

## **PART I: INTRODUCTION**

### **1. -Citation**

These Practice Directions may be cited as the Supreme Court Practice Directions.

### **2. -Commencement**

These Practice Directions shall come into effect on ~~16 March 2010~~ 1 January 2013.

### **3. -Revocation of previous practice directions**

These Practice Directions are issued to consolidate all previous practice directions of the Supreme Court. -All previous editions of practice directions are revoked with effect from ~~16 March 2010~~ 1 January 2013.

### **4. -Updating**

(1) Amendments to these Practice Directions will be done on a paragraph-for-paragraph basis. -These Practice Directions will be automatically updated with the new amended paragraphs. -A list of amendments made will also be found on the Supreme Court website, on a noter-up page entitled 'Amendments'.

(2) Where legislation is cited in these Practice Directions, the citation shall be read to refer to the edition of that legislation currently in force.

*~~Paragraph 4 amended to take effect from 12 December 2011~~*

*~~Pursuant to Amendment No. 3 of 2011~~*

### **5. -Applicability of Practice Directions**

*Practice Directions to apply to civil proceedings*

(1) These Practice Directions shall apply to civil proceedings only unless otherwise stated.

*Proceedings using the Electronic Filing Service*

(2) For proceedings using the Electronic Filing Service ~~(EFS)~~, Part ~~XXIX~~ XIX of these Practice Directions does not apply.

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*Proceedings not using the Electronic Filing Service*

(3) For proceedings that do not use the [EFSElectronic Filing Service](#), the following paragraphs of Parts I to ~~XXXXI~~ do not apply:

(a) ~~2337(3)(a) to 23(3)(e)~~;

(b) ~~35(4)(d)~~;

~~(e) 3759(5)~~;

~~(d) 47(5) to 47(6)~~;

~~(e) 48~~;

~~(f) 54~~;

~~(g) 58c) 69(1) to 5869(3)~~;

~~(d) 70(3) and (5)~~;

~~(h) 59e) 71(3) to 5971(7)~~;

~~(i) 60f) 75(3) to 60(7)~~;

~~(j) 64(5)~~;

~~(g) 78~~;

~~(h) 97~~;

~~(i) 100 to 115~~;

~~(j) 116 to 119~~;

~~(k) 65132(2)~~;

~~(l) 67~~;

~~(m) 85~~;

~~(n) 89) to 110; 132(7)~~;

~~(o) 111 to 116~~;

~~(p) 129(2) to 129(7)~~;

~~(q) 130(l) 133(5)~~;

~~(r) 131m) 134(6)~~; and

~~(s) 138; n) 145~~;

and Part ~~XXIX~~XXII applies.

## **6. -Forms**

The forms in Appendix A of these Practice Directions shall be used where applicable, with such variations as the circumstances of the case may require.

## **7. -Registrar's Circulars**

Registrar's Circulars can be found at the Supreme Court web site at <http://www.supremecourtsupremecourt.gov.sg>.

## **PART II: GENERAL MATTERS**

### **8. -Operating hours of the Supreme Court**

(1) The Supreme Court operates from 8.30 a.m. to 6.00 p.m. from Monday to Friday.  
-However, various offices and counters within the Supreme Court have different operating hours.

(2) The Legal Registry of the Supreme Court (Level 2) is open from 9.00 a.m. to 5.30 p.m. from Monday to Thursday. On Friday, it is open from 9.00 a.m. to 5.00 p.m. On Saturday, it is open from 9.00 a.m. to 12.30 p.m. Solicitors who wish to file hard copy documents after these opening hours may deposit them into a drop-in box placed at the Information Counter of the Supreme Court (Level 1).

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(3) The Commissioner for Oaths office (Level 3M) is open from 8.30 a.m. to 5.30 p.m. from Monday to Thursday. On Friday, it is open from 8.30 a.m. to 5.00 p.m. On Saturday, it is open from 8.30 a.m. to 12.30 p.m.

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

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

### **10. -Calculation of time**

Unless otherwise stated, the provisions in the Rules of Court shall apply to the calculation of time in these Practice Directions. -In particular:

(1) The following definition of "working day" in Order 1, Rule 4 of the Rules of Court is applicable in these Practice Directions:

"Working day" means any day other than a Saturday, Sunday or public holiday.

(2) The provisions of Order 3 of the Rules of Court shall also apply to the calculation of time: -

**"Month" means calendar month (O. 3, r. 1)**

1. Without prejudice to the Interpretation Act (Chapter 1), in its application to these Rules, the word "month", where it occurs in any judgment, order, direction or other document forming part of any proceedings in Court, means a calendar month unless the context otherwise requires.

**Reckoning periods of time (O. 3, r. 2)**

2. — (1) Any period of time fixed by these Rules or by any judgment, order or direction for doing any act shall be reckoned in accordance with this Rule.

(2) Where the act is required to be done within a specified period after or from a specified date, the period begins immediately after that date.

(3) Where the act is required to be done within or not less than a specified period before a specified date, the period ends immediately before that date.

(4) Where the act is required to be done a specified number of clear days before or after a specified date, at least that number of days must intervene between the day on which the act is done and that date.

(5) Where, apart from this paragraph, the period in question, being a period of 7 days or less, would include a day other than a working day, that day shall be excluded.

**Time expires on a day other than a working day (O. 3, r. 3)**

3. Where the time prescribed by these Rules, or by any judgment, order or direction, for doing any act expires on a day other than a working day, the act shall be in time if done on the next working day.

**Extension, etc., of time (O. 3, r. 4)**

4. —(1) The Court may, on such terms as it thinks just, by order extend or abridge the period within which a person is required or authorised by these Rules or by any judgment, order or direction, to do any act in any proceedings.

(2) The Court may extend any such period as is referred to in paragraph (1) although the application for extension is not made until after the expiration of that period.

(3) The period within which a person is required by these Rules, or by any order or direction, to serve, file or amend any pleading or other document may be extended by consent (given in writing) without an order of the Court being made for that purpose, unless the Court specifies otherwise.

(4) In this Rule, references to the Court shall be construed as including references to the Court of Appeal.

(5) Paragraph (3) shall not apply to the period within which any action or matter is required to be set down for trial or hearing or within which any notice of appeal is required to be filed.

## **11. Urgent applications on weekends and public holidays**

(1) There may be occasions when urgent applications for interim injunctions or interim preservation of subject matter of proceedings, evidence and assets to satisfy judgments need to be heard on weekends and public holidays. To request for the urgent hearing of such applications, the applicant should contact the Registrar on duty at 6332 4351 or 6332 4352. The Registrar will only arrange for the hearing of applications which are so urgent that they cannot be heard the next working day.

(2) All the necessary papers required for the application must be prepared together with the appropriate draft orders of Court.

(3) ~~A signed written~~An undertaking from counsel shall be given to have all the documents (including the originating process) filed in Court the next available working day must be furnished to the Registrar processing the application.

(4) The hearing may take place in the Registrar's Chambers in the Supreme Court or at any place as directed by the Judge or Registrar hearing the matter.

## **12. Duty Registrar**

(1) The duties of the Duty Registrar are to:

(a) hear *ex parte* or consent applications (except probate matters);

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(b) grant approval for any matter pertaining to the administration of the Legal Registry of the Supreme Court, including giving early or urgent dates and allowing inspection of files; and

(c) sign and certify documents.

(2) On Mondays to Fridays (excluding public holidays), the duty hours shall be from 9.00 a.m. to 12.30 p.m. and from 2.30 p.m. to 5.00 p.m.

(3) Only advocates and solicitors (or, where a party is not represented, a litigant in person) shall appear before the Duty Registrar.

(4) Except where the attendance of the advocate and solicitor is required under subparagraph (6) below, the filing of the relevant documents will be sufficient for the Duty Registrar to dispose of any application or matter. Documents will be returned to the advocate and solicitor ~~by electronic transmission~~ through the Electronic Filing Service to the ~~In-Tray~~inbox of the law firm's computer system or through the service bureau.

(5) All Court fees for the filing of documents should be duly paid before presentation of the documents to the Duty Registrar for his or her signature and/or decision.

(6) The advocate and solicitor's attendance is compulsory only:

(a) when he or she is requesting an early or urgent date for a hearing before the Registrar or Judge;

(b) when an application or document is returned with the annotation "direction "solicitor to attend"; or

(c) when his or her attendance is required by any provision of law.

(7) A solicitor may, if he or she wishes to expedite matters, attend before the Duty Registrar even if his or her attendance is not ordinarily required.

(8) A solicitor who wishes to attend before a Duty Registrar and to refer him or her to documents filed must either:

(a) file the documents at least one hour before attending before the Duty Registrar, so that the documents would already be in the electronic case file for the Duty Registrar's reference. Solicitors should as far as possible only attend before the Duty Registrar after they have received notification from the Court that the documents have been accepted; or

(b) attend before the Duty Registrar with the paper documents. The Duty Registrar will require the solicitor to give an undertaking to file all the documents by the next working day before dealing with the matter.

### **13. Attendance of solicitors in Court and mentioning on behalf of other solicitors**

(1) Subject to sub-paragraph (2), a solicitor appearing in any cause or matter may mention for counsel for all other parties provided that:

- (a) the solicitor obtains confirmation of his authority to mention on their behalf for the purpose of the hearing; and
- (b) parties have agreed on the order sought.

(2) However, where an adjournment of the hearing date of any cause or matter is sought, solicitors for all parties must attend the hearing. See also paragraphs [5667](#) and [5768](#) of these Practice Directions.

(3) Solicitors appearing in any cause or matter should be punctual in attending Court, as delay in the commencement of the hearing leads to wastage of judicial time. Appropriate sanctions may be imposed for solicitors who do not arrive for hearings on time.

### **14. -Absence from Court on medical grounds**

(1) If:

- (a) any party to proceedings;
- (b) any witness;
- (c) any counsel; or
- (d) the Public Prosecutor or his deputy,

is required to attend Court and wishes to absent himself from Court on medical grounds, he must provide the Court with an original medical certificate. The medical certificate must be in the proper form and contain the information and particulars required by sub-paragraphs (2) to (5).

(2) A medical certificate issued by a Government hospital or clinic may be in the pre-printed form produced by the Ministry of Health, a sample of which may be found at Form 1 of Appendix A of these Practice Directions. A medical certificate issued by a restructured hospital or specialist centre may also be in a pre-printed form similar to the sample which appears at Form 1. The pre-printed medical certificate must:

- (a) be completely and properly filled in;

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- (b) contain the name of the medical practitioner who issued the medical certificate;
- (c) state the name of the hospital or clinic in which the medical practitioner practises;
- (d) indicate that the person to whom the certificate is issued is unfit to attend Court, and specify the date(s) on which he is unfit to attend Court;
- (e) be signed in full by the medical practitioner (and not merely initialled); and
- (f) be authenticated by a rubber stamp showing the medical practitioner's full name and his designation in the hospital or clinic, as the case may be.

(3) If a medical certificate is not in Form 1, the medical certificate should:

- (a) be addressed to "Registrar, Supreme Court" (and not "whoever-it-may-concern");
- (b) identify clearly the medical practitioner who issued the certificate;
- (c) state the name of the hospital or clinic at which it was issued;
- (d) be signed in full by the medical practitioner (and not merely initialled);
- (e) be authenticated by a rubber stamp showing the medical practitioner's full name and designation;
- (f) contain a diagnosis of the patient concerned (unless the diagnosis cannot or should not normally be disclosed);
- (g) contain a statement to the effect that the person to whom the certificate is issued is medically unfit to attend Court, and specify the date(s) on which the person is unfit to attend Court; and
- (h) bear the date on which it was written and, where this differs from the date of consultation, this must be clearly disclosed.

(4) If any portion of the information set out in sub-paragraph (3) is not found in the medical certificate itself, such information may be included in a memorandum which should be attached to the medical certificate. This memorandum must:

- (a) identify clearly the medical practitioner who issued the memorandum;
- (b) contain the name of the hospital or clinic at which it was issued;
- (c) be signed in full by the medical practitioner (and not merely initialled); and



(d) be authenticated by a rubber stamp showing the medical practitioner's full name and designation.

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(5) All information and details in any medical certificate or memorandum must be clearly and legibly printed.

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(6) If the directions set out in sub-paragraphs (2) to (5) are not complied with, the Court may reject the medical certificate and decline to excuse the attendance of the person to whom the medical certificate was issued. The Court may then take any action it deems appropriate.

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(7) This paragraph shall apply to all hearings in the Supreme Court, whether in open Court or in Chambers.

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(8) This paragraph shall apply to both civil and criminal proceedings.

## **15. ~~The Electronic Queue Central Display~~ Management System**

(1) The ~~Electronic Queue Central Display~~ Management System (~~EQMSCDMS~~) is used for the following types of hearings:

(a) hearings before a Registrar (including matters before a Duty Registrar) except applications for bankruptcy orders; and

(b) hearings before a Judge in chambers, if so directed by the Judge.

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(2) When taking queue numbers at the ~~EQMSCDMS~~ kiosk, solicitors are to confer with their opponent(s) and enter the estimated duration of their own submissions. The number of minutes entered should be an accurate reflection of the actual duration of submissions expected to be made by each of the solicitors.

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~~(3) Solicitors may have the option to indicate if they are making an ex parte application, seeking an adjournment of their application or seeking to record a consent order or judgment. The EQMS will give priority to such cases.~~

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~~(4)~~ Solicitors should indicate in the EQMSCDMS that they are ready for hearing only when the solicitors for all the parties concerned are present.

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~~(5)~~ Solicitors may indicate if they would like to receive a "SMS" alert by keying in their mobile phone number. The alert will be sent when the queue number is the third case in the queue.

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~~(6)~~(3) The Judge or Registrar has the rightfull discretion to manage the queue ~~on and call cases in~~ the EQMSCDMS in a manner which he or she deems fit.

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~~(7)~~(4) Senior Counsel will continue to be given the precedence and the right of preaudience according to paragraph 16.

## **16. -Precedence and preaudience of Senior Counsel**

(1) By virtue of section 31 of the Legal Profession Act (Cap. 161, ~~2001 Rev Ed~~) and existing custom and usage, Senior Counsel are given precedence and the right of preaudience.

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(2) In order to give substance to the principle of precedence and preaudience to Senior Counsel, the Honourable the Chief Justice has directed that Senior Counsel who intend to appear before Judges or Registrars for summonses should inform the Registrar by fax in writing not later than 2 clear days before the scheduled hearing date, ~~so that their matters are listed in order of precedence. If~~ Senior Counsel ~~do not appear at should indicate their presence in the time their matters come on for hearing, they will be heard according to the order in which their matters appear on the Electronic Queue~~ Central Display Management System (EQMS), CDMS), and shall be given precedence and the right of preaudience, subject to the Judge's or Registrar's overriding discretion.

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(3) All other counsel, including those who appear on behalf of their Senior Counsel, will be heard according to the order in which their matters appear on the EQMSCDMS, subject to the Judge's or Registrar's overriding discretion.

## **17. -Court dress**

- (1) The attire for male advocates and solicitors appearing in open Court will be the existing gown worn over an ordinary long-sleeved white shirt with a turn-down collar, a tie of a subdued or sober colour, a dark jacket, dark trousers and black or plain coloured shoes.

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(2) The attire for female advocates and solicitors appearing in open Court will be the existing gown worn over a long-sleeved white blouse high to the neck, a dark jacket, a dark skirt or dark trousers and black or plain coloured shoes. Conspicuous jewellery or ornaments should not be worn.

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(3) When appearing before the Judge or Registrar in Chambers, the attire for both men and women will be the same as for open Court, save that the gown need not be worn.

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(4) The attire for Senior Counsel shall be as described in sub-paragraphs (1) to (43), save that, for hearings in open Court, they may, instead of the existing gown, wear a gown in the design of those worn by Queen's Counsel of England and Wales and made of the following material:

(a) silk;

(b) silk and wool mix; or

(c) artificial silk.

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

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

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

(2) The Chief Justice, the Judges and the Judicial Commissioners shall, in all cause lists, orders of Court, correspondence and other documents, be described respectively as "Chief Justice", "Justice" or "Judicial Commissioner" without any accompanying gender prefix.

## **19. -Submissions and examination by leading and assisting counsel**

(1) In the event that a party is represented by more than one counsel at a hearing, whether in open Court or in Chambers, the making of submissions and the questioning of witnesses may be carried out by one counsel for each party only.

(2) If it is necessary for certain portions of the submissions, or examination, cross-examination or re-examination of witnesses to be conducted by different counsel in the same case, an application should be made to Court at the commencement of the trial or hearing for leave to do so. The following information should be provided to the Court for the purposes of the application:

- (a) the issues on which each counsel will be making submissions; and/or
- (b) the witnesses to be examined, cross-examined or re-examined by each counsel, or the portions of their evidence for which each counsel will conduct the examination, cross-examination or re-examination.

(3) If leave has been granted in accordance with sub-paragraph (2), counsel should ensure that he or she confines himself or herself to the issues or portions of evidence in respect of which leave was granted and that there is no overlap in the issues or the examination being dealt with by different counsel for the same party. Further, counsel must not repeat, clarify or expand on any submissions that have been made by another counsel for the same party, or examine, cross-examine or re-examine witnesses on portions of their evidence dealt with by another counsel for the same party.

(4) If leave of the Court is not sought in accordance with sub-paragraph (2), only one counsel will be allowed to make submissions or conduct examination, cross-examination or re-examination for a party throughout the hearing.

(5) This paragraph shall apply to both civil and criminal proceedings.

## **20. -Interpreters and translation**

(1) The directions set out in sub-paragraphs (2) to (5) below are to be followed in relation to all requests by solicitors for the services of Supreme Court interpreters, whether the services are required for hearings in open Court or in Chambers.

(2) Not less than 7 days before the day on which the services of an interpreter are required, the requesting party must ~~send in file a request in~~ Request addressed to the appropriate Head Interpreter through the Electronic Filing Service and attach Form 2 of Appendix A of these Practice Directions ~~addressed to the appropriate Head Interpreter. This form should be submitted by way of facsimile transmission in Portable Document Format (PDF) to the fax no. 6337 9450. An~~ Request ~~electronic version of this form may also be submitted through the Supreme Court website at form.~~

(3) The ~~request~~ Request in ~~Form sub-paragraph (2)~~ must be sent for adjourned or part-heard hearings as well, even if the services of an interpreter were requested and provided at the earlier hearings. In the event that a ~~request in Form 2~~ Request is made in respect of an adjourned or part-heard hearing, the ~~form~~ Request should state the date of the earlier hearing. In the event that the case has been vacated, adjourned or settled before the hearing, the requesting party should notify the appropriate Head Interpreter either by letter, facsimile transmission or telephone.

(4) Failure to comply with the directions set out in sub-paragraphs (2) and (3) may result in the services of interpreters not being available or provided.

(5) Requests for translations to be made should be sent in at least 4 weeks before the date the translations are required, unless there are exceptional reasons justifying non-compliance. Such reasons should be given in writing to the Legal Registry of the Supreme Court.

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## **21. - Production of record of hearing**

(1) Pursuant to Order 38A, Rule 1 of the Rules of Court, the Registrar hereby directs that with effect from 1 August 2005, there shall be audio recording of all open Court trials in actions begun by writs. Such audio recording shall be made using the Digital Transcription System (DTS) only.

(a) The audio recording made pursuant to sub-paragraph (1) shall, pursuant to Order 38A, Rule 1(1)(a), constitute the official record of hearing.

(b) In the event of any discrepancy between the audio recording and the transcript of the audio recording, the audio recording shall take precedence over the transcript.

(c) For the avoidance of doubt, any notes taken down by the Court in proceedings where audio recording is made shall not form part of the record of hearing.

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(2) The Registrar further directs that in proceedings where no audio recording is made, the notes of hearing shall be taken down by the Judge, judicial officer, Justices' Law Clerk or court officer, whether by hand or through the use of a computer or electronic device and, pursuant to Order 38A, Rule 1(1)(b), the transcript of the notes of hearing shall constitute the official record of hearing.

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(3) The provisions of sub-paragraphs (1) and (2) are subject to any directions made by the Judge or judicial officer hearing the matter, or by the Registrar, whether or not upon application by the parties. Such directions may include the use of alternative means of producing transcripts.

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(4) Where the Court makes such directions under sub-paragraph (3):

(a) the transcript of the notes of hearing shall, pursuant to Order 38A, Rule 1(1)(b), constitute the official record of hearing; and -

(b) the parties shall inform the Registry by letter at least 7 working days before the scheduled hearing as to the mode by which the proceedings will be recorded.

(5) The costs of engaging a service provider shall be paid by the parties directly to the service provider.

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(6) Requests for copies of the record of hearing or transcripts of the record of hearing shall be made ~~using Form 3 of Appendix A of these Practice Directions through the Electronic Filing Service~~ at least 7 working days before the scheduled hearing ~~and Form 3 of Appendix A of these Practice Directions in Portable Document Format (PDF) shall be attached to the Request electronic form.~~

## ~~21A~~ **22. Use of electronic and other devices**

(1) In order to maintain the dignity of Court proceedings, the Honourable the Chief Justice has directed that, in all hearings in open Court or Chambers before a Judge or Registrar, video and/or image recording is strictly prohibited.

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(2) Additionally, all communications with external parties and audio recording during a hearing are strictly prohibited without prior approval of the Judge or Registrar hearing the matter.

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(3) Court users are ~~only~~ permitted to use notebooks, tablets and other electronic devices to take notes of evidence and for other purposes pertaining to the proceedings during hearings, provided that such use does not in any way disrupt or trivialise the proceedings.

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(4) The attention of court users is also drawn to Order 38A, Rule 4, which states:

**Prohibition on unauthorised audio recording (O. 38A, r. 4)**

4. —(1) -No person shall make any audio recording of any hearing without the approval of the Court.

(2) -A person who contravenes paragraph (1) is guilty of contempt of Court.

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**22.23. Certification of transcripts**

Pursuant to Order 38A, Rule 2 of the Rules of Court, the Registrar hereby directs that transcripts of any record of hearing or notes of hearing may be certified by:

(1) the Judge or judicial officer having conduct of the proceedings;

(2) with the approval of the Court, the personal secretary to the Judge or judicial officer having conduct of the proceedings; or

(3) with the approval of the Court, the service provider.

**23. File 24. Access to case file, inspection, ~~obtaining extracts or certified true~~ taking copies and searches**

Access by parties to a case file

(1) All parties to a case who are registered users of the Electronic Filing Service may, subject to this paragraph and any directions of the Court, access the online case file made available through the Electronic Filing Service and may inspect, download soft copies or print hard copies of documents and conducting searches of information maintained by the Registry accessible to the parties in the online case file.

(2) Where a party to a case is not a registered user and is unable to access the electronic case file through the Electronic Filing Service, the procedure governing file inspection by non-parties to a case in sub-paragraph (5) below shall be followed.

(3) All parties to a case shall have the liberty to make amendments at will to administrative details contained in the electronic case file through the Electronic Filing Service. Administrative details include the contact details of solicitors, the identities of the solicitors, and the nature of the claim. Where a party to a case is not a registered user of the Electronic Filing Service, he or she may attend at the service bureau to seek assistance to amend the administrative details contained in the electronic case file.

(4) The Registry may require parties to a case to provide supporting documents to substantiate proposed amendments to other details of the electronic case file before the amendment is approved. For example, amendments to add or remove a party to the case have to be supported by an order of court; and amendments to change the name, gender, identification number, or marital status of a party to the case have to be substantiated by documentary proof.

File inspection by non-parties

(15) In order to inspect a case file, the following procedure should be followed:

(a) A Request (a) A Request should be made to obtain leave to inspect the file. The Request should state the name of the person who is to carry out the search or inspection. If this person is not a solicitor, his identity card number should also be included in the Request, after his name, and a copy of his identity card should be provided. The Request should also state the interest that the applicant has in the matter, and the reason for the search or inspection. If the search or inspection is requested for the purpose of ascertaining information for use in a separate suit or matter, the Request should clearly state the nature of the information sought and the relevance of such information to the separate suit or matter.



(b) Once approval for inspection has been received from the Court, a copy of the approval should be presented at the ~~Legal Registry of the Supreme Court~~service bureau.

(c) After verifying the approval, the ~~Legal Registry~~service bureau will assign the inspecting party a personal computer for the inspection to be carried out.

~~(d) An inspecting party will usually be allowed only 3060 minutes to carry out the inspection. If a longer period is required, the Legal Registry should be informed and provided with service bureau may impose a charge for use of the reasons why a longer period is needed computer. The Legal Registry will decide on a service bureau may impose additional charges for downloading soft copies or printing hard copies of documents from the case by case basis whether a longer period of inspection will be allowed file being inspected.~~

(26) Solicitors must communicate to the Registrar in writing the names of their clerks who have their authority to make searches and inspections. Such authority may be in respect of a specific search or inspection or for a specified period.

~~(7) For the avoidance of doubt, a non-party that has obtained approval to inspect a case file may take and retain a soft copy of any document that is available for inspection. All copies of documents taken in the course of inspection should not be used for purposes other than those stated in the Request to inspect. Solicitors shall be responsible for informing their clients of this.~~

#### *Obtaining ~~extracts or~~ certified true copies of documents*

(38) Applications to obtain ~~extracts of documents, or~~ certified true paper copies of documents ~~under the Extract Service,~~ should be made by way of Request filing a Request through the Electronic Filing Service.

~~(a) An applicant may conduct an Index Search to identify the documents which he or she intends to request extracts or certified true paper copies of. Prior approval of the Court is not required. The Index Search will display an index of the electronic case file without displaying the documents themselves. Sub-paragraphs (1) to (2) above continue to apply in respect of the procedure for file inspection.~~

(a) The intended use of the certified true copies should be clearly stated in the Request. The relevance and necessity of the certified true copies in relation to their intended use should also be clearly described.

~~(b) Once approval for obtaining an extract is granted, the soft copy extract will be transmitted electronically to the law firm where the Request is made by electronic transmission. If the Request is made via the service bureau, the extract will be transmitted electronically to the service bureau and the staff of the service bureau will then print out the extract in paper form for collection.~~

~~(c) If the document is available in partially electronic form, only the soft copy extract will be transmitted electronically to the law firm or the service bureau. The hard copy portion of the extract is to be collected at the Legal Registry. Once approval is received from the Court, the applicant should obtain present a printed copy of the approved Request and present it at the Legal Registry. After verifying that the Request has been approved, the Legal Registry will inform the applicant of any additional fees payable. These Where additional fees are payable, these should then be stamped on the Request at the Cashier's Office at the Legal Registry. Upon presentation of this stamped Request, the documents will be furnished to the applicant.~~

~~(d) Where the Request is made for a certified true paper copy of a document, once approval is received from the Court, the applicant should obtain a printed copy of the approved Request and present it at Legal Registry. After verifying that the Request has been approved, the Legal Registry will inform the applicant of any additional fees payable. These fees should then be stamped on the Request at the Cashier's Office at the Legal Registry. Upon presentation of this stamped Request, the documents will be furnished to the applicant.~~

~~(e) The fees prescribed by items 71F, 71G and 71H of (c) The fees prescribed by Appendix B to the Rules of Court will be payable for the above services in addition to further printing charges which may be chargeable by the Court or the service bureau for reproducing the copies in paper form.~~

### *Conducting searches of information maintained by the Registry*

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

- (a) details of all originating processes, including:
  - (i) details of interlocutory applications;
  - (ii) details of appeals filed therein;

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

(510) Searches of this information under Order 60, Rule 3 may be conducted ~~through the "Litigation module" in Lawnet~~Electronic Filing Service, at <http://www.lawnet.com.sg> ~~-a service bureau or at the Legal Registry.~~ The fees prescribed by ~~items 71, 71B, 71C and 71D of~~ Appendix B to the Rules of Court will be payable for such searches.

#### **~~24.~~ 25. Instruments creating power of attorney**

(1) ~~With effect from 28 May 2002, a Request need not be filed for an application to~~ To deposit an instrument creating a power of attorney under Order 60, Rule 6 of the Rules of Court. ~~Instead,~~ the instrument and other supporting documents, if any, are to be filed, served, delivered or otherwise conveyed to the Court ~~by electronic transmission or viathrough the Electronic Filing Service or~~ the service bureau.

(2) The directions set out in sub-paragraph (1) will also apply to a party who wishes to file a document which alters the powers created in an instrument that is filed, served, delivered or otherwise conveyed to the Court on or after 28 May 2002. ~~If the document relates to an instrument that is presented for deposit before 28 May 2002, the document must be filed manually in hard copy form.~~

(3) The Legal Registry of the Supreme Court will not accept a document named as a deed of revocation if the deed only seeks to partially revoke the powers created in an instrument.

(4) Where the instrument creating a power of attorney is executed by a corporation and the corporation does not have a common seal, an affidavit in support of the application under Order 60, Rule 6 should be filed on behalf of the corporation:

(a) to affirm the requirements for a valid execution of the power of attorney in accordance with the laws and practices of the corporation's country of incorporation; and

(b) to satisfy the Court that the requirements have been complied with.

(5) A party may rely on the same affidavit in a subsequent filing of separate instruments on behalf of the same corporation by indicating on the top right hand corner of the ~~cover page of the~~ instrument the following statement: "Reference is made to affidavit of [name] filed on [date] in PA No. (xxxxxx) of (xxxx)."

(6) A party seeking to file an instrument creating a power of attorney executed before a notary public or under a corporate seal must produce the original instrument to the Legal Registry within one working day after filing the instrument. The application will be processed only after the original instrument is produced.

## **~~26. 25.~~ Filing directions to the Accountant-General for payment into and out of Court**

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

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

(3) Each draft direction for payment into or payment out of Court shall contain amounts in a single currency. Where monies in different currencies are to be paid into or out of Court, separate draft directions must be prepared for each currency in which payment is to be made.

## **~~26.~~ 27. Requests and other ~~26.~~ Correspondence**

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

correspondence (including letters or facsimiles) and to refuse to act on such correspondence.

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

(23) In addition, all letters should be captioned with the number of the cause to which they relate and the names of the parties. For example:

**SUIT NO. 1 OF ~~2006~~2012** (if a writ action);

**Between AB** (and **ANOR** or **ORS**, if there are 2 or more plaintiffs, as the case may be) **and CD** (and **ANOR** or **ORS**, if there are 2 or more defendants, as the case may be)

If the correspondence relates to an interlocutory application, the reference number of that application should be stated in the caption below the parties' names. For example:

**SUMMONS NO. 1 OF ~~2006~~2012**

(3)—(4) Compliance with the directions in this paragraph will facilitate the expeditious location of the relevant cause file.

(4)—(5) A letter may be sent to the Court by a law firm only in one of 2 ways:

- (a) Using the EFSElectronic Filing Service; or
- (b) By facsimile transmission.

If a letter is sent to the Court by a law firm in any other way, it is liable to be rejected.

-If a letter is sent to the Court by a law firm without the information specified in sub-paragraph (23), it is also liable to be rejected.

(56) Sub-paragraph (45) does not apply to litigants in person.

(7) Registrar's Directions and Notices from the Registry will be sent to law firms who are registered users of the Electronic Filing Service through the Electronic Filing Service. Registered users are to ensure that the inbox of their Electronic Filing Service account(s) are checked and cleared regularly.

## **~~28. 27.~~ Authorisation for collection of mail and Court documents**

(1) All law firms are to indicate their authorisation of any particular person to collect Court documents or mail from the Supreme Court on their behalf by providing such

person with a card which shall conform with the specimen set out in Form 4 of Appendix A of these Practice Directions.

(2) The card shall:

- (a) be clearly typed;
- (b) measure 8.50 cm x 5.00 cm;
- (c) be laminated, or held in a clear plastic envelope, case or wallet;
- (d) be numbered, sealed, signed and dated by the issuing law firm; and
- (e) remain valid only up to 31 December of each year, provided always that no card shall be valid for any period exceeding one year.

(3) Law firms remain responsible to recall or destroy any cards issued to persons whose authority to collect that firm's documents has been revoked. The Legal Registry of the Supreme Court must be immediately informed in writing of any lost or misplaced cards.

(4) Court documents and mail will only be released to Court clerks bearing such written authorisation. However, any solicitor may collect documents and mail on behalf of his firm and any litigant in person may collect documents and mail intended for him in any matter in which he is a party.

## **~~29. 28.~~ Electronic payment of Court fees**

### *Implementation of the electronic system for the payment of Court fees*

(1) Notwithstanding anything in these Practice Directions, all Court fees not paid ~~via~~ using the Electronic Filing Service must be paid by electronic means.

### *Modes of electronic payment*

(2) Payment through electronic means includes payment effected by Interbank GIRO (IBG), NETS, Cashcards and selected credit cards. For law firms, payment by IBG would be the most appropriate mode of electronic payment. A law firm using IBG will authorise the Supreme Court to deduct the fees from its bank account upon lodgement of the prescribed lodgement form. The law firm will receive detailed reports on its IBG payments to facilitate accounting and help with bank reconciliation.

### *Scope of electronic system*

(3) The electronic system covers all Court fees previously collected over-the-counter, hearing fees, mechanical recording services fees and fees for the use of the Technology Courts in the Supreme Court.

### *Registrar's discretion*

(4) Unless otherwise approved by the Registrar, payment of Court fees collected over-the-counter must be made by electronic means. The Registrar may, in any case, waive the requirement for the payment to be effected by electronic means, on such terms and conditions as he or she deems fit.

## **PART III: ORIGINATING PROCESSES AND DOCUMENTS**

### **~~30. 29.~~ Originating Summonses**

(1) This paragraph applies to originating summonses filed on or after 1 January 2006.

### *Forms for originating summonses*

(2) The former Form 6 of Appendix A of the Rules of Court (originating summons where appearance is required) has been deleted with effect from 1 January 2006. Solicitors' attention is drawn to Order 12, Rule 9 of the Rules of Court which provides that no appearance need be entered to an originating summons.

(3) Where any legislation requires a party to file an originating summons and the form is not provided within the legislation, the originating summons must be filed using either Form 4 (Originating Summons) or Form 5 (*Ex Parte* Originating Summons) of Appendix A of the Rules of Court.

(4) The parties in Form 4 of Appendix A of the Rules of Court must be stated as "plaintiff" and "defendant", or "appellant" and "respondent", as the case may be.

(5) The party in Form 5 of Appendix A of the Rules of Court must be stated as "applicant".

### *Originating summonses to be heard in open Court*

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

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

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

(a) applications to wind up a company (Rule 5 of Companies (Winding Up) Rules (Cap. 50, Rule 1, ~~2006 Rev Ed~~)); and

(b) applications to wind up a limited liability partnership (Rule 5 of Limited Liability Partnerships (Winding Up) Rules 2005 (Cap. 163A, Rule 2, ~~2007 Rev Ed~~)).

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

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

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

(c) applications to the Court of Appeal in Order 57, Rule 16;

(d) applications under the Arbitration Act (Cap. 10, ~~2002 Rev Ed~~) in Order 69, Rule 2;

(e) applications under the International Arbitration Act (Cap. 143A, ~~2002 Rev Ed~~) in Order 69A, Rule 2;

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

(g) applications and appeals under the Trade Marks Act (Cap. 332, ~~2005 Rev Ed~~) in Order 87, Rules 2 and 4;

(h) applications and appeals under the Patents Act (Cap. 221, ~~2005 Rev Ed~~) in Order 87A, Rules 9, 10 and 13;

(i) applications for admission of advocate and solicitor under ~~sections 17 and 18~~ section 12 of the Legal Profession Act (Cap. 161, ~~2001 Rev Ed~~);

(j) applications for ad hoc admissions under section ~~21~~ 15 of the Legal Profession Act;

(k) applications for leave for eligibility for election or appointment as a member of Council of Law Society under section 49(6) of the Legal Profession Act;

(l) applications for the name of a solicitor to be replaced on the roll under section 102(2) of the Legal Profession Act;



(m) applications by the Public Trustee or any person interested in a property to appoint a receiver of property pending the grant of probate or letters of administration under section 39 of the Probate and Administration Act (Cap. 251, ~~2000 Rev Ed~~);

(n) applications for the vesting of property of a registered trade union in a trustee under section 45 of the Trade Unions Act (Cap. 333, ~~2004 Rev Ed~~);

(o) applications by the Public Trustee for the appointment of new trustees to administer a charitable trust under section 63(4) of the Trustees Act (Cap. 337, ~~2005 Rev Ed~~);

(p) applications for a company to be placed under judicial management under section 227A of the Companies Act (Cap. 50, ~~2006 Rev Ed~~); and

(q) applications under the Land Titles (Strata) Act (Cap. 158, ~~2009 Rev Ed~~) in Order 100, Rule 2.

*Paragraph 29(8) amended to take effect from 23 July 2010  
Pursuant to Amendment No. 3 of 2010*

### **~~30.~~ 31. Identification numbers to be stated in cause papers**

#### *Parties named in the title of the documents*

(1) Where a party to any proceedings in the Supreme Court first files a document in such proceedings, he shall state his identification number (in brackets) in the title of the document immediately after his name. Thereafter, all documents subsequently filed in the proceedings by any party shall include this identification number in the title of the documents.

#### *Parties not named in the title of the documents*

(2) Where a party to any proceedings in the Supreme Court first files a document in such proceedings, and the name of the party does not appear in the title of the document but does appear in the body of the document, then the identification number of the party should be stated (in brackets) after the first appearance of his name in the document. Thereafter, all documents subsequently filed in the proceedings by any party shall include this identification number (in brackets) after the first appearance of the party's name. -

*Documents filed by 2 or more parties*

(3) Sub-paragraphs (1) and (2) shall apply, *mutatis mutandis*, to documents which are filed by more than one party.

*Identification numbers for non-parties*

(4) If any person (living or dead), any entity or any property is the subject matter of any proceedings, or is affected by any proceedings, but is not a party thereto, and the name of such person, entity or property is to appear in the title of the documents filed in the proceedings, the party filing the first document in the proceedings must state the identification number of such person, entity or property (in brackets) immediately after the name of the same. -Thereafter, all documents subsequently filed in the proceedings by any party shall include this identification number (in brackets) immediately after the name of the person, entity or property to which it applies. If the party filing the first document in the proceedings is unable, after reasonable enquiry, to discover the identification number of the person, entity or property, he may state immediately after the name of the same "(ID No. not known)". All documents subsequently filed by any party shall then contain these words (in brackets) after the name of this person, entity or property.

*Special cases*

(5) The following directions shall apply in addition to the directions contained in sub-paragraphs (1) to (4):

(a) where a party is represented by a litigation representative or guardian in adoption, sub-paragraphs (1) to (3) shall apply to the litigation representative or guardian in adoption as if he or she was a party to the proceedings, and the identification numbers of the party, the litigation representative and/or the guardian in adoption must be stated after their names;

(b) where parties are involved in any proceedings as the personal representatives of the estate of a deceased person, sub-paragraphs (1) to (3) shall apply to the deceased person as if he were a party;

(c) where more than one identification number applies to any party, person, entity or property, the identification numbers shall be stated in any convenient order; and

(d) for bankruptcy matters, the creditor must, in addition to his own identification number, also state the identification number of the debtor in all documents and papers filed by the creditor in the bankruptcy proceedings.

*Identification numbers ~~in electronic template~~*

(6) When entering the identification number in the ~~electronic template, only~~ Electronic Filing Service, the full identification number ~~and, including the letters characters appearing in before and after~~ the ~~identification~~ number should be entered. 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. 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.~~ form.

*Guidelines for the selection of identification numbers*

(7) The following guidelines should be followed in deciding on the appropriate identification number:

**NATURAL PERSON WITH SINGAPORE IDENTITY CARD**

(a) For a natural person who is a Singapore citizen or permanent resident, the identification number shall be the number of the identity card issued under the National Registration Act (Cap. 201, ~~1992 Rev Ed~~). ~~Only the~~ The 7 digit number ~~and~~ as well as the ~~letter~~ letters at the front and end should be stated. For example, "(NRIC No. S1234567A)".

**NATURAL PERSON WITH FIN NUMBER**

(b) For a natural person (whether a Singapore citizen or permanent resident or not) who has not been issued with an identity card under the National Registration Act, but has been assigned a FIN number under the Immigration Regulations (Cap. 133, Regulation 1, ~~1998 Rev Ed~~), the identification number shall be the FIN number. The number should be preceded by the prefix "FIN No."

**NATURAL PERSON: BIRTH CERTIFICATE OR PASSPORT NUMBER**

(c) For a natural person (whether a Singapore citizen or permanent resident or not) who has not been issued with an identity card under the National Registration Act or assigned an FIN number, the identification number shall be the birth certificate or passport number. The number should be preceded by

either of the following, as appropriate: "(Issuing country) BC No." or "(Issuing country) PP No."

#### **NATURAL PERSON: OTHER NUMBERS**

(d) For a natural person who is not a Singapore citizen or permanent resident, and has not been assigned an FIN number and does not have a birth certificate or passport number, the identification number shall be the number of any identification document he may possess. ~~The~~Both the number ~~should be preceded by~~as well as some descriptive words which will enable the nature of the number given and the authority issuing the identification document to be ascertained: should be stated. For example, "Japanese Identification Card No."

#### **DECEASED PERSON**

(e) For a deceased natural person, the identification number shall be as set out in sub-paragraph 7(a) to (d) above. However, if such numbers are not available, the identification number shall be the death registration number under the Registration of Births and Deaths Rules (Cap. 267, Rule 1, ~~2000 Rev Ed~~) or the equivalent foreign provisions, where the death is registered abroad. The number ~~should be preceded by~~as well as the following words should be stated: "(Country or place of registration of death) Death Reg. No."

#### **COMPANY REGISTERED UNDER THE COMPANIES ACT**

(f) For a company registered under the Companies Act (Cap. 50, ~~1994 Rev Ed~~), the identification number shall be the ~~company number stated in the certificate of incorporation or the certificate of registration of a foreign company. The number shall be preceded by the following prefix: "RC No."~~Unique Entity Number (UEN).

#### **COMPANY REGISTERED OUTSIDE SINGAPORE**

(g) For a company registered outside Singapore which is not registered under the Companies Act, the identification number shall be the registration number of the company in the country of registration. ~~The number shall be preceded by the following prefix: "(Country of registration) RC No."~~

#### **BUSINESS REGISTERED UNDER THE BUSINESS REGISTRATION ACT**

(h) For a body registered under the Business Registration Act (Cap. 32, ~~2004 Rev Ed~~), the identification number shall be the UEN number ~~of the certificate of registration issued under the Business Registration Act. The number shall be preceded by the following prefix: "RB No."~~

**LIMITED LIABILITY PARTNERSHIP REGISTERED UNDER THE LIMITED LIABILITY PARTNERSHIPS ACT**

(i) For a limited liability partnership registered under the Limited Liability Partnerships Act 2005 (Cap. 163A, ~~2006 Rev Ed~~), the identification number shall be the UEN number ~~of the certificate of registration issued under the Limited Liability Partnerships Act 2005. The number shall be preceded by the following prefix: "RP No."~~

**OTHER BODIES AND ASSOCIATIONS**

(j) For any other body or association, whether incorporated or otherwise, which does not fall within sub-paragraph 7(f) to (i) above, the identification number shall be any unique number assigned to the body or association by any authority. ~~The~~ Both the number ~~should be preceded by as well as~~ some descriptive words which will enable the nature of the number given and the authority assigning the number to be ascertained ~~should be stated~~. For example, "Singapore Trade Union Reg. No. 123 A".

**SHIP OR VESSEL**

(k) For a ship or vessel, the identification number shall be the registration number assigned by the port of registry. ~~The number shall be preceded by the following words: "(Port of registration) Reg. No."~~ If no such registration number is available, the identification number assigned by the International Maritime Organisation (IMO) or the number of the license granted by any authority shall be the identification number. ~~The number shall be preceded by the following words: "(Licensing country) Licence No."~~ ~~In the event that neither number is available, the identification number shall be the LR number stated in the Lloyd's Register of Ships. The number shall be preceded by the following prefix: "LR No."~~

**NO IDENTIFICATION NUMBERS EXIST**

(l) Where the appropriate identification numbers prescribed by sub-paragraph (7)(a) to (k) above do not exist, the following words should be stated immediately below or after the name of the party, person, entity or property concerned: "(No ID No. exists)".

*Inability to furnish identification number at the time of filing a document*

(8) If a party who wishes to file a document is unable at the time of filing to furnish the necessary identification numbers required by this paragraph, ~~approval for the document to be filed should be sought by~~ party may indicate "(ID Not Known)" at the time of filing

~~a request in Form 5 of Appendix A to these Practice Directions. The . However, when the necessary identification numbers have been obtained, the party will have to ~~be furnished by filing a notice in Form 6 within one month from the filing of Form 5. After Form 6 has been filed, the~~ the necessary identification numbers ~~set out therein should be included in all cause papers filed thereafter to the Registry through the Electronic Filing Service.~~~~

### *Meaning of document*

(9) For the avoidance of doubt, the words “document” and “documents” when used in this paragraph include all originating processes filed in the Supreme Court regardless of whether they are governed by the Rules of Court. The words also include all documents filed in connection with bankruptcy proceedings.

### *Non-compliance*

(10) Any document which does not comply with this paragraph may be rejected for filing by the Legal Registry of the Supreme Court.

