bifurcation was ordered, for damages to be assessed or for the taking of accounts, an Assessment of Damages Case Conference (“**Assessment CC**”) will be fixed around 37 weeks after the date on which judgment on liability is entered. An Assessment CC Notice will be issued to the claimant and any party against whom judgment on liability has been entered (if that party has filed a notice of intention to contest), notifying parties of the date of the Assessment CC, and directing parties to file the necessary documents and take the necessary steps within a prescribed time for directions to be given to move the matter towards settlement or an Assessment of Damages hearing.
- (2) The parties are to inform the Court at the Assessment CC (or in accordance with the Court’s directions) whether they intend to file any interlocutory application(s) in the assessment phase.
- (2A) Pursuant to Order 15, Rule 15(4) read with Order 9, Rule 25(9) and Order 9, Rule 25(12) of the Rules of Court 2021, the party entitled to the benefit of the judgment on liability must file and serve an application for directions. The party must include all interlocutory application(s) he or she intends to make in the assessment phase in the application for directions, which must deal with all matters that are necessary for the case to proceed expeditiously in the assessment phase.
- (2B) Where any other party intends to file any interlocutory application(s), he or she must also file and serve an application for directions including all the interlocutory application(s) he or she intends to make in the assessment phase.
- (2C) Directions for the filing of any application(s) for directions and/or any supporting or reply affidavit(s) necessary will be given at the Assessment CC. In general:
- (a) within 21 days after the Assessment CC, any application(s) for directions is to be filed and served, together with a supporting affidavit (where the application

for directions includes interlocutory applications); and

- (b) within 21 days after service of an application for directions and supporting affidavit, an affidavit in reply may be filed and served.
- (2D) Save for the applications referred to in Order 9, Rule 9(7) of the Rules of Court 2021, no other application may be taken out by any party in the assessment phase other than as directed at the Assessment CC or with the Court’s approval.
- ~~(2) At the Assessment CC, and upon an application by the party entitled to the benefit of the judgment in accordance with Order 15, Rule 15 of the Rules of Court 2021, the Court will give such directions as are necessary including, but not limited to, directions for:~~
- ~~(a) the production of documents for the Assessment of Damages hearing;~~
 - ~~(b) the filing and exchange of affidavits of evidence in chief for the Assessment of Damages hearing; and~~
 - ~~(c) the filing of any notice of appointment for assessment of damages (“NOAD”).~~
- ~~(2A) In addition to the directions listed in sub-paragraph 2 above, directions for a Single Application Pending Trial (“SAPT”) to be filed may also be given at an Assessment CC, even if an SAPT has previously been filed in the liability phase of proceedings by a party. In both phases, in accordance with the Ideals in Order 3, Rule 1 of the Rules of Court 2021, the Court has the discretion to order a single application dealing with all matters that are necessary for the case to proceed expeditiously towards trial or assessment.~~

Convening of Assessment of Damages Court Dispute Resolution Conferences

- (3) The Court will generally convene the first Assessment of Damages Court Dispute Resolution Conference (“**ADCDR**”) within 4 weeks after the filing and acceptance of the ~~NOAD~~. Notice of Appointment for Assessment of Damages (“**NOAD**”).

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Fixing of Assessment of Damages Hearings

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- (19) Notwithstanding any other provision of these Practice Directions, in all Assessment of Damages hearings fixed before a Registrar in Chambers, and unless otherwise directed by the Court —
 - (a) for hearings for the taking of accounts, parties shall each file through the Electronic Filing Service and serve Opening Statements and Bundle(s) of Documents within 1 week prior to the hearing date;
 - (b) in all other cases,

- ~~(a)~~(i) the claimant shall, within 3 weeks prior to the date of the Assessment of Damages hearing, serve on the defendant a draft Joint Opening Statement (referred to in sub-paragraph (b) below) with the claimant’s portions duly completed along with the Bundle(s) of Documents;
- ~~(b)~~(ii) the defendant shall, within 2 weeks prior to the date of the Assessment of Damages hearing, serve on the claimant the draft Joint Opening Statement with the defendant’s portions duly completed; and
- ~~(c)~~(iii) the claimant shall, within 1 week prior to the date of the Assessment of Damages hearing, file through the Electronic Filing Service and serve the duly completed Joint Opening Statement as well as file the Bundle(s) of Documents.

