

IN THE SUPREME COURT OF THE REPUBLIC OF SINGAPORE

PRACTICE DIRECTION NO. 1 OF 2005

**AUTOMATIC GENERATION OF DOCUMENT INFORMATION PAGES WHEN
FILING DOCUMENTS ELECTRONICALLY
AND
CHANGES TO FILING PROCEDURE FOR TRIAL BUNDLES**

With effect from 10 January 2005, the Electronic Filing System (EFS) will automatically generate a document information page when a document is filed. This document information page will contain all the information that is currently contained on the cover page and backing sheet of a filed document. Hence, it will no longer be necessary for parties to prepare a separate cover page and backing sheet when filing a document electronically.

2 Parties are reminded that the onus is on them to ensure that all information stored in the front end system, from which the information on the document information page will be obtained, is kept current and up-to-date, as documents with inaccurate document information pages will be rejected by the Registry with the applicable fees charged.

3 For the avoidance of doubt, this new procedure does not apply to non-EFS cases.

4 This practice direction also clarifies the position as to the filing of trial bundles. Since 15 October 2003, it has been open to parties to either file the trial bundles via EFS, or tender them in hardcopy to the Registry counter together with a softcopy contained on CD-ROM. In the latter situation, parties will have to pay the requisite court fees on the hardcopy tendered.

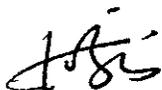
5 To ensure uniformity of practice, parties who file their trial bundles via EFS are now required to tender a hardcopy of the trial bundle as well, although no additional court fees will be payable on such hardcopy trial bundles.

6 Finally, miscellaneous amendments have been made to bring the provisions of the *Supreme Court Practice Directions (1997 Ed.)* in line with existing practice.

7 This practice direction will take effect from 10 January 2005.

8 This practice direction should be included in *The Supreme Court Practice Directions (1997 Ed.)* immediately before the first page of the table of contents. Instructions for effecting the amendments to *The Supreme Court Practice Directions (1997 Ed.)* are contained in the Appendix hereto.

Dated this 10th day of January 2005



KOH JUAT JONG
REGISTRAR
SUPREME COURT

APPENDIX

- 1) The existing page iiiA to be replaced with the attached page iiiA.
- 2) The existing page vi to be replaced with the attached page vi.
- 3) The existing page vii to be replaced with the attached page vii.
- 4) The existing page 52A to be replaced with the attached page 52A.
- 5) The existing page 52A(II) to be replaced with the attached page 52A(II).
- 6) The existing page 52C to be replaced with the attached page 52C.
- 7) The existing pages 52F to 52L to be replaced with the attached pages 52F to 52L.
- 8) The existing page 52X(II) to be replaced with the attached page 52X(II).
- 9) The existing page 52II to be replaced with the attached page 52II.
- 10) The existing page 60 to be replaced with the attached page 60.
- 11) The existing page 80A to be replaced with the attached page 80A.
- 12) The existing page 100 to be replaced with the attached page 100.
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PART VIIA
ELECTRONIC FILING AND SERVICE

43A. Application

- (1) The directions contained in paragraphs 43A to 43GGG shall apply to the filing, service, delivery and conveyance of documents under Order 63A of the Rules of Court.
- (2) All other paragraphs in these directions shall also apply to the filing, service, delivery and conveyance of documents under Order 63A of the Rules of Court, except and to the extent that the contrary is specified in paragraphs 43A to 43GGG.
- (3) If anything in paragraphs 43A to 43GGG has the effect of modifying any other direction, whether expressly or impliedly, then such other direction shall apply in relation to the filing, service, delivery and conveyance of documents under Order 63A of the Rules of Court with such modification.
- (4) Any reference in this part to Order 63A is a reference to Order 63A of the Rules of Court. In addition, where the words and phrases set out in Order 63A, Rule 1 are used in this part, they shall have the same meaning as defined in Order 63A, Rule 1 unless otherwise specified.

43B. Establishment of electronic filing service and appointment of network service provider

In exercise of the powers conferred by Order 63A, Rules 2 and 3, the Registrar, with the approval of the Chief Justice, hereby establishes an electronic filing service and appoints CrimsonLogic Pte Ltd as the network service provider for this service.

43C. Appointment of agent to establish service bureau

In pursuance of Order 63A, Rule 4, the Registrar appoints CrimsonLogic Pte Ltd as an agent to establish a service bureau at the second level of the City Hall building.

summons for directions must be brought by way of a summons in chambers.

