

Supreme Court Practice Directions 2021 (Amendment No. 1 of 2022)

Part 1: Introduction

3. References to written laws

In these Practice Directions, unless the context otherwise requires:

...

(b) any reference to “Rules of Court 2021” is a reference to the Rules of Court 2021 (G.N. No. S 914/2021) as in force on or after 1 April 2022; and

...

Part 2: Registry, Administration and Finance

20. Filing directions to the Accountant-General for payment in or payment out or furnishing security for costs by depositing monies in the Registry

...

(2) Where monies are to be paid out of Court, a copy of **one of** the following documents ~~(as the case may be)~~ must be attached to the draft Direction to Accountant-General for Payment Out and filed into the case file via the Electronic Filing Service for approval by the Court:

...

Part 3: Electronic Filing and Service

32. Establishment of Electronic Filing Service and appointment of electronic filing service provider

...

Part 9: Interlocutory Applications

69. Applications to be heard in open court

...

(3) In addition to any provisions in the Rules of Court 2021 or other written law, and subject to further directions made by the Court, the Registrar hereby directs that the following applications are to be heard in open court:

...

(j) applications for ~~legal officers~~ **Judicial Service Officers, Legal Service Officers** or non-practising solicitors to be struck off the roll under section 82A(10) of the Legal Profession Act;

...

Part 17: Admiralty Matters

155. Applications for appraisal and sale

...

(3) The list of appraisers referred to in sub-paragraph (1) may be found on the Singapore Courts website at <http://www.judiciary.gov.sg/services/sheriff-sales-services/sheriff-s-sales> <https://www.judiciary.gov.sg/services/sheriff-services-admiralty-actions> or will be provided by the Registry upon request.

Part 23: Simplified Process for certain Intellectual Property Claims

169. Application

The directions contained in this Part apply to all proceedings to which the simplified process for certain intellectual property claims under Part 2 of the Supreme Court of Judicature (Intellectual Property) Rules 2022 (G.N. No. S 205/2022) (“SCJIPR”) (the “Simplified Process”) applies.

170. Proceedings under the Simplified Process

Election by Claimant for Part 2 of SCJIPR to apply

(1) A claimant who wishes to elect for Part 2 of the SCJIPR to apply to the claimant’s originating claim must, within 2 working days after the claimant’s originating claim has been filed and accepted by the Registry, comply with rule 5(1) of the SCJIPR.

(2) Where a claimant has elected for Part 2 of the SCJIPR to apply to the claimant’s originating claim, a defendant that makes a counterclaim must, within 2 working days after the filing of the defence and counterclaim:

(a) if the defendant agrees to the application of Part 2 of the SCJIPR:

(i) comply with rule 5(2)(a) of the SCJIPR; or

(ii) comply with rule 5(2)(b) of the SCJIPR without abandoning any claim for monetary relief in excess of \$500,000; or

(b) if the defendant does not agree to the application of Part 2 of the SCJIPR — comply with rule 5(2)(c) of the SCJIPR.

(3) Where subparagraph (2)(a) applies, the Court will give directions to determine whether Part 2 of the SCJIPR should continue to apply to the case.

(4) Where subparagraph (2)(b) applies, the Court will give directions to the defendant to make an application under rule 5(4) of the SCJIPR for an order for Part 2 of the SCJIPR not to apply to the case.

(5) Where a claimant has elected for Part 2 of the SCJIPR to apply to the claimant's originating claim, a defendant that does not make a counterclaim and does not agree to the application of Part 2 of the SCJIPR must, within 2 working days after the filing of the defence, make an application under rule 5(4) of the SCJIPR for an order for Part 2 of the SCJIPR not to apply to the case.

(6) A claimant who has not complied with subparagraph (1), and who wishes to make an application under rule 6(2) of the SCJIPR for an order for Part 2 of the SCJIPR to apply to the claimant's originating claim, must make that application as soon as practicable. The claimant must, before making the application:

(a) comply with rule 6(3)(a) of the SCJIPR; or

(b) inform the Court by letter that rule 6(3)(c) of the SCJIPR applies, in that all parties agree to the application of Part 2 of the SCJIPR.

Application by Defendant for order for Part 2 of SCJIPR to apply to originating claim

(7) A defendant who wishes to make an application under rule 6(2) of the SCJIPR for an order for Part 2 of the SCJIPR to apply to a case must do so as soon as practicable. If the defendant is making a counterclaim, the defendant must, before making the application:

(a) comply with rule 6(3)(a) of the SCJIPR; or

(b) inform the Court by letter that rule 6(3)(c) of the SCJIPR applies, in that all parties agree to the application of Part 2 of the SCJIPR.

171. Forms

In accordance with the definition of "form" in rule 3 of the SCJIPR:

(a) for the purposes of rule 5(1)(a) of the SCJIPR, the relevant form for the form to elect for Part 2 of the SCJIPR to apply is Form I1 of Appendix I of these Practice Directions; and

(b) for the purposes of rules 4(2)(a), 5(1)(b) and (2)(a) and 6(3)(a) of the SCJIPR, the relevant form for the form to abandon any claim for monetary relief in excess of \$500,000 is Form I2 of Appendix I of these Practice Directions.

