

IN THE SUPREME COURT OF THE REPUBLIC OF SINGAPORE

PRACTICE DIRECTION NO. 3 OF 2006

**AMENDMENT OF ORIGINATING PROCESSES, PLEADINGS AND
DOCUMENTS**

Amended originating processes, pleadings and documents are presently named as “amended” documents, “re-amended” documents, “re-re-amended” documents etc. as appropriate. This practice direction modifies these names to [document name] (Amendment No. 1), [document name] (Amendment No. 2) etc. as the case may be. This change will make the exact number of amendments more evident.

2 Currently, *The Supreme Court Practice Directions (2006 Ed.)* do not prescribe the use of colours to indicate the amendments in originating processes and pleadings. However, it has been a conventional practice to show the different generations of amendments in distinct colours, and this practice has continued in some instances. In order to indicate the history of amendments clearly, this practice direction sets out a colour scheme to be followed for different rounds of amendment. It is to be noted that the colour black, instead of red, is to be used for the first amendment. This will obviate the need to use colour material in electronic documents when the originating processes or pleadings are amended once only.

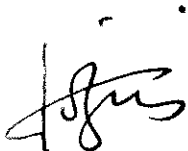
3 In addition, to facilitate convenient reading of originating processes and pleadings that are amended for a number of times, this practice direction introduces the requirement of filing a “clean” version of the amended originating process or pleading, in addition to the version showing the alterations in colour, when the originating process or pleading has been amended for three or more times.

4 This practice direction will take effect on 17 July 2006.

5 This practice direction should be included in *The Supreme Court Practice Directions (2006 Ed.)* immediately before the first page of the table of contents.

Instructions for effecting the amendments to *The Supreme Court Practice Directions (2006 Ed.)* are contained in the Appendix hereto.

Dated this 30th day of June 2006.

A handwritten signature in black ink, appearing to read 'KJ Jong', is positioned above the printed name.

KOH JUAT JONG
REGISTRAR
SUPREME COURT

APPENDIX

- 1) The existing page iii to be replaced with the attached page iii.
- 2) The existing pages PART III - 1 and PART III - 2 to be replaced with the attached pages PART III - 1 and PART III - 2.
- 3) The attached pages PART III - 19 to PART III - 20 be replaced with the attached pages PART III - 19 to PART III - 22.

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36. Amendment of documents

Application

- (1) Subject to sub-paragraph (2), the directions in this paragraph shall apply to documents, originating processes and pleadings filed in any proceedings.
- (2) The directions in sub-paragraphs (4)(b), (5)(a) and (5)(b) shall not apply to documents filed in proceedings under the following legislation:
 - (a) Women's Charter (Cap 353, 197 Rev Ed);
 - (b) Adoption of Children Act (Cap 4, 1985 Rev Ed); and
 - (c) Probate and Administration Act (Cap 251, 2000 Rev Ed). The directions in sub-paragraphs 129(4) to 129(6) shall apply to amendments of probate applications.

Amendment of any document

- (3) Where a document is required to be amended and filed in Court, a fresh copy of the document with the amendments included must be prepared, regardless of the number and length of the amendments sought to be made.
- (4) The procedure for amending a document is as follows:
 - (a) A fresh amended copy of the document should be produced. The number of times the document has been amended shall be indicated in parentheses after the name of the document. It should therefore be entitled [document name] (Amendment No. 1) or [document name] (Amendment No. 2), or as appropriate.
 - (b) The changes made in the document from the latest version of the document filed in Court should be indicated in the following way:
 - (i) deletions shall be made by drawing a single line across the words to be deleted; and
 - (ii) insertions shall be underlined.

- (c) When the amended document is forwarded to Court using the Electronic Filing Service (EFS), the appropriate version number corresponding to the amendment must be entered in the electronic template. For example, [document name] (Amendment No. 1) will have an amendment version number of 1, [document name] (Amendment No. 2) will have an amendment version number of 2, and so on.

Amendment of originating processes and pleadings

- (5) The directions in sub-paragraphs (3) and (4) also apply to the amendment of originating processes and pleadings. A Statement of Claim which is amended for the first time should be filed as “Statement of Claim (Amendment No. 1)”, and a Defence that is amended for the second time should be filed as “Defence (Amendment No. 2)”. The terms “re-amended”, “re-re-amended” etc. should no longer be used.

COLOUR SCHEME FOR AMENDMENTS

- (a) In addition, the following colours shall be used to indicate the history of the amendments in originating processes and pleadings:
- (i) black for the first round of amendments;
 - (ii) red for the second round of amendments;
 - (iii) green for the third round of amendments;
 - (iv) blue for the fourth round of amendments; and
 - (v) brown for subsequent rounds of amendments.

Solicitors filing the amended originating processes and pleadings shall comply with the directions in paragraph 97 and indicate if the documents have colour material.

AMENDMENT FOR THIRD TIME OR MORE

(b) From the *third round* of amendments onwards, the amended originating process or pleading should comprise two versions of the document:

- (i) a clean version without the amendments shown; followed in the same document by
- (ii) a version showing the amendments in colour.

Only one amended originating process or pleading consisting of these two versions is required to be filed. The fees under item 4 of Appendix B, Rules of Court, continue to apply to the filing of the amended originating process or pleading.

AMENDMENTS MADE ON ORIGINAL WRIT OR ORIGINATING SUMMONS (WHERE AMENDMENTS ARE NOT NUMEROUS OR LENGTHY)

(c) This sub-paragraph applies to writs and originating summonses that have not been filed using the EFS. In addition to the usual endorsement signed by the solicitors, there should be re-sealing of the document as required by Order 20, Rule 10 (1) of the Rules of Court. The seal will be embossed over the endorsement.

WHERE FRESH AMENDED WRIT OR ORIGINATING SUMMONS IS FILED

(d) This sub-paragraph applies to both fresh amended writs and originating summonses that are electronically filed and those that are not electronically filed. Below or beside the usual endorsement signed by solicitors, there should be endorsed:

“Reissued this _____ day of _____.

Assistant Registrar”

This endorsement should be signed by an Assistant Registrar.
This is in compliance with Order 20, Rule 10 (1) which
requires that the writ or originating summons be “reissued”.