## **~~31.~~ 32. Personal service of processes and documents**

(1) The attention of solicitors is drawn to Order 62, Rule 2(1) of the Rules of Court, which provides:

“Personal service must be effected by a process server of the Supreme Court or by a solicitor or a *solicitor’s clerk whose name and particulars have been notified to the Registrar for this purpose:*

Provided that the Registrar may, in a particular cause or matter, allow personal service to be effected by any other named person and shall, in that case, cause to be marked on the document required to be served personally, a memorandum to that effect.” [emphasis added.]

(2) Solicitors are therefore required to notify the Legal Registry of the Supreme Court of the particulars, and any change thereof, of such clerks who have been authorised by them to serve processes and documents by filing Form ~~75~~ of Appendix A to these Practice Directions. Solicitors’ clerks do not require the authorisation of the Registrar to effect personal service of processes and documents.

(3) As personal service can be effected by a solicitor or a solicitor’s clerk, Court process servers will not be assigned to effect personal service of processes and documents unless there are special reasons.

(4) If there are special reasons requiring personal service by a Court process server, a ~~request~~Request for such service should be ~~made~~filed through the Electronic Filing Service, setting out the special reasons. The approval of the Duty Registrar should then be obtained for such service. Once approval has been obtained, ~~the documents for service should be presented to the Legal Registry.~~ A process server will ~~then~~ be assigned to effect service and an appointment for service convenient to both the litigant and the assigned process server will be given.

(5) On the appointed date, the person accompanying the process server should call at the Legal Registry. The amount required for the transport charges of the process server (a record of which will be kept) should be tendered. ~~Alternatively, the Legal Registry should be informed beforehand that transport for the process server will be provided. The Legal Registry will then instruct the process server to effect service.~~

(6) Under no circumstances should any payment be made directly to the process server.

### ~~32.~~33. **Substituted service**

(1) Two reasonable attempts at personal service should be made before an ~~application for an order for substituted service~~ is filed. In an application for substituted service, the applicant shall demonstrate by way of ~~affidavit~~ why he or she believes that the attempts at service made were reasonable.

(2) An application ~~for substituted service by posting at a residential address~~ should contain evidence (for example, relevant search results ~~from the Inland Revenue Authority of Singapore, the Singapore Land Authority, the Housing & Development Board or the Accounting and Corporate Regulatory Authority~~) ~~that the person to be served is resident at the property. The applicant should persuade the Court that the proposed mode of substituted service will bring the document in question to the notice of the person to be served.~~

*~~Paragraph 32 amended to take effect from 16 April 2012~~*

*~~Pursuant to Amendment No. 2 of 2012~~*

### ~~33.~~34. **Endorsements on originating processes and other documents**

(1) Where it is necessary to include endorsements on any document, the directions in this paragraph shall apply.

(2) Endorsements are normally made on originating processes and other documents to show renewal, amendments and authorisation for service of the document in question. Such endorsements on originating processes and other documents do not require the Registrar's signature as they are made pursuant to either an order of Court or the Rules of Court. The Registrar should therefore not be asked to sign such endorsements.

(3) For documents that are filed through the Electronic Filing Service as electronic forms composed online:

(a) Solicitors should draw upselect the appropriate endorsement, stating and check the dateaccuracy of the order of Court or the Order and Ruleelectronic form in question and affixing their own signature. Where there is an irregularity as regards the endorsement of preview stage before filing the originating process or other document endorsed, it would be for . The acceptance by the Registry of electronic forms composed online does not affect the regularity of any interested party to apply to have such amendment or renewal set aside.endorsements on the document.

(4b) Where endorsements can be made prior to the filing or issuance of a document, those endorsements shall be incorporated into the document before the document is filed or issued.

(5c) Where endorsements must be made on a document which has already been filed or issued, a fresh copy of the 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.

### ~~34. Additional endorsements on cause papers~~

~~All documents filed for the purposes of open Court or Chambers hearings should contain either one of the following endorsements, as appropriate, at the top left hand corner of the first page:~~

~~(1) "Date of hearing: (State the date of the hearing)~~

~~-~~

~~Initial of solicitor / clerk~~

~~(Date of filing)".~~

~~OR~~

~~-~~



~~(2) "Date of hearing: No date as at (date of filing)~~

-

*Initial of solicitor / clerk*

*(Date of filing)".*

### **35. -Amendment of documents**

#### *Application*

(1) ~~Subject to sub-paragraph (2), the~~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), (4)(d), (5)(a) and (5)(b) shall not apply to documents filed in proceedings under the following legislation:~~

~~(a) Women's Charter (Cap 353, 1997 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 paragraphs 129(4) to 129(7) shall apply to amendments of probate applications.~~

#### *Amendment of any document*

(~~3~~2) 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~~3) The procedure for amending a document is as follows:

(a) A fresh amended copy of the document should be produced.

(b) 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.

(c) 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.

~~(d) When the amended document is forwarded to the 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*~~

~~(4) The directions in sub-paragraph (3)(b) shall not apply to originating summonses and summonses amended from an *inter partes* application to an *ex parte* application or *vice versa*.~~

~~(5) The directions in sub-paragraphs (3) and (4) also paragraph (3)(c) shall not apply to the amendment of originating processes and, summonses and other electronic forms that are composed online through the Electronic Filing Service.~~

### ~~*Amendment of pleadings*~~

~~(6) The directions in sub-paragraphs (2) and (3) shall apply to the amendment of 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 SCHEMES FOR AMENDMENTS**

~~(a7) 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 contents in colour.~~

**AMENDMENT FOR THIRD TIME OR MORE**

(b8) From the *third round* of amendments onwards, the amended ~~originating process or~~ pleading should comprise two versions of the document:

(ia) a clean version without the amendments shown; followed in the same document by

(ib) 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~~

*Amendment endorsements on electronic forms*

~~(9) Order 20, Rule 10(2) of Appendix B, the Rules of Court, continue to apply to the filing requires that an amended pleading or other document be endorsed with a statement that it has been amended, specifying the date on which it was amended and by whom the order (if any) authorising the amendment was made and the date thereof, and if no such order was made, the number of the amended originating process or pleading. Rule in Order 20 in pursuance of which the amendment was made. Where electronic forms are amended, the amendment endorsement shall take either one of the following forms:~~

**~~WHERE FRESH AMENDED WRIT OR ORIGINATING SUMMONS IS FILED~~**

~~(c) Below (a) By order of court made on [date order was made]; or beside the usual~~

~~(b) Pursuant to Order 20, Rule [cite specific rule number].~~

~~(10) The amendment endorsement signed by solicitors, there should be endorsed: shall be appended to the title of the electronic form, after the amendment number as required under sub-paragraph (3)(b) above. Where an electronic form is amended more than once, the endorsement need only cite the basis for the most recent amendment. For example,~~

~~“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”.~~

Originating Summons (Amendment No 3, by order of court made on 1 January 2013)

Writ of Summons (Amendment No 1, pursuant to O 20, r 3)

(11) The date of the electronic form shall reflect the date on which the document is amended.

## **PART IV: -INTERLOCUTORY APPLICATIONS**

### **36. -Distribution of applications**

~~(1)~~ All applications in Chambers (including summonses and summonses for directions) shall be filed without specifying whether the application is to be heard before a Judge in person or the Registrar.

~~(2) The deletion of either "Judge" or "Registrar" (appearing in the first paragraph of such applications in Chambers) shall only be done by a Registry officer and not by the applicant or his solicitors.~~

~~(3) All such deletions shall be in accordance with Order 32, Rule 9 of the Rules of Court and the directions given by the Honourable the Chief Justice. Order 32, Rule 9 provides:~~

#### ~~**Jurisdiction of Registrar (O. 32, r. 9)**~~

~~9.—(1) The Registrar of the Supreme Court shall have power to transact all such business and exercise all such authority and jurisdiction under the Supreme Court of Judicature Act (Chapter 322) or these Rules as may be transacted and exercised by a Judge in Chambers except such business, authority and jurisdiction as the Chief Justice may from time to time direct to be transacted or exercised by a Judge in person or as may by any of these Rules be expressly directed to be transacted or exercised by a Judge in person.~~

~~(2) Rule 1 shall apply in relation to the jurisdiction of the Registrar of the Subordinate Courts but with the following modifications:~~

~~(a) the reference to the Registrar of the Supreme Court shall be construed as a reference to the Registrar of the Subordinate Courts;~~

~~(b) the reference to the Supreme Court of Judicature Act shall be construed as a reference to the Subordinate Courts Act (Chapter 321);  
and~~

~~(c) the reference to directions which the Chief Justice may make shall be construed as a reference to directions which the Senior District Judge may, with the concurrence of the Chief Justice, make.~~

### **37. –Filing of summonses**

#### *All interlocutory applications to be made by summons*

(1) The former Form 10 of Appendix A of the Rules of Court (Notice of Motion) has been deleted with effect from 1 January 2006. All interlocutory applications are to be made by way of summons.

#### *"Ex parte", "and" "by consent" and "non-contentious" summonses*

(2) Ordinary summonses shall be endorsed "ex parte", "or" "by consent" or "non-contentious", and when so endorsed must bear a certificate to that effect signed by all the solicitors concerned. Any summons that is not so endorsed will be regarded as a contentious matter liable to exceed a hearing duration of 10 minutes.

~~(3) "Non-contentious" shall mean a matter which has been certified by all the solicitors concerned as one which will not exceed a hearing duration of 10 minutes.~~

~~(4)~~(3) After the filing of any "ex parte" or "by consent" summons, the application will be examined by the Judge or Registrar as the case may be. If he is satisfied that the application is in order and all other requirements have been complied with, he may make the order(s) applied for on the day fixed for the hearing of the application without the attendance of the applicant or his solicitor.

~~(5)~~(4) Summonses that are filed ~~by electronic transmission using the Electronic Filing Service~~ will be routed to the ~~In-Tray inbox~~ of the ~~law firm's computer system; applicant solicitor's Electronic Filing Service account~~. Where the summons is filed ~~via~~through the service bureau, it may be collected at the service bureau. Enquiries by telephone will not be entertained.

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

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

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

(a) applications under section 343 of the Companies Act (Cap. 50, ~~2006 Rev Ed~~);

(b) applications under paragraph 97 of the Fifth Schedule to the Limited Liability Partnerships Act (Cap. 163A, ~~2006 Rev Ed~~);

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(c) applications for the committal of any person to prison for contempt in relation to winding up of a company or a limited liability partnership; and

(d) applications to rectify the Register in relation to winding up of a company or a limited liability partnership (See Rule 5 of Companies (Winding Up) Rules (Cap. 50, Rule 1, ~~2006 Rev Ed~~) and Rule 5 of Limited Liability Partnerships (Winding Up) Rules 2005).

(3) In addition to any provisions in the Rules of Court or other written law, and subject to further directions made by the Court, the Registrar hereby directs that the following applications by summons shall be heard in open Court ~~with effect from 1 January 2006~~:

(a) applications for mandatory orders, ~~quashingprohibiting orders~~ ~~or prohibiting orders~~ ~~or quashing orders~~ under Order 53, Rule 2;

(b) issuance of summonses for order for review of detention under Order 54, Rule 2;

(c) applications to the Court of Appeal in appeals under Order 57, Rule 16;

(d) applications for remedies where property protected by a caveat is arrested under Order 70, Rule 6;

(e) applications for orders for damages caused by caveats against the release of property under arrest under Order 70, Rule 13;

(f) applications for judgment for failure to file a preliminary act under Order 70, Rule 18;

(g) applications for judgment by default under Order 70, Rule 20;

(h) applications for orders of priority of claims against the proceeds of sale of a ship under Order 70, Rule 21;

(i) applications in a pending action for apportionment of salvage under Order 70, Rule 32;

(j) applications for objections to a decision on a reference under Order 70, Rule 42;

(k) applications under the Patents Act (Cap. 221, ~~2005 Rev Ed~~) under Order 87A, Rule 11(6);

(l) applications for legal officers or non-practising solicitors to be struck off the roll under section 82A(10) of the Legal Profession Act (Cap. 161, ~~2001 Rev Ed~~); and

(m) applications ~~to make absolute orders to show cause for an order that a solicitor be struck off the roll, etc.~~ under section 98(51) of the Legal Profession Act. —

### **39. -Summons for directions**

(1) The principal intention of the summons for directions is to ensure that there is a thorough stocktaking of the issues in an action and the manner in which the evidence should be presented at a trial, with a view to shortening the length of the trial and saving costs generally.

(2) Parties should have completed their discovery of documents by the time of the first hearing of the summons for directions. There should be full discovery on either side.

(3) Parties should also make all interlocutory applications at the hearing of the summons for directions.

### **40. -Transfer of proceedings to the Subordinate Courts**

~~(1)~~ Where a claim in the High Court which may have initially exceeded \$250,000 is subsequently reduced below this amount, solicitors should bring this to the attention of the Registrar and apply by summons or at the hearing of the summons for directions for an order that the action be transferred to the District Court for trial under section 54C of the Subordinate Courts Act (Cap 321, ~~1999 Rev Ed~~), which provides:

#### **General power to transfer from High Court to subordinate Courts**

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

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

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

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

~~(2) In cases where directions have been given, solicitors should proceed under Order 25, Rule 7(3) of the Rules of Court.~~

#### **41. -Ex parte applications for injunctions**

(1) Order 29, Rule 1 of the Rules of Court provides that an application for the grant of an injunction may be made *ex parte* in cases of urgency. However, the cases of *Castle Fitness Consultancy Pte Ltd v Manz* [1989] SLR 896 and *The 'Nagasaki Spirit'* (No 1) [1994] 1 SLR 434 take the position that an opponent to an *ex parte* application, especially where the application seeks injunctive relief, should be invited to attend at the hearing of the application.

(2) In view of this, any party applying *ex parte* for an injunction (including a *Mareva* injunction) must give notice of the application to the other concerned parties prior to the hearing. The notice may be given by way of facsimile transmission or telex, or, in cases of extreme urgency, orally by telephone. The notice should inform the other parties of the date, time and place fixed for the hearing of the application and the nature of the relief sought. If possible, a copy of the *ex parte* summons should be given to each of the other parties. At the hearing of the *ex parte* application, in the event that some or all of the other parties are not present or represented, the applicant's solicitors should inform the Court of:

(a) the attempts that were made to notify the other parties or their solicitors of the making of the application; and

(b) whether the other parties or their solicitors consent to the application being heard without their presence.

(3) The directions set out in sub-paragraph (2) need not be followed if the giving of the notice to the other parties, or some of them, would or might defeat the purpose of the *ex parte* application. However, in such cases, the reasons for not following the directions should be clearly set out in the affidavit prepared in support of the *ex parte* application.

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#### **42. -Mareva injunctions and search orders**



(1) Pursuant to Order 32, Rule 9 of the Rules of Court, the Honourable the Chief Justice has directed that applications for *Mareva* injunctions and for search orders, whether made on an *ex parte* or *inter partes* basis, should be heard by a Judge in person. For the avoidance of doubt, all other *ex parte* applications for interim injunctions may be heard by a Registrar.

(2) Applicants for *Mareva* injunctions and search orders are required to prepare their orders in accordance with the following forms in Appendix A of these Practice Directions:

- (a) Form [86](#): Search order;
- (b) Form [97](#): worldwide *Mareva* injunction; and
- (c) Form ~~108~~: *Mareva* injunction limited to assets within the jurisdiction.

[When composing the summons electronic form online through the Electronic Filing Service, these Forms shall be prepared in Portable Document Format \(PDF\) and attached to the summons electronic form.](#)

(3) The language and layout of the forms are intended to make it easier for persons served with these orders to understand what they mean. These forms of orders should be used save to the extent that the Judge hearing a particular application considers there is a good reason for adopting a different form. Any departure from the terms of the prescribed forms should be justified by the applicant in his supporting affidavit(s).

(4) The applicant should undertake not to inform any third party of the proceedings until after the return date.

(5) Wherever practicable, applications should be made sufficiently early so as to ensure that the Judge has sufficient time to read and consider the application in advance.

(6) On an *ex parte* application for either a *Mareva* injunction or a search order, an applicant may be required, in an appropriate case, to support his cross-undertaking in damages by a payment into Court, the provision of a bond by an insurance company, a banker's guarantee or a payment to the applicant's solicitor to be held by the solicitor as an officer of the Court pending further order.

### *Applications for search orders*

(7) It was suggested in *Universal Thermosensors Ltd v Hibben* [1992] [3-1 WLR 840](#) ~~At ER 257~~ at [276-861](#) that the order be served by a supervising solicitor and carried out in his presence and under his supervision.

- (a) The supervising solicitor should be an experienced solicitor who is not a member or employee of the firm acting for the applicant and who has some

familiarity with the operation of search orders. The evidence in support of the application should include the identity and experience of the proposed supervising solicitor. These guidelines are equally applicable in the local context and the Judge in his discretion may, in appropriate cases, require a supervising solicitor.

(b) Where the premises are likely to be occupied by an unaccompanied woman, at least one of the persons attending on the service of the order should be a woman.

(c) Where the nature of the items removed under the order makes this appropriate, the applicant will be required to insure them.

### **43. -Applications for discovery or interrogatories against network service providers**

(1) This paragraph applies to applications made under Order 24, Rule 6(1) or Order 26A, Rule 1(1) of the Rules of Court:

(a) by an owner or exclusive licensee of copyright material against a network service provider for information relating to the identity of a user of the network service provider's primary network who is alleged to have infringed the copyright in the material in relation to an electronic copy of the material on, or accessible through, the network service provider's primary network; or

(b) by the performer of a performance against a network service provider for information relating to the identity of a user of the network service provider's primary network who is alleged to have made an unauthorised use of the performance in relation to an electronic recording of the material on, or accessible through, the network service provider's primary network.

(2) An application referred to in sub-paragraph (1) shall:

(a) be made in Form 4 (originating summons) of Appendix A of the Rules of Court; and

(b) when made in accordance with sub-paragraph (2)(a), be fixed for hearing within 5 days from the date of filing of the application.

(3) The onus shall lie on the applicant to highlight the nature of the application to the Legal Registry of the Supreme Court and to request that the application be fixed for hearing within 5 days.

(4) In sub-paragraph (1)(a), the words “electronic copy”, “material”, “network service provider” and “primary network” have the same meanings as in section 193A(1) of the Copyright Act (Cap. 63, ~~2006 Rev Ed~~).

(5) In sub-paragraph (1)(b), the words “electronic recording”, “network service provider”, “performance” and “primary network” have the same meanings as in section 246(1) of the Copyright Act.

## **Part ~~IVAV~~: DISCOVERY AND INSPECTION OF ELECTRONICALLY STORED DOCUMENTS**

### **~~43A.~~ 44. Introduction**

(1) This Part provides a framework for proportionate and economical discovery, inspection and supply of electronic copies of electronically stored documents. This Part or any portion thereof applies (a) by mutual agreement of all the parties in the cause or matter or (b) when the Court so orders, either on its own motion or on application by a party. A party that seeks to rely on this Part must cite the relevant paragraph(s) in any request or application made hereunder.

(~~1A2~~) Parties should consider the application of this Part or any portion thereof in the following cases:

- (a) where the claim or the counterclaim exceeds \$ 1 million;
- (b) where ~~documents~~ discoverable by a party exceeds 2,000 pages in aggregate; or
- (c) where documents discoverable in the case or matter comprise substantially of electronic mail and/or electronic documents.

(~~1B-3~~) For the avoidance of doubt, this Part applies to pre-action discovery, discovery between parties in a pending cause or matter, and third-party discovery.

### ***Location of electronically stored documents***

(~~24~~) Electronically stored documents may reside in storage management systems, folders or directories in storage locations, electronic media or recording devices, including folders or directories where temporarily deleted files are located (for example, the Recycle Bin folder or Trash folder). Electronically stored documents or parts thereof may also reside in the unallocated file space or file slack on an electronic medium or recording device as deleted files or file fragments which may be recovered through the use of computer forensic tools or techniques.

***Meaning of "metadata information"***

(35) Metadata information refers to the non-visible and not readily apparent information embedded in or associated with electronically stored documents and may include both application metadata, which is created by the application software used to create the electronic documents, and system metadata, which is created by the operating or storage system. Examples of application metadata include hidden columns or text, formatting and display codes, formulae, prior edits and editorial comments; examples of system metadata include data relating to creation, modification and access of the electronic document, its size, file format and storage location, and other document profile information like title, author, subject and keywords or tags. Metadata information may be stored internally within the electronically stored document or externally in a separate file or database. Externally stored metadata information shall be discoverable as separate documents.

***Meaning of "not reasonably accessible documents"***

(46) Electronically stored documents which are not reasonably accessible include:

- (a) deleted files or file fragments containing information which may be recovered only through the use of computer forensic tools or techniques; and
- (b) documents archived using backup software and stored off-line on backup tapes or other storage media.

***Meaning of "forensic inspection"***

(57) A forensic inspection of an electronic medium or recording device means a reasonable search of the electronic medium or recording device for the purpose of recovering deleted electronic documents, which may extend to a forensic examination of the unallocated file space or file slack of the electronic medium or recording device using computer forensic tools and/or techniques.

*Paragraph 43A amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

**45. 43B. Electronic discovery plans during general discovery**

(1) Within two weeks after the close of pleadings, parties are encouraged to collaborate in good faith and agree on issues relating to the discovery and inspection of electronically stored documents. Such issues may include the scope and/or any limits on documents to be given in discovery, whether parties are prepared to make voluntary disclosures, whether specific documents or class of documents ought to be specifically

preserved, search terms to be used in reasonable searches, whether preliminary searches and/or data sampling are to be conducted and the giving of discovery in stages according to an agreed schedule, as well as the format and manner in which copies of discoverable documents shall be supplied. Parties are encouraged to have regard to the list of issues at Appendix E Part 1 (Check list of issues for good faith collaboration) in their discussions. Parties should exchange their checklists prior to commencing good faith discussions.

(2) An electronic discovery plan may take the form set forth in Appendix E Part 1. Parties may include the agreed electronic discovery plan in the summons for directions. The Court shall consider the adequacy of the agreed electronic discovery plan and may make such order or give such direction as it thinks fit, for the just, expeditious and economical disposal of the cause or matter. The agreed electronic discovery plan, as amended by such order or direction of the Court as the case may be, shall form part of the order under the summons for directions to be extracted for the action.

(3) If parties are unable to agree on an electronic discovery plan, the party seeking discovery of electronically stored documents under this Part may make an application to court. The application must include a draft electronic discovery plan and must be supported by affidavit providing an account of the attempts made by parties to collaborate in good faith to agree on an electronic discovery plan.

*Paragraph 43B amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

#### **~~43C~~46. Discovery of metadata information**

(1) Internally stored metadata information shall be discoverable as part of the electronically stored document in which it is embedded. Externally stored metadata information shall be discoverable separately from the electronically stored documents or class of electronically stored documents that it is associated with. Unless a request for discovery specifies that discovery of externally stored metadata information of the requested electronically stored documents is required, the party providing discovery shall not be required to discover externally stored metadata information.

(2) An application for discovery of externally stored metadata information of any electronically stored document or class of electronically stored documents must be supported by an affidavit showing that a request for such externally stored metadata information had been made previously.

*Paragraph 43C amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

**~~43D~~47. Reasonable searches for electronically stored documents**

(1) A class of electronically stored documents may be described by specifying or describing a search term or phrase to be used in a search for electronically stored documents which shall be reasonable in scope ("reasonable search"). A request for the giving of discovery by describing a class of electronically stored documents with reference to search terms or phrases must specify or describe limits on the scope of the search; such limits shall include at least the following:

(a) specifying or describing custodians and repositories, eg physical or logical storage locations, media or devices; and

(b) specifying the period during which the requested electronically stored documents were created, received or modified.

(2) Subject to paragraph [43E48](#) (Proportionality and economy), requests for reasonable searches shall not extend to electronically stored documents which are not reasonably accessible unless the conditions in this paragraph are met. A party requesting a reasonable search for electronically stored documents which are not reasonably accessible must demonstrate that the relevance and materiality of the electronically stored documents justify the cost and burden of retrieving and producing them.

(3) The obligations of a party responding to a request for reasonable search for electronically stored documents is fulfilled upon that party carrying out the search to the extent stated in the request and disclosing any electronically stored documents located as a result of that search. -The party giving discovery shall not be required to review the search results for relevance.

***Applications to Court***

(4) An application for discovery of any electronically stored document or class of electronically stored documents which specifies or describes a search term or phrase to be used in a reasonable search for electronically stored documents must specify or describe limits on the scope of the search to be conducted.

(5) An application for discovery of any electronically stored document or class of electronically stored documents which specifies or describes a search term or phrase to be used in a reasonable search for electronically stored documents which are *not reasonably accessible* must:

(a) specify or describe limits on the scope of the search to be conducted; and

(b) be supported by an affidavit demonstrating that the relevance and materiality of the electronically stored documents sought to be discovered justify the cost and burden of retrieving and producing them.

***Review for the purpose of asserting privilege***

(76) Nothing in this paragraph shall prevent the party giving discovery from reviewing the discoverable electronically stored documents or the results of any reasonable search for the purpose of identifying privileged documents. However, such review for the purpose of identifying privileged documents shall not extend to the intentional deletion, removal or alteration of metadata information. Review for the purpose of asserting privilege must, unless otherwise agreed by parties or ordered by the Court, be concluded within fourteen (14) days after the search results are made available to the party giving discovery.

*Paragraph 43D amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

**43E48. Proportionality and economy**

(1) Order 24, Rules 7 and 13 of the Rules of Court states that an order for discovery and production of documents for inspection shall not be made unless such order is necessary either for disposing fairly of the cause or matter or for saving costs. The matters to which regard shall be had, in determining whether an application under this Part is proportionate and economical, shall include:

- (a) the number of electronic documents involved;
- (b) the nature of the case and complexity of the issues;
- (c) the value of the claim and the financial position of each party;
- (d) the ease and expense of retrieval of any particular electronically stored document or class of electronically stored documents, including—
  - (i) the accessibility, location and likelihood of locating any relevant documents,
  - (ii) the costs of recovering and giving discovery and inspection, including the supply of copies, of any relevant documents,
  - (iii) the likelihood that any relevant documents will be materially altered in the course of recovery, or the giving of discovery or inspection; and

(e) the availability of electronically stored documents or class of electronically stored documents sought from other sources; and

(f) the relevance and materiality of any particular electronically stored document or class of electronically stored documents which are likely to be located to the issues in dispute.

*Paragraph 43E amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

### **43F49. Form of list**

(1) The following matters shall be included in any list of documents made pursuant to the giving of discovery in accordance with this Part in which electronic documents are enumerated:

(a) the name of the electronic file constituting or containing the electronic document; and

(b) the file format of the electronic document.

(2) An electronic copy of an electronically stored document which reflects that document accurately, or which has been manifestly or consistently acted on, relied upon or used as an accurate copy of that electronic document may be identified in the list of documents as an original.

(3) Where the party giving discovery objects to the production of certain discoverable electronically stored documents solely on the ground that the internally stored metadata information is protected by privilege, he must state in the list of documents whether he objects to the production of the electronic documents without the internally stored metadata information. If he does not object to the production of the electronic documents without the internally stored metadata information, he must enumerate the electronic documents in Part 1 of Schedule 1 to the list of documents. In any event, he must enumerate such documents in a separate section in Part 2 of Schedule 1 to the list of documents and shall state that he objects to the production of the whole or part of the internally stored metadata information of these documents.

(4) Reasonable efforts shall be made to remove duplicated documents from the list of documents. A document shall be considered a duplicate of another if the contents of both (including metadata information) are identical. The use of a hashing function to identify duplicates shall be deemed to be reasonable effort.



(5) If copies of electronic documents are supplied in one or more read-only optical disc(s) or other storage medium, the party giving discovery shall provide a further list, at the time when such copies are supplied, stating the following:

- (a) the storage format of the optical disc or storage medium; and
- (b) if there are multiple optical discs or storage media, a list of electronic documents stored on each optical disc or storage medium.

(6) An index of documents enumerated in a list of documents referred to in subparagraph (1) or (4) above shall be provided in an electronic, text searchable and structured format. In the absence of parties' agreement, this index or load file shall be provided in a delimited text file in the Comma Separated Value (or 'CSV') file format.

*Paragraph 43F amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

### **43G50. Inspection of electronically stored documents**

(1) A party required to produce electronically stored documents for inspection under Order 24 of the Rules of Court shall provide reasonable means and assistance for the party entitled to inspection to inspect the electronically stored documents in their native format.

(2) Where the inspecting party wishes to take copies of electronically stored documents produced for inspection, his request to take copies shall comply with the procedures set forth in paragraph ~~43I52~~(3) – (6) (Supply of copies of electronically stored documents).

#### ***Inspection of computer databases***

(3) An inspection protocol shall be adopted by parties for inspections of computer databases, in order to ensure that the party entitled to inspection has access only to records therein that are necessary, and is not allowed to trawl through the entire computer database.

(4) An application for inspection of a computer database shall include an inspection protocol. On the hearing of an application for an order for the inspection of a computer database, the Court shall have the power to review the adequacy of the inspection protocol and may make such order or give such direction as it thinks fit for the just, expeditious and economical disposal of the cause or matter.

(5) Nothing in this paragraph shall prevent the party producing computer databases for inspection from reviewing the discoverable records or the results of any reasonable search for the purpose of identifying privileged records before such records are produced

for inspection. However, such review for the purpose of identifying privileged documents shall not extend to the intentional deletion, removal or alteration of metadata information. Review for the purpose of asserting privilege must, unless otherwise ordered by the Court, be concluded within fourteen (14) days after the search results are made available to the party producing the electronic media or recording device.

*Paragraph 43G amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

### **43H51. Forensic inspection of electronic media or recording devices**

(1) No request or application for the forensic inspection of any electronic medium or recording device shall be made unless discovery of that electronic medium or recording device has been given. A request or application for the discovery of an electronic medium or recording device may be made together with a request or application for forensic inspection of that electronic medium or recording device.

(2) A request or application for the forensic inspection of electronic media or recording devices shall include an inspection protocol, which may take the form found in Appendix E Part 3 (Protocol for forensic inspection of electronic media or recording devices), in order to ensure that the party entitled to inspection has access only to electronic documents that are necessary, and is not allowed to trawl through the entire electronic media or recording device.

(3) On the hearing of an application for an order for the forensic inspection of electronic media or recording devices, the Court shall have the power to review the adequacy of an inspection protocol and may make such order or give such direction as it thinks fit, for the just, expeditious and economical disposal of the cause or matter.

(4) Nothing in this paragraph shall prevent the party producing electronic media or recording devices for forensic inspection from reviewing the discoverable electronically stored documents or the results of any reasonable search for the purpose of identifying privileged documents. However, such review for the purpose of identifying privileged documents shall not extend to the intentional deletion, removal or alteration of metadata information. Review for the purpose of asserting privilege must, unless otherwise ordered by the Court, be concluded within fourteen (14) days after the search results are made available to the party producing the electronic media or recording device.

*Paragraph 43H amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

**~~43I~~52. Supply of copies of electronically stored documents**

(1) Copies of discoverable electronically stored documents shall generally be supplied in the native format in which the requested electronic documents are ordinarily maintained and in one or more read-only optical disc(s).

(2) Metadata information internally stored in the native format of discoverable electronically stored documents shall not be intentionally deleted, removed or altered without the agreement of the parties or an order of Court. Where the party giving discovery objects to the production for inspection of certain discoverable electronically stored documents solely on the ground that the internally stored metadata information is protected by privilege, but does not object to the production of the electronic documents without the internally stored metadata information, copies of such documents may be supplied in a reasonably usable format with all or such of the metadata information over which privilege is claimed removed.

***Requests for the supply of copies***

(3) A request for copies of discoverable electronically stored documents may specify the format and manner in which such copies are to be supplied, If the party giving discovery does not agree with the specified format or manner or both, he may either:

(a) propose a reasonably usable format and/or storage medium and/or a reasonable manner in which he intends to supply copies of the requested electronic documents; or

(b) in default of agreement, supply copies of the requested electronic documents in accordance with sub-paragraph (1).

(4) The party giving discovery shall not be required to supply copies of electronically stored documents in more than one format.

(5) The file formats set forth in Appendix E Part 4 (Reasonably usable formats) shall be deemed to be reasonably usable formats for the purpose of this paragraph.

***Applications for the supply of copies***

(6) Applications for the supply of copies of discoverable electronically stored documents shall specify the format and manner in which copies of such electronic documents are to be supplied.

*Paragraph 43I amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

**~~43J~~53. Discovery by the supply of copies *in lieu* of inspection**

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(1) Where the use of technology in the management of documents and conduct of the proceeding will facilitate the just, expeditious and economical disposal of the cause or matter, the Court may order, on its own motion or on application by a party, that discovery be given by the supply of electronic copies of discoverable electronically stored documents *in lieu* of inspection.

(2) An order for discovery made under this paragraph may take the following form:

(a) Discovery of electronic mail and electronically stored documents which are in the parties' possession, power or custody be given by providing electronic copies in native format or one of the reasonably usable formats set forth in the Supreme Court Practice Directions, Appendix E Part 4 (Reasonably usable formats);

(b) Electronic mail in Microsoft Outlook or Lotus Notes be provided in Personal Storage Table (PST) or Notes Storage Format (NSF), as the case may be, with all attachments intact, and that the electronic mail from each custodian be supplied in a single PST or NSF file;

(c) Electronic copies of discoverable electronically stored documents be supplied using one or more read-only optical disc(s), unless parties agree to an alternative storage medium (eg, removable flash storage or hard disks) or manner (eg, online folders or directories);

(d) Discoverable electronically stored documents are to be organised into meaningful categories and copies of all electronically stored documents in each category are to be stored in a separate folder or directory in the optical disc or storage medium, and further, for sub-categories to be organised as sub-folders or -directories;

(~~de~~) Enumeration of electronically stored documents in the list of documents is to be dispensed with, but a meaningful description is to be provided for each category or sub-category in the list of documents instead;

(~~ef~~) All documents in the parties' possession, power or custody that are in printed or paper form are to be digitised and processed using Optical Character Recognition (OCR) software programs to render the digitised documents searchable, and further, electronic copies are to be supplied in Portable Document Format (PDF) or in any other reasonably usable format (as parties may agree) in accordance with the terms of this Order;

(~~fg~~) Parties are to exchange electronic copies of discoverable documents together with a list of documents in accordance with paragraph ~~43F49~~ (Form of

list) of Part ~~IVAV~~ of the Supreme Court Practice Directions, as modified by this Order, within fourteen days of this Order;

(~~gh~~) Inspection be deferred and that Order 24, Rule 10 applies to the list of documents as though it was a pleading or an affidavit; and

(~~hi~~) The time for objections under Order 27 be ordered to run from the date of exchange of electronic copies in paragraph (f) herein or the date of inspection, if any, whichever is the later.

(3) For the avoidance of doubt, nothing in this paragraph requires parties to agree to adopt an electronic discovery plan or conduct reasonable searches for electronically stored documents under this Part. An order may be made under this paragraph in proceedings where parties have identified discoverable documents pursuant to the procedure set out in Order 24 of the Rules of Court.

*Paragraph 43J inserted to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

#### **~~43K~~54. Restriction on use of privileged document, inspection of which has been inadvertently allowed**

(~~1~~) Order 24, Rule 19 of the Rules of Court applies to the giving of discovery or inspection of electronically stored documents, including the supply of copies, as it would to the giving of discovery or inspection of any other document.

*Paragraph 43K amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

#### **~~43L~~55. Costs**

(1) Save for orders made in respect of third party or pre-action discovery, the costs of complying with an order for discovery or inspection of electronically stored documents shall generally be borne by the party giving discovery; and disbursements incurred in providing copies shall be reimbursed by the party requesting for copies.

(2) The Court may invoke its inherent powers under Order 92, Rules 4 and 5 of the Rules of Court to order the party entitled to discovery to bear the whole or part of the costs of compliance with an order for discovery or inspection of electronically stored documents, if such order is necessary to prevent injustice or to prevent an abuse of the process of the Court.

*Paragraph 43L amended to take effect from 1 March 2012*

*Pursuant to Amendment No. 1 of 2012*

## **PART ~~VVI~~: EVIDENCE – WITNESSES, AFFIDAVITS AND EXHIBITS**

### **~~44. 56.~~ Witnesses**

#### *Issuance of subpoenas*

(1) ~~Order 38, Rule 14(3) states that an An~~ application for a subpoena shall be made by way of ~~Request. filing a subpoena in Form 67 in Appendix A of the Rules of Court. The subpoena and the Request should be filed together in is deemed to be issued when it is sealed by an officer of the Court. However, the fees payable for the issuance of the subpoena will be paid in relation to the Registry pursuant to Order 38, Rule 14(2).~~

~~(2) The previous practice of filing a Request to issue a subpoena only, and not in relation to the Request is discontinued.~~

#### *Release of witness upon completion of evidence*

~~(23)~~ Every witness will be released by the Court upon completion of his evidence and it is the duty of counsel to apply to the Court if counsel desires the witness to remain.

### **~~57. 45.~~ Form of affidavits**

~~(1) Affidavits may be sworn in one of the 2 ways described in Order 63A, Rule 15(2) of the Rules of Court, which provides as follows:~~

~~An affidavit to be filed in Court using the electronic filing service may be sworn in one of two ways—~~

~~(a) electronically; or~~

~~(b) in the usual way in which the deponent signs the original paper affidavit.~~

~~(2)~~ Affidavits shall have a blank margin not less than 35mm wide on all 4 sides of the page. They shall be printed or typed and double-spaced.

~~(2) When filing affidavits for use during a hearing of an interlocutory application, the number of the interlocutory application must be provided in the Electronic Filing Service in addition to the case number of the suit or matter.~~

(3) The textual portion of the affidavits, as opposed to the exhibits, must be printed on white paper.

(4) At the top right hand corner of the first page of every affidavit the following information shall be typed or printed in a single line:

(a) the party on whose behalf the affidavit is filed;

(b) the name of the deponent;

(c) the ordinal number of the affidavit in relation to the previous affidavits filed in the cause or matter by the deponent;

(d) the date the affidavit is to be filed;

For example, "2nd Deft; Tan Ah Kow; 4th; 15.12.~~2006~~2012".

(e) for affidavits filed in respect of matrimonial proceedings under Part X of the Women's Charter (Cap. 353, ~~1997 Rev Ed~~),

(i) the top right hand corner of the first page of every affidavit shall also state whether the affidavit has been filed in respect of a summons (SUM), ancillary matters (AM) or originating summons (OS) hearing. If the affidavit is filed in respect of a summons hearing, it shall state the number of the said summons, where the number is available. For example, "Respondent: Tan Ah Kow: 4th: 15.4.~~2006~~2012: AM hearing"; and "Respondent: Tan Ah Kow: 4th: 15.4.~~2006~~2012: SUM hearing: SUM no. 1234 of ~~2006~~2012"; and

(ii) the document name that is selected in the electronic filing service for an affidavit for ancillary matters hearing shall be "Affidavit for AM".

(5) Every page of the affidavit (*including* separators and exhibits) shall be paginated consecutively, and the page number shall be inserted at the centre top of the page.

(6) Every affidavit which is filed in conjunction with a summons (but not those filed in conjunction with an originating ~~summons~~summons) must have endorsed at the top left-hand corner of the first page of the affidavit the entered number of the summons.

(7) Hard copies of affidavits may be printed on one side or both sides of each page.

~~Paragraph 45 amended to take effect from 12 December 2011~~

~~Pursuant to Amendment No. 3 of 2011~~

#### ~~46.~~ **58. Non-documentary exhibits to affidavits**

(1) Non-documentary exhibits (e.g., tapes, samples of merchandise, etc.) shall be clearly marked with the exhibit mark in such a manner that there is no likelihood of the exhibit being separated or misplaced. The affidavit should indicate that the exhibit (e.g., tapes, samples of merchandise, etc.) is a non-documentary exhibit and refer to it according to the relevant exhibit number.

(2) Where the exhibit consists of more than one item (e.g., CD-ROMs in a box) each and every such separate item of the exhibits shall similarly be separately marked with enough of the usual exhibit marks to ensure precise identification.

(3) Where it is impracticable to mark on the article itself, such article or the container thereof shall be tagged or labelled with the exhibit mark securely attached to the exhibit in such a manner that it is not easily removable.

(4) Very small non-documentary exhibits shall be enclosed or mounted in a sealed transparent container and tagged or labelled as aforesaid. An enlarged photograph showing the relevant characteristics of such exhibits shall, where applicable, be exhibited in the affidavit.

**~~47.~~ 59. Documentary exhibits to affidavits**

(1) Every page of every exhibit must be fully and clearly legible. -Where necessary, magnified copies of the relevant pages should be inserted in appropriate places.

*More than 10 documentary exhibits*

(2) When there are more than 10 different documentary exhibits in an affidavit:

(a) there shall be a table of contents of the documentary exhibits inserted before the first of such exhibits enumerating every exhibit in the affidavit in the manner of the example set out below:

Reference in affidavit	Nature of Exhibit	Page No.
"TAK-1"	Certificate of marriage	6
"TAK-2"	Certificate of birth	7

Reference in affidavit	Nature of Exhibit	Page No.
"TAK-1"	Certificate of marriage	6
"TAK-2"	Certificate of birth	7

and

(b) exhibits shall be set out in the sequence in which references are made to them in the affidavit.



### *Pagination*

(3) Every page of the exhibits, including cover pages, dividing sheets or separators between exhibits, shall be consecutively numbered at the top right hand corner of each page, following from the page numbers of the affidavit (i.e. the first page of the exhibits shall take the number following the last sheet of the affidavit's main text). The page number of the affidavit must correspond to the page number in the Portable Document Format (PDF) version that is filed through the Electronic Filing Service.

### *Dividing sheets*

~~(4) If an affidavit is not sworn electronically within the meaning of Order 63A, Rule 15 of the Rules of Court, the~~(4) The exhibits in an affidavit shall be prefaced by a dividing sheet, marked, typed or stamped clearly with an exhibit mark as follows:

"This is the exhibit marked [letter of the alphabet or a number] referred to in the affidavit of [name of the deponent] and sworn/affirmed before me this [date on which the affidavit is sworn or affirmed].

-

Before me,

SGD

A Commissioner for Oaths"

### *Book-marks ~~and links~~*

(5) Each exhibit in the affidavit must be separately book-marked:

~~(a) The book-marking should be effected using the book-marking function provided in the Adobe Acrobat Exchange programme.~~

~~(b)~~ Portable Document Format (PDF) document that is filed. The names of the book-marks should follow the initials of the deponent of the affidavit, e.g., "TAK-1", "TAK-2".

~~(c) Related documents (e.g., correspondence and invoices) may be collected and collectively exhibited as one exhibit and may be arranged in chronological order, beginning with the earliest at the top.~~

~~(6) If the textual portion of the affidavit refers to anything included in the exhibits to the same affidavit, then a link must be created from that reference in the text of the affidavit to the document or documents referred to. This link should be created using the link function provided in the Adobe Acrobat Exchange programme.~~

### *Numbering*

(76) Where a deponent deposes to more than one affidavit with exhibits in the same action, the numbering of the exhibits in all subsequent affidavits shall run consecutively throughout, and not begin again with each affidavit. For instance, where a deponent in his first affidavit has marked two exhibits as "TAK-1" and "TAK-2", the first exhibit in his second affidavit should be marked as "TAK-3" instead of "TAK-1".

### *References to exhibits in other affidavits*

(87) Where a deponent wishes to refer to documents already exhibited to another deponent's affidavit, he shall be required to exhibit them to his own affidavit pursuant to Order 41, Rule 11 of the Rules of Court, which provides as follows:

**Document to be used in conjunction with affidavit to be exhibited to it  
(O. 41, r. 11)**

11. —(1) Any document to be used in conjunction with an affidavit must be exhibited and a copy thereof annexed to the affidavit, unless the Court otherwise orders.

(2) Any exhibit to an affidavit must be identified by a certificate of the person before whom the affidavit is sworn.

The certificate must be entitled in the same manner as the affidavit and Rule 1 (1), (2) and (3) shall apply accordingly.

### *Related documents*

(98) Related documents (e.g., correspondence and invoices) may be collected together and collectively exhibited as one exhibit arranged in chronological order, beginning with the earliest at the top, paginated in accordance with sub-paragraph (3) above, and the exhibit must have a front page showing the table of contents of the items in the exhibit.