Appendix A

99.

O. 69, r. 3(1)

LIMITED CIVIL RESTRAINT ORDER

IN THE GENERAL DIVISION OF THE HIGH COURT / APPELLATE DIVISION
OF THE HIGH COURT / COURT OF APPEAL *

OF THE REPUBLIC OF SINGAPORE

Case No.)
of 20 .)

Between

*Claimant / Appellant**

And

*Defendant / Respondent**

Before the Honourable

In Open Court

LIMITED CIVIL RESTRAINT ORDER

Upon the application of [party] and upon reading the affidavit of [state the name of the person making the affidavit and the filing date] and upon hearing [name]

It is ordered that:

1. The [party] is restrained from making any further application in [the legal proceedings in respect of which this order is made] without the permission of the Court.
2. The [party] may apply to amend, vary or discharge this order, only if the [party] has the permission of the Court to make the application.
3. This order remains in force for the duration of [the legal proceedings in respect of which this order is made / until [date]*].
4. [State the order on costs or any other orders made by the Court].

Date of order: [Date]

Important Message:

1. You must obey the directions contained in this order. If you disobey any direction contained in this order, you will be guilty of contempt of court and may be sent to prison or fined.
2. If you apply for permission to make an application in the legal proceedings mentioned in this order, you must serve the application for leave, and the supporting affidavit, on every intended respondent to the application and, if this order was made on the application of the Attorney-General, on the Attorney-General.
3. If you apply for permission to make an application to amend, vary or discharge this order, you must serve the application for permission, and the supporting affidavit, on every party to the application pursuant to which this order was made.
4. If you attempt to make an application in the legal proceedings mentioned in this order, or attempt to make an application to amend, vary or discharge this order, without first obtaining the permission of the Court, your application will be treated as dismissed without the Court having to make any further order, and without the need for any other party to be heard on the merits of your application.
5. If you do not understand anything in this order, you should consult a solicitor as soon as possible.

(Seal of the Court and signature of the Registrar)

*(*Use as appropriate)*

100.

O. 69, r. 3(1)

EXTENDED CIVIL RESTRAINT ORDER

IN THE GENERAL DIVISION OF THE HIGH COURT / APPELLATE DIVISION
OF THE HIGH COURT / COURT OF APPEAL *
OF THE REPUBLIC OF SINGAPORE

Case No.)
of 20 .)

Between

*Claimant / Appellant**

And

*Defendant / Respondent**

Before the Honourable

In Open Court

EXTENDED CIVIL RESTRAINT ORDER

Upon the application of [party] and upon reading the affidavit of [state the name of the person making the affidavit and the filing date] and upon hearing [name]

It is ordered that:

1. The [party] is restrained from commencing any action or making any application, in [specify the court or subordinate court], concerning any matter involving, relating to, touching upon or leading to [the legal proceedings in respect of which this order is made] without the permission of the Court.
2. The [party] may apply to amend, vary or discharge this order, only if the [party] has the permission of the Court to make the application.
3. This order remains in force until [date].
4. [State the order on costs or any other orders made by the Court].

Date of order: [Date]

Important Message:

1. You must obey the directions contained in this order. If you disobey any direction contained in this order, you will be guilty of contempt of court and may be sent to prison or fined.
2. If you apply for permission to commence an action or make an application, in a court or subordinate court specified in this order, concerning any matter involving, relating to, touching upon or leading to the legal proceedings mentioned in this order, you must serve the application for permission, and the supporting affidavit, on every intended defendant to the action or every intended respondent to the application (as the case may be) and, if this order was made on the application of the Attorney-General, on the Attorney-General.
3. If you apply for permission to make an application to amend, vary or discharge this order, you must serve the application for permission, and the supporting affidavit, on every party to the application pursuant to which this order was made.
4. If you attempt to commence an action or make an application, in a court or subordinate court specified in this order, concerning any matter involving, relating to, touching upon or leading to the legal proceedings mentioned in this order, or attempt to make an application to amend, vary or discharge this order, without first obtaining the permission of the Court, your action or application will be treated as struck out or dismissed (as the case may be) without the Court having to make any further order, and without the need for any other party to be heard on the merits of your application.
5. If you do not understand anything in this order, you should consult a solicitor as soon as possible.

(Seal of the Court and signature of the Registrar)

(*Use as appropriate)

101.

O. 69, r. 3(1)

GENERAL CIVIL RESTRAINT ORDER

IN THE GENERAL DIVISION OF THE HIGH COURT / APPELLATE DIVISION
OF THE HIGH COURT / COURT OF APPEAL *
OF THE REPUBLIC OF SINGAPORE

Case No.)
of 20 .)