(20) The format to be used for the Joint Opening ~~Statement~~Statements referred to in sub-paragraph (19)(b) above shall be as follows:

- (a) Joint Opening Statement for Assessment of Damages for Personal Injury Claims (including loss of dependency claims under section 20 of the Civil Law Act 1909) — Form 12 of Appendix A1 to these Practice Directions;
- (b) Joint Opening Statement for Assessment of Damages for Non-Injury Motor Accident Claims — Form 13 of Appendix A1 to these Practice Directions; and
- (c) Joint Opening Statement for Assessment of Damages for General Claims excluding Personal Injury and Non-Injury Motor Accident Claims — Form 14 of Appendix A1 to these Practice Directions.

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48. Applications in pending cases

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Request for approval to file further application

- (5) No application may be taken out by any party other than as directed at the relevant Case Conference (“CC”) or with the Court’s approval, save for the applications specified in Order 9, Rule 9(7) of the Rules of Court 2021. The Court’s approval to file further applications must be sought by filing a “Request for Permission to file Application” (Form 14A of Appendix A1 to these Practice Directions). The request must set out the nature of the intended application, the date of intended filing if approval is granted, whether it is being made within 14 days of the commencement of the trial, and the reasons for why the intended application is necessary at the relevant stage of the proceedings or, in the case of an application to be taken out within 14 days of the commencement of the trial, pursuant to Order 9, Rule 9(10) of the Rules of Court 2021, why there is a special case. The Court will consider the request and may issue directions summarily or alternatively convene a CC. The CC may be conducted on a “documents-only” basis, by video conferencing or telephone conferencing, or with parties in

attendance physically in chambers. Where parties are of the view that it would be more appropriate for submissions to be made at a physical or remote Case Conference, a “Request for Case Conference” may be filed in lieu of the “Request for Permission to file Application”. The “Request for Case Conference” should set out the reasons why the request for the Court’s approval to file further applications cannot or should not be dealt with asynchronously.

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PART V: “DOCUMENTS-ONLY” PROCEEDINGS

52. “Documents-only” Civil Trials and Assessments of Damages

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Consideration of the suitability of a “Documents-Only” Civil Trial or Assessment of Damages

- (6) Parties should consider the suitability of their case for a “Documents-Only” Civil Trial or Assessment and counsel should obtain their respective clients’ instructions prior to attending the following sessions:
- (a) in the case of all civil matters where all issues concerning liability have not been agreed or determined, the first Case Conference (“CC”) convened under Order 9, Rule 1 of the Rules of Court 2021; or
 - (b) in the case of civil matters where ~~interlocutory~~ judgment **on liability** has been entered for damages to be assessed, the first Assessment of Damages Court Dispute Resolution Conference (“ADC DR”) convened pursuant to Practice Direction 45 after the filing of the Notice of Appointment for Assessment of Damages.

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PART VIII: EVIDENCE – WITNESSES, AFFIDAVITS AND EXHIBITS

58. Witnesses

Issuance of Order to Attend Court

- (1) A request for the Registrar to issue an ~~o~~Order to ~~a~~Attend ~~c~~Court or an order to produce documents pursuant to Order 15, Rule 4(1) of the Rules of Court 2021 is made by filing Form 29 of Appendix A2 to these Practice Directions. An ~~o~~Order to ~~a~~Attend ~~c~~Court or order to produce documents is issued when it is sealed by an officer of the Registry.
- (1A) Where the issuance of an order to attend or order to produce documents is made under any written law for the purposes of a cause or matter that is not before the Court, the party must submit to the Registry 1 hardcopy each of his or her Request and the order to attend or order to produce documents to be sealed. An order to attend or order to produce documents is issued when the hard copy is sealed by an officer of the Registry.

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PART IX: DOCUMENTS AND AUTHORITIES FOR USE IN COURT

72. Electronic filing of documents and authorities for use in Court

Documents for use in Court must be filed through the Electronic Filing Service

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- (4) Notwithstanding anything else in this Practice Direction, ~~in the event that~~ a party ~~uses~~ may choose not to file the bundle of authorities into the electronic case file and instead submit a hard copy of the bundle of authorities ~~bundles of authorities in paper form for a hearing, the following directions in this paragraph shall apply:~~
- (a) The party shall still comply with paragraph (7) and ~~the court may direct the party to file an electronic copy of the~~ ~~bundle~~ list of authorities (that corresponds to the table of contents of the hard copy of the bundle of authorities) through the Electronic Filing Service.
 - (b) The party using the ~~paper-hard~~ copy of the bundle of authorities shall bear the onus of producing the bundle at every hearing at which it is required. The Court will neither retain nor undertake to produce for hearings the ~~paper-hard~~ copy of the bundle.
 - (c) The judicial officer may, if he so chooses, retain the ~~paper-hard~~ copy of the bundle of authorities for his own reference. The ~~paper-hard~~ copy so retained will not however form part of the Court's record in respect of the proceedings in which it was used.