## **~~48. Swearing affidavits electronically~~**

~~(1) Order 63A, Rule 15(3) of the Rules of Court provides that affidavits may be sworn electronically if certain conditions are met.~~

~~(2) Pursuant to Order 63A, Rule 15(3)(b), the following forms of attestations should be used for the swearing of affidavits by electronic means:~~

~~(a) Where the affidavit is sworn by one deponent and:~~

~~(i) the deponent understands English; or~~

~~(ii) the affidavit is interpreted to the deponent by a Court interpreter; or~~  
~~(iii) the commissioner for oaths is an advocate and solicitor and the commissioner for oaths interprets the affidavit to the deponent in a language or dialect in which the commissioner is proficient and which the deponent understands:~~

~~"The deponent of this affidavit, (state the name of the deponent), has attended before me on (date) and (time), and has informed me that he is the deponent named in this affidavit.~~

~~I, (name of commissioner for oaths), have inspected the following identity document of the deponent, namely, (description of the identity document, stating the number of such document), and it appears from such inspection that the deponent who attended before me is the person named in the identity document and is also the deponent named in the affidavit.~~

~~The deponent of this affidavit has read this affidavit in my presence, (or I have truly, distinctly and audibly read the contents of the affidavit and explained the nature and effect of the exhibits therein referred to, if any, to him in the \_\_\_\_\_ language), and he has confirmed that he understands the contents of the same, and has sworn (or affirmed) the truth of the contents:~~

~~(Name of commissioner for oaths)~~

~~Commissioner for Oaths".~~

~~(b) In respect of each deponent, where an affidavit is to be sworn by 2 or more deponents, and:~~

~~(i) the deponent in question understands English; or~~

~~(ii) the commissioner for oaths is an advocate and solicitor and the commissioner for oaths interprets and affidavit to the deponent in question in a language or dialect in which the commissioner is proficient and which the deponent understands:~~

~~"The (first or second or as the case may be) deponent of this affidavit, (state the name of the deponent), has attended before me on (date) and (time), and has informed me that he is the~~

~~(first or second or as the case may be) deponent named in this affidavit.~~

~~I, (name of commissioner for oaths), have inspected the following identity document of the deponent, namely, (description of the identity document, stating the number of such document), and it appears from such inspection that the deponent who attended before me is the person named in the identity document and is also the (first or second or as the case may be) deponent named in the affidavit.~~

~~The deponent of this affidavit has read this affidavit in my presence, (or I have truly, distinctly and audibly read the contents of the affidavit and explained the nature and effect of the exhibits therein referred to, if any, to him in the \_\_\_\_\_ language), and he has confirmed that he understands the contents of the same, and has sworn (or affirmed) the truth of the contents.~~

~~(Name of commissioner for oaths)~~

~~Commissioner for Oaths".~~

~~(c) Where an affidavit is to be sworn by a person who does not understand English and the interpreter is not a Court interpreter or the commissioner for oaths:~~

~~"The deponent of this affidavit, (state the name of the deponent), has attended before me on (date) and (time), and has informed me that he is the deponent named in this affidavits.~~

~~I, (name of commissioner for oaths), have inspected the following identity document of the deponent, namely, (description of the identity document, stating the number of such document), and it appears from such inspection that the deponent who attended before me is the person named in the identity document and is also the deponent named in the affidavit.~~

~~The contents of the affidavit have been read and the nature and effect of the exhibits therein referred, to, if any, have been explained to him in the \_\_\_\_\_ language by (name of the~~

~~interpreter), and he has confirmed that he understands the contents of the same, and has sworn (or affirmed) the truth of the contents. The said (name of the interpreter) was then sworn that he had truly, distinctly and audibly translated the contents of the affidavit to the deponent and that he did truly and faithfully interpret the oath (or affirmation) administered to the deponent.~~

~~(Name of commissioner for oaths)~~

~~Commissioner for Oaths”.~~

~~(3) After the affidavit has been sworn, commissioners for oaths must record the taking of the affidavit in the register kept for this purpose, as required by Order 63A, Rule 15(3)(d).~~

~~(4) Affidavits which are filed electronically may be sworn electronically before the Supreme Court commissioners for oaths. However, if there is more than one deponent for an affidavit to be sworn electronically, all the deponents must attend before the Supreme Court commissioner for oaths at the same time.~~

~~(5) The forms of attestation prescribed in sub-paragraph (2) above may be modified to fit the circumstances, and an affidavit shall not be treated as being irregularly taken simply because the exact form of attestation was not used. It shall be sufficient if the form of attestation used complies in substance with those prescribed in sub-paragraph (2).~~

#### **49.–60. Swearing or affirming of documents by deponents who are blind or illiterate in English**

(1) Rule 8 of the Commissioners for Oaths Rules (Cap. 322, Rule 3) restricts advocates and solicitors who are appointed as commissioners for oaths to taking affidavits or statutory declarations, or administering oaths, for deponents who speak and understand English. In view of this, many deponents who are illiterate in English are brought by solicitors to Supreme Court commissioners for oaths to swear or affirm affidavits and statutory declarations. As the Supreme Court commissioners for oaths are under a duty to ensure that the deponent understands the document being deposed to, they are obliged to interpret the document to intended deponents; this is also the case in relation to blind deponents. This necessary exercise may take a considerable time and may cause long delays for other persons who wish to take affidavits or statutory declarations before the Supreme Court commissioners for oaths.

(2) Accordingly, solicitors who wish to bring illiterate or blind deponents before the Supreme Court commissioners for oaths should first estimate the time that will be taken to interpret the document or documents to be deposed to. If it is estimated that the total time required for interpretation of the documents will be more than 20 minutes, the solicitor must contact the appropriate Supreme Court Head Interpreter and arrange for a special appointment for the documents to be sworn or affirmed. The solicitor should not bring the deponent before the duty commissioner for oaths without such an appointment.

(3) If an illiterate or a blind deponent is brought before the duty Supreme Court commissioner for oaths and the interpretation of the document or documents takes more than 20 minutes, the commissioner for oaths will refer the solicitor and the deponent to the appropriate Head Interpreter for a special appointment to be made for the documents to be deposed to.

(4) The appropriate Supreme Court Head Interpreter may be contacted at the following telephone numbers:

(a) Head Interpreter (Chinese) -- 6332 3940.

(b) Head Interpreter (Indian) --- 6332 3930.

(c) Head Interpreter (Malay) -- 6332 3970.

### **~~50.~~ 61. Effect of non-compliance**

Any affidavit or exhibit which does not comply with the directions contained in this Part will be liable to be rejected by the Court and made the subject of an order for costs.

### **~~51.~~ 62. Objections to the contents of affidavits of evidence-in-chief**

(1) If, on an application for directions under Order 25, Rule 3 or Order 37, Rule 1 of the Rules of Court or otherwise, orders are made prescribing the time within which objection to the contents of affidavits of evidence-in-chief must be taken, the objections must be taken in accordance with the directions contained in this paragraph and not otherwise.

(2) Objections to the contents of affidavits of evidence-in-chief filed pursuant to an order of Court made under Order 25, Rule 3 or Order 37, Rule 1 or otherwise, must be taken by filing and serving a notice in Form ~~119~~ of Appendix A of these Practice Directions.

(3) The notice in Form ~~119~~ should set out all the objections to the contents of affidavits of evidence-in-chief that will be raised at the hearing of the cause or matter and all the grounds thereof.

(4) An adjudication on the material objected to in affidavits of evidence-in-chief filed pursuant to an order of Court should only be sought at the trial or hearing of the cause or matter for which the affidavits of evidence-in-chief were filed, and not before. If an adjudication is sought prior to the trial or hearing of the cause or matter, the application for the adjudication will be adjourned to be dealt with at the trial or hearing of the cause or matter, and the applicant may be ordered to pay the costs of the adjournment.

### **~~63. 52.~~ Order 41 of the Rules of Court**

(1) For the avoidance of doubt, the provisions of Order 41 of the Rules of Court shall continue to apply.

(2) The attention of solicitors is drawn especially to Order 41, Rule 1(4):

Every affidavit must be expressed in the first person and, unless the Court otherwise directs, must state the place of residence of the deponent and his occupation or, if he has none, his description, and if he is, or is employed by, a party to the cause or matter in which the affidavit is sworn, the affidavit must state that fact:

Provided that in the case of a deponent who is giving evidence in a professional, business or other occupational capacity the affidavit may, instead of stating the deponent's place of residence, state the address at which he works, the position he holds and the name of his firm or employer, if any.

Non-compliance with any of the requirements of Order 41, Rule 1(4) may result in an order of costs being made against the solicitor personally.

## **PART ~~VII~~: FIXING OF MATTERS FOR HEARING**

### **~~53. 64.~~ Waiting time for the hearing of matters**

(1) The average waiting times between the filing of certain processes or other steps in the proceedings and the date for the hearing or pre-trial conference of the matter are set out in Appendix B of these Practice Directions. Solicitors are directed to take note of these waiting times as they must be ready to proceed at the end of the relevant period.

(2) This paragraph shall apply to both civil and criminal proceedings.

**~~54. Filing a document for which~~ 65. Requesting a hearing date is required**

**~~If a document is filed for which~~ through the Court is requested to assign a Electronic Filing Service**

~~(1) When filing applications through the Electronic Filing Service, solicitors may be permitted to make a request for a preferred hearing date or a trial date, for the number following classes of law firms that are likely applications:~~

~~(a) interlocutory applications to be involved in the hearing or trial heard before Registrars;~~

~~(b) bankruptcy applications; and~~

~~(c) winding up applications.~~

~~(2) Solicitors should be stated in confer with all parties to the appropriate box in application before selecting a preferred hearing date. Counsel arguing the electronic template application for all parties should be available to attend the hearing on the date selected.~~

~~(3) In the event that it is not possible to confer with opposing counsel on a preferred hearing date, whether due to the nature or urgency of the application or otherwise, solicitors shall select a date where counsel arguing the application for the applicant will be available.~~

**66. 55. Fixing of hearing dates**

(1) To assist the Registrar at the fixing of hearing dates, solicitors should provide updated information as to the current status of the cause or matter, including the prospects of settlement and any other developments which are likely to affect the length of the trial. In order to facilitate a more realistic assessment of the time required for the hearing, they will also be required to inform the Registrar of the number of witnesses they intend to call, the estimated amount of time required for each party to cross-examine all the opposing party's witnesses and the estimated total length of hearing.

(2) Solicitors who attend the fixing should be fully acquainted with the cause or matter being fixed for hearing. They should preferably be the solicitor having conduct of the cause or matter.



(3) Solicitors must attend the fixing. It is not acceptable for their clerks to attend in their stead.

(4) The attention of solicitors is drawn to Order 34, Rule 5~~(2)~~ of the Rules of Court, which provides:

*It shall be the duty of all parties to an action entered in any list to furnish without delay to the Registrar all available information as to the action being or being likely to be settled, or affecting the estimated length of the trial, and, if the action is settled or withdrawn, to notify the Registrar of the fact without delay.*

[emphasis added]

### **~~56–67.~~ Adjourment and/or vacation of trial dates and part-heard cases**

(1) Where dates have been fixed for the trial of any cause or matter, any request for an adjourment or vacation of the trial dates shall be made to the Court by way of summons with a supporting affidavit, even in those cases where counsel for the other party or parties consent to the adjourment.

(2) Subject to any directions of the Court, when a case is adjourned, the Registrar shall assign such days as are available for the hearing of the case, and counsel will be expected to take the dates at short notice.

(3) In the event that the hearing of a case is not concluded within the number of days allotted, the Court may direct the hearing of the case to continue beyond the allotted time, rather than adjourning the case part-heard to another date. Counsel for parties in all cases should therefore be prepared to continue with the hearing of the matter notwithstanding the fact that the time originally allotted may have expired.

### **~~57–68.~~ Adjourment and/or vacation of hearings other than trials**

#### *~~Requests for vacation generally~~*

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

(2) The ~~request~~Request electronic form should be ~~made~~filed through the Electronic Filing Service at least 2 working days before the hearing ~~date~~, setting out the reasons for the ~~request~~requested adjourment or vacation of hearings.

(3) If the consent of all other parties to the matter is obtained, ~~the~~ letter ~~should state~~stating that all parties have consented to the ~~request for vacation. requested adjournment or vacation of hearings may be attached to the Request electronic form.~~ However, this does not mean that the ~~request~~Request will be granted as a matter of course. ~~The~~ Court will still evaluate the merits of the ~~request~~Request before making its decision. -

(4) If the consent of one or more of the other parties is not obtained, the letter should set out the reasons for the other parties' objections, or explain why the consent of one or more of the other parties cannot be obtained. Any relevant correspondence between the parties should also be ~~annexed~~attached to the Request electronic form. The Court will then evaluate the contents of the ~~request~~Request and the relevant correspondence before deciding whether the ~~request~~requested adjournment or vacation of hearings should be allowed.

#### ~~Applications for adjournment—~~

~~(5) Where the solicitor intends to apply for adjournment of any hearings other than trials, he or she shall inform the Registrar in writing not less than 2 working days before the date of hearing.~~

~~(6)~~(5) In any other case, solicitors on record for all parties must attend before the Court to make an application for an adjournment. See also paragraph 13 of these Practice Directions. -

## **PART ~~VI~~VIII: DOCUMENTS AND AUTHORITIES FOR USE IN COURT**

### **~~58.~~69. Filing of documents and authorities for use in Court**

(1) Subject to any directions in these Practice Directions to the contrary, in particular paragraphs ~~60~~71(3) and ~~93~~104, all documents for use at any hearing in Court must be filed using the Electronic Filing Service ~~(EFS)~~ at least 1 clear day in advance of the hearing. These documents include written submissions, skeletal arguments, bundles of documents, bundles of pleadings, bundles of affidavits, core bundles and all opening statements.

(2) In the event that it is not possible to file the documents in advance of the hearing, counsel may apply to the Judge or Registrar conducting the hearing for leave to use paper documents during the hearing. The paper documents may be printed on one side or both sides of each page. The solicitor must explain why it was not possible to file the documents in advance of the hearing, and must also give an undertaking to file using the

[EFSElectronic Filing Service](#) all the documents used at the hearing by the next working day after the hearing. Any document not filed using the [EFSElectronic Filing Service](#) will not be included in the Court's case file.

### *Bundle of authorities*

(3) Bundles of authorities may be filed, served, delivered or otherwise conveyed using the [EFS-Electronic Filing Service](#). A party may also choose not to file bundles of authorities and may instead use these for hearings in paper form according to the directions in this Part. -

(4) The party using the paper copy of the bundle of authorities shall bear the onus of producing the bundle at every hearing at which it is required. The paper copy of the bundle of authorities may be printed on one side or both sides of each page. The Court will neither retain nor undertake to produce for hearings the paper copy of the bundle. The Judge or Registrar may, if he or she so chooses, retain the paper copy of the bundle of authorities for his or her own reference. The paper copy so retained will not, however, form part of the Court's record in respect of the proceedings in which it was used.

(5) Counsel must adhere to the following directions when preparing bundles of authorities for use in Court. These requirements shall also apply to paragraphs [6071](#) to [6273](#) of these Practice Directions:

(a) The bundle of authorities shall have a table of contents immediately after the first title page. Where the bundle of authorities consists of more than one volume, each volume shall have a table of contents clearly indicating the authorities that are contained in that volume.

(b) The items in the table of contents shall be numbered sequentially, and bound in the order in which they are listed.

(c) The table of contents shall contain a concise statement of the relevance of each authority to the specific issues before the Court. The relevance of each authority shall be succinctly expressed and comprise no more than 3 sentences. The statement shall be set out immediately after the name of the case. For example:

*Cartier International BV v Lee Hock Lee and another application*

[[19931992](#)] [1-3](#) SLR(R) [616340](#)

Relevance: -Where -the -Court -is -asked -to -punish -an -alleged contemnor by incarceration, the charge against him must be proved to the high standard required in a criminal charge.

*Rickshaw Investments Ltd and Another v Nicolai Baron von Uexkull*  
[2007] 1 SLR(R) 377

Relevance: Choice of law considerations are relevant even when determining the natural forum to hear a dispute.

(6) The Court may reject bundles of authorities that are not in compliance with subparagraph (5) above, and in exercising its discretion as to costs, take such non-compliance into account.

~~Paragraph 58 amended to take effect from 12 December 2011  
Pursuant to Amendment No. 3 of 2011~~

(7) Where electronic bundles of authorities are filed through the Electronic Filing Service, the following shall apply:

(a) A bookmark should be created in the Portable Document Format (PDF) file for each authority in the bundle.

(b) The name given to each bookmark should be the same as the table of contents.

(c) The page number of each printed bundle must correspond to the page number in the Portable Document Format (PDF) version of that bundle. Each separate bundle of documents shall start at page 1 and every page shall be numbered consecutively.

### **70. 59.—Bundle of documents filed on setting down**

(1) Order 34, Rule 3 of the Rules of Court requires a bundle containing certain documents to be filed together with the ~~request~~notice for setting down. The documents in the bundle should be included in the order in which these appear in Order 34, Rule 3(1):

#### **Filing documents when setting down (O. 34, r. 3)**

3. —(1) ~~In order to set down for trial an action, the~~The party setting ~~it down~~ an action for trial must ~~deliver to file with~~ the Registrar, a ~~request in Form 61 that~~ the notice for setting down an action ~~may be set down~~ for trial in Form 61 together with a bundle for the use of the Judge consisting of one copy of each of the following documents:

(a) the writ;

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(b) the pleadings (including any affidavits ordered to stand as pleadings), any notice or order for particulars and the particulars given; and

(c) all orders made on the summons for directions.

(2) In addition, parties should endeavour to file a core bundle of documents. This core bundle should comprise only documents that are relevant to the hearing in question, or which will be referred to in the course of the hearing.

(3) These documents must be prepared in an electronic format. If there are other documents, the relevance of which is uncertain, these documents should be included and any objections taken before the trial Judge.

~~(4) If there are other documents, the relevance of which is uncertain, these documents should be brought to the hearing in paper form. Such documents should only be filed electronically as and when directed by the Court.~~

*Directions for electronic creation and filing of bundles of documents*

~~(5) The bundle to be filed in Court may take 3 different forms:~~

~~(a) It may comprise a cover page, together with one or more portable document format (PDF) documents.~~

~~(b) It may comprise a cover page, together with one or more PDF documents. In addition, if a document has already been filed in Court, and a party wishes to include this document in the bundle to be filed in Court, the party need not include an actual PDF copy of that document in the bundle. The party may instead include a reference to the Document Control Number (DCN) of the document already filed (using the system function in the computer system provided by the network service provider).~~

~~(c) It may comprise a cover page, together with the DCN of the documents already filed.~~

~~(6.4)~~ The following directions shall apply to the filing of bundles:

(a) Index pages shall be prepared. ~~However, it will not be necessary to include the page number reference in the index.~~

~~(b) In addition to these index pages, where the index refers to more than one document within a single PDF file in a bundle, a book mark Bookmarks should be created in ~~that PDF~~ the Portable Document Format (PDF) file for each such~~

reference in the index. There should be as many book-marks in that PDF file as there are references in the index to documents in that PDF file.

~~(c) The book-marking should be effected using the book-marking function provided in the Adobe Acrobat Exchange programme.~~

~~(d) The~~ (b) The name given to each ~~book-mark~~bookmark should be the same as the corresponding reference in the index.

~~(e)~~ (c) The various PDF documents ~~or DCN references, as the case may be,~~ should be arranged chronologically or in some logical order.

~~(7) The fees payable for the filing of documents by way of references to their DCN are found in items 71D(1)(d) and 71D(2)(d) of Appendix B of the Rules of Court~~ (d) The page number of each bundle of documents must correspond to the page number in the Portable Document Format (PDF) version of that bundle. Each separate bundle of documents shall start at page 1 and every page shall be numbered consecutively.

(5) For proceedings using the Electronic Filing Service, a bundle of documents may be created online and filed through the Electronic Filing Service. The electronic bundle shall be created in Portable Document Format (PDF). The electronic bundle may contain:

(a) documents in the electronic case file; and

(b) documents that have been uploaded into the electronic case file by solicitors or other persons given access to the shared folder in the electronic case file.

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

(1) This paragraph shall apply to trials in open Court of:

(a) writ actions; and

(b) originating summonses ordered to be continued as if the cause of action had been begun by writ.

(2) Order 34, Rule 3A of the Rules of Court requires the originals of the affidavits of the evidence-in-chief of all witnesses, a bundle of documents and the opening statements to be filed not less than 5 working days before the trial of an action. In addition, to improve the conduct of civil proceedings and to reduce the time taken in the presentation of cases in Court, the respective solicitors of the parties shall also prepare a bundle of authorities, which shall also be filed and served along with the documents on all relevant parties.

*Only opening statement to be filed through the Electronic Filing Service*

(3) The opening statement must be filed in Court as a *separate document* using the Electronic Filing Service. With the exception of opening statements, the following documents need not be filed through the Electronic Filing Service:

(a) The affidavits of the evidence-in-chief of all witnesses and the bundle of documents may be tendered to the Legal Registry of the Supreme Court in hard copy together with an electronic copy stored on a CD-ROM in ~~portable document format~~ Portable Document Format (PDF) and complying with the provisions of this paragraph.

(b) A party may choose not to include the bundles of authorities in the CD-ROM and may instead tender it in hard copy.

(4) Any Court fees payable, pursuant to Appendix B of the Rules of Court, on filing the documents in this sub-paragraph, shall be payable at the cashier at the Legal Registry. 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 of the Rules of Court shall not apply to such documents.~~

(5) Payment of the Court fees on such documents should be made before the documents are filed in Court in compliance with Order 34, Rule 3A. As such, the hard copy of documents tendered to Court should show, on the front page, the amount of Court fees paid on the document.

(6) The electronic copy must tally in all respects with the hard copy, as it will be uploaded into the case file by the Legal Registry staff and will form part of the electronic case file. The page numbers of the hard copy must correspond to the page numbers in the Portable Document Format (PDF) version. Unnecessarily large electronic files should not be submitted. Parties should adhere as far as possible to the guidelines set out on the Electronic Filing Service website (<http://www.efs.comelitigation.sg>) on the resolution to be used when scanning documents into PDF.

(7) In the event that parties elect to electronically file such documents, they must nevertheless tender a bundle of these documents to the Legal Registry in hard copy. It shall not be necessary to pay any additional Court fees in respect of the hard copy in such circumstances.

*Timeline for filing documents*

(8) Parties are to note that the timeline in Order 34, Rule 3A (ie. not less than 5 days before the trial) is to be adhered to strictly, and that it will in particular apply to the

electronic copy on CD-ROM and the filing of the opening statement as a separate document.

(9) At the trial of the cause or matter, an adjournment may be ordered if:

(a) the documents or any of them (save for the opening statement in cases where it is not required or dispensation was granted) were not filed and served within the prescribed time or at all; or

(b) one party seeks to tender any of the above documents or supplements thereto (except for supplements to the opening statement at the trial of the cause or matter).

(10) If an adjournment is ordered for any of the reasons set out in sub-paragraph (9), the party in default may be ordered to bear the costs of the adjournment.

### *Bundles of documents*

(11) The bundle of documents required to be filed by Order 34, Rule 3A should be paginated consecutively throughout at the top right hand corner and may be printed on one side or both sides of each page.

(a) An index of contents of each bundle in the manner and form set out in Form ~~1210~~ of Appendix A of these Practice Directions must also be furnished. No bundle of documents is necessary in cases where parties are not relying on any document at the trial.

(b) Under Order 34, Rule 3A(3) it is the responsibility of solicitors for all parties to agree and prepare an agreed bundle as soon as possible. The scope to which the agreement extends must be stated in the index sheet of the agreed bundle.

(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 plaintiffs 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 shall bear the appropriate indicium by which the document is indicated in the index of contents. Flags shall 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 provided the originals are made



available for inspection by the other parties before the hearing and by the Judge at the hearing.

(d) 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.

(e) Only documents which are relevant or necessary for the trial shall 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 person.

(f) A core bundle should also be provided, unless one is clearly unnecessary. -The core bundle should contain the most important documents upon which the case will turn or to which repeated reference will have to be made. The documents in this bundle should not only be paginated but should also be cross-referenced to copies of the documents included in the main bundles. The bundle supplied to the Court should be contained in a loose-leaf file which can easily have further documents added to it if required.

### *Bundles of authorities*

(12) In addition to requirements set out in paragraph 5869(5) of these Practice Directions, the bundle of authorities must:

(a) contain all the authorities, cases, statutes, subsidiary legislation and any other materials relied on;

(b) be arranged in the following order – statutes in alphabetical order of the title, subsidiary legislation in alphabetical order of the title, cases in alphabetical order of the case name, secondary materials (such as textbooks and articles) in alphabetical order of the last name of the author, and any other materials in alphabetical order of the title or last name of the author as is appropriate;

(c) be properly bound with plastic ring binding or plastic spine thermal binding. The rings or spines should be red for plaintiffs and blue for defendants with a transparent plastic cover in front and at the back;

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

(e) be paginated consecutively at the top right hand corner of each page. Pagination should commence on the first page of the first bundle and run sequentially to the last page of the last bundle; and

(f) contain an index of the authorities in that bundle and be appropriately flagged for easy reference; and

(g) be legible. Clear legible photocopies of original authorities 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.

(13) 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 will have no hesitation in making a special order for costs against the relevant person.

### *Opening statements*

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

(a) Opening statements will be required from all parties in all cases commenced by writ in the High Court, except where dispensation has been granted by the Court and in motor vehicle accident actions. Statements submitted may be taken as read by the trial Judge.

(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

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and state each party's position clearly, not to argue or elaborate on them;

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

(iv) where there is a counterclaim or third party action, the opening statement must similarly address all issues raised therein; and

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

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

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

(i) all pages shall be paginated, with the first page (~~not~~ including anythe cover page) numbered as 'Page 1' so that the page numbers of the hard copy correspond to the page numbers in the Portable Document Format (PDF) version;

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

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

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

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

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

(f) Opening ~~Statements~~statements may be amended at trial, but counsel will be expected to explain the reasons for the amendments. ~~The amended opening statements will be subject to the fees prescribed by items 22A and 22B of Appendix B of the Rules of Court for late filing and for excess pages upon filing respectively.~~

*~~Paragraph 60 amended to take effect from 12 December 2011~~*

*~~Pursuant to Amendment No. 3 of 2011~~*

**~~61-72.~~ Bundles of authorities for other open Court hearings**

(1) In all criminal proceedings and civil and criminal appeals heard in open Court in the High Court, counsel shall submit their own bundle of authorities. In this regard, paragraph ~~6071~~(12) to (13) shall, *mutatis mutandis*, be complied with.

(2) In all criminal proceedings and civil and criminal appeals heard in open Court in the Court of Appeal, as well as disciplinary proceedings (or appeals therefrom) brought under any statute, including the Legal Profession Act and the Medical Registration Act which are heard by a Court of 3 Judges, counsel shall submit a soft copy of the bundle of authorities in ~~Adobe~~ Portable Document Format (PDF) together with the other documents required to be submitted under paragraph ~~7788~~(3).

(3) With regard to soft copy bundles of authorities, the requirements set out in paragraphs ~~5869~~(5), ~~6071~~(12)(a), ~~6071~~(12)(b) and ~~6071~~(13) shall be complied with. ~~Although the~~The soft copy bundle of authorities ~~need not be sequentially paginated, they~~ shall contain electronic bookmarks to each case therein, bearing the name of each of the cases for easy electronic access. The page numbers of any hard copy bundle of authorities must correspond to the page numbers in the Portable Document Format (PDF) version.

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*Paragraph 61 amended to take effect from 30 June 2011  
Pursuant to Amendment No. 2 of 2011*

**~~62-73.~~ Hearings in Chambers**

(1) In all hearings in Chambers before a Judge or Registrar, counsel shall submit their own bundles of documents (where necessary) and bundles of authorities. Order 34, Rule 3A of the Rules of Court and the requirements of paragraph ~~6071~~(11) to (13) shall, *mutatis mutandis*, be complied with in this regard, save that the bundles may be submitted at the hearing itself before the Judge or Registrar, as the case may be.

(2) The party using the paper copy of the bundle of authorities should file ~~via~~ EFS ~~through the Electronic Filing Service~~ a list of authorities to be used at least one clear day in advance of the hearing. In the event that it is not possible for the party to do so, he must explain to the Judge or Registrar conducting the hearing why it was not possible for him to do so and must also undertake to file the list of authorities using EFS ~~the Electronic Filing Service~~ by the next working day after the hearing.

## **~~63.~~ 74. Citation of judgments**

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

### *Use of judgments as authorities in submissions*

(2) Counsel who cite a judgment must state the proposition of law that the judgment establishes and the parts of the judgment that support that proposition. Such statements should not excessively add to the length of the submission but should be sufficient to demonstrate the relevance of that judgment to the argument made. Where counsel wish to cite more than two judgments as authority for a given proposition, there must be a compelling reason to do so, and this reason must be provided by counsel in the submissions.

(3) The Court will also pay particular attention to any indication in the cited judgment that the judgment (i) only applied decided law to the facts of the particular case; or (ii) did not extend or add to the existing law.

### *Use of judgments from foreign jurisdictions*

(4) Judgments from other jurisdictions can, if judiciously used, provide valuable assistance to the Court. However, where there are in existence local judgments which are directly relevant to the issue, such judgments should be cited in precedence to foreign judgments. Relevant local judgments will be accorded greater weight than judgments from foreign jurisdictions. This will ensure that the Courts are not unnecessarily burdened with judgments made in jurisdictions with differing legal, social or economic contexts.

(5) In addition, counsel who cite a foreign judgment must:

(~~i~~a) draw the attention of the Court to any local judgment that may be relevant to whether the Court should accept the proposition that the foreign judgment is said to establish; and

(~~ii~~b) ensure that such citation will be of assistance to the development of local jurisprudence on the particular issue in question.

*Citation practice*

(6) Counsel who cite a judgment must use the official series of the law report(s) or, if the official series is not available, any other law report series in which the judgment was published. Counsel should refrain from referring to (or including in the bundle of authorities) copies of judgments which are printed out from electronic databases, unless (i) such judgments are not available in any law report series; or (ii) the print-outs are the exact copies of the judgments in the law report series.

The following are examples of law reports that should be used for citation:

<b>Jurisdiction</b>	<b>Law Reports (in order of preference)</b>
(a) Singapore	<ol style="list-style-type: none"> <li>1. Singapore Law Reports (2010 –) (SLR current series)</li> <li>2. Singapore Law Reports (Reissue) (SLR(R))</li> <li>3. Singapore Law Reports (1965–2009) (SLR 1965–2009)</li> <li>4. Malayan Law Journal (MLJ)</li> </ol>
(b) Malaysia	Malayan Law Journal (MLJ)
(c) England & Wales	<ol style="list-style-type: none"> <li>1. Law Reports published by the Incorporated Council of Law Reporting (e.g. Queen’s Bench (QB), Appeal Cases (AC), Chancery (Ch), Family (Fam), Probate (P))</li> <li>2. Weekly Law Reports (WLR)</li> <li>3. All England Law Reports (All ER)</li> </ol>
(d) Australia	<ol style="list-style-type: none"> <li>1. Commonwealth Law Reports (CLR)</li> <li>2. Australian Law Reports (ALR)</li> </ol>
(e) Canada	<ol style="list-style-type: none"> <li>1. Supreme Court Reports (SCR)</li> <li>2. Federal Court Reports (FC)</li> <li>3. Dominion Law Reports (DLR)</li> </ol>
(f) New Zealand	New Zealand Law Reports (NZLR)

<b>Jurisdiction</b>	<b>Law Reports (in order of preference)</b>
(a) Singapore	<ol style="list-style-type: none"> <li>1. Singapore Law Reports (2010 –) (SLR current series)</li> <li>2. Singapore Law Reports (Reissue) (SLR(R))</li> <li>3. Singapore Law Reports (1965–2009) (SLR 1965–2009)</li> <li>4. Malayan Law Journal (MLJ)</li> </ol>
(b) Malaysia	Malayan Law Journal (MLJ)
(c) England & Wales	<ol style="list-style-type: none"> <li>1. Law Reports published by the Incorporated Council of Law Reporting (e.g. Queen’s Bench (QB), Appeal Cases (AC), Chancery (Ch), Family (Fam), Probate (P))</li> <li>2. Weekly Law Reports (WLR)</li> <li>3. All England Law Reports (All ER)</li> </ol>
(d) Australia	<ol style="list-style-type: none"> <li>1. Commonwealth Law Reports (CLR)</li> <li>2. Australian Law Reports (ALR)</li> </ol>
(e) Canada	<ol style="list-style-type: none"> <li>1. Supreme Court Reports (SCR)</li> <li>2. Federal Court Reports (FC)</li> <li>3. Dominion Law Reports (DLR)</li> </ol>
(f) New Zealand	New Zealand Law Reports (NZLR)

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(7) Counsel should, where possible, make specific citations by referring to the paragraph number of the judgment, and not to the page number of the judgment or report. For consistency, square brackets ([xx]) should be used to denote paragraph numbers. The paragraph mark (¶) should no longer be used.

### *The neutral citation system for local judgments*

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

#### **~~COURT DESIGNATORS~~**

~~(a) SGCA—Singapore Court of Appeal~~

~~—SGHC—Singapore High Court~~

#### **~~APPLICATION OF THE NEUTRAL CITATION SYSTEM~~**

~~(b) The application of the system is as follows:~~



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

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

### **COURT DESIGNATORS**

SGCA – Singapore Court of Appeal

SGHC – Singapore High Court

SGHCR – Singapore High Court Registrar

### **EXAMPLE AND EXPLANATION**

~~(e)~~ *ABC Co Pte Ltd v XYZ Co Ltd* [2003] SGCA 5, at [3], [8].

Year of the decision ~~\_\_\_\_\_~~: [2003]

Level of Court ~~\_\_\_\_\_~~: SGCA (Singapore Court of Appeal)

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

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

### *Ancillary provisions*

(9) The Court in exercising its discretion as to costs may, where appropriate in the circumstances, take into account the extent to which counsel has complied with this practice direction in the citation of judgments before the Court.

(10) It will remain the duty of counsel to draw the attention of the Court to any judgment not cited by an opponent, which is adverse to the case being advanced.

(11) In addition, counsel should also comply with paragraphs ~~6071~~(12) and ~~6071~~(13) when preparing bundles of authorities for use in trials of writ actions in open Court.

(12) This paragraph applies to all hearings, whether in open Court or chambers, in the Supreme Court.

## **PART ~~VIII~~: IX: JUDGMENTS AND ORDERS**

### **~~64~~. Draft orders**



*Draft orders for inter partes applications*

**75. Draft orders**

(1) Order 42, Rule 8(1) and (2) of the Rules of Court place the burden of approving the drafts of *inter partes* judgments and orders on the solicitors themselves. The solicitors should therefore approve the drafts and not submit these drafts to the Registrar for approval.

~~(2) Parties should proceed to engross a final copy of the draft judgment for signature by the Registrar after agreeing on the draft.~~ The Registrar's signature on a judgment or order is only for the purpose of validity and does not in any way affect the regularity or irregularity of the contents of any judgment or order.

~~(3) Subject to sub-paragraph (4), parties in *inter partes* applications should proceed to engross a final copy of the draft judgment for signature by the Registrar after agreeing on the draft. Draft orders of Court for *ex parte* applications (except probate matters) may be submitted with the summons and the supporting affidavit when these are filed.~~

~~(3(4) For draft orders in electronic form that are composed online through the Electronic Filing Service, the process for extracting judgments and orders shall be as follows:~~

~~(a) Parties have the option of filing a system-generated order of court through the Electronic Filing Service.~~

~~(b) Before filing the system-generated order of court, the party extracting the order must:~~

~~(i) review and edit the order of court electronic form to ensure that it accurately reflects the orders made by the Court; and~~

~~(ii) obtain the approval of all other parties to the application and provide evidence of such approval when filing the draft order of court, for example, a Portable Document Format (PDF) copy of a draft order of court signed by the solicitors of all parties to the application.~~

~~(c) Where parties disagree over one or more terms of the order of court, the party filing the draft order of court shall be responsible for including in the order of court electronic form all versions of the disputed terms by editing the order of court electronic form. All relevant correspondence concerning the dispute must be provided when filing the draft order of court.~~

~~(d) The Registry will seal and issue an engrossed order of court once its terms are approved.~~

(5) Order 42, Rule 8(3), (4) and (5) shall continue to apply:

(3a) In any case where the solicitors concerned are unable to agree upon the draft, any one of them may obtain an appointment before the Registrar by filing a Request through the Electronic Filing Service, of which notice shall be given to the other, to settle the terms of the judgment or order.

~~(4(b) For judgments or orders composed online through the Electronic Filing Service, any solicitor may ask the Registrar to settle the terms of the judgment or order. Such solicitor shall be responsible for including in the draft judgment or order electronic form all versions of the disputed terms by editing the judgment or order electronic form prior to seeking an audience before the Registrar.~~

(c) Every judgment or order shall be settled by the Registrar, but in the case of a judgment or order made by a Judge, any party may require the matter in dispute to be referred to the Judge for his determination.

(56) Where the other party has no solicitor, the draft shall be submitted to the Registrar.

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#### *Draft orders for ex parte applications*

~~(4) Draft orders of Court for ex parte applications (except probate matters) may be submitted with the summons and the supporting affidavit when these are filed.~~

~~(5) The draft order of Court, when approved, will be returned by electronic transmission to the In-Tray of the law firm's computer system or to the Service Bureau.~~

#### **65.—76. Judgment in default of appearance or service of defence**

(1) The ~~present~~previous practice of applying for a search for appearance and obtaining a certificate of non-appearance before judgment in default of appearance is entered ~~will continue~~is discontinued.

(2) The ~~application procedure~~ for ~~search~~applying for ~~appearance~~judgment in default of appearance or service of defence will be by way of filing a Request to enter judgment in Form 79A together with the judgment in Form 79 of Appendix A to the Rules of Court. Solicitors' attention is drawn to Order 13, Rule 7(1) and Order 19, Rule 8A of the certificate of non-appearance must Rules of Court, which state:

Judgment shall not be entered against a defendant under this Order unless a request to enter judgment in Form 79A is filed using with the judgment in Form 79.

(3) For Requests to enter judgment electronic forms composed online through the Electronic Filing Service, a signed hard copy of the Request to enter judgment electronic form shall be retained by the solicitor concerned and produced to the Court when required by the Court to do so.

~~(3) After the search has been carried out, the Court will reply to the filing party with the result of the search annotated on the certificate.~~

~~(4) When judgment in default of appearance is later sought, a copy of the certificate endorsed by the Court should be included as an exhibit to the affidavit of service. If no such affidavit is required to be filed in a particular case, a copy of the certificate should be attached to a letter, which should be sent into Court together with the other documents required to obtain judgment in default of appearance.~~

(4) In order to satisfy itself that a defendant is in default of appearance or service of defence, the Court may require an affidavit to be filed stating the time and manner service of the Writ of Summons was effected on the defendant, as well as the steps taken to ascertain that the defendant had failed to enter an appearance or serve a defence, as the case may be.

(5) For the avoidance of doubt, Requests for entry of default judgment shall be filed as a Portable Document Format (PDF) document for suits where the memorandum of service has been filed before 1 January 2013. For all other cases, the Request for entry of default judgment electronic form shall be composed online through the Electronic Filing Service.

## **77. 66. Judgment Interest**

### ***Interest rates in default judgments***

(1) The directions set out in sub-paragraphs (2) to (3) shall be observed when entering judgments in default of appearance or service of defence under Orders 13 and 19 respectively of the Rules of Court. -These directions shall apply to such default judgments entered on or after 1 April 2007. -(In respect of post-judgment interest for such default judgments under Order 42, Rule 12, please refer to sub-paragraph (4) below).

### **NON-CONTRACTUAL INTEREST**

(2) For non-contractual interest:

(a) Pursuant to the Chief Justice’s directions as provided for under Order 13, Rule 1(2) and Order 19, Rule 2(2), the rate of interest shall be 5.33% per annum until further notice.

(b) The period of interest shall be from the date of the writ to the date of the judgment.

(c) The total amount of interest payable need not be specified.

**CONTRACTUAL INTEREST**

(3) For contractual interest:

(a) For fixed or constant rate:

(i) The rate of interest provided for shall be specified.

(ii) The period of interest shall be as pleaded, except that it shall end on the date of judgment and not on the date of payment.

(iii) The total amount of interest payable need not be specified.

(b) For fluctuating rate:

(i) There shall be an appendix attached to the judgment in the following form:

~~“Rate of \_\_\_\_\_ Principle \_\_\_\_\_ Period of \_\_\_\_\_ Amount of  
interest \_\_\_\_\_ sum \_\_\_\_\_ interest \_\_\_\_\_ interest  
\_\_\_\_\_ % \_\_\_\_\_ \$ \_\_\_\_\_ From \_\_\_\_\_ \$ \_\_\_\_\_  
p.a. \_\_\_\_\_ to \_\_\_\_\_  
-  
Total amount of interest payable  
to date of judgment = \$ \_\_\_\_\_.”~~

<del>Rate of interest</del>	<del>... % p.a.</del>
<del>Principle sum</del>	<del>\$</del>
<del>Period of interest</del>	<del>From ... to...</del>

<u>Amount of interest</u>	\$
<u>Total amount of interest payable to date of judgment</u>	\$

(ii) The period of interest shall be as pleaded, except that it shall end on the date of judgment and not on the date of payment.

(iii) The total amount of interest payable shall be specified in the judgment.

(c) Evidence of the agreement as to the rate of interest shall be attached to the judgment.

### *Post-judgment interest*

(4) The directions set out in sub-paragraph (5) shall apply to judgments granted on or after 1 April 2007. -The directions set out in sub-paragraph (5) shall also apply to judgments entered in default of appearance or service of defence under Orders 13 and 19 or in default of an order of Court (i.e. “unless” or peremptory orders) on or after 1 April 2007. -For the avoidance of doubt, judgments granted on the said default judgments entered prior to 1 April 2007 will carry post-judgment interest at the rate of 6% per annum (or such lower rate as the Court has directed, or an agreed rate) for the entire period of accrual of interest.

(5) Pursuant to the Chief Justice’s directions as provided for under Order 42, Rule 12, unless it has been otherwise agreed between the parties, interest payable after the date of judgment shall be 5.33% per annum until further notice and calculated to the date of the judgment is satisfied. -The Court retains the discretion under Order 42, Rule 12 to revise the default rate of interest to such other rate not exceeding the default rate on the facts of the individual case.

### *Interest on costs*

(6) The directions set out in sub-paragraph (7) shall apply to costs where the commencement date under Order 59, Rule 37 is on or after 1 April 2007. -For the avoidance of doubt, costs with commencement dates which are prior to 1 April 2007 will carry the default interest rate of 6% per annum for the entire period of accrual of interest.

(7) Pursuant to the Chief Justice’s directions as provided for under Order 59, Rule 37(1), interest payable from the relevant date(s) as stipulated in Order 59, Rule 37(1) shall be 5.33% per annum until further notice and calculated to the date of payment.

### *Pre-judgment interest*

(8) The directions set out in sub-paragraph (9) shall apply to awards of interest for the period prior to judgment, such order being made on or after 1 April 2007.

(9) The Chief Justice has directed that solicitors may wish to submit to the Court to consider that the interest rate for the period prior to the date of judgment should be the default interest rate of 5.33% per annum. Solicitors should note that the Court retains the overriding discretion to depart from the default interest rate based on the facts of the individual case.

#### *-Interest under Order 30, Rule 6(2)*

(10) The directions set out in sub-paragraph (11) shall apply to orders made under Order 30, Rule 6(2) for payment of interest on or after 1 April 2007.

(11) Pursuant to the Chief Justice's directions as provided under Order 30, Rule 6(2), the interest ordered by the Court on the sum shown by the receiver's account as due from him and which the receiver has failed to pay into Court shall be 5.33% per annum until further notice. -Interest shall accrue for the period which the sum was in possession of the receiver.

## **PART ~~IX~~: ENFORCEMENT OF JUDGMENTS AND ORDERS**

### **~~67-78~~. Filing of writs of execution**

~~It is not necessary to attach a copy of the order of Court or judgment to the writ of execution. Instead, the Document Control Number (DCN) of the relevant order of Court or judgment should be included in the Reference Document Number filed 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 portable document format (PDF) file.~~

~~(1) An application for a writ of execution shall be made by way of filing a writ of execution in Form 82, 83, 84 or 85 of Appendix A to the Rules of Court. The writ of execution is deemed to be issued when it is sealed by an officer of the Registry pursuant to Order 46, Rule 4.~~

~~(2) The previous practice of filing a Request to issue a writ of execution is discontinued.~~

## **~~68.~~ 79. Requests for the Sheriff's attendance**

(1) ~~At any time after the first attendance, if~~Where any party requires the Sheriff or his bailiffs to:

~~(a) attend at the place of execution at any time after the first attendance, whether during or after office hours,~~ for the purposes of executing a writ of execution or distress or to arrest a debtor, ~~or any other purpose;~~

~~(b) to proceed with the auction of property under seizure; or~~

~~(c) to release property under seizure~~

he or she must do so by ~~sending a copy of~~ file the requisite Request in Form ~~1311~~ of Appendix A of these Practice Directions for attendance electronic form to the Sheriff. ~~A request through the Electronic Filing Service. A Request~~ for attendance made in any other manner will not be acceded to.

(2) The fees prescribed by ~~item 117 of~~ Appendix B to the Rules of Court will be payable in respect of any attendance by the Sheriff or his bailiffs pursuant to a ~~request~~Request made in Form ~~1311~~.

## **~~69.~~ 80. Sale of immovable property**

(1) If an execution creditor wishes to effect the sale of immovable property seized under a writ of seizure and sale, he shall ~~furnish a written request~~file the requisite Request for sale electronic form to the Sheriff through the Electronic Filing Service stating the following:

(a) the date of registration (and expiry) at the Singapore Land Registry of the order of court/writ of seizure and sale on immovable property;

(b) that a copy of the order of court/writ of seizure and sale on immovable property has been served on the execution debtor, and the date of such service; and

(c) whether the immovable property is subject to any mortgage or charge, and if so, that the mortgagee or chargee consents to the sale.

(d) the names of 3 proposed law firms and/or solicitors, among whom the Sheriff will appoint 1 to act on its behalf in the sale of the immovable property.

(2) The Sheriff shall not be required to proceed with the sale if the immovable property is subject to a mortgage or charge and the execution creditor is unable to produce the written consent of the mortgagee or chargee to the sale.