- (1) Bundles of authorities which are specified documents can be filed, served, delivered or otherwise conveyed using the electronic filing service. A party may also choose not to file bundles of authorities and may instead use these for hearings in a paper form in accordance with the directions contained in this part.

43E. Preparation and submission of a specified document to the Court

- (1) A specified document must be submitted to the Court in one of 2 ways, as stated in Order 63A, Rule 8:
 - (a) by electronic transmission; or
 - (b) via a service bureau.
- (1A) With effect from 2 July 2001, submission by electronic transmission shall include filing via internet at the EFS website (www.efs.com.sg).
 - (a) Currently, the Electronic Filing Service operates on a private EDI (Electronic Data Interchange) network (“EFS FE-Windows”). Migration would involve moving the data from the local front-end database of a law firm to the central database at CrimsonLogic Pte Ltd. Upon migration to this web-based filing system (“EFS FE-Web”), the case files can only be accessed through the EFS FE-Web.
 - (b) For existing cases created using EFS FE-Windows, registered users must continue filing related documents through the EFS FE-Windows until the migration to the EFS FE-Web is completed. Upon completion of the migration, all documents must be filed via the web.
 - (c) For new cases that have yet to be filed, registered users have a choice of filing via EFS FE-Windows or EFS FE-Web. Cases filed via EFS FE-Windows cannot be accessed using EFS FE-Web and vice-versa. Hence, it is advised that new cases be filed via the EFS FE-Web. If registered users choose to continue filing via EFS FE-Windows, they will

be sent to the party who made the submission.

- (g) Clause (e) above will not apply to the filing of an amended document and Paragraph 43V of these directions will continue to apply.

43F. Limits on the size and number of documents submitted using the electronic filing service

- (1) The following limits currently apply to the filing of documents using the electronic filing service:
 - (a) the total number of documents in a single submissions cannot exceed 99.
 - (b) The total number of pages in a single document cannot exceed 9,999.
 - (c) The size of a single transmission cannot exceed 500 mega-bytes.
- (2) The limits described above will apply to filing both by electronic transmission and via the service bureau.
- (3) When filing by electronic transmission, it is recommended that the size of a single transmission should not exceed 100 mega-bytes. If it does exceed this size, the time taken for the submission may be unacceptably long.
- (4) These limits will be reviewed periodically with a view to ascertaining if they should be increased.
- (5) In the event that any solicitor wishes to file documents which exceed the limits specified in sub-paragraph 43F(1), he should inform the Registrar at least 14 days before the intended filing date. The solicitor will then be asked to attend before the Registrar for directions on how the documents should be filed.

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43G. Form of specified documents

- (1) All specified documents shall be in the form prescribed by Order 1, Rule 7 of the Rules of Court.
- (2) The previous practice whereby a party is required to produce a cover page when filing a specified document shall no longer apply, as a document information page containing the information previously found on the cover page shall be automatically generated from case information entered by parties and stored in the front end.
- (3) Parties are reminded that they must, at all times, ensure that the information stored in the front end system is up-to-date and free from errors as the same information will be reproduced on the document information page. Documents with document information pages containing outdated or wrong information will be rejected by the Registry and the fee payable shall be that stipulated under Item 71D(3)(a)(iii), (b)(iii) or (c)(iii), as the case may be, of Appendix B of the Rules of Court.
- (4) In the event that the electronic filing system fails to automatically generate the document information page, parties may undertake the procedure outlined in paragraph 43O(2).

43GA. Filing of specified documents

- (1) The specified documents to which the Court will assign a case number or a document number (which will be referred to hereinafter in this part as Main Documents) are the following:
 - (a) Writs of summons.
 - (b) Summonses-in-chambers.
 - (c) Orders of Court.
 - (d) Judgments.
 - (e) Notices of appeal under Order 55C of the Rules of Court.
 - (f) Notices of appeal under Order 56 of the Rules of Court.
 - (g) Notices of assessment of damages.