Directions for electronic creation and filing of submissions, bundles of documents, bundles of authorities

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- (7) The following directions apply to the preparation and filing of bundles of authorities:
- (a) A party using a hard copy of the bundle of authorities for a hearing may be directed to file the list ~~Bundles~~ of authorities (that corresponds to the table of contents of the hard copy of the bundle of authorities) ~~shall be filed~~ into the case file through the Electronic Filing Service.
- ...
- (f) The bundle of authorities must be paginated consecutively at the top right hand corner of each page. Each separate volume must start at page 1, and every page in that volume must be numbered consecutively. The page number of each bundle must correspond to the page number in the PDF version of that bundle.
 - (g) If a hard copy is prepared:
 - (i) the bundle of authorities must be properly bound with plastic ring binding

or plastic spine thermal binding. The rings or spines should be red for claimants/appellants and blue for defendants/respondents with a transparent plastic cover in front and at the back.

- (ii) The bundle of authorities must have flags to mark out the authorities. Such flags must bear the appropriate indicium by which the authority is referred to. Flags must be spaced out evenly along the right side of the bundle so that as far as possible they do not overlap one another.

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73. Documents for use in trials in open Court

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- (2) Order 9, Rule 25(9) of the Rules of Court 2021 requires the affidavits of evidence-in-chief of all witnesses or other affidavits, the bundles of documents and the opening statements to be filed and served as directed by the Court. Parties are to note that the timeline given pursuant to the Court's directions under Order 9, Rule 25(9) of the Rules of Court 2021 is to be adhered to strictly, and that the timeline will apply to the filing of the documents into the electronic case file and, if applicable, the submission of the CD-ROM or DVD-ROM (containing the documents in Portable Document Format (PDF)) to the Registry. ~~Order 9, Rule 25(9)-(10) of the Rules of Court 2021 requires the parties to be directed to file and serve their affidavits of the evidence in chief ("AEICs") of all witnesses, a bundle of documents and an opening statement. This Practice Direction prescribes the contents and the format of these documents.~~

Mode of filing documents~~*Bundle of AEICs*~~

- (3) The opening statement, the affidavits of the evidence-in-chief of all witnesses or other affidavits, and the bundle of documents must be filed in Court as separate documents using the Electronic Filing Service, and, if required, each of the opening statement, the affidavits of the evidence-in-chief of all witnesses or other affidavits, and the bundle of documents in Portable Document Format (PDF) stored on optical media (CD-ROM or DVD-ROM) may be tendered to the Registry. The documents must comply with the provisions of this Practice Direction. ~~The claimant is to prepare a bundle of AEICs of all witnesses. Where the AEICs have all been individually filed through the Electronic Filing Service, the bundle of AEICs need not be re-filed but shall be tendered to the Registry in hard copy.~~
- (4) The parties may tender the documents referred to at paragraph (3) above to the Registry in hard copy. The hard copy must tally in all respects with the soft copy, and the page numbers of the hard copy must correspond to the page numbers in the Portable Document Format (PDF) version. Parties should adhere as far as possible to the guidelines set out on the eLitigation website at <https://www.elitigation.sg> on the resolution to be used when scanning documents into PDF.

Bundles of Documents ~~pursuant to Order 9, Rule 25(10)~~

- (5) Under Order 9, Rule 25(10) of the Rules of Court 2021, parties are required to file and serve bundles of documents which must contain:
- (a) the last pleading (which incorporates all the previous pleadings);
 - (b) the orders of the Court given at the case conferences which are relevant for the trial; and
 - (c) the documents which the parties are relying on at the trial, separating them into sections for documents of which authenticity is not in dispute and documents of which authenticity is in dispute.

Where directed by the Court, the plaintiff's solicitors are to prepare a table in the manner and form set out in Form 20 of Appendix A1 to these Practice Directions. The table seeks to provide an overview of the parties' positions reflected in the last pleading (which incorporates all the previous pleadings).