(3) If the Sheriff proceeds with the sale of the immovable property, the Sheriff may appoint any solicitor on his behalf to settle the particulars and conditions of sale.

(4) The following applies to any sale of immovable property by the Sheriff:

(a) ~~notwithstanding the first valuation report submitted with Form 95 of Appendix A to the Rules of Court,~~ the Sheriff may require a second more than one valuation report to be submitted by ~~the same or another~~ certified valuer before proceeding with the sale;

(b) the sale may be conducted by a licensed auctioneer and the immovable property may be offered for sale by way of private treaty, tender, auction or such other manner as the licensed auctioneer may advise;

(c) the immovable property shall not be sold at a price below the forced sale value as specified in the valuation report, or if there exists two or more valuation reports, in the latest valuation report; and

(d) the solicitor shall prepare all necessary conditions of sale, documentation, accounts and particulars on behalf of the Sheriff in accordance with the Sheriff's directions, and shall be entitled to recover his legal fees and disbursements from the proceeds of sale as sheriff's expenses.

~~Paragraph 69 amended to take effect from 30 June 2011~~

~~Pursuant to Amendment No. 2 of 2011~~

## **PART ~~XI~~: APPEALS AND HEARINGS BEFORE COURT OF 3 JUDGES**

### **~~70.~~ 81. Application of this Part**

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

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



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*Paragraph 70 amended to take effect from 30 June 2011*

*Pursuant to Amendment No. 2 of 2011*

## **~~71. 82.~~ Requests for further arguments before the Judge or Registrar**

(1) All requests for further arguments shall be ~~by way of letter and should~~ made by way of Request filed through the Electronic Filing Service and should, either in the Request electronic form or a document attached thereto:

- (a) state the party making the request;
- (b) identify the Judge or Registrar who heard the matter in question;
- (c) specify when the order concerned was made;
- (d) state the provision of law under which the request is made;
- (e) set out the proposed further arguments briefly, together with any authorities; and
- (f) include a copy of each of the authorities cited.

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

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

*Paragraph 71 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

## **~~83. 72.~~ Civil appeals before the High Court from the Subordinate Courts**

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

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

### *Appeals from the Family Court*

(2) Directions for appeals from the Family Court on ancillary matters in divorce proceedings, custody matters or proceedings pursuant to s 17A(2) of the Supreme Court of Judicature Act are set out at paragraph ~~139~~142.

### **~~73.~~ 84. Civil appeals before the High Court from tribunal or person under Order 55 of the Rules of Court**

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

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

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

### **~~85.~~ 74. -Whether an appeal to the Court of Appeal is to be heard by a 2 or 3 Judge Court ~~of Appeal of 2 or 3 Judges~~**

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

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

(3) The Judge at first instance will inform the Legal Registry of the Supreme Court of his decision on the above matter, and the Legal Registry will inform the appellant in the notice prescribed under Order 57, Rule 5(2) of the time for filing of the record of appeal,

the Appellant's Case and the core bundle of documents, in accordance with whether the matter will be heard by a 2 or 3 Judge Court ~~of 2 or 3 Judges~~ of Appeal.

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

### ~~75.~~ **86. Quantum of security to be provided under Order 57, Rule 3(3) of the Rules of Court**

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

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

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

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

(2) The Honourable the Chief Justice has, in exercise of the powers conferred on him by Order 57, Rule 3(3), fixed the sum to be provided by the appellant by way of security for the respondent's costs of an appeal to the Court of Appeal at \$15,000 for appeals against interlocutory orders and \$20,000 for all other appeals.

### ~~76.~~ **87. Filing of records of appeal, core bundles and written Cases for civil appeals under Order 57, Rules 9 and 9A of the Rules of Court**

(1) Under Order 57, Rule 9(1) of the Rules of Court, the appellant is required to file the record of appeal, the Appellant's Case and the core bundle. Under Order 57, Rule 9A(2), the respondent has to file the Respondent's Case and the supplemental core bundle (if any). The record of appeal, core bundle and supplemental core bundle are collectively referred to in this paragraph as "appeal bundles".

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

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

- (i) Form of the record of appeal in lieu of the record of appeal;
- (ii) Form of the core bundle in lieu of the core bundle; and
- (iii) Appellant's Case.

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

- (i) Respondent's Case; and
- (ii) Form of the supplemental core bundle (if any) in lieu of the supplemental core bundle.

(3) The form of the record of appeal, form of core bundle and form of supplemental core bundle (collectively referred to in this paragraph as "forms of appeal bundles") filed pursuant to sub-paragraph (2) must be in accordance with Forms ~~14, 15, 12, 13~~ and ~~16, 14~~ of Appendix A of these Practice Directions. For the avoidance of doubt, the documents contained in the hard copies of the appeal bundles must coincide with the documents listed in the form of the appeal bundles.

~~(4) A document which a party intends to list in the forms of appeal bundles, either in whole or in part, need not be filed again if the document already exists in the electronic case file. Such documents are deemed to be filed. However, a party is required to provide the following information:~~

- ~~(a) document control number (DCN) of the document;~~
- ~~(b) filing date of the document (unless such a filing date is unavailable in the electronic case file);~~
- ~~(c) description of the document; and~~
- ~~(d) where only a portion of the document is referred to, the specific pages of the document.~~

~~(5) If the document to be listed has been tendered pursuant to paragraph 60(3), the party need not furnish the DCN of that document if it is not available. It will suffice if a suitable description of the document is provided.~~

~~(6)~~(4) The attention of parties is also drawn to the Court fees payable under Order 90B read with Appendix B of the Rules of Court, and the importance of brevity and restraint

in the compilation of core bundles. ~~It will be permissible for parties to indicate, in the last column of Form 15, the specific pages of a document lacking a DCN which are intended for inclusion in the core bundle as stated in sub-paragraph (4)(d).~~

(75) If a party wishes to rely on a document which does not exist in the electronic case file, he must file the document *together* with the respective forms of appeal bundles. Further, a table of contents must be included for these documents. These documents must be paginated consecutively at the centre top of the page and the solicitor must ensure that the pagination takes into account the pages comprising the respective forms of appeal bundles and the table of contents for these additional documents. For example, if the form of the core bundle is 5 pages and the table of contents for the additional documents is 2 pages, the first page of the first document should be paginated as page 8.

~~(8) The fees payable for the filing of the written Cases are found in items 63, 63A, 71D(1)(c) and 71D(2)(c) of Appendix B to the Rules of Court. The fees payable for the filing of the form of record of appeal, form of core bundle and form of supplemental core bundle are found in items 70A, 71D(1)(c) and 71D(2)(c).~~ (6) When the core bundles and supplemental core bundles are tendered at the Legal Registry of the Supreme Court pursuant to paragraph 7788(1), the Legal Registry staff will state on the top right hand corner of the bundle the exact amount of Court fees payable ~~under Order 90B.~~ The parties should then pay the Court fees as indicated.

### **~~77.~~88. Hard copies and soft copies for hearing of civil appeals before the Court of Appeal under Order 57 of the Rules of Court**

(1) In order to assist the Judges of the Court of Appeal, the appellant and the respondent are required to tender hard copies of the Appellant's and Respondent's Cases and core bundle(s) of documents to the Legal Registry of the Supreme Court at the same time when filing them within the prescribed time under Order 57, Rule 9A of the Rules of Court. The following directions must be complied with:

(a) Where the appeal is to be heard by a 3-judge Court, 4 hard copies of the Cases and 4 hard copies of the core bundle(s) shall be tendered.

(b) Where the appeal is to be heard by a 2-judge Court, 3 hard copies of the Cases and 3 hard copies of the core bundle(s) shall to be tendered.

(2) The directions set out in paragraph 7889 apply in relation to the preparation of the appeal bundles in hard copy, which may be printed on one side or both sides of each page.

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

- (a) Appellant's and Respondent's Cases;
- (b) Core bundle(s) of documents;
- (c) Record of appeal; and
- (d) Bundle(s) of authorities.

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

<party> - <document title>

~~Eg. For example -~~

1st Appellant – Appellant's Case

~~—1st Appellant – Bundle of Authorities Vol 1~~

~~—1st Appellant – Bundle of Authorities Vol 2~~

~~—1st Appellant – Record of Appeal Vol 1~~

~~—1st Appellant – Record of Appeal Vol 2~~

(5) The CD-ROM shall be clearly labelled with the case number and title of the proceedings. If there is more than one CD-ROM, the CD-ROMs shall be numbered sequentially.

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~~Paragraph 77 amended to take effect from 12 December 2011~~

~~Pursuant to Amendment No. 3 of 2011~~

## **~~78.~~ 89. Preparation of appeal records in civil appeals to the Court of Appeal**

### *Arrangement*

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

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

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- (i) **Volume I** – Judgment or grounds of decision and the engrossed order of Court of judgment appealed from.
- (ii) **Volume II** – Notice of appeal, certificate of security for costs and pleadings (to include all originating processes).
- (iii) **Volume III** – Affidavits (in chronological order), and transcripts or notes of evidence and arguments.
- (iv) **Volume IV** – All such exhibits and documents as they were tendered in the Court below, but which did not form an exhibit to any affidavit.
- (v) **Volume V** – The Agreed Bundle (if any) in its original physical form as it was tendered in the Court below.

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

(c) If any volume should exceed 300 pages, then that volume shall be subdivided, at a convenient page, into sub-volumes designated as part thereof, for example, Volume III Part A, Volume III Part B and so on. Conversely, if any of the volumes (with the exception of Volumes I and II which shall remain as separate volumes) should be less than 100 pages each, these may be amalgamated into combined volumes, each not exceeding 300 pages, and renumbered accordingly.

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

- (i) The documents in Volumes I, II, and III shall be arranged strictly in the order stated in sub-paragraph (1)(a) above.
- (ii) The documentary exhibits in Volume IV shall be arranged in the most convenient way for the use of the Court, as the circumstances of the case require. The documents shall, as far as suitable, be arranged in chronological order, mixing plaintiff's and defendant's documents together when necessary (for example, in a series of correspondence). If proceedings in a suit other than the one under appeal appear as exhibits, then these shall be kept together. However, the documents from each suit shall be arranged in the chronological order of the suits.

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

### *Pagination in soft copy*

- (2) This sub-paragraph sets out the manner of paginating soft copy appeal records.

(a) The first page of each volume shall state the title and the Civil Appeal number of the appeal, the names of the parties, the volume number, a short description of its contents, the names and addresses of the appellants and respondents, and the date of filing.

(b) The page number of each volume of the appeal records must correspond to the page number in the ~~Adobe~~-Portable Document Format (PDF) version of that volume. Each separate volume of the appeal records shall start at page 1 and every page shall be numbered consecutively. If separator sheets are used, these shall also be numbered.

### *Table of contents*

- (3) This sub-paragraph sets out the format of the table of contents for appeal records.

(a) The table of contents of all volumes of the records shall be placed at the beginning of Volume I, immediately after the first title page in the manner and form set out in Form ~~1715~~ of Appendix A of these Practice Directions.

(b) Each volume and, if any, parts thereof, shall also contain its own index of the contents.

(c) Items in the table of contents shall be numbered serially, and listed in the order in which they are found in the records.

(d) The items relating to the transcripts or notes of the evidence of witnesses shall have a sub-table of contents of the evidence of each witness, and the number and name of each witness shall be shown in such sub-table.

(e) If an exhibit consists of a bundle of documents, then the documents in the bundle shall be listed in a sub-table of contents under the item relating to such bundle.

(f) Electronic bookmarks for each item of the table of contents and sub-table of contents must be added to each volume of the PDF version of the appeal records. The description of each bookmark shall correspond with the description



of that item in the table of contents or sub-table of contents, unless an abbreviated description is appropriate.

### *Spacing*

(4) The line spacing on every page of the records of which the original is typed-written (for example, notice of appeal) shall be double-spaced.

### *Core bundles – Order 57, Rule 9(2A)*

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

(a) **Volume I** – a copy of the grounds of the judgment or order, the judgment or order appealed from and an index of the documents included therein.

(b) **Volume II** – all other documents referred to in Order 57, Rule 9(2A), and an index of the documents included therein.

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

### *Responsibility for good order and completeness of appeal records*

(6) The solicitor having the conduct of the appeal may delegate the preparation of the appeal records to an assistant or a suitably experienced law clerk or secretary, provided always that the solicitor shall personally satisfy himself as to the good order and completeness of every copy of the appeal records lodged in Court in accordance with the above directions, and shall personally bear responsibility for any errors or deficiencies.

### *Superfluous and irrelevant documents*

(7) With regard to the inclusion of documents, the solicitor's attention is drawn to the provisions of Order 57, Rules 9(2), (2A) and (3). Only documents which are relevant to the subject matter of the appeal, or, in the case of core bundles, will be referred to in the Cases, shall be included in the appeal records. The Court of Appeal will have no hesitation in making a special order for costs in cases in which it is of the opinion that costs have been wasted by the inclusion of superfluous or irrelevant documents.

Documents shall not appear more than once in the records, even if exhibited to different affidavits.

*Paragraph 78 amended to take effect from 30 June 2011*

*Pursuant to Amendment No. 2 of 2011*

**~~79-90.~~ Skeletal arguments for appeals before the High Court, Court of Appeal and Court of 3 Judges**

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

- (a) civil and criminal appeals in the High Court, excluding appeals from the Registrar to a Judge in Chambers;
- (b) civil appeals and any other civil matters, including interlocutory applications, before the Court of Appeal; and
- (c) criminal appeals and other criminal matters before the Court of Appeal.

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

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

(4) Skeletal arguments are abbreviated notes of the arguments that will be presented. Skeletal arguments are not formal documents and do not bind parties. They are a valuable tool to the Judges and are meant to expedite the hearing of the appeal. These notes should comply with the following requirements:

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

### *Skeletal arguments for civil matters before the Court of Appeal*

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

(6) Where the appeal or matter is before the Court of Appeal, the skeletal arguments must be filed by 4 p.m. on the Monday immediately preceding the week of the Court of Appeal sitting. -The skeletal arguments should be filed by tendering 4 hard copies to the Legal Registry of the Supreme Court and filing one soft copy through the Electronic Filing Service. Skeletal arguments filed in breach of this timeline will be rejected. 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.

(7) Parties whose skeletal arguments have been rejected for filing may re-file their skeletal arguments, provided they comply with sub-paragraphs (4) to (6) above.

### *Timelines for submission of skeletal arguments for appeal before the High Court*

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

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

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

(10) Sub-paragraphs (1) to (7) also apply to disciplinary proceedings, or appeals therefrom, brought under any statute, including the Legal Profession Act (Cap. 161, ~~2001-Rev Ed~~) and the Medical Registration Act (Cap. 174, ~~2004-Rev Ed~~) which are heard by a Court of 3 Judges. -

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~~Paragraph 79 amended to take effect from 12 December 2011~~

~~Pursuant to Amendment No. 3 of 2011~~

**~~79A-91.~~ Use of presentation slides for all proceedings before the High Court, Court of Appeal and Court of 3 Judges**

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

***Typeface***

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

***Colours***

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

***Animation and sounds***

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

***Corporate logos***

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

*Paragraph 79A inserted to take effect from 30 June 2011  
Pursuant to Amendment No. 2 of 2011*

**80-92. Further arguments before the Court of Appeal**

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

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

(3) The general rule will be relaxed in only very exceptional circumstances, e.g., if an authority not available at the hearing would be decisive. Counsel seeking to submit further arguments should therefore satisfy themselves that very exceptional

circumstances exist. If they are of the view that such circumstances do exist, they must also seek the consent of the other parties to their request.

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

- (a) state the party making the requests;
- (b) identify the Judges constituting the Court of Appeal who heard the matter in question;
- (c) specify when the order concerned was made;
- (d) state the very exceptional reasons which justify the request;
- (e) state whether the other parties consent to the request;
- (f) set out the proposed further arguments briefly, together with any authorities;  
and
- (g) include a copy of each of the authorities cited.

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

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

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

## **PART ~~XIXII~~: TAXATION MATTERS AND COSTS**

### **~~81.~~ 93. Scope of certain paragraphs**

Paragraphs ~~8294~~ and ~~8496~~ apply to all taxations save where the entitlement to costs arose prior to 1 February 1992, in which case the bill should be drawn up in accordance with the provisions of Order 59 of the Rules of Court in force immediately prior to 1 February 1992 and ~~, subject to paragraph 86,~~ in accordance with the practice immediately prior to that date. For the avoidance of doubt, the directions contained in this part, save for paragraph ~~8898~~, do not apply to taxations governed by the Bankruptcy (Costs) Rules (Cap. 20, Rule 2).

### **~~94.82.~~ Form of bill of costs**

The attention of solicitors is drawn to Rules 24 and 31 and Appendix 1 of Order 59 of the Rules of Court. In addition, solicitors are to abide by the following requirements:

### *Margin*

(1) A blank margin not less than 10 mm wide on all four sides is required for each page of the bill of costs.

### *Pagination*

(2) Every page of a bill of costs shall be paginated consecutively at the centre of the top of the page.

### *Format*

(3) This sub-paragraph sets out the format of a bill of costs.

#### **PARTY-AND-PARTY BILLS**

(a) For party-and-party bills:

(i) A bill of costs drawn up for taxation between one party to proceedings and another should be divided into 3 separate sections as required by Order 59, Rule 24.

(ii) Form ~~1816~~ in Appendix A of these Practice Directions should be used for contentious business in respect of work done for a trial or in contemplation of a trial.

(iii) Form ~~1917~~ should be used for contentious business in respect of, or in contemplation of, work done other than for a trial; such as work done for an appeal or for a specific interlocutory application.

(iv) Form ~~2018~~ should be used for non-contentious business.

#### **SPECIMEN BILLS**

(b) Specimen bills illustrating the use of Forms ~~18, 1916, 17~~ and ~~2018~~ are found in Appendix C of these Practice Directions.

#### **SOLICITOR-AND-OWN CLIENT BILLS**

(c) A bill of costs drawn up for taxation between a solicitor and his own client should be drawn up in the same manner described in sub-paragraph (3)(a) save as follows:

- (i) A solicitor will be deemed to have indicated that all items included in the bill are in relation to work done or disbursements incurred with the approval of the client.

(ii) Any agreement, whether oral or in writing, between the solicitor and his own client relating to the amount of costs payable either as a global sum or in respect of particular items included in the bill should be indicated on the bill. Any agreement between the solicitor and his own client as to the rate to be used to compute the solicitor's costs should also be indicated in the bill.

**BILLS OF COSTS REQUIRED TO BE TAXED UNDER SECTION 18(3) OF THE MOTOR VEHICLES (THIRD-PARTY RISKS AND COMPENSATION) ACT**

(d) Whenever a solicitor-and-own-client bill is required to be taxed by virtue of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189, ~~2000 Rev Ed~~), ~~the~~, a bill should be drawn up for taxation between the solicitor and his own client ~~and~~ ~~the~~ another bill drawn up for taxation between the client and the other party to the proceedings in which the solicitor acted for the client ~~should be included in one composite document~~. A waiver of the filing fees for the solicitor-and-own-client bill may be requested when this bill is filed.

(i) The party-and-party ~~portion of the composite document~~ bill should ~~precede~~ be filed first and the solicitor-and-own-client ~~portion~~ bill should reference the first bill.

(ii) The party-and-party ~~portion~~ bill and the solicitor-and-own client ~~portion~~ bill can be drawn up as described in sub-paragraphs (3)(a) and (3)(c) with the modification set out in sub-paragraph (3)(d)(iii) below.

(iii) It is not necessary to repeat serially in the solicitor-and-own-client ~~portion~~ bill the items which have already been serially set out in the party-and-party ~~portion~~ bill. It is sufficient, ordinarily, to incorporate all such items by reference and proceed to set out in detail any additional items, i.e. items not already set out in the party-and-party ~~portion~~ bill. However, if a sum claimed for an item of disbursement in the solicitor-and-own-client ~~portion~~ bill is different from the corresponding sum claimed in the party-and-party ~~portion~~ bill, it will be necessary to set out serially again in the solicitor-and-own-client ~~portion~~ bill all the items of disbursement already set out in the party-and-party ~~portion~~ bill (including, where appropriate, the different sum or sums claimed) as well as additional items of disbursement not so set out. In addition, the global sums claimed for sections 1 and 2 of the solicitor-and-own-client ~~portion~~ bill should be indicated at the end of the respective sections

whether or not they are the same sums as those claimed for sections 1 and 2 of the party-and-party ~~portion~~bill.

### *Particulars*

(4) -Sufficient particulars must be included in the bill of costs so as to enable the Registrar to exercise his discretion under paragraph 1(2) of Appendix 1 to Order 59. Without prejudice to sub-paragraph (3), the Registrar may, at the taxation hearing, order the claiming or receiving party to furnish full details in support of the sums claimed under the bill.

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### *Goods and services tax*

(5) -A party claiming goods and services tax (GST) in a bill of costs must comply with the directions set out in this sub-paragraph. A party who fails to comply with the directions set out in this sub-paragraph will be presumed not to be claiming GST in the bill concerned.

## **REGISTRATION NUMBERS**

(a) For registration numbers,

(i) The GST registration number allocated by the Comptroller of Goods and Services Tax to the solicitors for the receiving party or parties should appear at the top left-hand corner of the first page of the bill of costs.

(ii) The GST registration numbers, if any, allocated to the receiving parties or to any one or more of them, as the case may be, must also appear at the same location in all documents.

(iii) The GST registration numbers should be indicated as follows: "GST Reg. No. (solicitors for plaintiff/solicitors for 1st Defendant/2nd Defendant (or as the case may be)): xxxxx."

(iv) Where no GST registration number has been allocated to a receiving party, a statement to this effect should be included after the GST registration numbers of the solicitors for the receiving parties, or the receiving parties, as the case may be, in the following manner: "1st and 2nd defendants/3rd plaintiff/(or as the case may be): no GST Reg. No."

## **INPUT TAX ALLOWABLE**



SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(b) The proportion of input tax for which the receiving parties, or one or more of them, are not entitled to credit should be stated, as a percentage, in parentheses after the GST registration number of the party or parties concerned. For a person who is not liable to be registered within the meaning of the First Schedule to the Goods and Services Tax Act (Cap. 117A, ~~2005 Rev Ed~~), this proportion should be 100%.

**APPORTIONMENT**

(c) For apportionment:

(i) The first and second sections of the bill of costs, which set out the work done in the cause or matter except for taxation of costs and the work done for and in the taxation of costs, should each be divided into such number of parts as will enable the bill to reflect the different rates of GST applicable during the relevant period of time, ~~with the first part describing work done before 1 April 1994.~~

(ii) The third section, which sets out the disbursements made in the cause or matter, should similarly be divided, with the first part setting out the disbursements on which no GST is chargeable by the solicitors for the receiving party or the receiving party, as the case may be.

**SUMMARY OF THE GOODS AND SERVICES TAX CLAIMED FOR WORK DONE**

(d) Where applicable, the following information should be included at the end of the first and of the second sections:

(i) the global sum of costs claimed for work done during each period for which a different rate of GST applies or no GST applies;

(ii) the proportion, as a percentage, of input tax for which the receiving parties, or one or more of them, are not entitled to credit;

(iii) a quantification of the input tax on the costs claimed in the section concerned for which the receiving parties, or one or more of them, are not entitled to credit; and

(iv) a quantification of the GST claimed on the costs claimed in the section concerned.

**SUMMARY OF THE GOODS AND SERVICES TAX CLAIMED FOR DISBURSEMENTS**

(e) Where applicable, the following information should be included at the end of the third section:

(i) a summation of the disbursements on which no GST is chargeable by the solicitors for the receiving party or the receiving party, as the case may be; a summation of the disbursements on which GST at the applicable rate is chargeable by the solicitors for the receiving party or the receiving party, as the case may be;

(ii) the proportion, as a percentage, of input tax for which the receiving parties, or one or more of them, are not entitled to credit; and

(iii) a quantification of the input tax on the disbursements on which GST is chargeable by the solicitors for the receiving party for which the receiving parties, or one or more of them, are not entitled to credit; and

(iv) a quantification of the GST claimed on the disbursements.

#### **REGISTRAR'S CERTIFICATE**

(f) The total amount of GST allowed on a bill of costs will be indicated as a separate item in the Registrar's certificate. Solicitors are responsible for ensuring that the GST figures accurately reflect the sums allowed by the Registrar.

### **~~83.~~ 95. Electronic filing of bills of costs for taxation**

~~(1) Solicitors' attention is drawn to Order 63A, Rule 8(1A) of the Rules of Court which provides that any requirement for the filing, service, delivery or otherwise conveyance of a document is satisfied by the filing, service, delivery or conveyance or otherwise conveyance of a single copy of the document using the Electronic Filing Service (EFS).~~ Each bill of costs submitted to the Court through the Electronic Filing Service must:

~~(2) For the purpose~~ be in Portable Document Format (PDF);

~~(b) comply with paragraph 94 of Order 59, Rule 20, it is not necessary for parties to lodge 2 copies of these Practice Directions; and~~

~~(c) be accompanied by a bill of costs at summary, the electronic form of which will be composed online through the Legal Registry Electronic Filing Service. The information required by the Electronic Filing Service to compose the bill of the Supreme costs summary includes the costs claimed under Sections 1, 2 and 3 of the bill of costs.~~

~~(2) As the Registrar's certificate of costs under Order 59, Rule 32 of the Rules of Court. As stipulated in Order 63A, Rule 8(1A), it would suffice if one single copy is filed using EFS will be composed online based on the summary in sub-paragraph (1)(c), solicitors should ensure that the information contained in the summary accurately reflects the information contained in the bill of costs submitted. Solicitors should also ensure that the amounts claimed for goods and services tax in the Registrar's certificate of costs are correct.~~

(3) There is no necessity for lawyers to collect the taxed bill of costs from the Legal Registry to prepare the Registrar's certificate. ~~As lawyers in attendance would be aware of the awards made by the taxing registrar at the taxation hearing, the receiving party would prepare a draft Registrar's certificate for the Legal Registry to vet. If it is in order, the receiving party will proceed to file an engrossed copy of the Registrar's certificate. Should the receiving party not be aware of what has been allowed, the receiving party can make the usual *Request* to either inspect or extract a copy of the taxed bill of costs. The procedure for preparation of draft orders in paragraph 75 of these Practice Directions shall, *mutatis mutandis*, apply to the preparation of the Registrar's certificate.~~

~~(4) For the avoidance of doubt, the Registrar's certificate of costs shall be filed as a Portable Document Format (PDF) document for bills of costs filed before 1 January 2013. For all other cases, the Registrar's certificate of costs shall be composed online through the Electronic Filing Service.~~

## ~~84.~~ **96. Objections**

(1) Any objections in principle or as to quantum of the items claimed in a bill of costs must be indicated by the filing and service of a Notice of Dispute in Form ~~24~~19 of Appendix A of these Practice Directions at least 7 days before the date fixed by the Registrar for the taxation of the bill of costs.

~~(2) The Notice of Dispute shall be filed through the Electronic Filing Service in Portable Document Format (PDF) and be accompanied by a Notice of Dispute summary, the electronic form of which will be composed online through the Electronic Filing Service. The information required by the Electronic Filing Service to compose the Notice of Dispute summary includes the amounts of costs to be awarded under Sections 1, 2 and 3 of the bill of costs according to the respondent.~~

## ~~85.~~ **97. Amount allowed as disbursements on account of use of electronic transmission**Electronic Filing Service

(1) If a document is filed using the Electronic Filing Service (~~EFS~~) ~~by electronic transmission~~, \$0.40 for each page of the document thus filed shall be allowed as costs between parties to proceedings. Such costs may be claimed by a receiving party from the paying party where the receiving party is entitled to costs for the filing of the document. These costs shall be allowed in addition to all other disbursements and Court fees.

(2) This paragraph shall apply to the taxation of costs as well as cases where the Court fixes a gross sum in lieu of taxation.

(3) This paragraph shall not apply to any document filed ~~via~~through the service bureau.

### **~~86. Goods and services tax claimed for bills of costs where the entitlement to costs arose prior to 1 February 1992~~**

~~Where goods and services tax (GST) is claimed in a bill of costs where the entitlement to costs arose prior to 1 February 1992, the following directions shall supplement the practice immediately prior to that date:~~

#### ~~*Registration numbers*~~

~~(1) The directions set out in paragraph 82(5)(a) shall be complied with.~~

#### ~~*Input tax allowable*~~

~~(2) The directions set out in paragraph 82(5)(b) shall be complied with.~~

#### ~~*Apportionment*~~

~~(3) The bill shall be divided into 3 parts. The first part shall itemise the work done and disbursements incurred before 1 April 1994, while the second part shall itemise the work done and disbursements incurred from 1 April 1994 to 31 December 2002, and the third shall itemise the work done and disbursements on or after 1 January 2003.~~

#### ~~*Column for Goods and Services tax*~~

~~(4) An additional column, with the heading "GST", shall be added to each page of the bill. This column should be inserted to the right of the columns setting out the claims for disbursements and profit costs. If a claim for GST is made on any item, this claim should be quantified and the figure inserted in the column for GST against the item concerned.~~

*Non-compliance*

~~(5) A party who fails to comply with the directions set out in this paragraph will be presumed not to be claiming GST in the bill concerned.~~

~~**87. Bills of costs for taxation under section 18(3) of the Motor Vehicles (Third Party Risks and Compensation) Act where the entitlement arose before 1 February 1992**~~

~~For the purposes of taxation under section 18(3) of the Motor Vehicles (Third Party Risks and Compensation) Act (Cap. 189, 2000 Rev Ed) where the entitlement to costs arose before 1 February 1992, the following practice will be followed:~~

~~(1) A bill of costs should be drawn up in 5 columns:~~

~~(a) the first two columns will be for solicitor and client items, one of which will be for disbursements and the other for profit costs;~~

~~(b) the third and fourth columns will be for party and party costs, one of which will be for disbursements and the other for profit costs; and~~

~~(c) the last column will be for the relevant item set out in Appendix 1 of Order 59 of the Rules of Court applicable to costs to which a person or party became entitled to before 1 February 1992 under which the particular item is claimed.~~

~~(2) All work done and disbursements incurred should be properly itemised.~~

~~(3) Where party and party costs are either agreed upon or fixed by the Court, the bill of costs should state the amount in the party and party column.~~

~~(4) In items set out in the bill of costs dealing with proper and necessary attendances that can be allowed, the substance of the attendance and the length of time involved should be stated.~~

~~(5) A bill of costs shall show whether the objection taken by the opposing party against any item is in principle or as to quantum or both.~~

~~(6) Any party seeking to claim goods and services tax (GST) on any item in a bill of costs falling within the ambit of this paragraph must, in addition, comply with the directions set out in paragraph 86.~~

~~**88. 98. Taxations involving the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid**~~

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(1) The directions contained in this paragraph shall be followed in respect of all taxations in which the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid is involved.

(2) Subject to sub-paragraph (4) below, for all taxations in which the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid is involved:

(a) the receiving party must ~~complete Part A, prior to the filing~~ of the ~~notice~~bill of costs in ~~Form 22 of Appendix A~~Court through the Electronic Filing Service, ~~send the bill of these Practice Directions and serve the notice on costs to be filed to~~ the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid, as the case may be, ~~together with the bill of costs within 2 days after receiving a notice of the date and time appointed for taxation;~~

(b) the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid should ~~complete Part B and return the notice to then inform~~ the receiving party ~~not less than 3 clear days before whether he or she agrees or disagrees with the amounts claimed in the date fixed for the taxation~~bill of costs; and

(c) ~~when filing the bill of costs in Court through the Electronic Filing Service,~~ the receiving party must ~~then complete Part C of the notice and file the notice not less than 2 clear days before state whether~~ the ~~date fixed for~~ Official Assignee, the ~~taxation. A copy~~ Official Receiver, the Public Trustee or the Director of the ~~notice,~~ Legal Aid agrees or disagrees with ~~Part C completed,~~ the amounts claimed ~~in the bill of costs . The bill of costs~~ should also be served on the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid, as may be applicable, on the same day that the ~~notice~~bill of costs is filed.

~~(3) If it is indicated in the notice in Form 22 that~~ (3) If the Official Assignee, the Official Receiver, the Public Trustee or the Director of Legal Aid ~~has made a recommendation or an offer,~~ as ~~to them~~may be applicable, agrees with the amounts claimed in the bill of costs ~~that should be recovered by the receiving party, and the receiving party has indicated that he is agreeable to the recommendation or offer,~~ then:

(a) for solicitor-and-client costs required to be taxed pursuant to the provisions of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189, ~~2000 Rev Ed~~):

(i) where no party-and-party bill of costs has been filed; or

(ii) where the solicitor-and-client costs ~~are~~is not ~~claimed in the same document as thereferenced to a~~ party-and-party bill filed earlier,

the receiving party and the Public Trustee need not attend at the taxation and the bill will be taxed in their absence. However, if the taxing Registrar disagrees with the quantum of costs agreed on, he may nonetheless direct the attendance of the Public Trustee at a later date;

(b) for:

(i) party-and-party bills filed by the creditor under the Bankruptcy (Costs) Rules (Cap. 20, Rule 20) to which the estate of the bankrupt is the respondent;

(ii) party-and-party bills filed by the creditor in companies winding-up matters where the Official Receiver is appointed liquidator and to which the company in liquidation is the respondent to the bill of costs; or

(iii) solicitor-and-client bills filed pursuant to the Legal Aid and Advice Act (Cap. 160, ~~1996 Rev Ed~~) where the Director of Legal Aid is the respondent,

the receiving party and the Official Assignee, the Official Receiver or the Director of Legal Aid, as the case may be, need not attend at the taxation and the bill will be taxed in their absence. However, if the taxing Registrar disagrees with the quantum of costs agreed on, he may nonetheless direct the attendance of the Official Assignee, the Official Receiver or the Director of Legal Aid, as the case may be, at a later date.

(4) If solicitor-and-client costs are required to be taxed pursuant to the provisions of the Motor Vehicles (Third-Party Risks and Compensation) Act and ~~these costs are claimed in the same the~~ bill of costs as the claiming the same is referenced to an earlier party-and-party costs bill filed pursuant to ~~paragraphs 82 paragraph 94(3)(d) or 87,~~ the Public Trustee need not attend the taxation of the bill and the party-and-party and solicitor-and-client costs will be taxed in the absence of the Public Trustee. However, the Public Trustee may attend at the taxation if he so wishes, and shall attend if an express direction is made by the taxing Registrar that he attend in relation to a particular bill of costs.

### **88A99. Fixing costs *in lieu* of ordering taxation**

(1) The Court may, where appropriate, fix costs at the end of a hearing or trial in lieu of ordering taxation. Counsel should therefore be prepared to make submissions on the entitlement to and quantum of costs at the end of a hearing or trial, whether before or after judgment is delivered.

(2) Counsel should note that the Court may fix costs where costs have been ordered to be in the cause, or on hearing applications for dismissal or striking out pursuant to an unless order, and be prepared to make submissions accordingly.

*Paragraph 88A inserted to take effect from 16 April 2012*

*Pursuant to Amendment No. 2 of 2012*

## **PART ~~XIX~~XIII: ELECTRONIC FILING AND SERVICE ~~FOR CIVIL PROCEEDINGS~~**

### **100. 89. Application**

(1) The directions in this Part apply to the filing, service, delivery and conveyance of documents in civil proceedings under Order 63A of the Rules of Court.

(2) 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.

### **101. 90. Establishment of Electronic Filing Service and appointment of network service provider**

In exercise of the powers conferred by Order 63A, Rules 2 and 3 of the Rules of Court, the Registrar, with the approval of the Chief Justice, hereby establishes an Electronic Filing Service ~~(EFS)~~known as the Integrated Electronic Litigation System or eLitigation and accessible at <www.elitigation.sg> and appoints CrimsonLogic Pte Ltd as the ~~network service~~Electronic Filing Service provider for this service~~, with the Electronic Litigation Systems Committee of the Singapore Academy of Law as its superintendent pursuant to Rule 13A(2) of the Singapore Academy of Law Rules (Cap. 294A, Rule 1).~~

### **91. 102. Appointment of agent to establish service bureau**

Pursuant to Order 63A, Rule 4 of the Rules of Court, the Registrar appoints CrimsonLogic Pte Ltd as an agent to establish a service bureau in the Supreme Court of Singapore~~, with the Electronic Litigation Systems Committee of the Singapore Academy of Law as its superintendent pursuant to Rule 13A(2) of the Singapore Academy of Law Rules (Cap. 294A, Rule 1).~~

### **103. 92. Registered users and authorised users**

(1) Under Order 63A of the Rules of Court, any ~~person who wishes to file documents using electronic transmission or to swear documents electronically must first~~entity may



apply to ~~the Registrar to~~ be a registered user and a registered user may designate one or more of its partners, directors, officers or employees to be an authorised user. The Registrar has directed that such applications shall be dealt with by the ~~Supreme Court Electronic Filing Service (EFS) Certification Authority~~ Litigation Project Director. For the purpose of Order 63A, the identification code of an authorised user shall be his or her SingPass ID.

(2) The following procedures shall apply to applications to become a registered user ~~or~~ and for designating authorised ~~agent of a registered user~~ users:

(a) The application to become a registered user ~~or an authorised agent of a registered user must~~ must be made to the ~~Supreme Court EFS Certification Authority~~ Litigation Project Director using Form ~~2320~~ of Appendix A of these Practice Directions. In Form 20, the registered user must nominate at least one authorised user. Form 20 must be accompanied by the following:

~~(b) Any natural person who is accepted as a (i) a recent business profile report from the Accounting and Corporate Regulatory Authority (ACRA) of the registered user or an authorised agent of a registered user will be issued with an EFS digital certificate.~~

~~(c) There are five different types of EFS digital certificates, namely:~~

~~(i) Court;~~

~~(ii) service bureau; an application form including the subscriber agreement for subscription to the Electronic Filing Service; and~~

~~(iii) commissioner two sets of GIRO application forms for oaths (employed by the Court);~~

~~(iv) advocate electronic payment of filing and solicitor; hearing fees, and electronic filing and other charges..~~

~~(v) commissioner for oaths (not employed by the Court).~~

~~(d) A person may be issued with more than one EFS digital certificate, but these must all be of different types.~~

~~(e) An advocate and solicitor EFS digital certificate may be applied for by:~~

~~(i) any advocate and solicitor who holds a valid practising certificate;~~

~~(ii) any person who holds a valid practising certificate issued in pursuance of section 26(4) of the Legal Profession Act (Cap. 161, 2001 Rev Ed); and~~

~~(iii) any person falling within the descriptions set out in section 29(2) of the Legal Profession Act.~~

~~(f) Any person who applies for an advocate and solicitor EFS digital certificate must forward the following documents to the Supreme Court EFS Certification Authority:~~

~~(i) Form 23, duly stamped at the Supreme Court's Cashier's Office with the fee prescribed by item 95 of Appendix B of the Rules of Court. Only one EFS digital certificate may be applied for with each Form 23;~~

~~(ii) a photocopy of the applicant's identification document. This should be the applicant's identity card if he is a Singaporean. If he is not, this should be the applicant's valid passport together with his entry or re-entry permit, or his employment pass; the applicant's FIN must appear in this document;~~

~~(iii) the original of a letter from the applicant's law firm or organisation, if the applicant is not to be the Registered User, authorising the applicant to apply for an EFS digital certificate; and~~

~~(iv) if the applicant falls within sub-paragraph (2)(e)(i) or (2)(e)(ii), a copy of the applicant's current practising certificate.~~

~~(g) An advocate and solicitor's EFS digital certificate will usually be issued for a period of 3 years. However, if the applicant ceases at any time before the expiry of his certificate to be a person falling with the categories set out in sub-paragraph (2)(e), he must inform the Supreme Court EFS Certification Authority of this immediately.~~

~~(h) Only persons who have been appointed as commissioners for oaths may apply for a commissioner for oaths EFS digital certificate. Any person who applies for a commissioner for oaths EFS digital certificate must forward the following documents to the Supreme Court EFS Certification Authority:~~

~~(i) Form 23, duly stamped at the Supreme Court's Cashier's Office with the fee prescribed by item 95 of Appendix B of the Rules of Court. Only one EFS digital certificate may be applied for with each Form 23;~~

~~(ii) a photocopy of the applicant's identification document. This should be the applicant's identity card if he is a Singaporean. If he is not, this should be the applicant's valid passport together with his entry or re-entry permit, or his employment pass;~~

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~~(iii) a copy of the applicant's current certificate of appointment as a commissioner for oaths; and~~

~~(iv) a commissioner for oaths EFS digital certificate will usually be valid until the date of expiry of the applicant's current certificate of appointment. However, if the applicant ceases to be a commissioner for oaths at any time before that, he must inform the Supreme Court EFS Certification Authority of this immediately.~~

~~(3) The attention of registered users and their authorised agents is brought to Order 63A, Rule 6(3) which requires the registered user or his authorised agent to inform the Registrar in writing of any change in particulars.~~

~~(4) Order 63A, Rule 6(4) requires the registered user to immediately request the Registrar in writing to cancel the identification name and authentication code of an authorised agent when the authority of that authorised agent is revoked or terminated.~~

~~(a) This request should be made in Form 24.~~

~~(b) A registered user may not cancel its identification name and authentication code. A registered user should instead request the cancellation of the identification names and authentication codes of all its authorised agents. When the identification names and authentication codes of all its authorised agents have been cancelled or have expired, the registered user will cease to be a registered user.~~

~~(c) Care should be taken to ensure that requests for cancellation are addressed to the certification authority that actually issued the identification name, authentication code and EFS digital certificate that the requestor is seeking to cancel. In particular, requests for cancellation of Subordinate Courts EFS certificates should not be addressed to the Supreme Court EFS Certification Authority.~~

~~(5) All the forms and documents referred to in this paragraph should be sent to the Registrar, marked for the attention of the Supreme Court EFS Certification Authority. Enquiries may also be directed to the Supreme Court EFS Certification Authority.~~

~~Supreme Court EFS Certification Authority~~

~~Supreme Court of Singapore~~

~~1 Supreme Court Lane~~

~~Singapore 178879~~

Tel : 63324217

Fax : 68830774

E-mail : [SUPCOURT-CA@supCourt.gov.sg](mailto:SUPCOURT-CA@supCourt.gov.sg)

(b) After the application to become a registered user has been approved, the application forms for subscription to the Electronic Filing Service and GIRO electronic payment will be forwarded to the Electronic Filing Service provider.

(c) After the Electronic Filing Service provider has processed the applications and made arrangements for GIRO electronic payments, the registered user will be provided access to his or her Electronic Filing Service account. The initial authorised user may designate additional authorised users by providing the identification code of each authorised user to be added through the administration module of the Electronic Filing Service.

(3) Registered users approved hereunder shall be deemed to be approved by the Registrar of the Supreme Court and the Registrar of the Subordinate Courts. Registered users shall be responsible for all transactions conducted and liable for all fees and charges incurred by any of their designated authorised users in the Electronic Filing Service.

(4) The registered user shall be responsible for ensuring that the list of designated authorised users is kept updated at all times through the administration module of the Electronic Filing Service and for updating the eLitigation Project Director of any changes in the list of its advocates and solicitors in accordance with the procedure stated in subparagraph (5) below.

(5) A registered user shall submit to the eLitigation Project Director on an annual basis, and in any event by the end of May each year, a list of its advocates and solicitors as at the 1<sup>st</sup> of May of each year.

(6) Additionally, a registered user may at any time submit to the eLitigation Project Director an updated list of its advocates and solicitors in the event of any significant change in the number of its advocates and solicitors.

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

(1) Pursuant to Order 63A, Rules 1 and 8 of the Rules of Court, the Registrar hereby specifies that all documents to be filed with, served on, delivered or otherwise conveyed to the Registrar in all proceedings other than criminal proceedings (which are governed by Part ~~XXXIV~~ of these Practice Directions and the Criminal Procedure Code (Electronic

Filing and Service) Regulations), subject to the exceptions which appear later in this paragraph, must be so filed, served, delivered or otherwise conveyed using the Electronic Filing Service ~~(EFS)~~.

(2) It shall not be necessary to use the EFSElectronic Filing Service in respect of the following proceedings:

- (a) any proceedings commenced by a writ of summons before March 2000, subject to the provisions in sub-paragraphs (c), (d), (e) and (f);
- (b) any proceedings commenced by an originating summons before 18 December 2001;
- (c) any proceedings for taxation commenced by a bill of costs, including proceedings resulting or arising from such proceedings, filed before 18 December 2001;
- (d) any proceedings commenced by an originating summons or summons for interpleader relief, including proceedings resulting or arising from such proceedings, filed before 18 December 2001;
- (e) any notices of appeal under Order 55D, including proceedings resulting or arising from such appeals, filed before 18 December 2001;
- (f) any notices of appeal under Order 57, including proceedings resulting or arising from such appeals, filed before 18 December 2001;
- (g) any proceedings commenced by a petition for the admission of advocates and solicitors filed before 18 December 2001;
- (h) any proceedings for winding up of a company commenced ~~by~~ a petition filed before 28 May 2002;
- (i) any proceedings commenced by an Admiralty writ *in rem* or *in personam* filed before 28 May 2002;
- (j) any proceedings commenced by an originating motion filed before 28 May 2002;
- (k) any proceedings commenced by an originating petition filed before 28 May 2002;
- (l) any proceedings commenced by a petition of course filed before 28 May 2002;

(m) any proceedings or applications under the Bankruptcy Act (Cap. 20, ~~2000 Rev Ed~~) or Bankruptcy Rules (Cap. 20, Rule 1) filed before 28 May 2002;

(n) any proceedings for a grant under Order 71, Rule 5 of the Rules of Court filed before 28 May 2002;

(o) any applications to deposit an instrument creating a power of attorney filed before 28 May 2002; and

(p) any proceedings commenced by a petition under Part X of the Women's Charter (Cap. 353, ~~1997 Rev Ed~~) filed before 15 December 2003.