Between

*Claimant / Appellant**

And

*Defendant / Respondent**

Before the Honourable

In Open Court

GENERAL CIVIL RESTRAINT ORDER

Upon the application of [party] and upon reading the affidavit of [state the name of the person making the affidavit and the filing date] and upon hearing [name]

It is ordered that:

1. The [party] is restrained from commencing any action or making any application, in [specify the court or subordinate court], without the permission of the Court.
2. The [party] may apply to amend, vary or discharge this order, only if the [party] has the permission of the Court to make the application.
3. This order remains in force until [date].
4. [State the order on costs or any other orders made by the Court].

Date of order: [Date]

Important Message:

1. You must obey the directions contained in this order. If you disobey any direction contained in this order, you will be guilty of contempt of court and may be sent to prison or fined.
2. If you apply for permission to commence an action or make an application in a court or subordinate court specified in this order, you must serve the application for permission, and the supporting affidavit, on every intended defendant to the action or every intended respondent to the application (as the case may be) and, if this order was made on the application of the Attorney-General, on the Attorney-General.
3. If you apply for permission to make an application to amend, vary or discharge this order, you must serve the application for permission, and the supporting affidavit, on every party to the application pursuant to which this order was made.
4. If you attempt to commence an action or make an application, in a court or subordinate court specified in this order, or attempt to make an application to amend, vary or discharge this order, without first obtaining the permission of the Court, your action or application will be treated as struck out or dismissed (as the case may be) without the Court having to make any further order, and without the need for any other party to be heard on the merits of your application.
5. If you do not understand anything in this order, you should consult a solicitor as soon as possible.

(Seal of the Court and signature of the Registrar)

(*Use as appropriate)

102.

O. 70, r. 3(1)

**ORDER UNDER SECTION 74(1) OF
SUPREME COURT OF JUDICATURE ACT 1969**

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

Case No.)
of 20 .)

Between

Claimant

And

Defendant

Before the Honourable

In Open Court

**ORDER UNDER SECTION 74(1) OF
SUPREME COURT OF JUDICATURE ACT 1969**

Upon the application of [party] and upon reading the affidavit of [state the name of the person making the affidavit and the filing date] and upon hearing [name]

It is ordered that:

1. No legal proceedings are to be instituted without the permission of the General Division of the High Court by [the person against whom this order is made] in any court or subordinate court.
2. Any legal proceedings instituted by [the person against whom this order is made] in any court or subordinate court before the making of this order must not be continued by him/her/it* without the permission of the General Division of the High Court.
3. [State the order on costs or any other orders made by the Court].

Date of order: [Date]

Important Message:

1. You must obey the directions contained in this order. If you disobey any direction contained in this order, you will be guilty of contempt of court and may be sent to prison or fined.
2. If you apply for permission to institute any legal proceedings, or to continue any legal proceedings instituted by you before the making of this order, you must serve the application for permission, and the supporting affidavit, on the Attorney-General and on every other party to the legal proceedings to be instituted or continued.
3. If you attempt to institute any legal proceedings, or to continue any legal proceedings instituted by you before the making of this order, without first obtaining the permission of the General Division of the High Court, any other party to those legal proceedings, or to the application pursuant to which this order was made, may apply for those legal proceedings to be struck out. The Court may also on its own motion strike out those legal proceedings.
4. If you do not understand anything in this order, you should consult a solicitor as soon as possible.

(Seal of the Court and signature of the Registrar)

*(*Use as appropriate)*

Appendix B

B19.

Para. 118(1)

Appeals Information Sheet

...

6. If your answer to Question 5 is “Yes”, please state briefly why you consider that it is appropriate for the appeal to be decided without hearing oral arguments.

Related Matters

- ~~6.~~ 7. Please state any proceedings (pending or concluded) in the Court of Appeal, the Appellate Division or the General Division which are related to the appeal.

Unavailability Dates

- ~~7.~~ 8. If your appeal is already fixed for hearing within a sitting, please state if you are unable to attend court for the appeal hearing on any of the days within the sitting.

Yes No
 Not applicable

~~8.~~ 9. If “Yes”, please provide details.

Date(s) Unavailable	Reason(s)

Applications

~~9.~~ 10. Do you have any applications (ie Court of Appeal or Appellate Division summonses) to make in the appeal?

Yes No

~~10.~~ 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

Possible Alternative Dispute Resolution

~~11~~. 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?



...

Appendix I

II.

Para. 171(a)

Form for Election (Title as in action)

Case No:

Date:

To: The Registrar and the defendant [name] or his or her solicitor

1. Take Notice that I, [name], of [address], the abovenamed claimant, elect for Part 2 of the Supreme Court of Judicature (Intellectual Property) Rules 2022 to apply to this case.

Issued by: *Solicitor for the Claimant*

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

I2.

Para. 171(b)

Form for Abandonment of Claim for Monetary Relief in Excess of \$500,000
(Title as in action)

Case No:

Date:

To: The Registrar and the defendant/claimant [name] or his or her solicitor

1. Take Notice that I [name] of [address], the abovenamed claimant/defendant, agree to abandon any claim for monetary relief in my [originating claim/counterclaim] that is in excess of \$500,000, if Part 2 of the Supreme Court of Judicature (Intellectual Property) Rules 2022 applies to this case.
2. I acknowledge that this form may only be withdrawn with the permission of the Court.

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

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