- (6) The bundles of documents must be prepared in an electronic format. The contents of the bundle of documents must be agreed on between all parties as far as possible. If there are other documents, the relevance of which is uncertain, these documents should be included and any objections taken before the trial Judge. Only documents which are relevant or necessary for the trial may be included in the bundles. In cases where the Court is of the opinion that costs have been wasted by the inclusion of unnecessary documents, the Court will have no hesitation in making a special order for costs against the relevant party. No bundle of documents is necessary in cases where parties are not relying on any document at the trial.
- (7) The following directions apply to the electronic creation of bundles of documents:
- (a) An index of contents of each bundle in the manner and form set out in Form 21 or 22 of Appendix A1 of these Practice Directions must also be prepared. Bookmarks should be created in the Portable Document Format (PDF) file for each such reference in the index. There should be as many bookmarks in the PDF file as there are references in the index to documents in that PDF file.
 - (b) The name given to each bookmark should be the same as the corresponding reference in the index.
 - (c) It is the responsibility of the solicitors for all parties to agree and prepare a bundle of agreed documents. The scope to which the agreement extends must be stated in the index sheet of the bundle of agreed documents. If the parties are unable to agree on the inclusion of certain documents, those documents on which agreement cannot be reached must be prepared by the party that intends to rely on or refer to those documents. It is the responsibility of the solicitors for the party filing the bundle of documents under Order 9, Rule 25(10) of the Rules of Court 2021 to separate the documents into sections for documents of which authenticity is not in dispute and documents of which authenticity is in

dispute and to indicate in the index sheet the documents of which authenticity is in dispute and by whom. Apart from the above, the various PDF documents should be arranged chronologically or in some logical order.

- (d) The page number of each printed volume of the bundle of documents must correspond to the page number in the Portable Document Format (PDF) version of that volume of the bundle. Each separate volume must start at page 1, and every page must be numbered consecutively.
- (8) The following directions apply to hard copies tendered to the Registry or the Court:
- (a) The bundles of documents should be paginated consecutively throughout at the top right hand corner and may be printed on one side or both sides of each page. Each separate volume must start at page 1, and every page in that volume must be numbered consecutively.
 - (b) Where the bundle of documents consists of more than 1 volume:
 - (i) the index of contents of all volumes of the bundle of documents must be placed at the beginning of Volume I; and
 - (ii) each volume must have an index of contents indicating the documents that are contained in that volume.
 - (c) The documents in the bundles should:
 - (i) be firmly secured together with plastic ring binding or plastic spine thermal binding. The rings or spines should be red for claimants and blue for defendants with a transparent plastic cover in front and at the back;
 - (ii) have flags to mark out documents to which repeated references will be made in the course of hearing. Such flags must bear the appropriate indicium by which the document is indicated in the index of contents. Flags must be spaced out evenly along the right side of the bundle so that, as far as possible, they do not overlap one another; and
 - (iii) be legible. Clear and legible photocopies of original documents may be exhibited instead of the originals. The originals must be made available for inspection by the other parties or the Judge upon request.
 - (d) Where originals and copies of documents are included in 1 bundle, it should be stated in the index which documents are originals and which are copies.

~~(4) The claimant is to prepare the Bundle of Documents referred to in Order 9, Rule 25(10) of the Rules of Court 2021 in the following format:~~

- ~~(a) **Volume I** the last pleading (which incorporates all the previous pleadings); which should also include any further and better particulars to the relevant pleading. The earlier versions of the pleading should not be included. Any particulars to the pleading should be arranged directly below the relevant~~

~~pleading. The orders of Court given at the Case Conferences which are relevant for the trial should be included at the end. Where directed by the Court, the plaintiff's solicitors are to prepare a table in the manner and form set out in Form 20 of Appendix A1 to these Practice Directions. The table seeks to provide an overview of the parties' positions reflected in the last pleading (which incorporates all the previous pleadings).~~

~~For example:~~

~~Index to Volume I of the Bundle of Documents~~

S/n	Document	Date filed
1	Statement of Claim (Amendment No. 2)	19/1/2020
2	Further and Better Particulars to the Statement of Claim	10/12/2019
3	Defence (Amendment No. 1)	2/2/2021
4	Further and Better Particulars to the Defence	15/12/2019
5	Order of Court No. DC/ORC 123/2021	12/2/2021

~~(b) — **Volume II** — the documents which the parties are relying on at the trial for which authenticity is not in dispute. A table of contents in the manner and form set out in Form 21 in Appendix A1 to these Practice Directions must also be furnished. It is the responsibility of solicitors for all parties to agree and prepare an agreed bundle as soon as possible.~~

~~(c) — **Volume III** — the documents which the parties are relying on at the trial for which authenticity is in dispute. A table of contents in the manner and form set out in Form 22 in Appendix A1 to these Practice Directions must also be furnished.~~

~~(5) — The Bundle of Documents shall be created in compliance with Practice Direction 72(6) and be filed and served through the Electronic Filing Service. A hard copy is to be tendered to the Registry by the date directed by the Court, or, in the absence of any direction, no later than 5 working days before the trial date.~~

~~(6) — The hard copy Bundle of Documents should —~~

~~(a) — be firmly secured together with plastic ring binding or plastic spine thermal binding, and such rings or spines should be red for claimants and blue for defendants with a transparent plastic cover in front and at the back;~~