(3) Documents which are filed pursuant to Order 34, Rule 3A(1) may, instead of being filed through the ~~EFSE~~Electronic Filing Service, be filed in accordance with the procedure outlined in paragraph ~~60~~71(3) to (7).

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

~~(5) With the exception of the proceedings stipulated in sub-paragraph (2), any application which was previously brought by way of a notice for directions, a notice for further directions or a notice under the summons for directions must be brought by way of a summons.~~

#### **94. ~~105.~~ Certificate of Service**

Where documents are served using the Electronic Filing Service, a Certificate of Service will automatically be generated and stored in the electronic case file.

#### **106. Form of documents**

~~(1) All documents shall be in the form prescribed by Order 1, Rule 7 of the Rules of Court.~~

~~(2) The filing party is not required to produce a cover page when filing a document. It is also~~It is not necessary for documents that are electronically filed in Court to have a cover page or backing sheet.

~~(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 in electronic forms that are generated by the Electronic Filing Service. Documents generated by the Electronic Filing Service~~ containing outdated

or wrong information will be rejected by the Legal Registry of the Supreme Court and the fee payable shall be that stipulated ~~under items 71D(3)(a)(iii), (b)(iii) or (c)(iii), as the case may be, of~~in Appendix B of the Rules of Court.

(43) In the event that the ~~EFSE~~Electronic Filing Service fails to automatically generate the document information page, parties may undertake the procedure outlined in paragraph ~~106112~~(2).

## ~~95. Pagination of documents~~

## ~~107. Pagination of documents~~

Every single page of a document must be paginated so that the pagination on the actual document ~~(which is subsequently converted to portable document format (PDF))~~ corresponds with the pagination of the Portable Document Format (PDF) document in the electronic case file. Solicitors' attention is drawn to paragraphs ~~4557~~(5) and ~~4759~~(3) in this regard. This is to facilitate hearings involving ~~documents~~reference to both printed and soft copies of the same document.

## ~~96. Visible representation of signatures on documents~~

~~(1) Order 63A, Rule 9 of the Rules of Court deals with the signing of 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 require documents to contain a visible representation of a signature. If such visible representations of signatures are required in 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 Practice Directions must continue to appear when a document is filed via the service bureau.~~

## ~~97. Colour pages~~

~~(1) Solicitors who file documents using the Electronic Filing Service (EFS) 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.~~

## **~~98. Preparation and submission of a document to the Court~~**

~~(1) As stated in Order 63A, Rule 8 of the Rules of Court, a document must be submitted to the Court in one of 2 ways:~~

~~(a) by electronic transmission; or~~

~~(b) via a service bureau.~~

~~(2) With effect from 2 July 2001, submission by electronic transmission shall include filing via internet at the Electronic Filing Service (EFS) website (<http://www.efs.com.sg>).~~

~~(3) A document shall be prepared for submission to Court in the following way:~~

~~(a) A submission must be created using the computer system provided by the network service provider. This submission can contain more than one document, subject to a number of restrictions. The main restrictions are that:~~

~~(i) All the documents in the submission must be filed in relation to the same case. For example, a memorandum of appearance for one case and a defence for another case must be included in different submissions;~~

~~(ii) Each submission, with one exception, can only include one document to which the Court will assign a case number or a document number. The exception is where a fresh writ of summons is filed with a fresh *ex parte* summons for an interim injunction.~~

~~(iii) All documents in the submission must be processed on the same basis of urgency. For example, documents which are to be processed on the Normal basis and the Urgent basis must be included in separate~~



~~submissions. In this regard, it should be noted that there are three bases of urgency for submissions to the Court:~~

~~I. Normal.~~

~~II. Urgent. These submissions will be given a higher priority than Normal submissions. Additional fees as specified in items 71D(1)(a), 71D(2)(a) and 71D(2A)(a) of Appendix B of the Rules of Court are payable for Urgent submissions.~~

~~III. Immediate. These submissions will be given the highest priority. The approval of the Duty Registrar must be sought before a submission can be submitted as an Immediate submission. Immediate submissions can only be submitted via the service bureau.~~

~~(iv) A document cannot be submitted to more than one counter or section of the Court. The counter or section of Court to which the filing party wishes to submit the documents need not be specified. However, if this is specified by the filing party, then all the documents in the submission must be submitted to this one counter or section.~~

~~(b) Information and data pertaining to the case, the parties to the case and the documents in the submission must be entered into an electronic template.~~

~~(c) Subject to paragraph 129 of these Practice Directions, the actual documents can be created using word processing software or otherwise, and these documents must be converted into an electronic format known as the portable document format (PDF).~~

~~(d) Subject to paragraph 129 of these Practice Directions, the documents are attached to the submission, and the submission is sent to the Court.~~

## **~~99. Case or document number~~**

~~(1) The 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;~~

~~(c) orders of Court;~~

~~(d) judgments;~~

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- ~~(e) notices of appeal under Orders 55C, 56 and 57 of the Rules of Court;~~
- ~~(f) notices of assessment of damages;~~
- ~~(g) notices of taking of accounts;~~
- ~~(h) notices of inquiry before the Registrar;~~
- ~~(i) subpoenas;~~
- ~~(j) warrants for committal;~~
- ~~(k) orders of arrest;~~
- ~~(l) writs of execution;~~
- ~~(m) orders of attachment;~~
- ~~(n) requests for setting down;~~
- ~~(o) bundles of documents for setting down;~~
- ~~(p) bundles of documents;~~
- ~~(q) all originating summonses;~~
- ~~(r) writs of distress;~~
- ~~(s) interpleader summonses;~~
- ~~(t) directions to Accountant-General for payment into and out of Court;~~
- ~~(u) bills of costs;~~
- ~~(v) notices of objection;~~
- ~~(w) originating summonses for the admission of advocates and solicitors;~~
- ~~(x) applications for reconstruction or other scheme;~~
- ~~(y) originating summonses or summonses under sections 112 or 124 of the Legal Profession Act (Cap. 161, 2001 Rev Ed);~~
- ~~(z) all Requests;~~
- ~~(za) warrants of arrest;~~
- ~~(zb) bankruptcy orders;~~
- ~~(zc) powers of attorney;~~
- ~~(zd) deeds of substitution;~~

~~(ze) supplementary Deeds;~~

~~(zf) deeds of Revocation;~~

~~(zg) deeds of Rectification;~~

~~(zh) caveats against grants of probate;~~

~~(zi) bankruptcy originating summonses;~~

~~(zj) originating summonses for winding up;~~

~~(zk) for matrimonial proceedings under Part X of the Women's Charter (Cap. 353, 1997 Rev Ed) commenced before 1 April 2006,~~

~~(i) certificates of making decree nisi absolute (Nullity);~~

~~(ii) certificates of making decree nisi absolute (Divorce);~~

~~(iii) certificates of making decree nisi absolute (Presumption of Death and Divorce);~~

~~(zl) for matrimonial proceedings under Part X of the Women's Charter commenced on or after 1 April 2006:~~

~~(i) certificates of making interim judgment final (Nullity);~~

~~(ii) certificates of making interim judgment final (Divorce); and~~

~~(iii) certificates of making interim judgment final (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.~~

~~If an affidavit is filed in a different submission from the summons, the document number of the summons must be entered as the Reference Document Number of the affidavit in the electronic template of the submission containing the affidavit.~~

~~(ii) A notice of appeal filed against a decision made upon application brought by way of summons.~~

~~The document number of the summons 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.~~

### **~~100. Filing of documents in general by way of reference to Document Control Numbers~~**

~~(1) Where a party wishes to file a document, and the document has already been filed in Court using the Electronic Filing Service (EFS), he may instead of re-filing the same document include a reference (using the system function in the computer system provided by the network service provider) to the Document Control Number (DCN) of the document already filed. This facility is available for all types of filings using the EFS, and this is in addition to the facility for the creation of a bundle in the manner described in paragraph 59(5)(b) and (c).~~

~~(2) The DCN of the document referred to in sub-paragraph (1) above need not be from the same electronic case file nor must the document be previously filed by the same law firm. The status of the document, must however, be "accepted" and it must not be "restricted" or "expunged".~~

~~(3) The fees payable for the use of the above facility are found in items 71D(1)(d) and 71D(2)(d) of Appendix B of the Rules of Court.~~

### **108. Filing documents viathrough service bureau**

(1) Solicitors and law firms are encouraged to ~~acquire the necessary computer system to file documents by electronic transmission using~~through the Electronic Filing Service (~~EFS~~). However, in the event that ~~they have not done so or if~~ certain documents cannot be filed ~~using electronic transmission~~through the Electronic Filing Service, solicitors and law firms may file documents viathrough the service bureau. Litigants in person may also file documents viathrough the service bureau.

(2) The operating hours of the service bureau are as follows:

<b>Operating Hours</b>	<b>For filing</b>	<b>For collection</b>
Mondays to Fridays (excluding Public Holidays)	9 a.m. to 5 p.m.	9 a.m. to 5 p.m.
<del>Saturdays (excluding Public Holidays)</del>	<del>9 a.m. to 12.30 p.m.</del>	<del>9 a.m. to 12.30 p.m.</del>
Sundays and Public Holidays	Closed	Closed

<b>Operating Hours</b>	<b>For filing</b>	<b>For collection</b>
Mondays to Fridays (excluding Public Holidays)	9 a.m. to 5 p.m.	9 a.m. to 5 p.m.
Saturdays (excluding Public Holidays)	9 a.m. to 12.30 p.m.	9 a.m. to 12.30 p.m.
Sundays and Public Holidays	Closed	Closed

(3) Any document which is accepted for filing outside the time periods specified in subparagraph (2) will be treated by the service bureau as having been accepted on the following working day.

(4) Documents ~~submitted to~~ be filed through the service bureau must comply with these Practice Directions and all applicable administration instructions and procedures prescribed by the service bureau with the approval of the superintendent.

(5) Documents filed through the service bureau shall be subject to a Manual Handling Charge prescribed by Appendix B to the Rules of Court 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.

~~for filing can be submitted on the 3 different bases of urgency as set out in paragraph 98(3)(a)(iii).~~

~~(5) The procedure for submitting any document to the service bureau for filing is as follows:~~

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~~(a) Every submission of documents for filing to the service bureau should be accompanied by the following:~~

- ~~(i) one set of the Paper Filing Templates;~~
- ~~(ii) 2 copies of the Requisition Form;~~
- ~~(iii) a letter of authorisation (if the person filing is filing on behalf of a law firm, a company or an organisation);~~
- ~~(iv) the fees payable; and~~
- ~~(v) the documents listed in the Requisition Form.~~

~~(b) Where multiple sets of submissions are given to the service bureau at the same time, each set of documents must be arranged in the following order:~~

- ~~(i) 2 copies of the Requisition Form;~~
- ~~(ii) one set of the Paper Filing Templates; and~~
- ~~(iii) the documents listed in the Requisition Form.~~

~~(c) The Paper Filing Templates allow the person filing to fill in information on the documents to be filed. This information will later be transcribed into electronic templates for submission to the Court.~~

~~(i) The Paper Filing Templates may be obtained in paper from the service bureau. Soft copies of the templates may also be downloaded from the Internet at the EFS website (<http://www.efs.com.sg>).~~

~~(ii) Only one copy of each set of Paper Filing Templates needs to be submitted to the service bureau. However, this copy will be retained by the service bureau, so if the person filing wishes to keep a copy, this should be made before submission to the service bureau.~~

~~(iii) A separate set of Paper Filing Templates must be filled in for each submission of documents to the service bureau.~~

~~(iv) A submission of documents can comprise more than one document, subject to the following restrictions:~~

~~I. All the documents in the submission must be filed in relation to the same case. For example, a memorandum of appearance for one case and a defence for another case, must be included in different submissions.~~

~~II. Each submission, with one exception, can only include one Main Document. The exception is where a fresh writ of summons is filed with a fresh *ex parte* summons for an interim injunction.~~

~~III. All documents in the submission must be processed on the same basis of urgency. For example, documents which are to be processed on the Normal basis must be included in separate submissions from those to be processed on the Urgent basis.~~

~~IV. The counter or section of the Supreme Court to which the person filing wishes to submit the documents need not be specified. However, if this is specified by the person filing, then all the documents in one submission must be submitted to this one counter or section.~~

~~(v) Each set of Paper Filing Templates must be signed by the solicitor in charge.~~

~~(vi) The Paper Filing Templates should be filled in carefully and clearly. These documents will be relied on by the service bureau to fill in the electronic template for submission to Court, and illegibility will delay the process of submission. The service bureau may also reject incomplete Paper Filing Templates.~~

~~(vii) When submitting the Paper Filing Templates, the person filing must indicate if he wishes to verify the information transcribed from the Paper Filing Template into the electronic template.~~

~~I. If the person filing chooses not to verify the transcription, then the submission will be sent to Court by the service bureau once the submission has been processed.~~

~~II. If the person filing chooses to verify the transcription, he should wait his turn until the submission has been processed. He may then verify the submission. It should be noted that once the election to verify the transcription has been made, the service bureau will not submit the documents in question to Court until these have been verified. The person filing must also ensure that he attends to verify the information transcribed within 2 working days of the submission, including the day of submission. If he does not, the service bureau will treat the submission as having been abandoned, and will delete it. The fees prescribed by item~~

~~71D(2)(f) of Appendix B of the Rules of Court will then be payable.~~

~~(d) The Requisition Form allows the person filing to list all the documents being filed in that submission, and to indicate the basis on which the submission should be processed.~~

~~(i) The Requisition Form may be obtained in paper from the service bureau. Soft copies of the form may also be downloaded from the Internet via the Supreme Court website~~

~~(<http://www.supremeCourt.gov.sg>) or the EFS website (<http://www.efs.com.sg>).~~

~~(ii) One set of 2 Requisition Forms must accompany each set of Paper Filing Templates.~~

~~(iii) The person filing will be required to pay the fee that he has filled into the Requisition Form to the service bureau before the service bureau will accept the submission.~~

~~(e) The letter of authorisation for the person filing should be on the law firm's or organisation's letterhead paper, and should include the name and identification number of the person filing. It should clearly authorise the person filing to file the documents on behalf of the law firm or organisation, and should identify the documents he is authorised to file. A sample of a letter is included as Form 25 of Appendix A of these Practice Directions. The service bureau will retain this letter, and will also check the particulars stated in the letter against the identification card or document of the person filing.~~

~~(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; or~~

~~(iii) law firm's or company's cheque made payable to CrimsonLogic Pte Ltd.~~

~~(6) 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; and~~



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~~(c) documents which, in whole or in part, cannot be converted into an electronic form by scanning.~~

~~(7) 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.~~

~~(8) 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) To facilitate the expeditious 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.~~

~~(c) Documents which are not in the formats described in sub-paragraph (8)(a) to (c) above, e.g. bound or stitched documents, may still be submitted to the service bureau, but the processing of these will be slower.~~

~~(d) Documents up to A3 in size may be scanned by the service bureau in black and white or in colour. If any page is required to be scanned in colour by the service bureau, the service bureau should be informed of this. The fees prescribed by item 71D(2)(d) of Appendix B of the Rules of Court will be payable.~~

~~(e) Documents should be serially numbered at the top right hand corner of each document. The serial numbers used should correspond to the serial numbers appearing in the Requisition Form.~~

~~(f) The documents submitted will be returned to the person filing when the Court's reply is collected.~~

~~(g) The documents submitted may be printed on one side or both sides of each page.~~

~~(9) For documents in an electronic form, the following directions shall apply:~~

~~(a) The documents must be stored in:~~

~~(i) 100 Mb Iomega ZIP cartridges.~~

~~(ii) 1.44 Mb 3½" floppy diskettes.~~

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~~(iii) CD-ROM.~~

~~(b) The electronic format of the documents must be in:~~

~~(i) Microsoft Word; and~~

~~(ii) portable document format (PDF).~~

~~(c) The portable media submitted must be labelled with the name of the law firm or company and the filenames of the documents contained therein. The filenames used in the portable media must match those stated in the Paper Filing Templates submitted with the media. Unnamed or illegibly named diskettes or other media will be rejected by the service bureau.~~

~~(d) Each set of portable media given to the service bureau must contain only the documents included in the submission. Portable media which contains other documents, or documents from 2 or more submissions, are liable to be rejected.~~

~~(e) The portable media submitted will be returned to the person filing when the Court's reply is collected.~~

~~(10) For documents which, in whole or in part, cannot be converted into an electronic form by scanning, the following shall apply:~~

~~(a) All such documents *must* be filed via the service bureau. These documents cannot be filed using electronic transmission.~~

~~(b) The entire document must be submitted in paper for processing, including the parts that can be converted into an electronic form and those that cannot be so converted.~~

~~(c) Fees will be payable in respect of all the pages of the document, including those which cannot be scanned.~~

~~(d) The paper document submitted will be sent to the Court, and will not be returned to the person filing.~~

~~(11) As specified in this Part of these directions, some documents are required to be book-marked and linked. Those directions must be complied with where documents are filed via the service bureau:~~

~~(a) In order to request the service bureau to insert book-marks, the following procedure should be followed:~~

~~(i) The form for book-marking should be obtained from the service bureau before the submission is given to the service bureau.~~

~~(ii) The form should be filled in with the following details of the book-marks required:~~

~~I. Serial number of the book-mark.~~

~~II. Name of the book-mark.~~

~~III. Page number of the page to be book-marked.~~

~~(iii) The form should be submitted together with the submission to the service bureau.~~

~~(b) In order to request the service bureau to insert links, the following procedure should be followed:~~

~~(i) The form for links should be obtained from the service bureau before the submission is given to the service bureau.~~

~~(ii) The form should be filled in with the following details of the links required:~~

~~I. Serial number of the link.~~

~~II. A transcript of the text on which the link is to be created. The text in the document on which the link is to be created should also be highlighted.~~

~~III. The page, section or paragraph number from where the link is to start.~~

~~IV. The destination of the link. For example, the page number or section number being referred to.~~

~~(iii) This form should be submitted together with the submission to the service bureau.~~

~~(c) Book-marking and linking can only be done within the same PDF document, and not across multiple PDF documents.~~

~~(12) If any person filing wishes to seek waiver of the filing fees, either in whole or in part, he should obtain the "Request for Partial/Full Waiver of Court Fees" form from the service bureau. He should then attend before the Duty Registrar. Once the approval of the Duty Registrar has been endorsed on the form, the endorsed form should be included in the submission to the service bureau.~~

~~(13) In the event that any person filing wishes to cancel the sending of a submission to the Court, he must attend in person and tender a letter requesting the cancellation, as~~

~~well as the Requisition Form he received for the submission. The submission may be cancelled so long as the transmission to the Court has not yet been initiated. The fees prescribed by item 71D(2)(f) of Appendix B of the Rules of Court will be payable upon cancellation.~~

~~(14) After the submission has been sent to the Court, the documents will be processed, and the Court will send a reply back to the service bureau.~~

~~(a) In order to collect this reply, the Requisition Form should be produced to the service bureau.~~

~~(b) As a submission can contain more than one document, and the Court may send a different reply in respect of each document, the Requisition Form must be retained until all the documents included in the submission have been replied to.~~

~~(In the event that the Requisition Form is lost, the person filing must himself attend at the service bureau and produce his identification document.)~~

~~(15) As the filing fees are set and charged by the Court, the actual filing fees payable will only be confirmed upon reply by the Court.~~

~~(a) In the event that the fees paid when giving the submission to the service bureau are lower than the fees charged by the Court, then the person collecting the reply of the Court will be asked to pay the difference before the reply is released to him.~~

~~(b) If the fees charged by the Court are lower than the fees initially paid, then after the reply to the last document in the submission has been received by the service bureau, the difference will be refunded to the person who produces the Requisition Form to collect that reply.~~

~~(16) If a document filed via the service bureau is rejected by the Court for any reason, the penalty, if any, prescribed by item 71D(3) of Appendix B of the Rules of Court will be payable.~~

~~(a) In the event that the person filing is of the view that the document was wrongly rejected, he may proceed in accordance with the procedure set out in paragraph 106.~~

~~(b) In the event that the person filing is of the view that the rejection of the document is due to the fault of the service bureau, he should inform the service bureau.~~

~~(17) If a reply from the Court is lost, and a party requires another copy of the reply, he should produce the Requisition Form to the service bureau within one month of the receipt of the reply and request the copies required. An administrative charge of \$10 will be charged for each copy of each reply given.~~

*Paragraph 101 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

## **~~102.~~ 109. Filing of documents to the Supreme Court ~~via~~through a Subordinate Courts service bureau**

Pursuant to Order 63A, Rule 18(4) of the Rules of Court, the Registrar hereby prescribes that any service bureau established or authorised to be established by the Registrar of the Subordinate Courts may assist in the filing, service, delivery or conveyance of documents pertaining to Supreme Court proceedings using the Electronic Filing Service (~~EFS~~) 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.

## **~~103.~~ 110. 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 (~~EFS~~):

- (a) the total number of documents in a single submission 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~~online through the Electronic Filing Service and the service bureau.

~~(3) The resolution for scanning, unless otherwise directed by the court, shall be no more than 300 DPI.~~

~~(4) In the event that any solicitor wishes to file documents which exceed the limits specified in sub-paragraph (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.~~

## **~~104.~~ Time for filing**

~~(1) Users of the Electronic Filing Service (EFS) may file documents in Court at any time that EFS is operational, even if the Legal Registry of the Supreme Court is not open at that time.~~

~~(2) Order 63A, Rule 10 of the Rules of Court prescribes when a document is deemed to be filed when using EFS.~~

~~105.~~ **111. 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, the hard copy of the document must be filed at the Legal Registry of the Supreme Court.

(2) 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.

~~112.~~ ~~106.~~ **Rejection of documents, back-dating and refund of penalty**

(1) Care must be taken to enter correct, complete and accurate information into the electronic ~~templateform~~. If the information entered into the electronic ~~templateform~~ 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 of the Rules of Court~~ ~~item 71D(3) of Appendix B of the Rules of Court~~. In this regard, solicitors' attention is also drawn to Order 63A, Rule 17 of the Rules of Court.

(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, pursuant to Order 63A, Rule 10; and

(b) ~~write in to the network service provider to~~ request for a refund.

~~107.~~ **Service of documents**

~~(1) When a document has been successfully filed in, served on, delivered to, or otherwise conveyed to Court using by submitting the requisite electronic form through the Electronic Filing Service (EFS), a notification of acceptance will be sent.~~

**113. Urgent hearing**

Subject to the ~~filing party~~.

~~(2) If directions of the document is a Main Document, the notification may comprise the first or more pages of the document that was submitted to the Court. The information that may be annotated on the document may include:~~

- ~~(a) the case number and document number;~~
- ~~(b) the date and time of filing;~~
- ~~(c) the date and time of any hearing;~~
- ~~(d) an image of the signature of the Registrar; and~~
- ~~e) an image of the seal of the Supreme Court.~~

~~(3) The notification referred to in sub-paragraph (1) should be attached to a copy of the document before it is served on any other party. This attachment can be effected by electronic or manual means, as is appropriate.~~

~~(4) If the document is not a Main Document, then, if the document was sent in using electronic transmission, the status of the document will appear as "Approved" in the In-Tray of the law firm's computer system. If the document was sent in via the service bureau, a reply indicating acceptance may be collected by the person who submitted the documents to the service bureau. In either case, the filing party may proceed to serve the document on the other parties. It will not be necessary in this case to attach anything to the document that is served.~~

~~(5) The document may be served on a registered user using the Service of Documents Facility. The service can be effected using electronic transmission or via the service bureau. The total number of recipients in each request for service cannot exceed 99. The fees prescribed under item 71E of Appendix B of the Rules of Court will then be payable.~~

### **~~108. Urgent filing~~**

~~(1) For very urgent hearings, such as applications for *ex parte* interim injunctions Court, solicitors should avail themselves of the "Immediate" filing function which is available at the service bureau. Before a document can be presented for immediate filing, the approval of the Duty Registrar must be obtained for the "Immediate" filing to take place. After an "Immediate" filing at the service bureau, the document so filed should be ready for use in Court very shortly after the document was processed by the service bureau.~~

~~(2) In the event that a matter is so urgent that "Immediate" filing is not sufficiently fast, or if the service bureau is not open at the relevant time, then solicitors may still may appear before the Judge or Registrar with paper documents for thean urgent hearing.~~

The solicitors so appearing must give an undertaking to file all the documents used at the hearing using the [EFSElectronic Filing Service](#) by the next working day after the hearing. Any document not filed using the [EFSElectronic Filing Service](#) will not be included in the Court's case file.

### ~~109.~~ **114. Hard copies of documents**

(1) The Registrar may, at his discretion, request for hard copies of any documents filed electronically.

(2) Upon such request, the filing party or his solicitors shall furnish hard copies of the relevant documents at the venue specified by the Registrar:

(a) within the specified time frame; or

(b) within 24 hours of the request, if no time frame is specified.

(3) The Registrar may also direct that any documents shall be filed in hard copy instead of using the Electronic Filing Service (~~EFS~~) for such period or periods as he in his discretion thinks fit.

### ~~110. Use of Index Search, Extract Service and Service of Documents Facility at the service bureau~~

~~(1) Solicitors, law firms and litigants in person who wish to utilise the Index Search, Extract Service and Service of Documents Facility may do so via the service bureau. Unlike *Requests* for extracts of documents made by way of electronic transmission described in paragraph 23, a soft copy extract will not be available at the service bureau. Instead, the extract will be made available in hard copy.~~

~~(2) The procedure for filing of documents via service bureau as set out in paragraph 101 continues to apply to Extract Service. The Requests for extract and certified true paper copies of documents can be submitted for filing in Court on 3 different bases of urgency as set out in paragraph 98(3)(a)(iii). The relevant fees prescribed by items 71H and 71I of Appendix B of the Rules of Court will then be payable. The fees prescribed by items 71H(3) or 71I(f) of Appendix B of the Rules of Court, as the case may be, shall be payable upon the rejection of the Requests by the Court.~~

~~(3) Persons who wish to use the Index Search should have the following with them:~~

~~(a) One set of the Index Search Request Template.~~

~~(b) The fees payable under item 71F(b) of Appendix B of the Rules of Court.~~



~~(4) Persons who wish to use the Service of Documents Facility should have the following with them:~~

~~(a) One set of the Service of Documents Request Template.~~

~~(b) If the person utilising any of the services above is doing so on behalf of a law firm, a company or an organisation, a letter of authorisation from the law firm, company or organisation for the filing to take place by that person.~~

~~(c) The fees payable under item 71E of Appendix B of the Rules of Court.~~

~~(d) The documents listed in the Service of Documents Request Template.~~

~~(5) The Request Templates allow the person utilising the services to fill in information necessary for the Request. The information will be transcribed into electronic templates for submission.~~

~~(a) The Request Templates may be obtained in paper from the service bureau. Soft copies of the templates may also be downloaded from the Internet at the EFS website (<http://www.efs.com.sg>).~~

~~(b) Only one copy of each set of Request Templates needs to be submitted to the service bureau. As this copy will be retained by the service bureau, if the person utilising the service wishes to keep a copy, this should be made before submission to the service bureau.~~

~~(c) The Request Templates should be filled in carefully and clearly. These documents will be relied on by the service bureau to fill in the electronic templates for submission and illegibility will delay the process of submission. The service bureau may also reject incomplete Request Templates.~~

~~(d) When submitting the Request Templates, the person utilising the services must indicate if he wishes to verify the information transcribed from the Request Templates into the electronic template.~~

~~(i) If the person utilising the services chooses not to verify the transcription, then the transmission will be conducted once it has been processed.~~

~~(ii) If the person utilising the services chooses to verify the transcription, he should wait his turn until the submission has been processed. He may then verify the submission. It should be noted that once the election to verify the transcription has been made, the service bureau will not submit the Request until the transcription has been verified. The person utilising the services must also ensure that he attends to verify the~~

~~information transcribed within 2 working days of the submission, including the day of submission. If he does not, the service bureau will treat the submission as having been abandoned and will delete it.~~

~~(e) The letter of authorisation for the person utilising the Service of Documents Facility should be on the law firm's or organisation's letterhead paper, and should include the name and identification number of the person utilising the services. It should clearly authorise the person utilising the services on behalf of the law firm or organisation. A sample of the letter is included as Form 26 of Appendix A of these Practice Directions. The service bureau will retain this letter, and will also check the particulars stated in the letter against the identification card or document of the person utilising the services.~~

~~(f) Payment to the service bureau will be in the same mode as stated in paragraph 101(5)(f).~~

~~(g) In the event that any person utilising the services wishes to cancel the submission, he must attend in person and tender a letter requesting the cancellation. The submission may be cancelled so long as the transmission has not yet been initiated.~~

### **115. Responsibility for accuracy and completeness of information submitted using the Electronic Filing Service**

(1) The solicitor having the conduct of any cause or matter may delegate the task of filing originating processes and documents in Court to an assistant or a suitably experienced law clerk or secretary, provided always that the solicitor shall personally satisfy himself as to the accuracy and completeness of the information submitted to the Court, and shall personally bear responsibility for any errors or deficiencies.

(2) In particular, solicitors should ensure the following:

(a) that the title of the action generated using the Electronic Filing Service is accurate and correct;

(b) where an action is commenced by way of writ of summons, that at least one nature of claim is selected that adequately represents the subject matter of the action; and

(c) where an action is commenced by way of originating summons, that either the relevant legislation under which the action is brought is provided or at least one nature of claim is selected that adequately represents the subject matter of the action.

**~~PART XIII~~ PART XIV: ELECTRONIC FILING AND SERVICE FOR CRIMINAL PROCEEDINGS**

**~~111~~116. Application**

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

~~(2) The provisions of Order 63A of the Rules of Court, save for Rule 15(2)(a), (3), (5) and (7), shall apply to specified documents filed under this Part notwithstanding that the specified documents filed under this Part are filed in criminal proceedings.~~

~~(3) The~~(2) The attention of solicitors is drawn to the Criminal Procedure Code (Electronic Filing and Service) Regulations 2012, which shall have effect in relation to any document that is required to be filed with, served on, delivered or otherwise conveyed to the Supreme Court or any party to any criminal matter that is to be heard in the Supreme Court under the Criminal Procedure Code (Cap 68).

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

- (a) 12(8);
- (b) ~~26~~27;
- (c) ~~30~~31(6);
- (d) ~~33(4)~~34(3)(b) and (5c);
- (e) 35~~(3) and (4)~~ to (6);
- (f) 45~~5~~7, save for sub-paragraph (4)(e);
- ~~(g) 54~~106;
- (h) ~~90~~107;
- ~~(i) 91~~  
108, save for the provisions relating to fees;
- (j) ~~92~~109;
- (k) 94~~1~~10;
- ~~(l) 95~~111;
- (m) 96;

~~(n) 97;~~

~~(o) 98, save for the fees provision in sub-paragraph (3)(a)(iii)(II);~~

~~(p) 100, save for sub-paragraph (3) and the reference to paragraph 59 in sub-paragraph (1);~~

~~(q) 101, save for the fees provisions in sub-paragraphs (5)(a)(iv), (5)(c)(vii)(II), (8)(e), (10)(c), (13), (16) and (17);~~

~~(r) 102;~~

~~(s) 103;~~

~~(t) 104;~~

~~(u) 105;~~

~~(v) 106, save for the fees provision in sub-paragraph (1);~~

~~(w) 107112, save for the fees provision in sub-paragraph (5); and relating to fees;~~

~~(x) 109.~~

and

~~(n) 112. **Documents which must be filed, served, delivered or otherwise conveyed using the Electronic Filing Service**~~

~~(1) The following documents must be filed, served, delivered or otherwise conveyed using the Electronic Filing Service (EFS) and shall be referred to in this Part as "specified documents":~~

~~(a) fiats in criminal cases;~~

~~(b) charges in criminal cases;~~

~~(c) orders for committal in criminal cases;~~

~~(d) skeletal arguments;~~

~~(e) notices of appeal in criminal appeals;~~

~~(f) petitions of appeal in criminal appeals;~~

~~(g) notices of discontinuance/withdrawal of appeal in criminal appeals;~~

~~(h) petitions in criminal revisions;~~

- ~~(i) affidavits in criminal revisions and criminal motions;~~
- ~~(j) documentary exhibits in criminal revisions;~~
- ~~(k) criminal motions;~~
- ~~(l) statements of case in criminal references;~~
- ~~(m) petitions for clemency; and~~
- ~~(n) any other documents whose filing may be required by law or by the Court or Registrar.~~

~~(2) Documents that are filed in the Subordinate Courts for the purposes of High Court proceedings shall continue to be manually filed in the Subordinate Courts.~~

~~(3) For the avoidance of doubt, it shall not be necessary for documents that are tendered in open Court to be filed via the EFS, unless otherwise ordered.~~

### ~~113. 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) preliminary inquiries or committal hearings;~~
- ~~(b) criminal trials;~~
- ~~(c) criminal appeals;~~
- ~~(d) magistrates' appeals;~~
- ~~(e) criminal revisions;~~
- ~~(f) criminal motions;~~
- ~~(g) criminal references;~~
- ~~(h) show cause proceedings; and~~
- ~~(i) special cases.~~

~~(2) If documents which are related to Main Documents are filed, the following directions will apply:~~

- ~~(a) If the related document is filed in the same submission as a Main Document, 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, the person filing the related document must include the document number of the Main Document as the Reference Document Number in the electronic template filed 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) An example of a related document is an affidavit filed in support or in opposition to a criminal motion brought in a criminal appeal. If the affidavit is filed in a different submission from the criminal motion, the document number of the criminal motion must be entered as the Reference Document Number of the affidavit in the electronic template of the submission containing the affidavit.~~

*Paragraph 113 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

## **~~117. 114.~~ Hard copies of documents**

(1) The provisions of this paragraph are without prejudice to the provisions of ~~paragraph 112~~the Criminal Procedure Code (Electronic Filing and Service) Regulations 2012.

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

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

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

*Paragraph 114 amended to take effect from 30 June 2011*

*Pursuant to Amendment No. 2 of 2011*

## **~~115. 118.~~ Timelines for filing**

(1) Skeletal arguments that are electronically filed ~~under this Part~~ must be filed and served at least 10 days before the hearing.

(2) Hard copies of bundles of authorities shall be tendered to the Legal Registry of the Supreme Court at the same time as hard copies of skeletal arguments.

(3) Where an accused person intends to plead guilty to the charge(s) proceeded with at a preliminary inquiry or committal hearing, the prosecution shall tender hard copies of the following to the Legal Registry of the Supreme Court at least 2 working days before the hearing:

- (a) a statement of the facts of the case;
- (b) the draft charge(s) the prosecution will be proceeding with, where applicable; and
- (c) any other supporting documents, including any documents referred to in the statement of the facts of the case.

(4) In all other cases fixed for a preliminary inquiry or committal hearing, the prosecution shall tender hard copies of the following to the Legal Registry of the Supreme Court at least 5 clear days before the hearing:

- (a) the conditioned statements of all witnesses;
- (b) the draft charge(s) the prosecution will be proceeding with, where applicable; and
- (c) any other supporting documents, including any exhibits referred to in the conditioned statements of all witnesses.

*Paragraph 115 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

## **116119. Filing fees**

The attention of solicitors is drawn to Regulations 7 and 8 of the Criminal Procedure Code (Electronic Filing and Service) Regulations 2012, which govern the payment of fees for the use of the service bureau and the electronic filing service for criminal proceedings.

~~(1) No transmission or processing fees shall be payable in respect of documents filed under this Part.~~

~~(2) Electronic filing at the service bureau shall be subject to such administrative charges as may be imposed by the service bureau from time to time. However, the service bureau has agreed to waive the payment of any administrative charges incurred by unrepresented accused persons.~~

## **PART ~~XIV~~XV: TECHNOLOGY FACILITIES**

### **~~120.~~ 117. Use of the Technology Courts and the Mobile Info-Technology Trolley**

(1) The Technology Courts and the Mobile Info-Technology Trolley may, at the discretion of the Registrar and subject to the payment of the appropriate fees, be used:

- (a) for the hearing of any matter, whether before a Judge or Registrar, in open Court or in Chambers; or
- (b) for any other dispute resolution process.

(2) The Registrar may refuse any request for the use of any of the services described in this Part at any time owing to the unavailability of staff or equipment or for any other reason. ~~The Registrar need not give any reasons for the refusal of such a request.~~

### **~~118. The Technology Courts~~**

~~(1) The following IT/audio-visual equipment is available for use in the Technology Courts:~~

- ~~(a) a multi-system S-VHS video cassette player, which allows the playback of analogue S-VHS video cassette tapes;~~
- ~~(b) a multi-format disc player, which allows the playback of DVD-Video / DVD-R / DVD-RW / Video-CD / CD / CD-R / CD-RW media;~~
- ~~(c) a document camera capable of displaying images of, inter alia, ordinary paper documents, 3-dimensional objects, slides, negatives and X-ray films;~~
- ~~(d) an A4 colour video printer for the printing of video images captured from the projection system or document camera;~~
- ~~(e) a wired lavalier microphone for the lead counsel (available only upon booking);~~
- ~~(f) an audio cassette player which allows the playback of analogue audio cassette tapes (available only upon booking); and~~
- ~~(g) personal computers with dual screen to access electronic documents.~~

~~The computer and video images can be displayed and video switched onto the computer LCDs and the 100-inch projection screen.~~

~~(2) The audio-visual system of the Technology Courts allows the connection of other audio-visual equipment or personal computers to the system so that the output from~~



~~such equipment may be broadcast in the Courtroom. Notebook points, power outlets and wireless broadband are also available.~~

~~(3) Equipment has been installed in the Technology Courts that will allow videoconferencing with local or overseas parties. All connections will be dial-in and calls will be made through the Videoconferencing Gateway. The equipment includes one PRI ISDN exchange line with international direct dialing capabilities and which supports transmission speeds of 128Kbps to 2Mbps. The technical specifications of the videoconferencing facilities are as follows:~~

~~(a) Videoconferencing Gateway — Polycom MGC-25 Unified 24 V;~~

~~(b) Videoconferencing Endpoint — Polycom VSX 8000 (IP-based);~~

~~(c) Protocol — ITU H.323 and H.320 compliant;~~

~~(d) Audio Support — G.711a, G.711u, G.722, G.722.1, G.723.1, G.728, G.729a, Siren 7, Siren 14;~~

~~(e) Video Support — H.261, H.263, H.264;~~

~~(f) Network Speed — Recommended connection at ISDN 384Kbps; and~~

~~(g) Network Connection — All calls will be connected through the Polycom Gateway and linked to the Courtroom~~

## ~~119.~~ **121. Applications to use the Technology Courts**

(1) ~~An application~~ A request to use a Technology Court for the hearing of any matter before a Judge or Registrar must be made by ~~submitting Form 27 of Appendix A of these Practice Directions with the Legal Registry of the Supreme Court~~ filing a Request through the Electronic Filing Service at least 14 working days before the hearing at which ~~the Technology Court~~ is to be used. ~~An electronic version of this and Form 21 of Appendix A of these Practice Directions in Portable Document Format (PDF) must be annexed to the Request electronic form may also be submitted on the Supreme Court website at <http://www.supremeCourt.gov.sg>.~~

(2) An application to use a Technology Court for any other dispute resolution process must be made by submitting Form ~~2822 of Appendix A of these Practice Directions~~ to the Registrar through the relevant person-in-charge at the organisation at which the dispute resolution process is carried out at least 14 working days before the dispute resolution proceedings at which it is to be used.

(3) Solicitors may check the availability of the Technology Courts on the Supreme Court website at <http://www.supremecourt.gov.sg>.

(4) The attention of solicitors is drawn to section 62A of the Evidence Act (Cap. 97, ~~1997~~ ~~Rev-Ed~~), which provides:

**Evidence through live video or live television links**

62A. —(1) Notwithstanding any other provision of this Act, a person may, with leave of the Court, give evidence through a live video or live television link in any proceedings, other than proceedings in a criminal matter, if —

- (a) the witness is below the age of 16 years;
- (b) it is expressly agreed between the parties to the proceedings that evidence may be so given;
- (c) the witness is outside Singapore; or
- (d) the Court is satisfied that it is expedient in the interests of justice to do so.

(2) In considering whether to grant leave for a witness outside Singapore to give evidence by live video or live television link under this section, the Court shall have regard to all the circumstances of the case including the following:

- (a) the reasons for the witness being unable to give evidence in Singapore;
- (b) the administrative and technical facilities and arrangements made at the place where the witness is to give his evidence; and
- (c) whether any party to the proceedings would be unfairly prejudiced.

(3) The Court may, in granting leave under subsection (1), make an order on all or any of the following matters:

- (a) the persons who may be present at the place where the witness is giving evidence;
- (b) that a person be excluded from the place while the witness is giving evidence;
- (c) the persons in the Courtroom who must be able to be heard, or seen and heard, by the witness and by the persons with the witness;

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(d) the persons in the Courtroom who must not be able to be heard, or seen and heard, by the witness and by the persons with the witness;

(e) the persons in the Courtroom who must be able to see and hear the witness and the persons with the witness;

(f) the stages in the proceedings during which a specified part of the order is to have effect;

(g) the method of operation of the live video or live television link system including compliance with such minimum technical standards as may be determined by the Chief Justice; and

(h) any other order the Court considers necessary in the interests of justice.

(4) The Court may revoke, suspend or vary an order made under this section if —

(a) the live video or live television link system stops working and it would cause unreasonable delay to wait until a working system becomes available;

(b) it is necessary for the Court to do so to comply with its duty to ensure that the proceedings are conducted fairly to the parties thereto;

(c) it is necessary for the Court to do so, so that the witness can identify a person or a thing or so that the witness can participate in or view a demonstration or an experiment;

(d) it is necessary for the Court to do so because part of the proceedings is being heard outside a Courtroom; or

(e) there has been a material change in the circumstances after the Court has made an order.

(5) The Court shall not make an order under this section, or include a particular provision in such an order, if to do so would be inconsistent with the Court's duty to ensure that the proceedings are conducted fairly to the parties to the proceedings.

(6) An order made under this section shall not cease to have effect merely because the person in respect of whom it was made attains the

age of 16 years before the proceedings in which it was made are finally determined.

(7) Evidence given by a witness, whether in Singapore or elsewhere, through a live video or live television link by virtue of this section shall be deemed for the purposes of sections 193, 194, 195, 196, 205 and 209 of the Penal Code (Cap. 224) as having been given in the proceedings in which it is given.

(8) Where a witness gives evidence in accordance with this section, he shall, for the purposes of this Act, be deemed to be giving evidence in the presence of the Court.

(9) The Rules Committee constituted under the Supreme Court of Judicature Act (Cap. 322) may make such rules as appear to it to be necessary or expedient for the purpose of giving effect to this section and for prescribing anything which may be prescribed under this section.

(5) Upon the successful booking of a Technology Court for videoconferencing,

(a) prior arrangements for videoconferencing testing have to be made at least 5 working days before the first day fixed for the hearing, in order to ensure equipment compatibility;

(b) applicants will be informed of the ISDN number for videoconferencing during the testing session; and

(c) as a matter of general practice, the remote site will dial in to the Technology Court and it is the responsibility of the party requesting the videoconferencing to coordinate the booking and calling in from the remote site.

(6) Any person who desires to use audio-visual and computers equipment additional to those provided in the Technology Courts will be asked to provide details of such equipment when applying to use the Courtroom. -The applicant must also be prepared to have the equipment available for testing with the audio-visual system of the Technology Courts at least 3 working days before the first day fixed for the hearing. -It is the responsibility of the applicant to provide equipment that is compatible with the audio-visual system of the Technology Courts.

## ~~120. The Mobile Info Technology Trolley~~

~~The following equipment is available for booking with the Mobile Info Technology Trolley:~~

~~(1) Audio-Visual with Display:~~

- ~~(a) 43" Plasma Display;~~
- ~~(b) Multi-system S-VHS video cassette player, which allows the playback of analogue S-VHS video cassette tapes; and~~
- ~~(c) Multi-format disc player, which allows the playback of DVD Audio, DVD-Video, DVD-RAM, DVD-R, CD, CD-R/RW and SVCD media.~~

~~(2) Audio-Visual with Projector:~~

- ~~(a) XGA 2500 ANSI Lumens projector;~~
- ~~(b) Multi-system S-VHS video cassette player, which allows the playback of analogue S-VHS video cassette tapes;~~
- ~~(c) Multi-format disc player, which allows the playback of DVD Audio, DVD-Video, DVD-RAM, DVD-R, CD, CD-R/RW and SVCD media; and~~
- ~~(d) Portable 90 or 100 inch tripod screen.~~

~~(3) Videoconferencing Mobile Cart:~~

- ~~(a) Single 34" Multimedia Display; and~~
- ~~(b) Polycom VSX 7000 videoconferencing system.~~

~~(4) Videoconferencing with Audio-Visual Mobile Cart:~~

- ~~(a) Dual 34" Multimedia Displays;~~
- ~~(b) Polycom VSX 7000 videoconferencing system;~~
- ~~(c) Multi-system S-VHS video cassette player, which allows the playback of analogue S-VHS video cassette tapes; and~~
- ~~(d) Multi-format disc player, which allows the playback of DVD Audio, DVD-Video, DVD-RAM, DVD-R, CD, CD-R/RW and SVCD media.~~

~~(5) Projector System:~~

- ~~(a) XGA 2500 ANSI Lumens projector; and~~
- ~~(b) Portable 90 or 100 inch tripod screen.~~

~~(6) Other equipment:~~

- ~~(a) Audio cassette player which allows the playback of analogue audio cassette tapes; and~~

~~(b) Document camera capable of displaying images of, inter alia, ordinary paper documents, 3-dimensional objects, slides, negatives and X-ray films.~~

## ~~121.~~ **122. Applications to use the Mobile Info-Technology Trolley**

(1) ~~An application~~A request to use the Mobile Info-Technology Trolley for the hearing of any matter in open Court or in Chambers before a Judge or Registrar must be made by filing ~~Form 29a Request through the Electronic Filing Service at least 5 working days before the hearing at which the Mobile Info-Technology Trolley is to be used and Form 23 of Appendix A of these Practice Directions with the Legal Registry of the Supreme Court as soon as practicable, as the resources are allocated on a first come first served basis.~~ An Portable Document Format (PDF) must be annexed to the Request electronic version of this form may also be submitted on the Supreme Court website at <http://www.supremeCourt.gov.sg>.