- (h) Notices of taking of accounts.
- (i) Notices of motion.
- (j) Notices of inquiry before the Registrar
- (k) Writs of subpoena.
- (l) Warrants for committal.
- (m) Orders of arrest.
- (n) Writs of seizure and sale.
- (o) Writs of possession.
- (p) Writs of delivery.
- (q) Orders of attachment.
- (r) Requests for setting down.
- (s) Bundles of documents for setting down.
- (t) Bundles of documents.
- (u) Originating Summonses.
- (v) Notices of Appointment to hear Originating Summons.
- (w) Writs of Distress.
- (x) Interpleader Summonses to execution creditor (Form 33(a)).
- (y) Interpleader Summonses to a plaintiff or claimant in a pending action (Form 33(c)).
- (z) Directions to Accountant-General for payment into Court.
- (aa) Directions to Accountant-General for payment out of Court.
- (bb) Notices of Appeal under Order 57 of the Rules of Court.
- (cc) Bills of Costs.
- (dd) Notices of Objection.
- (ee) Petitions for Admission of Advocates and Solicitors.
- (ff) Petitions for Winding Up.
- (gg) Applications for Reconstruction or Other Scheme.
- (hh) Petitions of Course.
- (ii) Writs of Summons in Admiralty Action.

- (jj) Praecipes for Caveat against Arrest.
 - (kk) Praecipes for Caveat against Release and Payment Out.
 - (ll) Warrants of Arrest (Admiralty Action).
 - (mm) Originating Motions.
 - (nn) Originating Petitions.
 - (oo) Bankruptcy Petitions.
 - (pp) Bankruptcy Orders.
 - (qq) Originating Summonses Bankruptcy.
 - (rr) Power of Attorney.
 - (ss) Deeds of Substitution.
 - (tt) Supplementary Deeds.
 - (uu) Deeds of Revocation.
 - (vv) Deeds of Rectification.
 - (ww) Petitions for Probate or Letters of Administration.
 - (xx) Caveats against Grant of Probate.
 - (yy) Certificates of Making Decree Nisi Absolute (Nullity):
 - (zz) Certificates of Making Decree Nisi Absolute (Divorce):
 - (aaa) Certificates of Making Decree Nisi Absolute (Presumption of Death and Divorce)
- (2) If documents which are related to Main Documents (referred to in this sub-paragraph as related documents) are filed, the following directions will apply:
- (a) If the related document is filed in the same submission as a Main Document, then the Court's computer system will automatically create a logical link between the Main Document and the related document.
 - (b) If the related document is filed after the Main Document in a different submission, then the person filing the related

Documents must include the document number of the Main Document as the Reference Document Number in the electronic template filled in for the submission containing the related document. This is to ensure that the documents related to Main Documents may be easily located in the Court's electronic case file.

- (c) Examples of related documents are:
- (i) Affidavits filed in support of or in opposition to an application brought by way of summons-in-chambers. If the affidavits are filed in a different submission from the summons-in-chambers, the document number of the summons-in-chambers must be entered as the Reference Document Number of the affidavits in the electronic template of the submission containing the affidavits.
 - (ii) A notice of appeal filed against a decision made upon application brought by way of summons-in-chambers. The document number of the summons-in-chambers must be entered as the Reference Document Number of the notice of appeal in the electronic template of the submission containing the notice of appeal.

43GB. Pagination of specified documents

Every single page of a specified document *must* be paginated so that the pagination on the actual document (which is subsequently converted to PDF) corresponds with the pagination of the specified document in the electronic case file. This is to facilitate hearings involving specified documents.

(The next page is page 52I.)

43H. Visible representation of signatures on specified documents

- (1) Order 63A, Rule 9 deals with the signing of specified documents. In essence, the rule provides that any requirement for signature of a document that is sent to Court using electronic transmission will be satisfied if the identification name and authentication code assigned by the Registrar to the registered user has been applied to the document or the transmission containing the document.
- (2) In some cases, however, parties may be required to specify documents to contain a visible representation of a signature. If such visible representations of signatures are required in specified documents, then it will be sufficient to affix, electronically or otherwise, an image of the manual signature of the solicitor or law firm concerned.
- (3) A visible representation of a signature where required by the Rules of Court or these directions must continue to appear when a specified document is filed via the service bureau.

43I. Identification numbers

- (1) Paragraph 8 of these directions requires identification numbers to be stated in cause papers. That paragraph shall continue to apply to specified documents in relation to the actual document.
- (2) However, when entering the identification number in the electronic template, only the number should be entered, including any letters or characters that appear in, at the beginning of, or at the end of the number. Descriptive text which is required to be entered into the actual document, such as “Japanese Identification Card No.”, should not be entered into the electronic template.
- (3) The maximum allowable length of the identification number in the electronic template is 15 characters. If any identification

number has more than 15 characters, only the first 15 should be entered.