~~(b) — have flags to mark out documents to which repeated references will be made in the course of hearing, and such flags shall —~~

- ~~(i) bear the appropriate indicium by which the document is indicated in the index of contents; and~~
 - ~~(ii) be spaced out evenly along the right side of the bundle so that as far as possible they do not overlap one another; and~~
 - ~~(e) be legible (for which purpose clear legible photo-copies of original documents may be exhibited instead of the originals provided the originals are made available for inspection by the other parties before the hearing and by the Judge at the hearing).~~
- ~~(7) Where originals and copies of documents are included in one bundle, it should be stated in the index which documents are originals and which are copies.~~
- ~~(8) Only documents which are relevant or necessary for the trial shall be included in the bundles. In cases where costs have been wasted by the inclusion of unnecessary documents, the Court may make a special order for costs against the relevant person.~~
- (9) Additional documents tendered in Court that are not part of the Bundle of Documents must be filed using the Electronic Filing Service in accordance with Practice Direction 72(2).

Bundle of authorities

- ~~(10) The bundle of authorities to be prepared by each party should be prepared in accordance with Practice Direction 72(4) and filed and served on all relevant parties at least 3 working days before trial.~~
- ~~(11) Only authorities which are relevant or necessary for the trial shall be included in the bundles. No bundle of authorities is necessary in cases where parties are not relying on any authority at the trial. In cases where the Court is of the opinion that costs have been wasted by the inclusion of unnecessary authorities, the Court may make an order for costs against the relevant person.~~

Core bundle of documents

- (10) In addition to the bundles of documents required to be filed and served under Order 9, Rule 25(9) of the Rules of Court 2021, parties should endeavour to file a core bundle of documents for trial, unless one is clearly unnecessary. This core bundle should comprise only the most important documents that are relevant to the hearing in question, or which will be repeatedly referred to in the course of the hearing.
- (11) The documents in the core bundle of documents should not only be paginated but should also be cross-referenced to copies of the documents included in the main bundles. The core bundle of documents must be prepared in an electronic format and tendered to the Court in a loose-leaf file which can easily have further documents added to it if required.

Opening statements and closing submissions

- (12) 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 or she 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 originating claims in the State Courts, except where otherwise provided for in these Practice Directions or as directed by the Court.
 - (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 party.
 - (d) The following format must be adhered to when preparing opening statements:
 - (i) all pages must be paginated, with the first 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 must be double spaced;

- (iv) each page may be printed on one side or both sides; and
 - (i) every page must have a margin on all four sides, each of at least 35 mm in width.
- (e) Opening statements should not exceed 25 pages (including the cover page, table of contents and all annexes and appendices). All opening statements must include a cover page and a table of contents. Parties are to note that where the Court allows the prescribed page limit to be exceeded, fees are payable under the Fourth Schedule to the Rules of Court 2021.
- (f) Opening statements may be amended at trial, but counsel will be expected to explain the reasons for the amendments.

Bundle of authorities

- (13) In addition to the documents required to be filed and served under Order 9, Rule 25(9) of the Rules of Court 2021, the Court may direct parties to file and serve bundles of authorities.

Opening statements and closing submissions

- ~~(12) The opening statement shall be subject to any page limit provided for in the Rules of Court 2021 and shall comply with Practice Direction 72(5).~~
 - ~~(a) The claimant's statement as provided for in sub-paragraph (c) below, should be filed and served on all other relevant parties not less than 3 working days before the commencement of the trial or as otherwise directed.~~
 - ~~(b) The other counsel should each similarly not later than 2 working days before the start of the trial or as otherwise directed provide to the Court (with copies at the same time to their opponents) a statement which should concisely state the nature of their case on each of the issues to be tried and summarise the propositions of law to be advanced with references to the main authorities to be relied on. The character and length of this document will depend on the circumstances and whether there is any counterclaim or third party proceedings.~~
 - ~~(c) The following format must be adhered to when preparing opening statements:
 - ~~(i) all pages must be paginated, with the first 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 must be double spaced;~~
 - ~~(iv) each page may be printed on one side or both sides; and~~~~

- ~~(v) — every page must have a margin on all four sides, each of at least 35 mm in width.~~
- ~~(d) — In the case of the claimant, the statement must include the following:
 - ~~(i) — a summary of essential facts indicating which, if any, are agreed;~~
 - ~~(ii) — an indication of how these facts are to be proved, identifying relevant witnesses and documents;~~
 - ~~(iii) — a summary of the issues involved with cross references as appropriate to the pleadings;~~
 - ~~(iv) — a summary of the claimant’s case in relation to each of the issues with references to the key documents relied upon, and a summary of the propositions of law to be advanced with references to the main authorities to be relied on; and~~
 - ~~(v) — an explanation of the reliefs claimed (if these are unusual or complicated).~~~~
- ~~(e) — Counsel will be at liberty to amend their statements at the trial but in such event will be expected to explain the reasons for the amendments.~~
- ~~(13) — Where parties are directed to file and serve written closing submissions, Practice Direction 72(5) should be complied with. Where parties have already filed and served a bundle of authorities pursuant to paragraph (10) above, the closing submissions should refer to that bundle. Any supplemental bundle of authorities should contain only any additional authorities.~~