(2) An application to use the Mobile Info-Technology Trolley for any other dispute resolution process must be made by submitting Form ~~2822~~ to the Registrar through the relevant person-in-charge at the organisation at which the dispute resolution process is carried out ~~as soon as practicable, as availability of~~ at least 5 working days before the resources are on a first come first served basis. dispute resolution proceedings at which it is to be used.

(3) The mobile audio-visual equipment is available for use in both the traditional Courtroom and the hearing chambers while the mobile videoconferencing equipment is only for use in the hearing chambers.

(4) Any applicant desiring to use the mobile audio-visual equipment is required to provide details of the type of evidence presenting and media format in the application form. ~~The applicant must also be prepared to have the presentation material or media available for testing with the audio-visual system at least 2 working days before the first day fixed for the hearing. It is the responsibility of the applicant to provide presentation materials or media format that is compatible with the equipment provided by the Court.~~

(5) Upon a successful application of the use of the mobile videoconferencing equipment,

(a) prior arrangements for videoconferencing testing have to be made at least 5 working days before the first day fixed for the hearing, in order to ensure equipment compatibility;

(b) applicants will be informed of the ISDN number for videoconferencing during the testing arrangement; and

(c) as a matter of general practice, the remote site will dial into the Courtroom or chamber and it is the responsibility of the party requesting the videoconferencing to coordinate the booking and calling in from the remote site.

### ~~122.~~ **123. Fees**

The fees for the use of the Technology Courts and the Mobile Info-Technology Trolley are set out in Appendix D of these Practice Directions.

## **PART ~~XV~~XVI: ADMIRALTY MATTERS**

### ~~123.~~ **124. Arrest of ships by the Sheriff**

(1) The Sheriff will apply to a Judge for an omnibus order in every case where a ship or vessel is arrested, giving the Sheriff discretion to take various measures for the safe and satisfactory custody of the arrested property. The usual terms of the order are that:

- (a) the Sheriff may be at liberty at his discretion at any time to take measures to preserve the ship/vessel, her machinery and equipment;
- (b) the Sheriff may be at liberty at his discretion at any time to move the ship or vessel within the limits of the port where she is lying under arrest, either for her own safety or to comply with the requirements of the port authority; and
- (c) the costs and expenses incurred in the implementation of the order be deemed to be part of the Sheriff's expenses and in the event of a sale be paid first out of the proceeds of sale.

(2) Solicitors representing plaintiffs in admiralty proceedings are required to provide an undertaking that the Sheriff shall be indemnified and be provided with sufficient funds as and when required by the Sheriff to meet the charges and expenses that may be incurred in consequence of their request for the arrest of a vessel. If such an undertaking is not fulfilled within a reasonable time, the Sheriff may take such steps as may be necessary to enforce the undertaking against the solicitors concerned.

(3) Upon the arrest of vessel, funds are required immediately to meet the Sheriff's expenses, such as guard charges, port and garbage dues, and the supply of minimum victuals, domestic fuel and water to crew members where necessary. Funds to meet such expenses are not provided for by the Government.

(4) To enable the Sheriff to discharge his duties effectively, upon the arrest of a vessel, solicitors representing arresting parties are required to deposit with the Sheriff a sum of between \$5,000 to \$10,000, depending on the facts of each case. Such deposit is in addition to the usual undertaking.

### ~~124.~~ **125. Form of undertaking**

In order to ensure that there is no undue delay in the issuing of warrants of arrest and release, ~~members of the Barsolicitors~~ are requested to prepare the undertaking in accordance with Form ~~3024~~ of Appendix A of these Practice Directions

### ~~125.~~ **126. Release of vessel lying under Filing of Requests for caveats against arrest or release pursuant to Order 70 of the Rules of Court**

~~(1) If the arresting party requires the Sheriff to attend at the port in which a vessel is lying under arrest for the purpose of releasing the vessel from arrest, whether during or after office hours, he or she must do so by filing the requisite Request for attendance electronic form to the Sheriff through the Electronic Filing Service. A Request for attendance made in any other manner will not be acceded to.~~

~~(2) The fees prescribed by Appendix B to the Rules of Court will be payable in respect of any attendance by the Sheriff.~~

~~A Request for a caveat against arrest under Order 70, Rule 5 of the Rules of Court and a Request for a caveat against release and payment under Order 70, Rule 13 should contain the name of *only one* property and one caveator.~~

### ~~126.~~ **127. Filing of supporting documents**

The attention of ~~members of the Barsolicitors~~ is drawn to paragraph 9 which sets out the opening hours of the Legal Registry of Supreme Court. ~~Members of the BarSolicitors~~ shall ensure that the necessary documents are filed within the opening hours of the Legal Registry to enable execution to be effected. The directions in paragraph 11 apply when an urgent application has to be made after the Legal Registry's opening hours.

### ~~128.~~ ~~127.~~ **Hard copies of hearing of admiralty matters**

Order 70, Rule 26 of the Rules of Court provides that the party by whom an admiralty action is set down for trial must file any preliminary act and a Request for an assessor's



attendance (where applicable) not less than 7 days before the trial. In addition to this rule, the party must tender 3 hard copies of the preliminary act(s) to the Legal Registry of the Supreme Court. -

### **129. Searches for caveats against arrest or release**

Order 70, Rule 4(2)(b) of the Rules of Court provides that the party applying for a warrant of arrest to be issued must procure a search to be made in the record of caveats to ascertain whether there is a caveat against arrest in force. Order 70, Rule 12(2) provides that a release shall not be issued if a caveat against release is in force. A party applying for either arrest or release of a particular property shall provide documentation evidencing a search for caveats against arrest or release, as the case may be, reflecting a search done no more than 15 minutes before the hearing of the application.

### **130. Registration of service clerks for admiralty matters**

(1) Pursuant to Order 70, Rule 7(3) and Rule 9(2) of the Rules of Court, service of a writ or execution of a warrant of arrest may be effected by a solicitor or a solicitor's clerk whose name and particulars have been notified to the Registrar.

(2) Solicitors are therefore required to notify the Legal Registry of the Supreme Court of the particulars, and any change thereof, of such clerks who have been authorised by them to serve processes and execute warrants of arrest by filing Form 5 of Appendix A to these Practice Directions. Solicitors' clerks do not require the authorisation of the Registrar to effect personal service of processes and documents.

(3) Paragraphs 32(3) to 32(6) of these Practice Directions shall, *mutatis mutandis*, apply to the assignment of the Sheriff to effect service of a writ or execute a warrant of arrest.

## **PART ~~XVI~~XVII: ADOPTION AND PROBATE MATTERS**

### **131. -Applications for adoption orders**

Notwithstanding the concurrent jurisdiction of the High Court to receive such processes, solicitors are requested to file all applications for adoption orders in the Subordinate Courts. This will serve to achieve the two-fold objective of enabling a more efficient allocation and use of time and resources in the High Court as well as reducing the costs incurred in the adoption process.

### **~~129.~~132. Applications for grants of probate, letters of administration or resealing of grant**

(1) An application for the grant of probate, letters of administration or resealing of grant made ~~on or after 1 January 2006~~ under Order 71, Rule 5 of the Rules of Court shall be made by originating summons with supporting affidavit. The supporting affidavit shall exhibit a Statement in Form 172 of Appendix A of the Rules of Court, a certified true copy of the will and all other supporting papers.

*Filing of originating summons and supporting documents*

(2) The following directions apply to the filing of the originating summons and supporting documents:

(a) The originating summons and the Statement shall be submitted by entering the relevant information in the appropriate electronic ~~template form~~ without attaching the documents in ~~portable document~~ Portable Document Format (PDF) or any other kind of file format ~~(PDF)~~.

(b) The following supporting documents must be electronically filed in the same submission as related documents, but separately from the originating summons:

(i) in all cases, a certified true copy of the death certificate of the deceased; or a certified true copy of the Order of Court for presumption of death of the deceased;

(ii) where there is a will, a certified true copy of the will;

(iii) in the case of a resealing of a grant, a sealed certified true copy of the ~~foreign~~ grant;

(iv) in the case of a Muslim estate, a certified true copy of the inheritance certificate; and

(v) any other documents in support of the application required under the Probate and Administration Act (Cap. 251, ~~2000 Rev Ed~~), the Rules of Court or by the Court.

(c) In relation to deaths occurring on or after 15 February 2008, ~~two copies of a~~ Schedule of Assets listing the property comprising the estate of the deceased must be filed. ~~One copy is to be filed under by entering the cover of an irrelevant information into the electronic form. An~~ affidavit which includes the following averment should also be filed together with the Schedule of Assets:

"The contents of the Schedule of Assets exhibited herein as [insert exhibit number] are true and accurate in every particular to the best of my knowledge

and belief. The deponent does not know or have any reason to believe that any of the contents of the Schedule of Assets is false.”

~~A separate copy of the Schedule of Assets (without an affidavit) is to be filed with the Court.~~ A specimen Schedule of Assets can be found in Form 30A25 of Appendix A of these Practice Directions.

~~(d) No Court fees will be charged for the filing of the documents referred to in sub-paragraphs (2)(b) and (2)(c).~~

(d) Once the originating summons, Statement and the documents referred to in sub-paragraphs 2(b) and 2(c) are filed, an electronic filing checklist will be generated and a provisional reference number issued by the Legal Registry of the Supreme Court. The electronic filing checklist will indicate the status of the documents filed, and whether any further or corrective action is required on the part of the applicant. The provisional reference number allows for the easy referencing and monitoring of the electronic filing checklist during the initial phase of filing.

(e) After the originating summons and Statement are filed, the original death certificate, original will, original inheritance certificate and sealed certified true copy of the foreign grant (if any) must be submitted to the Legal Registry of the Supreme Court by 4.30 p.m. on the next working day for verification. -Where the original will has been retained in the custody of a foreign Court, then a sealed certified true copy of the will by that foreign Court must be submitted in place of the original. -After verification, the original will shall be retained by the Legal Registry in order to comply with Order 71, Rule 47A.

(f) Once the Legal Registry of the Supreme Court is satisfied that the originating summons, Statement and all the relevant documents referred to in sub-paragraphs 2(b) and 2(c) have been properly filed and verified, a probate number will be issued in place of the provisional reference number. This probate number will be tied to the same electronic filing checklist.

(g) No Court fees will be charged for the filing of the documents referred to in sub-paragraphs (2)(b) and (2)(c).

### *Filing of supporting affidavit*

(3) The following directions apply to the filing of the supporting affidavit:

(a) The affidavit is to be filed within 14 days after filing the originating summons according to Order 71, Rule 5.

(b) The following documents must be exhibited to the affidavit:

- (i) in all cases, the Statement, ~~which shall be exhibited first~~; and
- (ii) the supporting documents referred to in sub-paragraph 2(b) above.

(c) The supporting affidavit may include the Schedule of Assets referred to in sub-paragraph 2(c) above. ~~If so included, the supporting affidavit shall include the averment referred to in sub-paragraph (2)(c).~~

(d) The Statement which is to be exhibited in the affidavit shall be the copy accepted by the Court through the Electronic Filing Service ~~(EFS)~~.

(e) The affidavit must include the following averment:

"The deponent avers that the Statement exhibited herein as [insert exhibit number] is the same Statement that was generated by the Electronic Filing Service and no changes have been made. The contents entered into the Electronic Filing Service, which now appear in the Statement, are true and accurate to the best of my knowledge and belief." -

~~(ef)~~ No Court fees will be imposed for the filing of the supporting affidavit.

~~(g) The status of the filing of the supporting affidavit is also overseen and managed by the electronic filing checklist.~~

#### *Amendment of ~~originating summons~~, Statement or Schedule of Assets*

~~(4) Where an applicant seeks to substitute the name of the administrator(s), add in further administrator(s) or to amend the name of the deceased appearing in the originating summons:~~

~~(a) An application must be made by way of summons to amend the originating summons. The proposed amendments to the originating summons should be annexed to the summons application.—~~

~~(b) Where the application is granted, the party shall file the amended originating summons by entering the amendments into the electronic template within 14 days of the order or within the time directed by the Court.—~~

~~(c) The relevant amendments shall also be correspondingly entered into the electronic template of the Statement by the filing party at the same time that the amended originating summons is filed.~~

~~(d) A supplementary affidavit verifying the information contained in the amended Statement must be filed containing the averment described in sub-paragraph~~

~~(3)(d) and stating the reasons for the amendment, within 14 days of the order or within the time directed by the Court.~~

~~(5)~~(4) Where an applicant seeks to amend the Statement exhibited to the supporting affidavit and corresponding amendments are not required to be made to the originating summons, the amendments shall be entered into the electronic templateform of the Statement. The applicant shall file his supplementary affidavit using the electronic filing checklist exhibiting the amended Statement within 7 days and stating the reasons for amendment.

(65) Where an applicant seeks to amend the Schedule of Assets filed under the cover of an affidavit, a supplementary affidavit exhibiting the amended Schedule of Assets is to be filed with the Court. ~~The applicant must also file a separate copy of the amended Schedule of Assets to be annexed to the grant.—~~ using the electronic filing checklist. The supplementary affidavit shall provide reasons to explain why an amendment is necessary, and shall also include the averment referred to in sub-paragraph (2)(c).

(76) Where the amendments described in sub-paragraphs (4), ~~(5)~~ and (65) are sought following the grant, the applicant must obtain leave of Court to amend ~~the originating summons and/or~~ the Statement and/or the Schedule of Assets (as the case may be). The new grant shall not be extracted until after the filing of the amended originating summons and supplementary affidavits, if any, using the electronic filing checklist, as well as the entry of the relevant amendments into the electronic templateform of the Statement.

(87) The Court may reject any document which does not comply with the above directions using the electronic filing checklist or through any other means.

### ~~130.~~ **133. Applications for dispensation of sureties for grants of Letters of Administration**

(1) An application for dispensation of sureties pursuant to section 29(3) of the Probate and Administration Act (Cap. 251, ~~2000 Rev Ed~~) shall be made by way of a summons supported by an affidavit sworn or affirmed by all the administrators or co-administrators stating:

- (a) the efforts made to find sureties and/or why they cannot be found;
- (b) that the estate duty is either paid, not payable, postponed or has otherwise been cleared;
- (c) who the beneficiaries are, their shares to the estate, ages and whether there are any minors or beneficiaries who lack capacity within the meaning of the

Mental Capacity Act (Cap. 177) or who are subject to orders made under the repealed Mental Disorders and Treatments Act (Cap. 178) as at the date of the summons;

(d) the relationship of the administrators and co-administrators (if any) to the minors or beneficiaries who lack capacity within the meaning of the Mental Capacity Act (Cap. 177) or who are subject to orders made under the repealed Mental Disorders and Treatments Act (Cap. 178) and the steps that will be taken to protect the interests of such beneficiaries;

(e) whether the estate has any creditors and the amount of the debt owed to them; and

(f) any other information which may be relevant to the application.

~~(2)~~ A(2) In cases where estate duty is payable on the estate, a letter or certificate from the Commissioner of Estate Duties confirming the fact stated in sub-paragraph (1)(b) must be exhibited in the supporting affidavit.

(3) The consents in writing of all adult beneficiaries to the dispensation of sureties, duly signed in the presence of a solicitor or a person before whom an affidavit can be sworn or affirmed, must be filed with the application for dispensation of sureties.

(4) Sub-paragraphs (1) to (3) apply equally to applications for dispensation of sureties in cases of re-sealing of Commonwealth grants of Letters of Administration and grants from a Court of probate in a country or territory, being a country or territory declared by the Minister for Law as a country or territory to which section 47(1) of the Probate and Administration Act applies.

(5) The supporting affidavit will have to be filed and the necessary consents to dispensation, certificate from the Commissioner of Estate Duty and all other exhibits must be book-marked and hyperlinked in the affidavit in the manner described in paragraph ~~47~~59 of these Practice Directions.

## ~~-PART XVII~~XVIII: MATTERS UNDER THE LEGAL PROFESSION ACT

### ~~131.~~ **134. Applications for admission as an advocate and solicitor of the Supreme Court**

(1) The attention of applicants for admission as an advocate and solicitor of the Supreme Court is drawn to the filing and service deadlines as set out in Rules 25, 26 and 27 of the Legal Profession (Admission) Rules 2011.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(2) In view of the requirements in Rules 25, 26 and 27 of the Legal Profession (Admission) Rules 2011, the Registrar will not fix any application for admission as an advocate and solicitor of the Supreme Court for hearing on a particular day unless the requisite document(s) are filed and served (on the Attorney-General, the Law Society and the Singapore Institute of Legal Education) in compliance with the timelines provided in the Rules.

(3) Applicants who are not able to comply with the timelines provided in the Legal Profession (Admission) Rules 2011 should apply for an abridgement of the time period prescribed by the Rules. Notwithstanding the application for abridgement of time, unless the Court otherwise directs, filing and service of the requisite document(s) must be completed by the time stipulated below:

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Rule under which application is made	Document(s) to be filed and served	Number of days prior to the admission hearing date (inclusive of Saturdays, Sundays and public holidays) to file and serve
Rule 25	Affidavit	14 Days
Rule 26	Affidavit	7 Days
Rule 27	Application and affidavit	14 Days

(4) An applicant who has filed an application for abridgment of time may have his or her application for admission listed for hearing on the next available admission date. However, the mere listing of an application for admission for hearing does not preclude the Attorney-General, the Law Society or the Singapore Institute of Legal Education from objecting to the application for abridgement. If an application for abridgement is not successful, the case will be delisted from the hearing list accordingly.

~~(5)~~(5) All applications for admission shall be filed through the Electronic Filing Service.

The Registrar has directed that supervising solicitors may allow their practice trainees to file the relevant papers for admission as an advocate and solicitor ~~via electronic transmission~~ through the Electronic Filing Service using the law practice's front-end system. Alternatively, applicants may file their papers ~~via~~through the service bureau.

(6) Section 16(3) of the Legal Profession Act, read with the Legal Profession (Prescribed Fees) Rules, requires the applicant to pay a prescribed fee of \$100 to obtain an instrument of admission. In addition, the declaration, as required under Rule 30 of the Legal Profession (Admission) Rules 2011, will be generated for the applicant's signature after his or her admission as an advocate and solicitor. The applicant shall file a Request

for ~~Instrument of Admission~~ hearing at the time of filing his affidavit for admission of advocate and solicitor and pay the ~~requisite fee~~ filing fees prescribed for the instrument of admission and the declaration.

(7) The declaration, as required under Rule 30 of the Legal Profession (Admission) Rules 2011, must be filed by the applicant at the time of filing his affidavit for admission of advocate and solicitor. ~~A~~ filing fee of \$20 will be payable. The declaration should not be signed by the applicant at the time of filing.

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*Paragraph 131 amended to take effect from 3 May 2011*

*Pursuant to Amendment No. 1 of 2011*

### ~~132.~~ **135. "Part-call" applications pursuant to section 32(3) of the Legal Profession Act**

Section 32(3) of the Legal Profession Act allows "part-call" applications to be brought in respect of practice trainees who have completed not less than 3 months of their practice training period. A "part-call" application must be brought by way of a summons, supported by an affidavit, to be served on the Attorney-General, the Law Society and the Singapore Institute of Legal Education. The attendance of representatives of the Attorney-General, the Law Society and the Singapore Institute of Legal Education at the hearing of a "part-call" application is not required, unless there are any objections to the application or if the Court directs otherwise.

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*Paragraph 132 amended to take effect from 3 May 2011*

*Pursuant to Amendment No. 1 of 2011*

### ~~133.~~

### **136. Practising Certificate Electronic Filing System**

(1) Subject to section 26 of the Legal Profession Act, section 25 of the ~~Act~~ same requires all practising solicitors to have in force a valid Practising Certificate issued by the Registrar, before he does any act in the capacity of an advocate and solicitor. ~~With effect from 15 October 2008, unless~~ Unless directed otherwise, all applications for practising certificates shall be made only through the ~~practising certificate electronic filing system~~ Practising Certificate Electronic Filing System (PC E-Filing System) according to the directions in paragraph ~~134~~ 137.



(2) Section 27(3) of the Legal Profession Act requires solicitors to notify the Registrar and the Council of any changes in particulars submitted in the course of applying for a practising certificate or with respect to the status of his practising certificate. ~~With effect from 15 October 2008, this~~ This notification shall be made only through the ~~practising certificate electronic filing system~~ PC E-Filing System.

(3) The Registrar may exercise his discretion to issue another practising certificate to a solicitor after receiving notification of any change of particulars. If the Registrar subsequently issues another practising certificate, section 26(9)(c) of the Legal Profession Act provides that the earlier practising certificate will cease to be in force.

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*Paragraph 133 amended to take effect from 3 May 2011*

*Pursuant to Amendment No. 1 of 2011*

### ~~134.~~ **137. Electronic applications for practising certificates**

#### *When to apply for practising certificate through PC E-filing System*

(1) In accordance with Rule 3 of the Legal Profession (Practising Certificate) Rules (Cap 161, Rule 6), an application ~~viamade through~~ the ~~practising certificate electronic filing system (hereinafter referred to as the “Practising Certificate Electronic Filing System (PC E-filing System”))~~ cannot be made earlier than the month preceding the commencement of the practice year in respect of which the application is being made. ~~The PC E-filing System may be accessed through the Internet at the Supreme Court website (<http://www.supremeCourt.gov.sg>).~~ Solicitors who do not have access to the Internet may use the computers located at the Legal Registry of the Supreme Court (second level) during the opening hours of the Legal Registry.

#### *Prerequisites for electronic applications*

(2) Before a solicitor (“the applicant”) may apply for his practising certificate using the PC E-filing System, the following prerequisites must be satisfied:

- (a) the applicant must be on the Roll of Advocates and Solicitors and must have a valid Advocate and Solicitor Admission Number (“AAS Number”);
- (b) the applicant must have a valid NRIC number or FIN number;
- (c) the applicant must have an Internet E-mail account;

~~(d) the computer through which the applicant is making his electronic application must be:~~

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

~~(i) a Pentium personal computer with a minimum of 20 MB hard disk space, 133 MHz, 16 MB RAM or above,~~

~~(ii) connected to or fitted with a modem of 28.8 kbps or above,~~

~~(iii) operating on Windows 95 or above,~~

~~(iv) have access to the Internet,~~

~~(v) installed with Netscape Navigator 4.0 or Internet Explorer 4.0 and above, with JavaScript enabled,~~

~~(e)~~(d) payment shall be made through Interbank GIRO or ~~BillCollect~~credit card payment. In respect of payment by Interbank GIRO, the applicant must possess, in the case of a Singapore law practice, an approved Law Firm Code, or in the case of a foreign law practice, a licence number issued by the Attorney-General's Chambers, as stated in the Supreme Court's Debit Authorisation Form;

~~(f)~~(e) the applicant must not have a pending application in respect of the practice year for which his electronic application is being made;

~~(g)~~(f) the Law Society must have confirmed ~~via~~through the PC E-filing System that the applicant:

(i) is not disqualified by section 50(2) of the Legal Profession Act from applying for a practising certificate;

(ii) has satisfied section 25(1)(b) of the Legal Profession Act; and

(iii) either is not required to file an accountant's report or has specified the period(s) for which an accountant's report has been furnished. -This requirement shall not apply where the applicant has, in the previous practice year, practised exclusively in a Joint Law Venture or its constituent foreign law practice, a Qualifying Foreign Law Practice or a licensed foreign law practice;

~~(h)~~(g) the Singapore Academy of Law must have confirmed ~~via~~through the PC E-filing System that the applicant has complied with section 25(1)(c) of the Legal Profession Act; and

~~(i)~~(h) in the case of a solicitor registered by the Attorney-General under section 130N of the Legal Profession Act, the Attorney-General must have confirmed ~~via~~through the PC E-filing System that the applicant has been issued a certificate of registration under rule ~~2829~~ of the Legal Profession (International Services) Rules 2008 and has delivered to the Attorney-General such accountant's report

as may be required under section 73 of the [Legal Profession Act](#) as modified by the Legal Profession (Modified Application of Act for International Services) Rules 2011.

### *Application procedures*

(3) This sub-paragraph sets out the application procedures.

(a) To apply for a practising certificate using the PC E-filing System, the applicant must first log-in to the System by entering his AAS Number, NRIC or FIN number and date of birth in the user log-in screen.

(b) If the applicant has changed his name or sex since the date of his last application for a practising certificate, he must provide a paper copy of the relevant supporting documents to the Registrar, for the attention of the Legal Registry of the Supreme Court, within 7 working days from the date of submission of his electronic application.

(c) If the applicant is required to furnish an accountant's report to the Registrar, he may either attach an electronic copy of the accountant's report in the portable document format (PDF) on the electronic template of the PC E-filing System, or submit the original accountant's report to the Registrar within 7 working days from the date of submission of his electronic application.

(d) All applicants who are required to furnish accountant's report(s) (whether to the Attorney-General, the Registrar or the Council) shall provide particulars of the accountant's report(s) for the relevant period(s) on the electronic template of the PC E-filing System.

(e) Where sub-paragraphs (3)(b) and/or (c) apply, and in any other case where supporting documents are required to be submitted to the Registrar, the applicant must submit together with the supporting documents a covering letter addressed to the Registrar stating his name, NRIC Number or FIN, and AAS Number. Any supporting documents must likewise be marked with these particulars.

(f) Should any of the responses required by the Law Society, the Singapore Academy of Law and the Attorney-General respectively under [sub-paragraphs \(2\)\(f\), \(g\), \(h\) and \(i\)](#) be lacking, the applicant will not be able to proceed with his electronic application. In this event, he should request the relevant body to provide the information required.

(g) Once the applicant has completed the electronic application form, he should submit it viathrough the PC E-filing System before logging out from the System. He may not save the electronic form and submit it on a separate occasion.

#### *Acknowledgement of receipt of electronic applications*

(4) Once the applicant has submitted his electronic application form viathrough the PC E-filing System, and he has entered his Law Firm Code for payment viausing Interbank GIRO or credit card, the applicant will be notified of the receipt of his application by means of a message to this effect. The message will be displayed on the computer screen as well as sent to the Internet E-mail address submitted in the applicant's electronic application form.

#### *Notification of outcome of electronic applications*

(5) This sub-paragraph sets out the manner of notification of outcome of electronic applications.

(a) The applicant will be informed of the outcome of his electronic application for a practising certificate by means of a message sent to the Internet E-mail address referred to in sub-paragraph (4).

(b) If the applicant's application is approved, his practising certificate will be sent to him together with the notification of approval. The practising certificate will be in PDF, and no manual signature will be required on it. The applicant may, if he so wishes, obtain a signed and sealed copy of his practising certificate from the Legal Registry upon request. Such a request must be made by way of a request stating the applicant's name, NRIC or FIN number, and AAS Number.

(c) If the applicant's application is rejected, the rejected electronic application form will likewise be sent to him together with the notification of rejection. The applicant may submit a new electronic application. -

#### *Enquiry on status of electronic applications*

(6) Pending notification of the outcome of his electronic application for a practising certificate, an applicant may enquire as to the status of his application. To do so, the applicant must first log-in to the PC E-filing System by the procedure described in sub-paragraph (3) above and enter the System. The System will then display the status of the applicant's latest electronic application for a practising certificate for that practice year.

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*Paragraph 134 amended to take effect from 3 May 2011*

*Pursuant to Amendment No. 1 of 2011*

**PART ~~XVIII~~XIX: MATRIMONIAL PROCEEDINGS AND MATTERS  
RELATING TO THE GUARDIANSHIP OF INFANTS**

**~~135.~~ 138. Transfer of Matrimonial, Divorce and Guardianship of  
Infants Proceedings to the Family Court of the Subordinate Courts**

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

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

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

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

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

(2) To improve efficiency in the administration of justice and to provide for ~~more~~ speedyspeedier disposal of proceedings commenced in the High Court, pursuant to the 1996 Transfer Order:

(a) all proceedings under section 59 and Part X of the Women's Charter (Cap. 353, ~~1997 Rev Ed~~) and the Guardianship of Infants Act (Cap. 122, ~~1985 Rev Ed~~) (referred to in this Part as "family proceedings"), commenced in the High Court on or after 1 April 1996, shall be transferred to and be heard and determined by a District Court; and

(b) all family proceedings commenced before 1 April 1996 as well as any proceedings ancillary thereto shall continue to be heard and determined by the High Court.

(3) The transfer of family proceedings to the District Court can result in the District Court hearing family proceedings in which the value of the matrimonial assets concerned far

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

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

(5) The new jurisdictional threshold based on net value takes effect from 1 January 2008 and applies to proceedings under Part X of the Women's Charter commenced on or after 15 December 2003. However, proceedings under Part X of the Women's Charter which have already been transferred to the High Court based on the gross value threshold, pursuant to the 2003 Transfer Order or the 2005 Transfer Order, will not be affected and will remain in the High Court.

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

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

(8) A sub-registry of the Registry of the Supreme Court (referred to in this direction as the "sub-registry of the Supreme Court") and sub-registry of the Registry of the Subordinate Courts (referred to in this direction as the "sub-registry of the Subordinate Courts") have been set up in the Family and Juvenile Court Building (at No. 3, Havelock Square) ("the Family & Juvenile Court").

**~~135A.~~ 139. Transfer of Section 17A(2) Supreme Court of Judicature Act Proceedings to the Family Court of the Subordinate Courts**

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(1) In relation to proceedings which may be heard and determined by the High Court pursuant to section 17A(2) of the Supreme Court of Judicature Act (referred to in this Part as "section 17A(2) proceedings"), the Honourable the Chief Justice has made the following orders under section 28A of the Supreme Court of Judicature Act:

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

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

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

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

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

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

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

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

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

**~~140.136.~~ Documents to be filed at the Legal Registry of the Supreme Court**

(1) All documents relating to family proceedings and section 17A(2) proceedings which are to be heard and determined by the High Court shall be filed at the Legal Registry of the Supreme Court. -These include:

(a) all originating processes to commence family proceedings before 1 April 1996;

(b) all subsequent applications and documents in or ancillary to family proceedings commenced before 1 April 1996;

(c) all applications and documents in or ancillary to family proceedings commenced on or after 15 December 2003 involving the division of matrimonial assets with a net value of \$1.5 million or more, which have been transferred to the High Court upon the direction of the Registrar of the Subordinate Courts;

(d) all applications and documents in or ancillary to section 17A(2) proceedings commenced on or after 1 November 2004 involving the division of matrimonial assets with a net value of \$1.5 million or more, which have been transferred to the High Court upon the direction of the Registrar of the Subordinate Courts; and

(e) all applications and documents to vary any Order of the High Court in the proceedings referred to in sub-paragraphs (1)(a) to (d).

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



(3) For the avoidance of doubt, all documents relating to family proceedings that are filed at the Legal Registry shall bear the title "In the High Court of the Republic of Singapore".

**~~141. 137.~~ Forms of orders, including *Mareva* injunctions and search orders**

(1) The format of all orders made in applications taken out in proceedings by way of writ of summons under Part X of the Women's Charter (Cap. 353, ~~1997 Rev Ed~~) on or after 1 April 2006 shall comply with Form 25 of the Women's Charter (Matrimonial Proceedings) Rules 2005 (S 854/2005). Orders made in proceedings commenced by way of petition under Part X of the Women's Charter shall comply with Form 24 of the Women's Charter (Matrimonial Proceedings) Rules- (Cap. 353, R 4, ~~2004 Rev Ed~~).).

(2) Paragraphs 41 and 42 shall be applicable to an application for a Mareva injunction and a search order. The orders of Court for such applications shall contain the text set out in Forms ~~8, 96, 7~~ and ~~108~~ of Appendix A of these Practice Directions.

**~~138.~~ Certificate of Making Interim Judgment Final**

~~(1) This paragraph applies to proceedings commenced under Part X of the Women's Charter (Cap. 353, 1997 Rev Ed).~~

~~(2) The Certificate of Making Interim Judgment Final (Form 26 of the Women's Charter (Matrimonial Proceedings) Rules 2005 (S 854/2005)) shall be submitted by entering the relevant information in the appropriate electronic template without attaching the document in the portable document format (PDF).~~

~~(3) Upon the Court's acceptance of the submission of the documents under sub-paragraph (2) above, the Electronic Filing Service will auto-generate the document in PDF, based on the information furnished by the parties in the electronic template, and a copy of the said document will be sent to the party who made the submission.~~

~~(4) Sub-paragraphs (2) and (3) shall also apply to the submission of a Certificate of Making Decree Nisi Absolute (Form 22 of the Women's Charter (Matrimonial Proceedings) Rules (Cap 353, R 4, 2004 Rev Ed)) in relation to proceedings commenced by way of petition under Part X of the Women's Charter before 1 April 2006.~~

**~~139.~~ ~~142.~~ Appeals on ancillary matters in Divorce Proceedings, Custody Matters or Section 17A(2) Supreme Court of Judicature Act Proceedings from the Family Court to the High Court**

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(1) Appeals against final orders made by the District Judge in chambers on ancillary matters in divorce proceedings under the Women's Charter (Cap. 353, ~~1997 Rev Ed~~), custody proceedings under the Guardianship of Infants Act (Cap. 122, ~~1985 Rev Ed~~), or section 17A(2) proceedings are governed by Order 55C of the Rules of Court. -In practice, the District Judges furnish grounds of decision within 8 weeks of the filing of the notice of appeal although the furnishing of grounds of decision is not a requirement under the Rules of Court.

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

(a) the appellant shall, within one week from the date of the release of the grounds of decision, file his submission, the record of appeal, and where the record of appeal exceeds 1000 pages, a core bundle, and serve a copy thereof on every respondent to the appeal or his solicitor; and

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

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

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

(b) the issues arising in the appeal;

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

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

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

(5) The record of appeal shall consist of:

(a) the notice of appeal;

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

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

(d) the originating process and all subsequent pleadings;

(e) the affidavits filed or referred to by parties for the hearing and any other documents, so far as relevant to the matter decided and the nature of the appeal; and

(f) the judgment or order appealed from.

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

(a) the grounds of decision;

(b) the judgment or order appealed from;

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

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

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

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

(9) The submissions, the record of appeal, the core bundle and the respondent's core bundle shall be filed at the Registry of the Subordinate Courts.

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

## **PART ~~XIX~~XX: BANKRUPTCY AND WINDING UP MATTERS**

### **~~140.~~ 143. Bankruptcy applications**

The following arrangements will apply to hearings of bankruptcy matters:

(1) Bankruptcy matters are divided into 2 parts, namely,

(a) applications for bankruptcy orders; and

(b) other applications under the Bankruptcy Act (Cap. 20, ~~2000 Rev Ed~~) or Bankruptcy Rules (Cap. 20, R1, ~~2002 Rev Ed~~), including:

(i) applications to set aside statutory demands;

(ii) applications to extend the time to set aside statutory demands; and

(iii) applications for interim orders under Part V of the Bankruptcy Act.

(2) *Ex parte* applications for substituted service in bankruptcy proceedings will be dealt with by the Duty Registrar.

~~(3) All documents filed with, served on, delivered or otherwise conveyed to the Registrar in respect of the bankruptcy proceedings shall be filed using white coloured paper regardless of whether the documents are filed, served, delivered or otherwise conveyed by electronic transmission or via the service bureau.~~

#### **~~141.~~ 144. Applications to set aside statutory demands made under the Bankruptcy Rules**

(1) Rule 97 of the Bankruptcy Rules allows debtors to apply to set aside statutory demands within 14 days from the date of service; or, where the demand was served outside jurisdiction, within 21 days.

(2) Without prejudice to Rule 98 of the Bankruptcy Rules, on an application to set aside a statutory demand based on a judgment or an order, the Court will not go behind the judgment or order and inquire into the validity of the debt.

(3) When the debtor:

(a) claims to have a counterclaim, set-off or cross demand (whether or not he could have raised it in the action or proceedings in which the judgment or order was obtained) which equals or exceeds the amount of the debt or debts specified in the statutory demand; or

(b) disputes the debt (not being a debt subject to a judgment or order),

the Court will normally set aside the statutory demand if, in its opinion, on the evidence there is a genuine triable issue.

#### **~~142.~~ 145. Winding Up applications under the Companies Act**

After a winding up application has been filed, the applicant or his solicitor should file the necessary documents using the checklist provided in the Electronic Filing Service. Once the necessary documents under the checklist have been filed, the applicant or his solicitor should generate and file the winding up memorandum before attending before the Duty Registrar in compliance with Rule 32 of the Companies (Winding Up) Rules.

**146. Documents for use in open Court trials of contested winding-up applications**

(1) This paragraph shall apply to trials of contested winding-up applications in open Court.

(2) To improve the conduct of contested winding-up applications and to reduce the time taken in the presentation of cases in Court, the following documents shall be prepared by the respective solicitors of the parties:

- (a) a bundle of documents (an agreed bundle where possible);
- (b) a bundle of authorities; and
- (c) an opening statement.

*Bundles of documents*

(3) For bundles of documents:

(a) Documents to be used at trial should be consolidated into bundles paginated consecutively throughout at the top right hand corner. An index of the contents of each bundle in the manner and form set out in Form 1412 of Appendix A of these Practice Directions must also be furnished. No bundle of documents is necessary in cases where parties are not relying on any document at the trial.

(b) It is the responsibility of solicitors for all parties to agree and prepare an agreed bundle as soon as possible. The scope to which the agreement extends must be stated in the index sheet of the agreed bundle.

(c) In cases where certain documents cannot be agreed upon, these should be separately bundled as the applicant's or plaintiff's bundle or such other party's bundle as the case may be.

(d) The requirements set out in paragraph 6071(11)(c)-(f) shall, *mutatis mutandis*, be complied with in respect of proceedings falling within this paragraph.

(e) The bundles of documents including the agreed bundle and core bundle, if applicable, shall be filed and served on all relevant parties at least 5 working days before trial.

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### *Bundles of authorities*

(4) The requirements set out in paragraph ~~6071~~(12) to (13) shall, *mutatis mutandis*, be complied with in respect of proceedings falling within this paragraph.

### *Opening statements*

(5) The requirements set out in paragraph ~~6071~~(14) shall, *mutatis mutandis*, be complied with.

### *Timeline for tendering documents*

(6) Paragraph ~~6071~~(8) to (10) shall apply, *mutatis mutandis*, to proceedings to which this paragraph applies.

## **PART ~~XXI~~: APPLICATIONS UNDER THE MENTAL CAPACITY ACT**

### **~~147. 143.~~ Transfer of mental capacity proceedings to District Court**

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

(2) Pursuant to the Transfer Order –

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

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

(3) A sub-registry of the Registry of the Supreme Court and sub-registry of the Registry of the Subordinate Courts have been set up in the Family and Juvenile Court Building at No. 3 Havelock Square.

*Paragraph 143 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

**~~144.-148.~~ Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building**

(1) All documents relating to mental capacity proceedings which are to be heard and determined by the High Court shall be filed at the Legal Registry of the Supreme Court at the Supreme Court Building. These include:

(a) all applications and documents to vary any Order of the High Court in proceedings under the MDTA commenced before 1 March 2010;

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

(c) all applications and documents to vary any Order of the High Court in proceedings referred to in sub-paragraph (b) above.

(2) All applications subsequent to the filing of the originating summons in any mental capacity proceedings in the High Court shall be made by way of summons.

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

(4) Where permission is not required to make the application, the affidavit should state the applicant's belief that he or she falls within the categories of persons listed within section 38(1) of the MCA and Order 99, Rule 2(3) of the Rules of Court.

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

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

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

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

*Paragraph 144 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

### **~~145.~~ 149. Doctor's affidavit exhibiting medical report**

#### ***Affidavit by doctor required***

(1) Under Order 40A, Rule 3 of the Rules of Court, expert evidence "is to be given in a written report signed by the expert and exhibited in an affidavit sworn to or affirmed by him testifying that the report exhibited is his and that he accepts full responsibility for the report". Where a medical report is relied on for the purposes of an application under the MCA, the doctor who prepared the medical report should affirm or swear to an affidavit and exhibit his or her medical report.

(2) In addition, the doctor should indicate in the affidavit that he or she is aware that his or her report is being adduced for the purpose of the application under the MCA, for example, obtaining a declaration that the person concerned lacks capacity in relation to matters specified in the application.

#### ***The medical report***

(3) In order to assist the Court, the medical report should:

(a) distinguish clearly between observations or conclusions based on information given to the doctor and those that are based on the doctor's examination of the person concerned;

(b) contain a clear opinion as to whether the person concerned lacks capacity in relation to matters specified in the application;

(c) contain a clear opinion on the prognosis of the person concerned and, if necessary, the likelihood of requiring increased or reduced medical expenses in the foreseeable future; and



(d) be current and should be made not more than 6 months before the -date of the hearing of the application.

*Paragraph 145 amended to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 201*

### **~~146.~~ 150. Notification**

(1) The definition of "P" in Order 99, Rule 1 of the Rules of Court shall be applicable in these Practice Directions. "P" means a person who lacks or, so far as consistent with the context, is alleged to lack capacity (within the meaning of the MCA) and to whom any proceedings under the MCA relate.

(2) Under Order 99, Rule 6 of the Rules of Court, P shall be notified of certain matters by:-

- (a) the plaintiff, applicant, or appellant (as the case may be); or
- (b) such other person as the Court may direct.

(3) Where P is to be notified that an application has been filed, the person effecting notification must explain to P:-

- (a) who the plaintiff or applicant is;
- (b) that the application raises the question of whether P lacks capacity in relation to a matter or matters, and what that means;
- (c) what will happen if the Court makes the order or direction that has been applied for;
- (d) where the application is for the appointment of a deputy, details of who that person is, and
- (e) the date on which the application is fixed for hearing.

(4) Where P is to be notified that an application has been withdrawn, the person effecting notification must explain to P:-

- (a) that the application has been withdrawn; and
- (b) the consequences of that withdrawal.

(5) Where P is to be notified that a notice of appeal has been filed, the person effecting notification must explain to P:-

- (a) who the appellant is;

- (b) the issues raised by the appeal;
- (c) what will happen if the appeal is dismissed or allowed; and
- (d) the date on which the appeal is fixed for hearing.

(6) Where P is to be notified that a notice of appeal has been withdrawn, the person effecting notification must explain to P:-

- (a) that the notice of appeal has been withdrawn; and
- (b) the consequences of that withdrawal.

(7) Where P is to be notified that an order which affects P has been made by the Court, the person effecting notification must explain to P the effect of the order.

(8) In all cases of notification, the person effecting notification must provide P with the information required under Order 99, Rule 6 of the Rules of Court and this Part of these Practice Directions in a way that is appropriate to P's circumstances (for example, using simple language, visual aids or any other appropriate means).

(9) The person effecting notification must also inform P that he may seek legal advice and assistance in relation to any matter of which he is notified.

(10) The certificate of notification filed under Order 99, Rule 6(5) of the Rules of Court shall be in Form [3326 of Appendix A of these Practice Directions](#).

### ***Dispensing with notification***

(11) Under the MCA, notification of P shall be the norm rather than the exception. However, in certain appropriate circumstances, the person required to notify P may apply to Court for an order to dispense with the requirement to notify P. Such an application would be appropriate where, for example, P is in a permanent vegetative state or a minimally conscious state, or where notification is likely to cause significant and disproportionate distress to P. The reasons for seeking dispensation of notification shall be stated in the supporting affidavit of the plaintiff or applicant.

(12) The Court may, on its own motion, dispense with the notification of P.

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*~~Paragraph 146 amended to take effect from 12 December 2011~~*

*~~Pursuant to Amendment No. 3 of 2011~~*

**~~146A.~~ 151. Application subsequent to the appointment of deputy**

(1) An application to vary an order made in mental capacity proceedings shall be made by way of summons supported by affidavit and served on every party who had initially been served with the originating summons as well as on the Public Guardian, within 2 working days after the date on which the application is filed.

(2) If an application under sub-paragraph (1) is filed more than 6 months from the date of the order, the application must be served personally on every defendant. If such an application is filed 6 months or less from the date of the order, the service on every party to the proceedings may be by way of ordinary service.