43J. Backing sheets

- (1) Documents filed in Court in paper usually have a backing sheet.
- (2) It shall not be necessary for specified documents that are electronically filed in Court to have this backing sheet.
- (3) For the avoidance of doubt, it shall not be necessary to comply with the requirements of paragraph 72 of these directions when filing documents electronically as paragraph 43G(2), (3) and (4) of these directions will apply, *mutatis mutandis*, to the information required therein.

43K. Colour pages

- (1) Solicitors who file documents using the electronic filing system are required to indicate if the documents have colour material in them. This information is needed by the Court in the event that it is ever needed to print out the documents for any reason.
- (2) If solicitors are filing documents to Court by electronic transmission, then the solicitors should indicate in the electronic template the number of pages in the document with colour material in them. If this is not done, the Court will assume that the document contains no such pages, and will accordingly print out the document, if this is ever necessary, using a monochrome printer.
- (3) If solicitors are filing documents to Court via the service bureau, they should request the service bureau to scan those pages which contain colour material using a colour scanner if the material should appear in colour in the Court's file.

43L. Endorsements on specified documents

- (1) Where it is necessary to include endorsements on any specified document, the directions in this paragraph shall apply.
- (2) Where endorsements can be made prior to the filing or issuance of a specified document, those endorsements shall be incorporated into the specified document before the document is filed or issued.
- (3) Where endorsements must be made on a specified document which has already been filed or issued, a fresh copy of the specified document containing the relevant endorsements shall be prepared, and the document must be re-filed or re-issued, as the case may be. An example of this would be renewals of writs of summons.

43M. Documents which cannot be converted into an electronic format

- (1) If a document cannot be converted in whole or in part into an electronic format for any reason, it must nonetheless be filed using the electronic filing service.
- (2) Such a document must be filed via the service bureau.
- (3) Before filing a document as one which cannot be converted in whole or in part into an electronic format, the solicitor should satisfy himself that the document in fact cannot practicably be converted into an electronic format. If the Court receives a document which the filing party says cannot be converted in whole or in part into an electronic format, and it can discern no good reason why the document cannot be wholly converted into an electronic format, the document may be rejected.

43N. Time for filing

- (1) Users of the electronic filing service may file documents in Court at any time that the electronic filing service is operational, even if the Registry of the Supreme Court is not open at that time.
- (2) Order 63A, Rule 10 prescribes when a specified document is deemed to be filed when using the electronic filing service.

43O. Rejection of documents, back-dating and refund of penalty

- (1) Care must be taken to enter correct, complete and accurate information into the electronic template. If the information entered into the electronic template and the actual document differ, the document is likely to be rejected by the Court. If a document is rejected by the Court for any reason, a penalty may nonetheless be payable in respect of the document, as specified in item 71D(3) of Appendix B to the Rules of Court. In this regard, solicitors' attention is also drawn to Order 63A, Rule 17.
- (2) In the event however that any document is rejected through no fault of the filing party, a solicitor may:
 - (a) re-file the document with a request that the date and time of filing or issuance, as the case may be, be back-dated to an earlier date and time, in pursuance of Order 63A, Rule 10;
 - (b) write in to the network service provider to request for a refund.

43P. Filing of writs of execution

- (1) Under the current practice, when writs of execution are filed with the Bailiff's Section, it is necessary to attach a copy of the order of Court or judgment in pursuance of which the writ of execution is filed.
- (2) Where a writ of execution is a specified document, it will no longer be necessary to attach a copy of the order of Court or judgment. Instead, the Document Number of the relevant order of Court or judgment should be included in the Reference Document Number field in the electronic template for the writ of execution. If this information is not provided in this manner, or cannot be provided in this manner, a copy of the order of Court or judgment will then have to be attached to the writ of execution. This should be done by including the fresh writ of execution and the order of Court or judgment filed previously in a single PDF file.

(The next page is page 52M.)

ROM in PDF format and complying with the provisions of subparagraph (5) of this paragraph.