Core bundle of documents

- ~~(14) — In addition to the bundles of documents required to be filed and served under Order 9, Rule 25(9) of the Rules of Court 2021, parties should endeavour to file a core bundle of documents for trial, unless one is clearly unnecessary. This core bundle should comprise only the most important documents that are relevant to the hearing in question, or which will be repeatedly referred to in the course of the hearing.~~
- ~~(15) — The documents in the core bundle of documents should not only be paginated but should also be cross referenced to copies of the documents included in the main bundles. The core bundle of documents must be prepared in an electronic format and tendered to the Court in a loose leaf file which can easily have further documents added to it if required.~~

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74. Hearing in Chambers

- (1) In all hearings in chambers before a Judge or Registrar, counsel shall submit their written submissions, bundles of documents and their own bundle of authorities as

appropriate for the hearing. The requirements of Practice Directions 72 and 73 shall, with the necessary modifications, be complied with in this regard, save that any bundles to be relied on at ~~the~~**a contested special date** hearing shall be filed and served no later than ~~3~~**1** working days in advance of the hearing and hard copies of any bundles may (if necessary) be submitted at the hearing itself before the Judge or Registrar, as the case may be, **unless the court directs otherwise**.

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PART XII: ELECTRONIC FILING SERVICE

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84. Appointment of agent to establish service bureau

Pursuant to Order 28, Rule 5 of the Rules of Court 2021, the Registrar hereby appoints CrimsonLogic Pte Ltd as an agent to establish a service bureau ~~or service bureaux~~ at ~~133 New Bridge Road #19-01/02 Chinatown Point Singapore 059413 (or such other~~ address(es) in Singapore as may be deemed suitable).

91. Filing documents through service bureau

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~~(6) Documents filed through the service bureau shall be subject to the Manual Handling Fees prescribed at <https://www.elitigation.sg/>, and additional services made available by the service bureau may be subject to other administrative charges imposed by the service bureau with the approval of the superintendent.~~

92. Filing of documents to the State Courts through ~~another Supreme Court or Family Justice Courts~~ service bureau

Pursuant to Order 28, Rules 17(4) and 17(6) of the Rules of Court 2021, the Registrar hereby prescribes that any service bureau established or authorised to be established by the Registrar of the Supreme Court or the Registrar of the Family Justice Courts may assist in the filing, service, delivery or conveyance of documents pertaining to proceedings in the State Courts using the Electronic Filing Service ~~in all cases and circumstances where the staff of these service bureaux are able to provide such assistance pertaining to State Courts proceedings. if the service bureau, or, if there are more than one, all the service bureaux, established or authorised to be established by the Registrar are unable to provide such services owing to failure of hardware or software, or both.~~

PART XIX: PROCEEDINGS BEFORE THE COMMUNITY COURTS AND TRIBUNALS CLUSTER

128. Community Justice and Tribunals System

(1) For the purposes of the following rules:

- (c) Rule 8A of the Small Claims Tribunals Rules;
- (d) Rule 3A of the Employment Claims Rules 2017;
- (e) Rule 4A of the Community Disputes Resolution Tribunals Rules 2015; and
- (f) Rule 7 of the Supreme Court of Judicature (Protection from Harassment) Rules 2021,

the electronic filing and case management system established is the Community Justice and Tribunals System (“CJTS”) and is accessible at <https://cjts.judiciary.gov.sg>. ~~www.judiciary.gov.sg/services/CJTS~~.

...

Appendix A1

Form 6

COURT ALTERNATIVE DISPUTE RESOLUTION (COURT ADR) FORM

The State Courts regard Court Alternative Dispute Resolution (“Court ADR”) as a crucial step in the cost-effective and amicable resolution of disputes. Early identification of cases is essential to help the parties save costs and improve settlement prospects. To assist in this regard, this Form should be completed by you and your client

- (a) *before the first Civil Simplified Case Conference, for Originating Claims filed in the Magistrate’s Court on or after 1 ~~January~~ April 2022 and by consent, Originating Claims in the District Court (pursuant to Order 65 of the Rules of Court 2021 and Practice Direction 36);*

...