*Paragraph 146A inserted to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

**~~146B.~~ 152. Where P ceases to lack capacity or dies**

(1) Where P ceases to lack capacity or dies, the following steps in sub-paragraphs ~~(2)~~ to ~~(7)~~ may, where relevant, need to be taken to finalise the court's involvement in P's affairs.

***Application to end proceedings***

(2) Where P ceases to lack capacity in relation to the matter or matters to which the proceedings relate, an application may be made by any of the following people to the Court to end the proceedings and discharge any orders made in respect of that person:

- (a) P;
- (b) his litigation representative; or
- (c) any other person who is a party to the proceedings.

(3) The application should be supported by evidence that P no longer lacks capacity to make decisions in relation to the matter or matters to which the proceedings relate.

***Applications where proceedings have concluded***

(4) Where P ceases to lack capacity after proceedings have concluded, an application may be made to the Court to discharge any orders made (including an order appointing a deputy or an order in relation to security).

(5) The affidavit filed in support should exhibit the orders sought to be discharged and contain evidence that P no longer lacks capacity to make decisions in relation to the matter or matters to which the proceedings relate.

***Procedure to be followed when P dies***

(6) An application for final directions (including discharging an order appointing a deputy or discharging the security) may be made following P's death. The application should be supported by an affidavit exhibiting a copy of P's death certificate. -

***Discharge of security***

(7) The Public Guardian may require a deputy to submit a final report upon P ceasing to lack capacity or P's death. If security has been ordered by the Court, -the Court must be satisfied that the Public Guardian either does not require a final report or is satisfied with the final report provided by the deputy before the said security can be discharged.

*Paragraph 146B inserted to take effect from 12 December 2011*

*Pursuant to Amendment No. 3 of 2011*

**PART ~~XXIX~~**XXII**: CIVIL PROCEEDINGS THAT DO NOT USE THE ELECTRONIC FILING SERVICE**

**~~147.~~153. Application**

The directions contained in this Part shall apply to proceedings that do not require the use of the Electronic Filing Service (~~"EFS"~~) under paragraph ~~93~~104(2).

**~~154.~~148. Information to be provided in cause papers and documents that are filed in the Legal Registry of the Supreme Court**

To facilitate the contacting of lawyers having conduct of an action or charge of a matter by members of the staff of the Supreme Court, the following information shall be inserted on backing sheets of all cause papers and documents filed in the Legal Registry in the format set out:

(Name of lawyer(s) having conduct of action or charge of matter.)

(Name of law firm.)

(Address of law firm.)

Tel : (Contact telephone number.)

Fax : (Contact facsimile number.)

Email: (Contact email address.)

Ref : (File reference of law firm.)

The information is to be inserted as a block near the bottom right hand corner of the backing sheets.

**~~149.~~ 155. Form of affidavits**

(1) In addition to the requirements set out in paragraph ~~455~~7, affidavits shall be:

(a) on A4-ISO paper of durable quality with a blank margin not less than 35mm wide on all 4 sides of ~~the~~ page;

(b) produced by printing, lithography or typewriting, and in any case not by carbon copying. A document produced by a photographic or similar process giving a positive and permanent representation free from blemishes will be treated, to the extent that it contains a facsimile of matter produced by one of the above processes, as if it were so produced. Photographic copies which are not clearly legible will be rejected;

(c) printed or typed and double-spaced; and

(d) printed on white paper except in bankruptcy proceedings, where the paper shall be light blue.

*Binding of affidavits*

(2) Affidavits of 30 pages or less (including exhibits and dividing and backing sheets) may be stapled at the top left hand corner of the paper firmly. Any affidavit (including exhibits, dividing and backing sheets) exceeding 30 pages shall be bound with plastic ring binding or plastic spine thermal binding (the plastic rings or spines to be red for plaintiffs/appellants, and blue for defendants/respondents) with a transparent plastic cover in front and at the back.

**~~156.~~ 150. Documentary exhibits to affidavits**

*Dividing sheets*

(1) The dividing sheet that separates the documentary exhibits shall be in light colour *other than white*, marked, typed or stamped clearly with an exhibit mark as follows:

*More than 10 documentary exhibits*

(2) In addition to the requirements set out in paragraph ~~475~~9 (except sub-paragraphs ~~475(5) and 47(6)~~), when there are more than 10 different documentary exhibits in an affidavit, each ~~document~~ shall be flagged by means of a plastic tag, marked in accordance with the exhibit reference and such flags shall run vertically down the right edge of the exhibits evenly spaced out so as not to overlap one another. The table of contents itself shall bear the top most flag, marked "TABLE".

**157. ~~151.~~ File inspection and obtaining hard copy extracts or certified true copies of documents**

(1) In order to inspect a case file in civil proceedings that do not use the Electronic Filing Service, the following procedure should be followed:

(a) A hard copy ~~Requests~~Request in hard copy may be submitted to inspect case files and to obtain certified true copies of documents. should be submitted to obtain leave to inspect the case file. The Request should state the name of the person who is to carry out the search or inspection. If this person is not a solicitor, his identity card number should also be included in the Request, after his name and a copy of his identity card should be provided. The Request should also state the interest that the applicant has in the matter, and the reason for the search or inspection. If the search or inspection is requested for the purpose of ascertaining information for use in a separate suit or matter, the Request should clearly state the nature of the information sought and the relevance of such information to the separate suit or matter.

(b) Once approval for inspection has been received from the Court, a copy of the approval should be presented at the service bureau.

(c) After verifying the approval, the service bureau will assign the inspecting party a personal computer for the inspection to be carried out.

(d) An inspecting party will usually be allowed 60 minutes to carry out the inspection. If a longer period is required, the service bureau may impose a charge for use of the computer. The service bureau may impose additional charges for downloading softcopies of documents from the case file undergoing inspection.

(2) Applications to obtain hard copy extracts or certified true paper copies of documents in civil proceedings that do not use the Electronic Filing Service may be made by submitting a Request in hard copy to the Legal Registry.

(a) The intended use of the hard copy extracts or certified true paper copies should be clearly stated in the Request. The relevance and necessity of the hard copy extracts or certified true paper copies in relation to their intended use should also be clearly described.

(b) Once approval is received from the Court, the applicant should obtain a printed copy of the approved Request and present it at the Legal Registry. After verifying that the Request has been approved, the Legal Registry will inform the applicant of any additional fees payable. Where additional fees are payable,

these should then be stamped on the Request at the Cashier's Office at the Legal Registry. Upon presentation of this stamped Request, the documents will be furnished to the applicant.

(c) The fees prescribed by Appendix B to the Rules of Court will be payable for the above services in addition to further printing charges which may be chargeable by the Court or the service bureau for reproducing the copies in paper form.

(3) The Legal Registry will only accept Requests which are printed or typewritten on paper of good quality and signed by the solicitors concerned. Requests which have any erasure marks on them will be rejected. Requests which are double stamped (i.e. the Requests were originally short stamped and later stamped to add up to the correct fee) may be rejected.

**APPENDIX A: FORMS**

**1.**

Para. 14(2)

**Specimen Government Medical Certificate**

ORIGINAL MEDICAL CERTIFICATE		Serial No.		
Name	NRIC No.			
<p>* This is to certify that the abovenamed is unfit for duty for a period of                  .....                  ..... days from ..... to ..... inclusive.</p> <p>Type of medical leave granted-</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Hospitalisation Leave                      Admitted on .....                      Discharged on .....                 </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Outpatient Sick Leave.   <input type="checkbox"/> Maternity Leave                      Delivered on .....   <input type="checkbox"/> Sterilisation Leave                      Operated on .....                 </td> </tr> </table> <p>This Certificate is *valid/not valid for absence from Court attendance.                  No medical leave is necessary</p> <p>_____</p> <p>Diagnosis Surgical Operation (if applicable)</p> <p>_____</p> <p>* Fit for normal/light duty from..... to                  .....</p> <p>* The abovenamed patient attended my clinic at ..... am/pm and left at                  .....am/pm.</p>			<input type="checkbox"/> Hospitalisation Leave Admitted on ..... Discharged on .....	<input type="checkbox"/> Outpatient Sick Leave.  <input type="checkbox"/> Maternity Leave Delivered on .....  <input type="checkbox"/> Sterilisation Leave Operated on .....
<input type="checkbox"/> Hospitalisation Leave Admitted on ..... Discharged on .....	<input type="checkbox"/> Outpatient Sick Leave.  <input type="checkbox"/> Maternity Leave Delivered on .....  <input type="checkbox"/> Sterilisation Leave Operated on .....			
Hospital/Clinic	Ward No.  Date	Signature, Name (In BLOCK LETTERS) and Designation		
MD 965 <span style="float: right;">* Delete as necessary</span>				



2.

Para. 20

**Request for Interpretation Services**

Date:

To: Head Interpreter (Chinese) / Head Interpreter (Indian) /  
Head Interpreter (Malay) (delete as applicable)  
Supreme Court  
1 Supreme Court Lane  
Singapore 178879  
(Fax No. 6337 9450)

**REQUEST FOR INTERPRETATION SERVICES**

Application by :  Law Firm  Individual

Party making request or on whose  
Behalf request is made : \_\_\_\_\_  
(Plaintiff or Defendant as the case may be)

Name of applicant/law Firm : \_\_\_\_\_

Name of lawyer/secretary-in-charge  
of matter : \_\_\_\_\_

Address : \_\_\_\_\_

E-mail address : \_\_\_\_\_

Telephone number : \_\_\_\_\_

Case number : \_\_\_\_\_

Name of parties : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Court number of Chamber number : \_\_\_\_\_  
(if known)

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

Date(s) and time(s) of hearing : \_\_\_\_\_

\_\_\_\_\_

Language/dialect

- |                                       |                                    |                                    |
|---------------------------------------|------------------------------------|------------------------------------|
| <input type="checkbox"/> Cantonese    | <input type="checkbox"/> Hainanese | <input type="checkbox"/> Hakka     |
| <input type="checkbox"/> Hockchew     | <input type="checkbox"/> Hokkien   | <input type="checkbox"/> Mandarin  |
| <input type="checkbox"/> Shanghainese | <input type="checkbox"/> Teochew   | <input type="checkbox"/> Malayalam |
| <input type="checkbox"/> Tamil        | <input type="checkbox"/> Javanese  | <input type="checkbox"/> Malay     |
| <input type="checkbox"/> Boyanese     |                                    |                                    |

Date of previous hearing : \_\_\_\_\_

(to be filled if the hearing described  
above is an adjourned or a part-heard  
hearing)

We undertake to inform the Head Interpreter by letter/facsimile transmission/ telephone in the event of the case having been vacated, adjourned or settled.

*[The Plaintiff/Defendant or the solicitors for the  
Plaintiff/Defendant as the case may be]*

3.

Para. 21(6)

**Request for Record of Hearing**

Date:

For Official Use Only

	CAT
--	-----

Manager  
Digital Transcription Services

Supreme Court of Singapore  
1 Supreme Court Lane  
Singapore 178879  
(Fax number: 6332 3952)

**REQUEST FOR RECORD OF HEARING**

Case number: \_\_\_\_\_

Names of parties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hearing dates: \_\_\_\_\_

Court No (if known): \_\_\_\_\_

Party making request or on  
whose behalf request is made: \_\_\_\_\_

(Plaintiff or Defendant or as the case may be)

Name of law firm and lawyer  
of the requesting party: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Fascimile number \_\_\_\_\_

E-mail address: \_\_\_\_\_

File reference of law firm: \_\_\_\_\_

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

1. We hereby apply for a record of the Court proceedings as follows:

Format	Number of copies †	Scope	Delivery timeline
Transcript in paper format		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/> _____ _____ _____	(1) 24-hour delivery (excluding Sat/Sun/public holidays) <input type="checkbox"/> (2) 3-day delivery <input type="checkbox"/> (3) 5-day delivery <input type="checkbox"/> (4) 14-day delivery <input type="checkbox"/>
Transcript in soft copy on CD-ROM		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/> _____ _____ _____	(1) 24-hour delivery (excluding Sat/Sun/public holidays) <input type="checkbox"/> (2) 3-day delivery <input type="checkbox"/> (3) 5-day delivery <input type="checkbox"/> (4) 14-day delivery <input type="checkbox"/>

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<p>Audio recording on cassette tape</p>		<p>(1) the full trial</p>	<input type="checkbox"/>	<p>_____</p> <p>_____</p>
		<p>(2) part thereof *</p>	<input type="checkbox"/>	<p>_____</p>
<p>Audio recording on CDROM</p>		<p>(1) the full trial</p>	<input type="checkbox"/>	<p>_____</p> <p>_____</p>
		<p>(2) part thereof *</p>	<input type="checkbox"/>	<p>_____</p>
<p>Audio recording on DVD</p>		<p>(1) the full trial</p>	<input type="checkbox"/>	<p>_____</p> <p>_____</p>
		<p>(2) part thereof *</p>	<input type="checkbox"/>	<p>_____</p>

[† Insert the number of copies required. For transcripts in paper format, the minimum order is 3 copies (1 copy for the judge and 2 copies for the parties). For details of fees payable, please refer to [http://www.wordwave.com.sg/Supreme\\_Court\\_Fee\\_Schedule.](http://www.wordwave.com.sg/Supreme_Court_Fee_Schedule.)]

[\* Specify dates of proceedings or names of witnesses.]

2. We undertake:-

- (1) to pay directly to the service provider the requisite fees for the services and audio recordings and/or transcripts requested; and
- (2) if transcripts are requested, to supply to the service provider:
  - (a) at least 2 clear working days before the commencement of the hearing or immediately upon submission of a request by any party after the hearing has concluded, one (1) copy each of such of the following documents as have already been filed in Court:
    - (i) authorities or bundles of authorities;
    - (ii) documentary exhibits or bundles of documents;

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

- (iii) written submissions; and
  - (iv) lists of the names of witnesses;
  - (b) a copy of any document, authority or submission tendered during the hearing by that party immediately after such document, authority or submission is tendered if such document, authority or submission has not previously been supplied to the service provider; and
- (3) not to reproduce or transmit in any form or by any means any material contained in the transcript or on any audio record supplied to us.

---

Name and Signature of Requesting Party/Counsel

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Company/Law Firm Stamp

*Form 3 inserted to take effect from 7 July 2010  
Pursuant to Amendment No. 2 of 2010*

4.

Para. 27(1)

**Specimen Authorisation Card**

AUTHORISATION CARD FOR COLLECTION  
OF MAIL AND COURT DOCUMENTS

The holder of this card ..... [Name] ..... [NRIC  
No.] is authorised to collect mail and Court documents for M/s  
..... for the year ending 31  
December 20\_\_.

AUTHORISATION CARD NO. ....

*[Seal, signature and date]*  
*M/s*  
*Advocates and solicitors*

[Forms 5 and 6 to be deleted]

~~75.~~

Para. ~~31~~32(2)      **Notification under Order 62, Rule 2(1) of the Rules  
of Court**

To the Registrar of the Supreme Court

**Notification under Order 62, Rule 2 (1)  
of the Rules of Court**

<b>S/No. Comments</b>	<b>NRIC No.</b>	<b>Name</b>
---------------------------	-----------------	-------------

(See Note)

The above persons are employed by our firm, and have been authorised by us to serve and process documents under Order 62, Rule 2 (1) of the Rules of Court.

\_\_\_\_\_  
Sgd

\_\_\_\_\_  
Firm's Name

\_\_\_\_\_  
Date

Note: To indicate here the solicitor's clerks who have left the employment of the firm, and whose authorisations to serve processes and documents have been revoked.



**86.**

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

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

[CASE NO.]

Between

[Intended] Plaintiff

And

[Intended] Defendant

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

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

**IMPORTANT:- NOTICE TO THE DEFENDANT**

- (a) **This order orders you to allow the persons mentioned below to enter the premises described in the order and to search for, examine and remove or copy the articles specified in the order. This part of the order is subject to restrictions. The order also requires you to hand over any of the articles which are under your control and to provide information to the plaintiff's solicitors. You are also prohibited from doing certain acts. You should read all the terms of the order very carefully. You are advised to consult a solicitor as soon as possible.**
- (b) **Before you the defendant or the person appearing to be in control of the premises allow anybody onto the premises to carry out this order, you are entitled to have the solicitor who serves you with this order explain to you what it means in everyday language.**
- (c) **You are entitled to insist that there is nobody [or nobody except (name)] present who could gain commercially from anything he might read or see on your premises.**

- (d) **You are entitled to refuse to permit entry before 9.00 a.m. or after 5.00 p.m. or at all on Saturdays, Sundays and public holidays.**
- (e) **You are entitled to seek legal advice, and to ask the Court to vary or discharge this order, provided you do so at once, and provided that meanwhile you permit [the supervising solicitor (who is a solicitor of the Court acting independently of the plaintiff) and]<sup>α</sup> the plaintiff's solicitor to enter, but not start to search. See paragraph 3 below.**
- (f) **If you, [ ] (the defendant), disobey this order, you will be guilty of contempt of Court and may be sent to prison or fined.<sup>β</sup>**

### **THE ORDER**

An application was made today [date] by counsel for the plaintiff, [ ] to Justice [ ] by way of ex-parte summons no. [ ] of [ ]. Justice [ ] heard the application and read the affidavit(s) of [name] filed on [date].

As a result of the application IT IS ORDERED by Justice [ ] that:

Entry and search of premises and vehicles on the premises

1. (a) The defendant must allow [Mr/Mrs/Miss (“the supervising solicitor”), together with] λ [name] a solicitor of the Supreme Court from the firm of the plaintiff's solicitors and up to [ ] other persons being [their capacity] accompanying [him/them/as appropriate] to enter the premises mentioned or described in Schedule 1 to this order and any vehicles on the premises so that they can search for, inspect, photograph or photocopy, and deliver into the safekeeping of the plaintiff's solicitors all the documents and articles which are listed or described in Schedule 2 to this order (“the listed items”) or which [name] believes to be listed items. The defendant must allow those persons to remain on the premises until the search is complete, and if necessary to re-enter the premises on the same or the following day in order to complete the search.
- (b) This order must be complied with either by the defendant himself or by a responsible employee of the defendant or by the person appearing to be in control of the premises.

---

[ ] Relevant information to be inserted.

<sup>α</sup> Where a supervising solicitor is ordered.

<sup>β</sup> This Notice is not a substitute for the endorsement of a penal notice.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

- (c) This order requires the defendant or his employee or the person appearing to be in control of the premises to permit entry to the premises immediately when the order is served upon him, except as stated in paragraph 3 below.

Restrictions on the service and carrying out of paragraph 1 of this order

2. Paragraph 1 of this order is subject to the following restrictions:

- (a) This order may only be served between 9.00 a.m. and 5.00 p.m. on a weekday which is not a public holiday.
- (b) This order may not be carried out at the same time as any search warrant.
- (c) [This order must be served by the supervising solicitor, and paragraph 1 of the order must be carried out in his presence and under his supervision.]<sup>α</sup> [At least 1 of the persons accompanying him as provided by paragraph 1 of this order shall be a woman.]<sup>χ</sup> [At least 1 of the persons carrying out the order shall be a woman.]<sup>δ</sup>
- (d) This order does not require the person served with the order to allow anyone [or anyone except (name)] who could gain commercially from anything he might read or see on the premises if the person served with the order objects.
- (e) No item may be removed from the premises until a list of the items to be removed has been prepared, and a copy of the list has been supplied to the person served with the order, and he has been given a reasonable opportunity to check the list.
- (f) The premises must not be searched, and items must not be removed from them, except in the presence of the defendant or a person appearing to be a responsible employee of the defendant.
- [(g) If the supervising solicitor is satisfied that full compliance with subparagraphs (e) or (f) above is impracticable, he may permit the search to proceed and items to be removed without compliance with the impracticable requirements.]<sup>α</sup>

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<sup>α</sup> Where a supervising solicitor is ordered.

<sup>χ</sup> These words are to be included in a case where the premises are likely to be occupied by an unaccompanied woman and the supervising solicitor is a man.

<sup>δ</sup> These words are to be included in a case where the premises are likely to be occupied by an unaccompanied woman.

Obtaining legal advice and applying to the Court

3. Before permitting entry to the premises by any person other than [the supervising solicitor and]<sup>α</sup> the plaintiff's solicitors, the defendant or other person appearing to be in control of the premises may seek legal advice, and apply to the Court to vary or discharge this order, provided he does so at once. While this is being done, he may refuse entry to the premises by any other person, and may refuse to permit the search to begin, for a short time [not to exceed 2 hours, unless (the supervising solicitor or)<sup>α</sup> the plaintiff's solicitor agrees to a longer period].

Delivery of listed items and computer print-outs

4. (a) The defendant must immediately hand over to the plaintiff's solicitors any of the listed items which are in his possession or under his control.  
  
(b) If any of the listed items exists only in computer readable form, the defendant must immediately give the plaintiff's solicitors effective access to the computers, with all necessary passwords, to enable them to be searched, and cause the listed items to be printed out. A print-out of the items must be given to the plaintiff's solicitors or displayed on the computer screen so that they can be read and copied. All reasonable steps shall be taken by the plaintiff to ensure that no damage is done to any computer or data. The plaintiff and his representatives may not themselves search the defendant's computers unless they have sufficient expertise to do so without damaging the defendant's system.

Disclosure of information by the defendant

5. (a) The defendant must immediately inform the plaintiff's solicitors:
  - (i) where all the listed items are; and
  - (ii) so far as he is aware:
    - (A) the name and address of everyone who has supplied him, or offered to supply him, with listed items;
    - (B) the name and address of everyone to whom he has supplied, or offered to supply, listed items; and

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<sup>α</sup> Where a supervising solicitor is ordered.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

- (C) the full details of the dates and quantities of every such supply and offer.
- (b) Within [ ] days after being served with this order, the defendant must prepare and swear an affidavit confirming the above information.
- (c) Nothing in this order shall abrogate the defendant's right against self-incrimination.

Prohibited acts

- 6. (a) Except for the purpose of obtaining legal advice [or advising his banker], the defendant must not directly or indirectly inform anyone of these proceedings or of the contents of this order, or warn anyone that proceedings have been or may be brought against him by the plaintiff until [ ].
- (b) [Insert any negative injunctions.]

**EFFECT OF THIS ORDER**

- 7. (a) A defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (b) A defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

**UNDERTAKINGS**

- 8. The plaintiff, [the supervising solicitor and]α the plaintiff's solicitors give to the Court the undertakings contained in Schedules 3, 4 and 5 respectively to this order.

**DURATION OF THIS ORDER**

- 9. Paragraph 6(b) of this order shall remain in force until the trial or further order.

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α Where a supervising solicitor is ordered.

**VARIATION OR DISCHARGE OF THIS ORDER**

10. The defendant (or anyone notified of this order) may apply to the Court at any time to vary or discharge this order (or so much of it as affects that person), but anyone wishing to do so must inform the plaintiff's solicitors.

**NAME AND ADDRESS OF PLAINTIFF'S SOLICITORS**

11. The plaintiff's solicitors are:  
[Name of lawyer(s) having conduct of action or charge of matter.]  
[Name of law firm.]  
[Address of law firm.]  
Tel : [Telephone number.]  
Fax : [Facsimile number.]  
Ref : [File reference of law firm.]

**[INTERPRETATION OF THIS ORDER**

12. (a) In this order references to "he", "him", or "his" include "she" or "her" and "it" or "its".
- (b) Where there are 2 or more defendants then (unless the context indicates differently):
- (i) References to "the defendants" mean both or all of them;
  - (ii) An order requiring "the defendants" to do or not to do anything requires each defendant to do or not to do the specified thing;
  - (iii) A requirement relating to service of this order, or of any legal proceedings, on "the defendants" means service on each of them; and
  - (iv) Any other requirement that something shall be done to or in the presence of "the defendants" means to or in the presence of one of them.]

Dated this [ ] day of [ ], [ ].

Registrar.

**SCHEDULE 1**

*The premises*

**SCHEDULE 2**

*The listed items*

**SCHEDULE 3**

*Undertakings given by the plaintiff*

1. If the Court later finds that this order or the carrying out of it has caused loss to the defendant, and decides that the defendant should be compensated for that loss, the plaintiff shall comply with any order the Court may make.
- [2. As soon as practicable to issue a writ of summons [in the form of the draft writ produced to the Court] [claiming appropriate relief].]
3. To [swear and file an affidavit] [cause an affidavit to be sworn and filed] [substantially in the terms of the draft produced to the Court] [confirming the substance of what was said to the Court by the plaintiff's solicitors.]
4. To serve on the defendant at the same time as this order is served on him, the writ and copies of the affidavits and copiable exhibits containing the evidence relied on by the plaintiff. [Copies of the confidential exhibits (specify) need not be served, but they must be made available for inspection by or on behalf of the defendant in the presence of the plaintiff's solicitors while the order is carried out. Afterwards they must be provided to a solicitor representing the defendant who gives a written undertaking not to permit the defendant to see them or make copies of them except in his presence and not to permit the defendant to make or take away any note or record of the exhibits.]
- [5. To serve on the defendant a copy of the supervising solicitor's report on the carrying out of this order as soon as it is received and to produce a copy of the report to the Court.]<sup>α</sup>
6. Not, without the leave of the Court, to inform anyone else of this order or the carrying out of this order or to use any information or documents obtained as a result of carrying out this order except for the purposes of these proceedings or to inform anyone else of these proceedings until the trial or further order.
7. To insure the items removed from these premises.<sup>ε</sup>

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<sup>α</sup> Where a supervising solicitor is ordered.

<sup>ε</sup> In appropriate cases.

**SCHEDULE 4**

*Undertakings given by the plaintiff's solicitors*

1. To answer at once to the best of their ability any question as to whether a particular item is a listed item.
2. To return the originals of all documents obtained as a result of this order (except original documents which belong to the plaintiff) as soon as possible and in any event within 2 working days of their removal.
3. While ownership of any item obtained as a result of this order is in dispute, to deliver the article into the keeping of solicitors acting for the defendant within 2 working days from receiving a written undertaking by them to retain the article in safekeeping and to produce it to the Court when required.
4. To retain in their own safekeeping all other items obtained as a result of this order until the Court directs otherwise.
5. To execute this order calmly and orderly and in a manner respectful of the defendant's business.
6. Not, without the leave of the Court, to inform anyone else of this order or the carrying out of this order or to use any information or documents obtained as a result of the carrying out of this order except for the purposes of these proceedings or to inform anyone else of these proceedings until the trial or further order.



**[SCHEDULE 5**

**Undertakings given by the supervising solicitor**

1. To offer to explain to the person served with the order its meaning and effect fairly and in everyday language, and to inform him of his right to seek legal advice and apply to vary or discharge the order as mentioned in paragraph 3 of the order.
2. To make and provide the plaintiff's solicitor a written report on the carrying out of the order.]<sup>α</sup>

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<sup>α</sup> Where a supervising solicitor is ordered

**97.**

Para. 42(1)(b) **Injunction Prohibiting Disposal of Assets Worldwide**

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

[CASE NO.]

Between

[Intended] Plaintiff

And

[Intended] Defendant

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

**INJUNCTION PROHIBITING DISPOSAL OF ASSETS  
WORLDWIDE**

**IMPORTANT:- NOTICE TO THE DEFENDANT**

- (a) **This order prohibits you from dealing with your assets up to the amount stated. The order is subject to the exceptions stated at the end of the order. You should read all the terms of the order very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this order.**
  
- (b) **If you disobey this order you will be guilty of contempt of Court and may be sent to prison or fined.φ**

---

φ The notice is not a substitute for the endorsement of a penal notice.

[ ] Relevant information to be inserted.

**THE ORDER**

An application was made today [date] by counsel for the plaintiff, [ ] to Justice [ ] by way of ex-parte summons no. [ ] of [ ]. Justice [ ] heard the application and read the affidavit(s) of [name] filed on [date].

As a result of the application IT IS ORDERED by Justice [ ] that:

Disposal of assets

1. (a) The defendant must not:
  - (i) remove from Singapore any of his assets which are in Singapore whether in his own name or not and whether solely or jointly owned up to the value of [\$ ]; or
  - (ii) in any way dispose of or deal with or diminish the value of any of his assets whether they are in or outside Singapore whether in his own name or not and whether solely or jointly owned up to the same value.
- (b) This prohibition includes the following assets, in particular:
  - (i) the property known as [ ] or the net sale money after payment of any mortgages if it has been sold;
  - (ii) the property and assets of the defendant's business known as [ ] (or carried on at [ ]) or the sale money if any of them have been sold; and
  - (iii) any money in the accounts numbered [ ] at [ ].
- (c) If the total unencumbered value of the defendant's assets in Singapore exceeds [\$ ], the defendant may remove any of those assets from Singapore or may dispose of or deal with them so long as the total unencumbered value of his assets still in Singapore remains not less than [\$ ]. If the total unencumbered value of the defendant's assets in Singapore does not exceed [\$ ], the defendant must not remove any of those assets from Singapore and must not dispose of or deal with any of them, but if he has other assets outside Singapore, the defendant may dispose of or deal with those assets so long as the total unencumbered value of all his assets whether in or outside Singapore remains not less than [\$ ].

## SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

### Disclosure of information

2. The defendant must inform the plaintiff in writing at once of all his assets whether in or outside Singapore and whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets. The information must be confirmed in an affidavit which must be served on the plaintiff's solicitors within [ ] days after this order has been served on the defendant.

### **EXCEPTIONS TO THIS ORDER**

3. This order does not prohibit the defendant from spending [\$ ] a week towards his ordinary living expenses and also [\$ ] a week [or a reasonable sum] on legal advice and representation. But before spending any money, the defendant must tell the plaintiff's solicitors where the money is to come from.
4. This order does not prohibit the defendant from dealing with or disposing of any of his assets in the ordinary and proper course of business. The defendant shall account to the plaintiff [state interval] for the amount of money spent in this regard.
5. The defendant may agree with the plaintiff's solicitors that the above spending limits should be increased or that this order should be varied in any other respect but any such agreement must be in writing.

### **EFFECT OF THIS ORDER**

6. A defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
7. A defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

### **THIRD PARTIES**

#### Effect of this order

8. It is a contempt of Court for any person notified of this order knowingly to assist in or permit a breach of the order. Any person doing so may be sent to prison or fined.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

Effect of this order outside Singapore

9. The terms of this order do not affect or concern anyone outside the jurisdiction of this Court until it is declared enforceable or is enforced by a Court in the relevant country and then they are to affect him only to the extent they have been declared enforceable or have been enforced UNLESS such person is:
- (a) a person to whom this order is addressed or an officer or an agent appointed by power of attorney of such a person; or
  - (b) a person who is subject to the jurisdiction of this Court; and
    - (i) has been given written notice of this order at his residence or place of business within the jurisdiction of this Court; and
    - (ii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this order.

Assets located outside Singapore

10. Nothing in this order shall, in respect of assets located outside Singapore, prevent any third party from complying with:
- (a) what it reasonably believes to be its obligations, contractual or otherwise, under the laws and obligations of the country or state in which those assets are situated or under the proper law of any contract between itself and the defendant; and
  - (b) any orders of the Courts of that country or state, provided that reasonable notice of any application for such an order is given to the plaintiff's solicitors.

Set-off by banks

11. This injunction does not prevent any bank from exercising any right of set-off it may have in respect of any facility which it gave to the defendant before it was notified of the order.

Withdrawals by the defendant

12. No bank need enquire as to the application or proposed application of any money withdrawn by the defendant if the withdrawal appears to be permitted by this order.

**[SERVICE OUT OF THE JURISDICTION AND SUBSTITUTED SERVICE**

13. (a) The plaintiff may serve the writ of summons on the defendant at [ ] by [ mode of service].
- (b) If the defendant wishes to defend the action, he must enter an appearance within [ ] days of being served with the writ of summons.]

**UNDERTAKINGS**

14. The plaintiff gives to the Court the undertakings set out in Schedule 1 to this order.

**DURATION OF THIS ORDER**

15. This order will remain in force until the trial or further order.

**VARIATION OR DISCHARGE OF THIS ORDER**

16. The defendant (or anyone notified of this order) may apply to the Court at any time to vary or discharge this order (or so much of it as affects that person), but anyone wishing to do so must inform the plaintiff's solicitors.

**NAME AND ADDRESS OF PLAINTIFF'S SOLICITORS**

17. The plaintiff's solicitors are:  
[Name of lawyer(s) having conduct of action or charge of matter.]  
[Name of law firm.]  
[Address of law firm.]  
Tel: [Telephone number.]  
Fax: [Facsimile number.]  
Ref: [File reference of law firm.]

**[INTERPRETATION OF THIS ORDER**

18. (a) In this order references to "he", "him" or "his" include "she" or her" and "it" or "its".
- (c) Where there are 2 or more defendants then (unless the context indicates differently):
- (i) References to "the defendants" mean both or all of them;
  - (ii) An order requiring "the defendants" to do or not to do anything requires each defendant to do or not to do the specified thing; and
  - (iii) A requirement relating to service of this order, or of any legal proceedings, on "the defendants" means service on each of them.]

Dated this [ ] day of [ ], [ ].

Registrar.

**SCHEDULE 1**

*Undertakings given to the Court by the plaintiff*

1. If the Court later finds that this order has caused loss to the defendant, and decides that the defendant should be compensated for that loss, the plaintiff shall comply with any order the Court may make.
2. As soon as practicable the plaintiff shall [issue and] serve on the defendant [a] [the] writ of summons [in the form of the draft writ produced to the Court] [claiming appropriate relief] together with this order.
3. The plaintiff shall cause an affidavit to be sworn and filed [substantially in the terms of the draft affidavit produced to the Court] [confirming the substance of what was said to the Court by the plaintiff's solicitors].
4. As soon as practicable the plaintiff shall serve on the defendant a copy of the affidavits and exhibits containing the evidence relied on by the plaintiff.
5. Anyone notified of this order will be given a copy of it by the plaintiff's solicitors.
6. The plaintiff shall pay the reasonable costs of anyone other than the defendant which have been incurred as a result of this order including the costs of ascertaining whether that person holds any of the defendant's assets and if the Court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the plaintiff will comply with any order the Court may make.
- [7. The plaintiff shall not without the leave of the Court begin proceedings against the defendant in any other jurisdiction or use information obtained as a result of an order of the Court in this jurisdiction for the purpose of civil or criminal proceedings in any other jurisdiction.
8. The plaintiff shall not without the leave of the Court seek to enforce this order in any country outside Singapore [or seek an order of a similar nature including orders conferring a charge or other security against the defendant or the defendant's assets].]

**108.**

Para. 42(1)(c)      **Injunction Prohibiting Disposal of Assets in  
Singapore**

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

[CASE NO.]

Between

[Intended] Plaintiff

And

[Intended] Defendant

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

**INJUNCTION PROHIBITING DISPOSAL OF ASSETS  
IN SINGAPORE**

**IMPORTANT:- NOTICE TO THE DEFENDANT**

- (a)      **This order prohibits you from dealing with your assets up to the amount stated. The order is subject to the exceptions stated at the end of the order. You should read all the terms of the order very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this order.**
- (b)      **If you disobey this order you will be guilty of contempt of Court and may be sent to prison or fined.**<sup>φ</sup>

---

<sup>φ</sup> This notice is not a substitute for the endorsement of a penal notice.

[ ] Relevant information to be inserted.



## THE ORDER

An application was made today [date] by counsel for the plaintiff, [ ] to Justice [ ] by way of ex-parte summons no. [ ] of [ ]. Justice [ ] heard the application and read the affidavit(s) of [name] filed on [date].

As a result of the application IT IS ORDERED by Justice [ ] that:

### Disposal of assets

1. (a) The defendant must not remove from Singapore in any way dispose of or deal with or diminish the value of any of his assets which are in Singapore whether in his own name or not and whether solely or jointly owned up to the value [\$ ].
- (b) This prohibition includes the following assets, in particular:
  - (i) the property known as [ ] or the net sale money after payment of any mortgages if it has been sold;
  - (ii) the property and assets of the defendant's business known as [ ] (or carried on at [ ]) or the sale money if any of them have been sold; and
  - (iii) any money in the accounts numbered [ ] at [ ].
- (c) If the total unencumbered value of the defendant's assets in Singapore exceeds [\$ ], the defendant may remove any of those assets from Singapore or may dispose of or deal with them so long as the total unencumbered value of his assets still in Singapore remains not less than [\$ ].

### Disclosure of information

2. The defendant must inform the plaintiff in writing at once of all his assets in Singapore whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets. The information must be confirmed in an affidavit which must be served on the plaintiff's solicitors within [ ] days after this order has been served on the defendant.

## EXCEPTIONS TO THIS ORDER

3. This order does not prohibit the defendant from spending [\$ ] a week towards his ordinary living expenses and also [\$ ] a week [or a reasonable sum] on legal advice and representation. But before spending any money, the defendant must tell the plaintiff's solicitors where the money is to come from.
4. This order does not prohibit the defendant from dealing with or disposing of any of his assets in the ordinary and proper course of business. The defendant shall account to the plaintiff [state interval] for the amount of money spent in this regard.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

5. The defendant may agree with the plaintiff's solicitors that the above spending limits should be increased or that this order should be varied in any other respect but any such agreement must be in writing.

**EFFECT OF THIS ORDER**

6. A defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
7. A defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

**THIRD PARTIES**

Effect of this order

8. It is a contempt of Court for any person notified of this order knowingly to assist in or permit a breach of the order. Any person doing so may be sent to prison or fined.

Set-off by banks

9. This injunction does not prevent any bank from exercising any right of set-off it may have in respect of any facility which it gave to the defendant before it was notified of the order.

Withdrawals by the defendant

10. No bank need enquire as to the application or proposed application of any money withdrawn by the defendant if the withdrawal appears to be permitted by this order.

**[SERVICE OUT OF THE JURISDICTION AND SUBSTITUTED SERVICE]**

11. (a) The plaintiff may serve the writ of summons on the defendant at [ ] by [mode of service].
- (b) If the defendant wishes to defend the action he must enter an appearance within [ ] days of being served with the writ of summons.]

**UNDERTAKINGS**

12. The plaintiff gives to the Court the undertakings set out in Schedule 1 to this order.

**DURATION OF THIS ORDER**

13. This order will remain in force until the trial or further order.

**VARIATION OR DISCHARGE OF THIS ORDER**

14. The defendant (or anyone notified of this order) may apply to the Court at any time to vary or discharge this order (or so much of it as affects that person), but anyone wishing to do so must inform the plaintiff's solicitors.

**NAME AND ADDRESS OF PLAINTIFF'S SOLICITORS**

15. The plaintiff's solicitors are:

[Name of lawyer(s) having conduct of action or charge of matter.]

[Name of law firm.]

[Address of law firm.]

Tel : [Telephone number.]

Fax : [Facsimile number.]

Ref : [File reference of law firm.]

**[INTERPRETATION OF THIS ORDER**

16. (a) In this order references to "he", "him" or "his" include "she" or "her" and "it" or "its".
- (b) Where there are 2 or more defendants then (unless the context indicates differently):
- (i) References to "the defendants" mean both or all of them;
  - (ii) An order requiring "the defendants" to do or not to do anything requires each defendant to do or not to do the specified thing; and
  - (iii) A requirement relating to service of this order or of any legal proceedings on "the defendants" means service on each of them.]

Dated this [ ] day of [ ], [ ].

Registrar.

**SCHEDULE 1**

*Undertakings given to the Court by the plaintiff*

1. If the Court later finds that this order has caused loss to the defendant, and decides that the defendant should be compensated for that loss, the plaintiff shall comply with any order the Court may make.
2. As soon as practicable the plaintiff shall [issue and] serve on the defendant [a] [the] writ of summons [in the form of the draft writ produced to the Court] [claiming appropriate relief] together with this order.
3. The plaintiff shall cause an affidavit to be sworn and filed [substantially in the terms of the draft affidavit produced to the Court] [confirming the substance of what was said to the Court by the plaintiff's solicitors].
4. As soon as practicable the plaintiff shall serve on the defendant a copy of the affidavits and exhibits containing the evidence relied on by the plaintiff.
5. Anyone notified of this order shall be given a copy of it by the plaintiff's solicitors.
6. The plaintiff shall pay the reasonable costs of anyone other than the defendant which have been incurred as a result of this order including the costs of ascertaining whether that person holds any of the defendant's assets and if the Court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the plaintiff will comply with any order the Court may make.

**119.**

Para. ~~5462~~(2)      **Notice of Objections to Contents of Affidavits of  
Evidence-in-chief**

[Title as in cause or matter]

Take notice that the [plaintiff or defendant or as the case may be] intends to object to the contents of the several affidavits hereunder specified [or the identified portions thereof] at the trial or hearing of the cause or matter for which these were filed for the reasons stated below.

1.      The first [or second or as the case may be] affidavit of [name of deponent] filed on [date] on behalf of the [plaintiff or defendant or as the case may be].

OR

1.      Paragraphs 1, 2 and 3, and exhibits AB-1 and AB-2 of the first [or second or as the case may be] affidavit of [name of deponent] filed on [date] on behalf of the [plaintiff or defendant or as the case may be].

2.      The grounds for this objection are [state the grounds].

Dated this      day of      , 20      .

Solicitors for

~~1210.~~

Para. ~~6071~~(11)(a)

**Index to Agreed Bundle of Documents**

<b>No. (To be numbered serially)</b>	<b>Description</b>	<b>Original/Copy</b>	<b>Scope of agreement</b>	<b>Page</b>

**131.**

Para. ~~6879~~(1)

**Request for Attendance of the Sheriff**

[Title as in cause or matter]

I, [name of party making request], being [the plaintiff or the defendant or the plaintiff's employee or as the case may be (or the solicitor for the plaintiff or ~~the defendant~~the defendant or the plaintiff's employee or as the case may be)], hereby request that the Sheriff do attend at [the address for the attendance] on [the desired date and time of attendance] for the purpose of [the reason for the attendance].

I undertake to pay the fees prescribed by ~~Item No. 117 of~~ Appendix B to the Rules of Court in respect of the attendance requested above.

Dated this day      of              20      .

*(Signature of declarant)*  
*(Name of firm of solicitors)*  
*(if declarant is a solicitor)*

**1412.**

Para. **7687**(3)

**Form of Record of Appeal**

The documents itemised below are listed in accordance with paragraph **7687**(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9(2) of the Rules of Court, deemed to be filed.

S/N.	DCN	Filing Date	Description of Document	Pages
1.			Notice of appeal	
2.			Certificate of payment of security for costs	
			Record of proceedings:-	
3.			(a) (to be itemised)	
4.			(b) (to be itemised)	
5.			(c) (to be itemised)	
6.			Affidavit of evidence in chief of X	
7.			Affidavit of evidence in chief of Y	
			Pleadings:-	
8.			(a) (to be itemised)	
9.			(b) (to be itemised)	
			Documents relevant to the matter Decided and the nature of the appeal:-	
10.			(a) letter dated xx/yy/zzzz	
11.			(b) the affidavit of Z	Eg pages 4 to 15*
12.			Judgment or order appealed from	

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

The format of the separate table of contents under paragraph **76(787)**(5) is as follows:-

S/N.	Description of Document	Pages**

\*\* The solicitor's attention is drawn to the directions in paragraph **7889**(2) pertaining to pagination



**1513.**

Para. ~~7687~~(3)

**Form of Core Bundle**

The documents itemised below are listed in accordance with paragraph ~~7687~~(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9(2A) of the Rules of Court, deemed to be filed.

S/N.	DCN	Filing Date	Description of Document	Pages*
1.			Grounds of judgment or order	
2.			Judgment or order appealed from	
			Relevant documents as defined in O 57 r 9(2A)(b) of the Rules of Court:-	
3.			(a) (to be itemised)	
4.			(b) (to be itemised)	

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

See Form ~~1412~~ for the format of the separate table of contents under paragraph ~~76(787)~~(5).

**1614.**

Para. 7687(3)

**Form of Supplemental Core Bundle**

The documents itemised below are listed in accordance with paragraph 7687(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9A(2A), deemed to be filed.

S/N.	DCN	Filing Date	Description of Document	Pages*
			Additional documents as defined in O 57 r 9A(2A)(a) of the Rules of Court	
1.			(a) (to be itemised)	
2.			(b) (to be itemised)	

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

See Form 1412 for the format of the separate table of contents under paragraph 76(787)(5).

~~1715.~~

Para. ~~7889~~(3)(a)

**Table of Contents**

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**INDEX TO VOLUME II**

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**INDEX TO VOLUME III**

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**INDEX TO VOLUME IV**

NO.	EXHIBIT MARKING	DESCRIPTION	Whether or not included in records	PAGE
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**INDEX TO VOLUME V**

NO.	DESCRIPTION	PAGE
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**1816.**

Para.  
8294(3)(a)(iii)

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

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

**Suit No. of 20**

**Bill of Costs No. of 20**

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

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

**Between**

**..... Plaintiff(s)**

**And**

**..... Defendant(s)**

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

Applicant: [State the party for whom the bill is filed].  
 Nature of bill: [State whether the bill is a party-and-party or solicitor-and-client bill].  
 Basis of taxation: [State the basis of taxation, that is, standard or indemnity basis].  
 Basis for taxation: Judgment dated \_\_\_\_\_ ordering [set out the order on costs under which the bill is to be taxed, including such details as the party who is ordered to pay costs and the party entitled to claim costs].