- (b) Order 34, Rule 3A requires the documents in this subparagraph to be tendered to Court not less than 5 days before trial. Parties are to note that this timeline is to be adhered to strictly, and that it will in particular apply to the electronic copy on CD-ROM.
- (c) Any court fees payable, pursuant to Appendix B of the Rules of Court, on filing the documents in this subparagraph, shall be payable at the cashier. Parties should, when making payment at the cashier, indicate to the cashier the precise number of pages which comprise the documents. For the avoidance of doubt, item 71D of Appendix B shall not apply to such documents.
- (d) It is emphasised that payment of the court fees on such documents should be made before the documents are tendered to Court in compliance with Order 34, Rule 3A. As such, the hardcopy of documents tendered to Court should show, on the front page, the amount of court fees paid on the document.
- (e) The electronic copy must tally in all respects with the hardcopy, as it will be uploaded into the case file by the Registry staff and will form part of the electronic case file. The importance of not submitting unnecessarily large electronic files is emphasised. To this end, parties are to adhere as far as possible to the guidelines set out on the EFS website (currently at www.efs.com.sg), or its equivalent as may be set up from time to time, on the resolution to be used when scanning documents into PDF format.
- (f) In the event that parties elect to electronically file such documents, they must nevertheless tender a bundle of these documents to the Registry in hardcopy. It shall not be necessary to pay any additional court fees in respect of the hardcopy in such circumstances.

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- (f) Payment to the service bureau can be made in one of 3 ways:
 - (i) Cash.
 - (ii) Cashier's order made payable to CrimsonLogic Pte Ltd.
 - (iii) Law firm's or company's cheque made payable to CrimsonLogic Pte Ltd.
- (7) The following documents may be filed at the service bureau:
 - (a) Paper documents which can be converted into an electronic form by scanning.
 - (b) Documents in an electronic form.
 - (c) Documents which, in whole or in part, cannot be converted into an electronic form by scanning.
- (8) Affidavits which have not yet been sworn, and which a party wishes to send to a commissioner for oaths to be sworn electronically, may not be filed via a service bureau.
- (9) [Deleted]
- (10) For paper documents which can be converted into an electronic form by scanning, the following directions shall apply:
 - (a) The documents submitted must be no larger than A3 in size. Documents which are larger than A3 in size should be reduced to that size before they are submitted to the service bureau.
 - (b) Documents should be printed on one side of the paper only.
 - (c) To facilitate the rapid processing of documents:
 - (i) Thin documents not exceeding 30 pages should be stapled.
 - (ii) Documents which comprise more than 30 pages should be submitted loose-leaf in a 2-hole ring binder.

- (2) “Skeletal arguments” are abbreviated notes of the arguments that will be presented. 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 1 or 2 sentences; and
 - (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, the bundles of documents, affidavits, transcripts and the judgment under appeal.
- (3) Where the appeal is before the Court of Appeal, the “skeletal arguments” must be filed by 4pm on the Thursday immediately preceding the monthly Court of Appeal sitting, by tendering four hardcopies to the Registry counter and transmitting one softcopy through the Electronic Filing System. “Skeletal arguments” filed in breach of this timeline will be rejected. For the avoidance of doubt, this timeline applies regardless of the actual day on which the particular appeal is scheduled for hearing before the Court of Appeal.
- (4) Where the appeal is a civil appeal before the High Court, the “skeletal arguments” should be sent to the Court at least two working days before the hearing of the appeal.
- (4A) Where the appeal is a criminal appeal before the High Court, the “skeletal arguments” should be sent to the Court at least ten days before the hearing of the appeal. “Skeletal arguments” filed in breach of this timeline will be stamped “Late Submission”.

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57, Rule 11, a copy of the judgment or order, or of the notice in Form 38 of Appendix A to the Rules of Court 1996, or of the written consent must be attached to the draft direction to the Accountant-General for payment out submitted to the Registry for approval.

86. [Deleted]

87. Requests for the Sheriff's attendance

- (1) At any time after the first attendance for the purposes of executing a writ of execution or distress or to arrest a debtor, if any party requires the Sheriff or his bailiffs to attend at the place of execution, he must make by sending a copy of Form 25 of Appendix B to the Sheriff. A request for attendance made in any other manner will not be acceded to.
- (2) The fees prescribed by Item No. 117 of Appendix B to the Rules of Court 1996 will be payable in respect of any attendance by the Sheriff or his bailiffs in pursuance of a request made in Form 25 of Appendix B.

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