Form 14A

Request for Permission to File Application

To: The Registrar

[State the party, including name, identification type and identification number] requests for permission to file the intended application –

Nature of intended application: [State nature]

Essence of intended application: [State briefly the essence of the application]

Date of filing of intended application if permission is granted: [State date]

Is the intended application filed subsequent to the single application pending trial (“SAPT”): (Yes/No)

Is the intended application to be taken out within 14 days before commencement of trial and ending when the Court has made a decision: (Yes/No)

Reasons for why the intended application is necessary at this stage of proceedings:
[State reasons]

If the intended application is filed subsequent to the SAPT, reasons why the intended application could NOT have been dealt with under the SAPT: [State reasons]

[Attach a document containing / in support of reason(s)/justification(s) for Request]

Issued by: *Solicitor for the [state the party]*

[Name, address, email address and telephone number of solicitor]

Form 30

APPLICATION FOR RECORDS OF CRIMINAL PROCEEDINGS ~~FOR NON-ICMS CASES~~

Name of Applicant / Solicitor's Firm : NRIC No. : Address : File Reference No: Email: Telephone No: Facsimile No:	Date of Application <hr/> Solicitor Acting For :- (✓ where applicable) <input type="checkbox"/> Complainant <input type="checkbox"/> Respondent <input type="checkbox"/> Others: (please specify)
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DOCUMENTS APPLIED FOR
CRIMINAL COURTS CLUSTER

NRIC/ Name of Accused / Complainant / Respondent / Deceased:

Case No:
 (Please specify Case Reference No.)

DAC/MAC No(s):

Coroner's Inquiry No:

Others:
 (please specify)

Type of Document (✓ where applicable)

Charges

Complaint Form

Notes of Evidence:
 (please specify hearing dates)

Registrar's Certificate **and charges**
[Please note that this certificate can only be issued together with the charges, which will be charged separately]

Statement of Facts

Others:
 (please specify)

Reasons For Application (~~✓~~ where applicable) (please elaborate)

<input checked="" type="checkbox"/> Misplaced Original Copy of the Order/Charge/Others <input checked="" type="checkbox"/> For reference	<input checked="" type="checkbox"/> To seek legal advice/ representation <input checked="" type="checkbox"/> Others : (please specify)
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Reasons For Application (✓ where applicable)

<input type="checkbox"/> Misplaced Original Copy of the Order/Charge/Others <input type="checkbox"/> For reference	<input type="checkbox"/> To seek legal advice/ representation <input type="checkbox"/> Others : (please specify)
--	---

(1) I understand that I am to pay the required fees for the above in accordance with regulation 2(1)(a) (ii), ~~(1)(b)~~ and 2(2) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013 or paragraph 3 of the Fees (State Courts – Criminal Jurisdiction) Order 2014, as applicable, upon submission of the application Form. I also understand that the document(s) applied for can only be collected after the stipulated payment has been made.

(2) I also understand that the Court, upon approval of the application, will only release the document(s) applied for to parties named in the action or their solicitors.

(3) I also understand that my application will be deemed as lapsed if the document(s) applied for is/are not collected within 21 days from the date I am informed on the availability thereof. I also understand that I am required to provide a **Letter of Authorisation** for another person to collect the requested document(s) on my behalf if I am unable to collect them personally.

 Signature of Applicant _____
Date

FOR OFFICIAL USE ONLY

The application is: Approved Not approved
 (✓ where applicable) Reasons for rejection (where applicable):

 Name and Signature of District Judge/Magistrate/Deputy Registrar

<ul style="list-style-type: none"> - Total Fees payable : _____ - Minimum Fees payable (\$15 x no. of document types applied): _____ 	No. of documents collected:	No. of Pages:
<ul style="list-style-type: none"> - Paid on: _____ Receipt No: _____ - Balance Fees payable (\$0.50 per page, where applicable): _____ - Paid on: _____ Receipt No: _____ 	Document(s) collected by: Name & Signature of Collector NRIC/Passport/ FIN No: Date:	

Collection Time: Mondays to Fridays – 9:00 am to 12:30 pm & 2:00 pm to 5:00 pm

1. All requests for copies of the records of any criminal proceedings are subject to the approval of the Court.
2. Once the request has been approved and the applicant has been informed on the availability of the requested document(s) and the cost (where applicable), the said documents will be available for collection for a period of 21 days. Any document(s) not collected within the stipulated period will be destroyed and a fresh request must be submitted thereafter if the applicant still requires the document(s).
3. An application for copies of the records of any criminal proceedings will only be processed after the stipulated payment has been made.

Prescribed Fees

4. The fees payable are as follows:

Document Type	Fee Amount	Remarks
Registrar's Certificate ¹ and charges	\$20 \$35, payable upon application. (This includes a fixed fee of \$20 for the Registrar's Certificate and a minimum fee of \$15 for charges.)	Payable upon Application <i>Note: An additional amount based on the number of pages for charges is payable before collection.</i>
All other documents (including a copy of any Judgment, Sentence, Order, Deposition or other part of the record of any criminal proceedings ²)	\$5 for each type of document requested in the application and \$0.50 per page thereof, subject to a minimum of \$15 per document.	Minimum of \$15 (per document) payable upon Application <i>*Any additional amount (based on number of pages) may be payable before collection of the document(s).</i>
Application for an additional copy of the record of any criminal proceedings or the Grounds of Decision ³	\$0.50 for each page thereof, subject to a minimum of \$10 for each copy of the record of proceedings and grounds of decision	Minimum of \$10 (per document) payable upon Application <i>*Any additional amount (based on number of pages) may be payable before collection of the document(s).</i>

~~5. There is a \$5 non-refundable application fee for each type of document applied for. A fee of \$0.50 for each page of the document, subject to a minimum fee of \$15 for each type of document requested is also payable. The total sum of \$15 is payable when the application for the records is submitted.~~

~~6. The additional amount of fee (based on the actual number of pages provided) is payable before the document(s) can be collected.~~

Refund of Fees Paid

75. The \$5 application fee is non-refundable.
86. A refund of the minimum fee already collected will only be made through directly crediting the applicant's bank account. ~~The applicant must furnish the photocopies of the following:~~ The applicant is required to furnish the bank account details.
 - ~~a. applicant's NRIC or Passport; and~~
 - ~~b. applicant's bank statement or savings passbook (reflecting his name and the account number)~~

Payment Modes

97. Local Applicants: Cash, NETS, ~~or~~ local Solicitor's cheque, PayNow or Credit Card
[For cheque payment, please make the cheque payable to "Registrar, State Courts" and indicate the Case Number at the back of the cheque]
108. Overseas Applicants: Telegraphic Transfer in Singapore Currency (payable to Registrar, State Courts)
Payment due to State Courts excludes all bank charges

¹ Pursuant to section 45A(4) of the Evidence Act 1893.

² Pursuant to paragraph 3 of the Fees (State Courts – Criminal Jurisdiction) Order 2014, and regulation 2(2) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, read with section 426(1) of the Criminal Procedure Code 2010.

³ Pursuant to regulation 2(1)(a)(ii)(b) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, read with section 377(6) of the Criminal Procedure Code 2010.

[Note: The bank/agent charges are to be paid to the bank/agent directly which is different from the amount payable for the documents]-

~~Bank Draft in Singapore Currency (payable to Registrar, State Courts)~~
~~Payment should also include all bank charges~~

Contact Us

For enquiries pertaining to Court records, please email us at contact@statecourts.gov.sg or call us at (65) 6587 8423 for assistance.

APPENDIX B: Pre-Action Protocol for Personal Injury Claims and Non-Injury Motor Accident Claims

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16. Early agreement on liability

- 16.1 Where parties have agreed on the issue of liability prior to the commencement of proceedings and wish to issue an originating claim in order for damages to be assessed, the claimant must file an originating claim endorsed with a simplified statement of claim. If a notice of intention to contest is not filed and served after the originating claim is served, the claimant may, in the manner prescribed under the Rules of Court 2021, proceed to enter default ~~interlocutory~~ judgment on liability and take out an application for directions for the assessment of damages.

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APPENDIX C: Guidelines for Court Dispute Resolution Case Conferences for Personal Injury Claims and Non-Injury Motor Accident Claims

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5. Preparation for CDR CC

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5.3 *Additional documents and instructions*

...

- (d) Insurers should notify their solicitors if, to their knowledge, other claims arising from the same accident have been filed in Court. Solicitors should assist the Court in identifying these related claims so that all the claims may be dealt with together at the CDR CC for a consistent outcome on liability. If an ENE on liability has been given or ~~interlocutory~~ judgment on liability has been entered in any related claim(s), solicitors should notify the Court accordingly and endeavour to resolve the remaining claims(s) on the same basis.

...

8.1 Follow up action after CDR CC

...

- 8.2 Rather than refraining from taking a position on liability or insisting that agreement on liability is *contingent* on quantum being settled at a particular sum (as is sometimes the case), parties who are able to agree on the issue of liability but not quantum shall consider allowing ~~an Interlocutory a Judgment on Liability~~ to be recorded for liability and proceed for assessment of damages. A hearing to assess damages is generally less costly than a full trial.