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

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

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

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

			<i>is heard during a PTC and the amount of time taken.]</i>
3.5	Other attendances	[Set out the dates and the nature of hearings if there are other attendances in Court which should be taken into consideration.]	<i>[Set out the amount of time taken for the hearing and such other relevant information as will enable the Court to determine the costs to award for the hearing.]</i>
<b>4.</b>	<b>Discovery</b>		
4.1	Number of lists of documents	<i>[Set out the number of lists of documents, including supplementary lists, filed by each party.]</i>	
4.2	Total number of documents disclosed	<i>[Set out the number of documents, with the total number of pages, disclosed by each party.]</i>	<i>[Provide such information as is relevant, such as the number of pages that overlap.]</i>
<b>5.</b>	<b>Trial</b>		
5.1	Opening statement	<i>[Set out the number of pages of opening statement filed by each party.]</i>	
5.2	Number of days and date(s) of trial.	<i>[Indicate the total number of days fixed for trial, the actual number of days taken and the date(s) of the trial.]</i>	<i>[Provide such information as is relevant, such as whether digital or mechanical recording was used during the trial].</i>
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
5.4	Affidavits of evidence in chief – text and exhibits	<i>[Set out the number of affidavits filed by each party and the total number of pages of text and exhibits of all affidavits filed].</i>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

5.5	Bundle of documents	<i>[Set out the number of volumes and the total number of pages in each bundle filed in respect of the trial].</i>	
5.6	Witnesses at trial	<i>[Set out the number of witnesses of fact and expert witnesses for each party].</i>	
5.7	Closing submissions and authorities cited	<i>[Set out the number of pages and authorities cited in the closing submissions, if any, of each party].</i>	
5.8	Submissions in reply and authorities cited	<i>[Set out the number of pages and authorities cited in the reply submissions, if any, of each party].</i>	
5.9	Other post-trial filings/matters	<i>[Set out the number of pages and authorities cited in any other documents, filed by each party].</i>	
<b>6.</b>	<b>Complexity of Cases</b>		
6.1	Legal issues	<i>[Set out succinctly all the legal issues raised].</i>	
6.2	Factual issues	<i>[Set out succinctly all the factual issues raised].</i>	
6.3	<i>Complexity</i>	<i>[Set out succinctly the matters that affect the complexity of the case].</i>	
6.4	<i>Grounds of decision</i>	<i>[Set out the number of pages in the grounds of decision and highlight the paragraph(s) where the Court commented on the complexity of the case or the novelty of the issues raised].</i>	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>7.</b>	<b>Urgency</b>		
7.1	Urgency	<i>[Set out the factors that rendered the suit one of urgency for the party entitled to claim costs].</i>	
7.2	Importance to client	<i>[Set out the factors that rendered the suit one of importance for the</i>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

		<i>party entitled to claim costs</i> ].	
<b>8.</b>	<b>Time and labour expended</b>		
8.1	Number of letters/faxes/emails exchanged between the parties	<i>[Set out the total amount of correspondence exchanged between the parties and also between the parties and the Court].</i>	
8.2	Number of letters/faxes/emails to client	<i>[Set out the total amount of correspondence between the party entitled to claim costs and counsel].</i>	
8.3	Meetings with opposing counsel	<i>[Set out the total number of meetings, and the time taken for them].</i>	
8.4	Time spent	<i>[Set out the total number of hours spent on the case by each counsel or solicitor].</i>	
8.5	Others	<i>[Set out any other relevant factors for the Court's consideration].</i>	
<b>9.</b>	<b>Counsels and solicitors involved</b>		
9.1	Counsel and solicitors	<i>[List all the lawyers acting for each party and their seniority].</i>	
9.2	Certificate of more than 2 counsel	<i>[Indicate if the Court has certified that the costs of more than two counsel are allowed].</i>	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>10.</b>	<b>Costs claimed</b>		
10.1	Amount claimed	<b>Amount claimed for</b> <i>[specify name of counsel or solicitor]: \$ [insert amount].</i> <i>[Set out in relation to each counsel or solicitor, the amount of costs claimed for Section 1, with a breakdown of –</i>	



SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

		<p>(a) <i>the amount claimed for work done by the counsel or solicitor;</i></p> <p>(b) <i>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</i></p> <p>(c) <i>the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</i></p> <p>(d) <i>the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</i></p>	
<b>Section 2:-Work done for taxation</b>			
11.	Work done	<i>[Describe the work done for the preparation of the bill of costs and the taxation of the bill].</i>	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
12.	Amount claimed	<p><b>Total amount claimed:</b> \$ <i>[insert amount].</i></p> <p><i>[Set out the amount of costs claimed for Section 2, with a breakdown of –</i></p> <p>(a) <i>the amount claimed for work done for Section 2;</i></p> <p>(b) <i>the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</i></p> <p>(c) <i>the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</i></p> <p>(d) <i>the GST claimed for work</i></p>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

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

**1917.**

Para.  
8294(3)(a)(iii)

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

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

**Suit No. of 20**

**Bill of Costs No. of 20**

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

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

**Between**

**..... Plaintiff(s)**

**And**

**..... Defendant(s)**

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

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

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

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

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

**Section 1: Work done other than for taxation**

No.	Item	Description	Remarks
<b>1.</b>	<b>The Claim</b>		
1.1	Nature of claim	[Give a brief description of the nature of claim, such as whether the substantive claim is for breach of contract or negligence].	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>2.</b>	<b>Application / Proceedings</b>		
2.1	Nature of application or proceedings for taxation	<i>[Give a brief description of the nature of proceedings or application to which the bill relates, eg., for an appeal or interlocutory application].</i>	
<b>3.</b>	<b>Interlocutory attendances</b>		
3.1	Interlocutory applications – costs fixed by Court	<i>[Set out in relation to each interlocutory application, the application number, the nature of the application, the number of affidavits filed, the orders made on costs and the amount of costs awarded].</i>	<i>[Set out the amount of time taken for the hearing and such other relevant information as enabled the Court to determine the costs awarded for the application].</i>
3.2	Interlocutory applications – costs not fixed by Court	<i>[Set out in relation to each interlocutory application, the application number, the nature of the application, the number of affidavits filed and the orders made on costs].</i>	<i>[Set out the amount of time taken for the hearing and such other information as will enable the Court to determine the costs to award for the application].</i>
3.3	Appeals to Judge in chambers	<i>[Set out in relation to each appeal, the appeal number, the nature of the appeal, the orders made on costs and the amount of costs awarded, if any].</i>	<i>[Set out the amount of time taken for the hearing and such other information as will enable the Court to determine the costs to award for the appeal].</i>

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
3.4	Other attendances	[Set out the dates and the nature of hearings if there are other attendances in Court which should be taken into consideration.]	<i>[Set out the amount of time taken for the hearing and such other relevant information as will enable the Court to determine the costs to award for the hearing.]</i>
<b>4.</b>	<b>Hearing</b>		
4.1	Number of days/hours and date(s) of hearing	<i>[Indicate the total number of days or hours fixed for the hearing, the actual number of days or hours taken and the date(s) of the hearing.]</i>	<i>[Provide such information as is relevant, such as whether digital or mechanical recording was used].</i>
4.2	Documents (apart from written submissions and authorities)	<i>[Set out the number of volumes and the total number of pages in each bundle filed in respect of the hearing].</i>	
4.3	Witnesses (if any)	[Set out the number of witnesses of fact and expert witnesses for each party, if any].	
4.4	Written submissions	[Set out the number of pages of the submissions, if any, filed by each party].	
4.5	Authorities cited	[Set out the number of authorities cited by each party].	
4.6	Other post-hearing filings	[Set out the number of pages and authorities cited in any other documents, filed by each party].	
<b>5.</b>	<b>Complexity of case</b>		

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
5.1	<i>Legal issues</i>	<i>[Set out succinctly all the legal issues raised].</i>	
5.2	<i>Factual issues</i>	<i>[Set out succinctly all the factual issues raised].</i>	
5.3	<i>Complexity</i>	<i>[Set out succinctly the matters that affect the complexity of the case].</i>	
5.4	<i>Grounds of decision</i>	<i>[Set out the number of pages in the grounds of decision and highlight the paragraph(s) where the Court commented on the complexity of the case or the novelty of the issues raised].</i>	
<b>6.</b>	<b>Urgency and importance to client</b>		
6.1	Urgency	<i>[Set out the factors that rendered the suit one of urgency for the party entitled to claim costs].</i>	
6.2	Importance to client	<i>[Set out the factors that rendered the suit one of importance for the party entitled to claim costs].</i>	
6.3	Amount involved	<i>[Set out the amount involved in the substantive dispute between the parties].</i>	
<b>7.</b>	<b>Time and labour expended</b>		
7.1	Number of letters/ faxes/emails exchanged between the parties	<i>[Set out the total amount of correspondence exchanged between the parties and also between the parties and the Court].</i>	
7.2	Number of letters/ faxes/emails to client	<i>[Set out the total amount of correspondence between the party entitled to claim costs and counsel].</i>	
7.3	Meetings with opposing counsel	<i>[Set out the total number of meetings, and the time taken for them].</i>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
7.4	<i>Time spent</i>	<i>[Set out the total number of hours spent on the case by each counsel or solicitor].</i>	
7.5	<i>Others</i>	<i>[Set out any other relevant factors for the Court's consideration].</i>	
<b>8.</b>	<b>Counsel and solicitors involved</b>		
8.1	Counsel and solicitors	<i>[List all the lawyers acting for each party and their seniority].</i>	
8.2	Certificate of more than 2 counsel	<i>[Indicate if the Court has certified that the costs of more than two counsel are allowed].</i>	
<b>9.</b>	<b>Costs claimed</b>		
9.1	Amount claimed	<p><b>Amount claimed for</b> <i>[specify name of counsel or solicitor]: \$ [insert amount].</i>  <i>[Set out in relation to each counsel or solicitor, the amount of costs claimed for Section 1, with a breakdown of –</i></p> <ul style="list-style-type: none"> <li><i>(a) the amount claimed for work done by the counsel or solicitor;</i></li> <li><i>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</i></li> <li><i>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</i></li> <li><i>(d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</i></li> </ul>	
<b>Section 2: Work done for taxation</b>			
10.	Work done	<i>[Describe the work done for the preparation of the bill of costs and the taxation of the bill].</i>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

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



SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

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

**2018.**

Para.  
8294(3)(a)(iv)

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

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

**Bill of Costs No.            of 20**

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

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

In the matter of ...

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

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

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The work done</b>		
1.1	Nature of work	[Give a brief description of the nature of work to which the bill relates].	
1.2	Scope of brief (including relevant Court orders, if any)	[Give a brief description of the scope of the brief].	
1.3	Period of work	[State the period(s) of time in which the work was done].	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>2.</b>	<b>Complexity of matter</b>		
2.1	Legal issues	<i>[Set out succinctly all the legal issues raised].</i>	
2.2	Factual issues	<i>[Set out succinctly all the factual issues raised].</i>	
2.3	Complexity	<i>[Set out succinctly the matters that affect the complexity of the work].</i>	
2.4	Amount involved	<i>[Set out the amount involved in relation to the work done].</i>	
<b>3.</b>	<b>Time and labour expended</b>		
3.1	Number of letters/ faxes/emails exchanged with others	<i>[Set out the total amount of correspondence exchanged between the parties and also between the parties and the Court].</i>	
3.2	Number of letters/ faxes/emails to client	<i>[Set out the total amount of correspondence between the party entitled to claim costs and counsel].</i>	
3.3	Meetings with client	<i>[Set out the total number of meetings and the time taken].</i>	
3.4	Meetings with other parties (by class)	<i>[Set out the total number of meetings and the time taken].</i>	
3.5	Documents (including legal opinions)	<i>[Set out the total number of pages of documents perused and legal opinions rendered.]</i>	
3.6	Time spent	<i>[Set out the total number of hours spent on the case by each counsel or solicitor].</i>	
3.7	Other relevant work	<i>[Set out any other relevant factors for the Court's consideration].</i>	
<b>4.</b>	<b>Counsel and solicitors involved</b>		

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
4.1	Solicitor	<i>[List all the lawyers acting for each party and their seniority].</i>	
<b>5.</b>	<b>Cost claimed</b>		
5.1	Amount claimed	<p><b>Amount claimed</b> <i>[specify name of counsel or solicitor]:</i>  <b>\$</b> <i>[insert amount].</i>  <i>[Set out in relation to each counsel or solicitor, the amount of costs claimed for Section 1, with a breakdown of –</i>  <i>(a) the amount claimed for work done by the counsel or solicitor;</i>  <i>(b) the percentage of input tax for which a party entitled to claim costs is not entitled to credit;</i>  <i>(c) the amount of input tax for which a party entitled to claim costs is not entitled to credit; and</i>  <i>(d) the GST claimed for work done, in relation to the periods for which different rates of GST are applicable, including the period for which no GST is chargeable.]</i></p>	
<b>Section 2: Work done for taxation</b>			
6.	Work done	<i>[Describe the work done for the preparation of the bill of costs and the taxation of the bill].</i>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

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

~~2119.~~

Para. ~~8496~~

**Notice of Dispute**

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

Suit No. of \_\_\_\_\_ .  
Bill of Costs No. \_\_\_\_\_ of \_\_\_\_\_ .

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

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

**Between**

... Plaintiffs.

**And**

... Defendants.

Take notice that the solicitors for the \_\_\_\_\_ intend to dispute the following items in Bill of Costs No. \_\_\_\_\_ of \_\_\_\_\_ lodged in respect of this matter.

**NOTICE OF DISPUTE**

<b>S/No</b>	<b>Item</b>	<b>OBJECTION IN PRINCIPLE (P) /QUANTUM (Q)</b>	<b>GROUND OF DISPUTE</b>
1.	Section 1 (Party & Party)  [List items disputed]		[Specify grounds of dispute for each item]
2.	Section 2 (Work done for taxation)		-do-
3.	Section 3 (Disbursements)		-do-

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 .

ABC & Co.  
(Address of solicitors)

To: Solicitors for the \_\_\_\_\_.

[Form 22 deleted]

~~23-~~20.

Para 103      **Application to be Registered User of the Electronic Filing Service**

[Letterhead of law firm or organisation]

[Date]

The Registrar  
Supreme Court  
1 Supreme Court Lane  
Singapore 178879  
(Attn: eLitigation Project Director)

Dear Sir

**APPLICATION TO BE REGISTERED USER OF THE ELECTRONIC FILING SERVICE**

I, [*name of managing partner of law practice*], am the managing partner of [*name of law practice*], [*law practice UEN*], and I am duly authorised to make this application on behalf of [*name of law practice*].

2. The law practice of [*name of law practice*] hereby applies to be a registered user of the electronic filing service, eLitigation, established under Order 63A of the Rules of Court.

3. As required under Order 63A, I hereby designate (*name of appointed administrator*), NRIC/FIN (*NRIC/FIN number of appointed administrator*), as an authorised user to administer the service on behalf of my law practice. The SingPass identification code of the said authorised user is his NRIC/FIN number.

4. The duly completed application form and subscriber agreement with the designated electronic filing service provider, CrimsonLogic Pte Ltd, for the use of the electronic filing service, eLitigation, and the duly completed application form for interbank GIRO payment facilities for the payment of all fees and charges incurred by my law practice's use of the electronic filing service are annexed hereto.

Yours faithfully

[*Signature of authorised signatory*]  
[*Name and designation of authorised signatory*]

For Official Use Only	
<input type="checkbox"/> Approved	<input type="checkbox"/> Rejected
<hr/>	
Signature/Date	





SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

**Part II**

Date(s) and time(s) of hearing when use of technology Court is required:

Facility (tick box)	Date(s)	Time (state from ___ to ___)
<b>1. Audio-visual system</b>		
(a) Multi-system S-VHS video cassette player		
(b) Multi-format disc player		
(c) Document camera		
(d) Personal computer with dual screen for EFS hearing		
(e) Audio cassette player <i>(Subject to availability)</i>		
(f) Wired clip-on lavalier microphone for lead counsel <i>(Subject to availability)</i>		
(g) Other audio-visual or computer equipment as follows: (i) (ii) (iii) which are to be connected to the Technology Court's audio-visual system		
<b>2. Video- Conferencing system</b> (State the country, state and city)		
<b>3. Other equipment</b> (a) Colour video printer		

We undertake to pay all prescribed fees and to compensate the Supreme Court for all damage caused to the equipment, furniture or fittings in connection with the hearing.

*[The Plaintiff/Defendant or the solicitors for the Plaintiff/Defendant as the case may be]*

~~2822.~~

Para. ~~119~~121(2), **Application to Use the Technology Court or Mobile  
Info-Technology Trolley for  
Alternative Dispute Resolution**  
~~121~~122(2)

Date:

To: The Registrar  
Supreme Court  
1 Supreme Court Lane  
Singapore 178879

Through: [Please specify the relevant person-in-charge at the organization at which the dispute resolution process is carried out, such as Registrar, Singapore International Arbitration Centre or the Executive Director, Singapore Mediation Centre.]

**Part I**

Application by : ? Law Firm ? Individual  
Name of applicant/law firm : \_\_\_\_\_  
Name of lawyer/secretary-in-charge  
of matter : \_\_\_\_\_  
Address : \_\_\_\_\_  
E-mail address : \_\_\_\_\_  
Telephone and mobile numbers : \_\_\_\_\_  
Case number : \_\_\_\_\_  
Name of Parties : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date(s) of hearing : From \_\_\_\_\_ to \_\_\_\_\_

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

**Part II**

Application for \_\_\_\_\_ : \_\_\_\_\_ Technology Court \_\_\_\_\_ Mobile Info-  
Technology trolley

(a) Date(s) and time when use of technology Court is required:

Facility (tick box)	Date(s)	Time (state from ___ to ___)
<b>1. Audio-visual system</b>		
(a) Multi-system S-VHS video cassette player		
(b) Multi-format disc player		
(c) Document camera		
(d) Personal computer with dual screen for EFS hearing		
(e) Audio cassette player <i>(Subject to availability)</i>		
f) Wired clip-on lavalier microphone for lead counsel <i>(Subject to availability)</i>		
(g) Other audio-visual or computer equipment as follows: (i) (ii) (iii) which are to be connected to the Technology Court's audio-visual system		
<b>2. Video- Conferencing system</b> (State the country, state and city)		
<b>3. Other equipment</b> (a) Colour video printer		

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

(b) Date(s) and time when use of mobile info-technology trolley is required:

Facility* (Tick box)	Date(s)	Time (state from __to__ )
<b>1. Audio- visual Cart with display</b>		
(a) 43” plasma display		
(b) Multi-system S-VHS video cassette player (which allows playback of analogue S-VHS video cassette tapes)		
(c) Multi-format disc player (which allows the playback of DVD-audio, DVD-video, DVDRAM, DVD-R, CD, CD-R/RW and SVCD media)		
<b>2. Audio visual Cart with projector</b>		
(a) XGA 2500 ANSI Lumens projector		
(b) Multi-system S-VHS video cassette player (which allows the playback of analogue S-VHS video cassette tapes)		
(c) Multi-format disc player (which allows the playback of DVD-Audio, DVD-Video, DVD-RAM, DVD-R, CD, CDR/ RW and SVCD media)		
(d) Portable 90 or 100 inch tripod screen		

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<b>3. Video conferencing Mobile Cart @</b>			
(a) single 34" Multimedia Display			
(b) Polycom VSX 7000 videoconferencing system			
<b>4. Other Audio Visual Equipment</b>			
(a) Projector system			
(b) Audio cassette player			
(c) Document camera capable of displaying images of, <i>inter alia</i> , ordinary paper documents, 3-dimensional objects, slides, negatives and X-ray films			

@ applicable only for hearing in chambers

We undertake to pay all prescribed fees and to compensate the Supreme Court for all damage caused to the equipment, furniture or fittings in connection with the hearing.

*[The Plaintiff/Defendant or the solicitors for the Plaintiff/Defendant as the case may be]*

**2923.**

Para. ~~121~~122(1)

**Application to Use  
the Mobile Info-Technology Trolley**

Date:

To: The Registrar  
Supreme Court  
1 Supreme Court Lane  
Singapore 178879

**Part I**

Application by : ? Law Firm ? Individual

Name of applicant/law firm : \_\_\_\_\_

Name of lawyer/secretary-in-charge  
of matter : \_\_\_\_\_

Address : \_\_\_\_\_

E-mail address : \_\_\_\_\_

Telephone and mobile numbers : \_\_\_\_\_

Case number : \_\_\_\_\_

Name of parties : \_\_\_\_\_  
\_\_\_\_\_

Date(s) of hearing : From \_\_\_\_\_ to \_\_\_\_\_

Court number or Chamber number : \_\_\_\_\_  
(if known)

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

**Part II**

Date(s) and time(s) of hearing when use of mobile info-technology trolley is required (State type of facility required):

Facility* (Tick box)	Date(s)	Time (state from __to__ )
<b>1. Audio- visual Cart with display</b>		
(a) 43" plasma display		
(b) multi-system S-VHS video cassette player (which allows playback of analogue S-VHS video cassette tapes)		
(c) multi-format disc player (which allows the playback of DVD-audio, DVD-video, DVDRAM, DVD-R, CD, CD-R/RW and SVCD media)		
<b>2. Audio visual Cart with projector</b>		
(a) XGA 2500 ANSI Lumens projector		
(b) Multi-system S-VHS video cassette player (which allows the playback of analogue S-VHS video cassette tapes)		
(c) Multi-format disc player (which allows the playback of DVD-Audio, DVD-Video, DVD-RAM, DVD-R, CD, CDR/ RW and SVCD media)		
(d) Portable 90 or 100 inch tripod screen		

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<b>3. Video conferencing Mobile Cart @</b>			
(a) single 34" Multimedia Display			
(b) Polycom VSX 7000 videoconferencing system			
<b>4. Other Audio Visual Equipment</b>			
(a) Projector system			
(b) Audio cassette player			
(c) Document camera capable of displaying images of, <i>inter alia</i> , ordinary paper documents, 3- dimensional objects, slides, negatives and X-ray films			

@ applicable only for hearing in chambers

We undertake to pay all prescribed fees and to compensate the Supreme Court for all damage caused to the equipment, furniture or fittings in connection with the hearing.

*[The Plaintiff/Defendant or the solicitors for the Plaintiff/Defendant as the case may be]*



**3024.**

Para. ~~124~~125

**Undertaking to the Sheriff**

(Title as in action).

**PARTICULARS OF PROPERTY TO BE ARRESTED:-**

It is requested that the Warrant of Arrest/Release/Commission of Appraisalment and Sale lodged herewith be executed by the arrest/release/sale of the vessel \_\_\_\_\_lying \_\_\_\_\_.

Note:

If freight is to be arrested, insert the words “and of the said vessel’s cargo for the freight mentioned in the warrant” or if cargo and freight are to be arrested, insert the words “and of the said vessel’s cargo and freight mentioned in the warrant”.

An Undertaking is hereby given that the Sheriff shall be indemnified and be provided with sufficient funds as and when required by the Sheriff to meet the charges and expenses that may be incurred in consequence of these instructions.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

\_\_\_\_\_  
Solicitors

**30A25.**

Para. ~~129~~132(2)

**Schedule of Assets**

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

IN THE HIGH COURT OF  
THE REPUBLIC OF  
SINGAPORE

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

**SCHEDULE OF ASSETS**

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

[Forms 31 and 32 deleted]

~~3326.~~

Para. ~~146150~~(10)

**CERTIFICATE OF NOTIFICATION**

(Title as in cause or matter.)

**CERTIFICATE OF NOTIFICATION**

I, [*name of person effecting the notification*] (ID No. \_\_\_\_\_), certify that I have notified the abovenamed P of this Originating Summons on [*date*] at [*address where notification took place*].

The notification complies with Order 99, rule 6 of the Rules of Court and Paragraph ~~146150~~(10) of the Supreme Court Practice Directions. In particular, P was notified of [*please specify the matters which P was notified of*].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

.....  
Signature and name of person effecting notification

**APPENDIX B**

| Para. ~~536~~4(1)

**WAITING PERIODS**

<b>S/N</b>	<b>TYPE OF PROCEEDINGS</b>	<b>Target</b>
<b>Pre-trial conferences</b>		
1.	Pre-Trial Conferences in Suits:	
	(a) Where the writ has not been served.	10 weeks from the date of commencement of writ
	(b) Where the writ has been served or memorandum of appearance has been entered.	7 weeks from the date of service of writ/memorandum of appearance
<b>High Court – Original Civil Jurisdiction</b>		
2.	Trials in Suits	8 weeks from the date of setting down
3.	Bankruptcy Originating Summonses	
	- Application for bankruptcy order	6 weeks from the date of filing
	- Other originating summonses	2 weeks from the date of filing
4.	Probate Originating Summonses	5 weeks from the date of filing
5.	Companies Winding-Up and Judicial Management Originating Summonses	4 weeks from the date of filing
<b>Before Registrar / Judge</b>		
6.	Originating Summons	
	(a) <i>Inter Partes</i> Originating Summons	6 weeks from the date of filing
	(b) <i>Ex parte</i> Originating Summons	3 weeks from the date of filing

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

- |   |   |
|---|---|
| (c) Originating Summons for Order 69 r 6 on arbitration   | 13 weeks from the date of filing (statutory minimum of 3 months)                  |
| (d) Application for discovery or interrogatories against a network service provider under paragraph 43 of these Practice Directions | 5 days from the date of filing  |
| 7. Summonses before Judge and Registrar other than applications for summary judgment  | 3 weeks from the date of filing   |
| 8. Applications for summary judgment pursuant to Order 14   | 5 weeks from date of filing (statutory minimum period)                            |
| 9. Summonses for Directions   | 3 weeks from the date of filing   |
| 10. Bankruptcy Applications (summonses)<br>- Application for Discharge<br>- Other applications                                      | 4 weeks from the date of filing<br>2 weeks from the date of filing                |
| 11. Summonses in Probate proceedings  | 4 weeks from the date of filing   |
| 12. Taxation: General bills   | 3 weeks from the date of filing   |
| 13. Review of Taxation before Judges  | 3 weeks from the date of filing   |
| 14. Assessment of Damages   | 3 weeks from date of filing<br>[Includes time taken to subpoena witness to court] |
| 15. Examination of Judgment Debtors   | 3 weeks from the date of filing of request* for hearing date                      |

**High Court – Appellate Civil Jurisdiction**

- |   |  |
|---|--|
| 16. Registrar’s Appeals (from High Court) | 4 weeks from the date of filing for appeals involving assessment of damages<br><br>3 weeks from the date of filing for other appeals |
|---|--|

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\* Formerly known as “praecipe”.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

- |     |  |  |
|-----|--|--|
| 17. | Appeals in civil matters from Subordinate Courts (District Court Appeals and Small Claims Tribunals Appeals) | 4 weeks from the of receipt of the record of proceedings from Subordinate Courts |
|-----|--|--|

**High Court – Criminal Jurisdiction**

- |     |  |  |
|-----|--|--|
| 18. | Pre-trial conference in Criminal Cases                                     | 12 weeks from date accused is first charged in the Subordinate Courts. |
| 19. | Trials of Criminal Cases   | 4 weeks from date of preliminary inquiry                               |
| 20. | Appeals in criminal matters from Subordinate Courts (Magistrate’s Appeals) | 8 weeks from the date of receipt of the record of proceedings          |

**Court of Appeal**

- |     |                  |   |
|-----|------------------|---|
| 21. | Civil Appeals    | Appeals before 3 Judges:<br>Ready to be heard in 16 weeks from date of Notification to collect Records of Proceedings.<br><br>Appeals before 2 Judges:<br>Ready to be heard in 12 weeks from date of Notification to collect Records of Proceedings |
| 22. | Criminal Appeals | 6 weeks from the date of service of the Record of Proceedings   |

**APPENDIX C: SAMPLE BILLS OF COSTS**

Para. ~~8294~~(3)(b) Sample Bill of Costs for contentious matters – Trials

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

Suit No. of 20  
 Bill of Costs No. of 20

GST Reg. No. (solicitors for plaintiffs): 12345  
 GST Reg. No. (1st plaintiff): 67890 (20%)  
 2nd plaintiff: No GST Reg. No. (100%)

**Between**  
 (1) AAA  
 (2) BBB

..... Plaintiffs

**And**

CCC

..... Defendant

**BILL OF COSTS (for contentious business - trials)**

Applicant: Solicitors for the plaintiffs  
 Nature of bill: Party and party  
 Basis of taxation: Standard basis  
 Basis for taxation: Judgment dated \_\_\_\_\_ ordering the defendant to pay 2/3 of plaintiffs' costs

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The claim</b>		
1.1	Nature of claim	Breach of contract, restraint of trade, breach of confidentiality.	
<b>2.</b>	<b>Pleadings</b>		
2.1	Writ & statement of claim	Writ: 3 pages Statement of claim: 20 pages	
2.2	Defence & counterclaim	Defence: 10 pages Counterclaim: 2 pages	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
2.3	Reply & defence to counterclaim	Reply: 5 pages Defence to counterclaim: 2 pages	
2.4	Relief claimed	Plaintiff's claim: <ul style="list-style-type: none"> <li>• \$ 1 m damages plus interest</li> <li>• Permanent injunction</li> </ul> Defendant's counterclaim: <ul style="list-style-type: none"> <li>• \$500,000 damages plus interest</li> <li>• Declaration</li> </ul>	
2.5	Affidavits deemed or ordered to stand as pleadings	Not applicable	
<b>3. Interlocutory attendances</b>			
3.1	Interlocutory applications – costs fixed by Court	(1) SIC 123/04: plaintiffs' application for further and better particulars on [date]. 3 affidavits filed (300 pages including 35 exhibits). Costs awarded to plaintiffs fixed at \$3000. (2) SIC 234/04: defendant's application for specific discovery. 1 affidavit filed (5 pages including 2 exhibits). No order on application with no order on costs.	(1) 30 F&BPs requested and 25 successful. Hearing before AR for ½ day on [date]  (2) Hearing before AR for ½ day on [date].
3.2	Interlocutory applications – costs not fixed by Court	(1) SIC 345/03: plaintiffs' <i>ex-parte</i> application for interlocutory injunction on [date]. 2 affidavits filed (total 200 pages including 25 exhibits). Written submissions of 30 pages with 10 cases cited. Order in terms with costs in the cause.  (2) SIC 456/05: plaintiffs' summons for directions on discovery exchange of affidavits of evidence in chief ("AEIC") and setting down. Orders made.	(1) Hearing before Justice ABC from 5.30 to 6.30 pm on [date].  (2) Heard together with PTC on [dates].
3.3	Appeals to Judge in chambers	RA 1/05: appeal on defendant's discovery application: appeal dismissed with costs fixed at \$1000 to the plaintiffs.	Special date – ½ day hearing before Justice XYZ on [dates].



SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
3.4	Pre-trial Conferences	4 PTCs on [dates]	By consent application for extension of time to exchange AEIC with costs in the cause heard during PTC on [date].
3.5	Other attendances	Not applicable.	
<b>4. Discovery</b>			
4.1	Number of lists of Documents	Plaintiffs: list + 3 supplementary lists Defendant: list + 1 supplementary list All verified by affidavit.	1 of plaintiffs' supplementary lists filed on 1st day of trial.
4.2	Total number of documents Disclosed	Plaintiffs: 3,500 pages Defendant: 200 pages	
<b>5. Trial</b>			
5.1	Opening Statement	Plaintiff: 20 pages Defendant: 18 pages	
5.2	Number of days and date(s) of trial	Number of days fixed: 15 days Number of days of actual hearing: 12 ½ days Dates of trial: 4-8 April 2005, 25-29 April 2005, 3-5 May 2005	Parties negotiated on the 1st day and dispensed with 2 witnesses.
5.3	Part heard	2 week break after 5th day.	
5.4	Affidavits of evidence in chief – text and exhibits	Plaintiffs: 5 affidavits • 250 pages of text; • 65 exhibits running to 2000 pages Defendant: 3 affidavits • 200 pages of text; • no exhibits, affidavits cross-referenced to agreed bundle of documents; 30 documents referred to in the affidavits.	Overlap of 30 exhibits

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
5.5	Bundle of Documents	Core bundle: 2 volumes 500 pages Agreed bundle: 10 volumes 3000 pages Plaintiffs' bundle: 1 vol 500 pages Defendant's bundle: 1 vol 90 pages	Exhibits P1 to P10 and D1 to D4 introduced during trial; 55 pages.
5.6	Witnesses at trial	Plaintiffs: 5 (3 of fact; 2 experts)  Defendant: 4 (3 of fact; 1 expert)	2 of the plaintiffs' witnesses only spoke Russian. Plaintiffs' experts not cross-examined.  1 of the defendant's witnesses gave oral evidence.
5.7	Closing submissions and authorities cited	Plaintiffs: 60 pages and 12 cases Defendant: 30 pages and 6 cases	
5.8	Submissions in reply and authorities cited	Plaintiffs: 10 pages and 2 cases Defendant: 6 pages and 5 cases	
5.9	Other post-trial filings/matters	Not applicable.	
<b>6. Complexity of case</b>			
6.1	Legal issues	(1) Whether acceptance of an offer in an email forms a binding contract in the absence of a formal contract. (2) ...	
6.2	Factual issues	(1) Whether the defendant sent the email that forms the basis of a binding contract between the parties; (2) ...	
6.3	Complexity	<ul style="list-style-type: none"> <li>• Novel point of law involving... [summary of the points];</li> <li>• Consideration of multiple alternative defences;</li> <li>• Major factual disputes in respect of definition of confidential information</li> </ul>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
6.4	Grounds of decision	30 pages. In particular Judge commented on the complexity of case or novelty of issues at para [highlight relevant paragraphs in the grounds of decision]. 5 authorities cited in the grounds.	
<b>7.</b>	<b>Urgency and importance to client</b>		
7.1	Urgency	Preparation for interlocutory injunction was made over the Chinese New Year.	
7.2	Importance to client	The plaintiffs have invested approximately \$1 m into research and it is critical that confidentiality of its information is maintained.	
<b>8.</b>	<b>Time and labour expended</b>		
8.1	Number of letters/faxes/emails exchanged between the parties	Plaintiffs to defendant: 100 Defendant to plaintiffs: 50 Plaintiffs to Court: 3	
8.2	Number of letters/faxes/emails to client	150	
8.3.	Meetings with opposing counsel	6 meetings comprising in total approximately 15 hours during part heard break between 5th and 6th day of trial	
8.4	Time spent	200 hours	
8.5	Others	Not applicable.	
<b>9.</b>	<b>Counsel and solicitors involved</b>		
9.1	Counsel	Plaintiffs: Mr ABC 15 years Ms DEF 2 years  Defendant: Ms GHI 10 years Mr JKL 5 years	Ms DEF was however an inhouse counsel in an MNC for 5 years prior to practice.

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
9.2	Certificate of more than 2 counsel	Yes.	
<b>10.</b>	<b>Costs claimed</b>		
10.1	Amount claimed	<p>For Mr ABC –</p> <p>Work done in 2003: \$ <i>a</i></p> <p>Work done in 2004: \$ <i>b</i></p> <p>Work done in 2005: \$ <i>c</i></p> <p>Percentage of input tax for which the 1<sup>st</sup> plaintiff is not entitled to credit: 20%.</p> <p>Amount of input tax for which the 1<sup>st</sup> plaintiff is not entitled credit in respect of –</p> <p>Work done in 2003: \$ <i>d</i></p> <p>Work done in 2004: \$ <i>e</i></p> <p>Work done in 2005: \$ <i>f</i></p> <p>Percentage of input tax for which the 2<sup>nd</sup> plaintiff is not entitled to credit: 100%.</p> <p>Amount of input tax for which the 2<sup>nd</sup> plaintiff is not entitled credit in respect of –</p> <p>Work done in 2003: \$ <i>g</i></p> <p>Work done in 2004: \$ <i>h</i></p> <p>Work done in 2005: \$ <i>I</i></p> <p>GST for work done in 2003: \$ <i>j</i></p> <p>GST for work done in 2004: \$ <i>k</i> GST for work done in 2005: \$ <i>l</i></p> <p>For Ms DEF-</p> <p>Work done in 2003: \$ <i>m</i></p> <p>Work done in 2004: \$ <i>n</i></p> <p>Work done in 2005: \$ <i>o</i></p> <p>[Set out claim for GST as above].</p>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<b>Section 2: Work done for taxation</b>			
<i>No</i>	<i>. Item</i>	<i>Description</i>	<i>Remarks</i>
11.	Work done	Drawing up bill of costs, perusing documents and vouchers, attending taxation and drawing up Registrar's certificate.	
12.	Amount claimed	<p><b>\$ p</b> Percentage of input tax for which the 1<sup>st</sup> plaintiff is not entitled to credit: 20%.</p> <p>Amount of input tax for which the 1<sup>st</sup> plaintiff is not entitled credit : \$ q</p> <p>Percentage of input tax for which the 2<sup>nd</sup> plaintiff is not entitled to credit: 100%.</p> <p>Amount of input tax for which the 2<sup>nd</sup> plaintiff is not entitled credit : \$ r</p> <p>GST for work done: \$ s</p>	
<b>Section 3: Disbursements</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
13.	15/5/03	Writ of summons (Court fees): \$ xxx	
14.	3/6/03	Reply and defence to counterclaim (Court fees): \$ yyy	
15.	3/6/03	SIC 123/05 (Court fees): \$ zzz	
16.	xxxx	[Nature of each disbursement and the amount claimed.]	
17.	. -	<p><b>Total amount claimed: \$ t</b></p> <p>Percentage of input tax for which the 1<sup>st</sup> plaintiff is not entitled to credit: 20%.</p> <p>Amount of input tax for which the 1<sup>st</sup> plaintiff is not entitled credit in respect of –</p> <p>Disbursements incurred in 2003: \$ u Disbursements incurred in 2004:\$ v Disbursements incurred in 2005:\$ w</p> <p>Percentage of input tax for which the 2<sup>nd</sup> plaintiff is not entitled to credit: 100%.</p>	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

		<p>Amount of input tax for which the 2<sup>nd</sup> plaintiff is not entitled credit in respect of –</p> <p>Disbursements incurred in 2003: \$ <i>x</i> Disbursements incurred in 2004: \$ <i>y</i> Disbursements incurred in 2005: \$ <i>z</i></p> <p>GST for work done in 2003: \$ <i>aa</i> GST for work done in 2004: \$ <i>bb</i> GST for work done in 2005: \$ <i>cc</i></p>	
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Para. 8294(3)(b) **Sample Bill of Costs for contentious matters other than trials**

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

**Suit No. of 20**

**Bill of Costs No. of 20**

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

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

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

**Between**

**AAA**

**BBB**

**..... Appellant**

**And**

**CCC**

**..... Respondent**

**BILL OF COSTS (for contentious business – other than trials)**

Applicant: Solicitors for the appellant  
 Nature of bill: Party and party  
 Basis of taxation: Standard basis  
 Basis for taxation: Judgment dated \_\_\_\_\_ ordering the respondent to pay 2/3 of appellant's costs

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The claim</b>		
1.1	Nature of claim	Breach of contract	
<b>2.</b>	<b>Application / Proceedings</b>		
2.1	Nature of application or proceedings for taxation	Appeal to the Court of Appeal against the decision of Justice ABC finding that there was a breach of contract and ordering the appellant to pay damages of \$3.5 million to the respondent.	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<b>3.</b>	<b>Interlocutory attendances</b>		
3.1	Interlocutory applications - costs fixed by Court	NM 123/04: respondent's application for leave to set aside a Notice of Appeal to CA on [date]. No affidavits filed. Costs awarded to appellant fixed at \$2,500	Hearing before CA for 20 minutes on [date]
3.2	Interlocutory applications – costs not fixed by Court	NM 345/05: appellant’s application for leave to adduce further evidence on [date]. 2 affidavits filed (total 200 pages incl. 25 exhibits). Written submissions of 30 pages with 10 cases cited. Order in terms with costs in the cause.	Hearing before CA from 5.30 to 6.30 pm on [date].
3.3	Appeals to Judge in chambers	Not applicable	
3.4	Other attendances	Not applicable.	
<b>4.</b>	<b>Hearing</b>		
4.1	Number of days/hours and date(s) of hearing	Number of days/hours fixed: 2 hours Number of days/hours of actual hearing: 1 hour Date of hearing: 24 May 2005	Appeal was dismissed without the need for the respondents to address the Court.
4.2	Documents (apart from written submissions and authorities)	Core bundle: 2 vols, 50 pages Supplementary core bundle: 1 vol, 10 pages Record of Appeal: 10 vols, 2000 pages	
4.3	Witnesses (if any)	Not applicable.	
4.4	Written Submissions	Appellant’s Case: 50 pages Appellant’s skeletal submissions: 10 pages Respondent’s Case: 100 pages	
4.5	Authorities cited	Appellant: 10 cases Respondent: 5 cases	
4.6	Other post hearing Filings	Not applicable.	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>



SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<b>5.</b>	<b>Complexity of cases</b>		
5.1	Legal issues	(1) Whether acceptance of an offer in an email forms a binding contract in the absence of a formal contract.	
5.2	Factual issues	(1) Whether the respondent sent the email that allegedly forms the basis of a binding contract between the parties;	
5.3	Complexity	Novel point of law involving .... [summary of the points]  Consideration of multiple alternative defences.  Major factual disputes in relation to X's authority to enter into the contract.	
5.4	Grounds of Decision	30 pages. In particular Judge commented on the complexity of case or novelty of issues at para [highlight relevant paragraphs in the grounds of decision].  5 authorities cited in the grounds.	
<b>6.</b>	<b>Urgency and importance to client</b>		
6.1	Urgency	Not applicable.	
6.2	Importance to Client	The sum involved is large and has a serious impact on the cash-flow of the company.	
6.3	Amount involved	The judgment sum amounted to \$3.5m.	
<b>7.</b>	<b>Time and labour expended</b>		
7.1	Number of letters/ faxes/emails exchanged between the parties	Appellant to Respondent: 100 Respondent to Appellant: 50 Appellant to Court: 3	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

7.2	Number of letters/ faxes/emails to client	150	
7.3	Meetings with opposing counsel	Not applicable	
7.4	Time spent	100 hours	
7.5	Others	Not applicable.	
<b>8.</b>	<b>Counsel and solicitor involved</b>		
8.1	Counsel and Solicitors	Appellant: Mr ABC, SC, 15 years Ms DEF, 2 years  Respondent: Ms GHI, 10 years Mr JKL, 5 years	Ms DEF was however an inhouse counsel in an MNC for 5 years prior to practice.
8.2	Certificate of more than 2 counsel	Not applicable.	
<b>9.</b>	<b>Costs claimed</b>		
9.1	Amount claimed	[Please refer to the sample used for trials and modify as appropriate.]	
<b>Section 2: Work done for taxation</b>			
<i>No.</i>	<i>. Item</i>	<i>Description</i>	<i>Remarks</i>
10.	Work done	Drawing up bill of costs, documents and vouchers, attending taxation and drawing up Registrar's certificate.	perusing
11.	Amount claimed	[Please refer to the sample used for trials and modify as appropriate.]	
<b>Section 3: Disbursements</b>			

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Date</i>	<i>Description and amount claimed</i>	<i>Remarks</i>
12.	15/5/04	Notice of Appeal (Court fees): \$ xxx	
13.	3/6/04	Core Bundle (Court fees): \$ yyy	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
14.	3/6/04	NM 123/05 (Court fees): \$ zzz	
15.	xxxx	[Nature of each disbursement and the amount claimed.]	
16.	-	<b>Total amount claimed: \$ xxxx</b> [Please refer to the sample used for trials and modify as appropriate.]	

Para. [8294](#)(3)(b) **Sample Bill of Costs for non-contentious matters**

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

**Bill of Costs No. of 20**  
**GST Reg. No. : 12345**

**In the matter of X Act (Cap. 12) 1999 Revised Edition**

**And**

**In the matter of ABC Pte Ltd**

**BILL OF COSTS (for non-contentious business)**

Applicant: Solicitors for ABC Pte Ltd  
Nature of bill: Solicitor and client  
Basis of taxation: Indemnity basis  
Basis for taxation: Rule 165 of the Companies (Winding Up) Rules 1969

<b>Section 1: Work done other than for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The work done</b>		
1.1	Nature of work	Liquidation, trust, corporate.	
1.2	Scope of brief (including relevant Court orders if any)	Engaged to advise client in the liquidation of Company ABC, in particular: (a) advising client on whether to commence action in 2 suits; (b) advising on the sale of company's assets; and (c) drafting the sale and purchase agreements.	
1.3	Period of work	1 Jun 04 – 31 May 05.	
<b>2.</b>	<b>Complexity of matter</b>		
2.1	Legal issues	(1) Scope of fiduciary duty owed to a company by a director. (2) Interpretation of s ____ Companies Act.	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

2.2	Factual issues	(1) Whether Company X has breached the contract dated ____ with Company ABC; (2) Whether the director has breached his duties to Company ABC.	
2.3	Complexity	Novel point of law involving... [summary of the points].  Consideration of various alternative proposals.  Major factual issues in respect of...	
2.4	Amount involved	Claim against Company X for breach of contract in the region of USD 1 m.  Claim against the director in the region of \$500,000.	
<b>3.</b>	<b>Time and labour expended</b>		
3.1	Number of letters/faxes/emails exchanged with others	On behalf of client to (class of relevant parties): 10(Class of relevant parties) to client: 50	
3.2	Number of letters/faxes/emails to client	150	
3.3	Meetings with client	6 meetings comprising in total approximately 15 hours.	
3.4	Meetings with other parties (by class)	3 meetings comprising in total approximately 5 hours with creditors. 4 meetings comprising in total approximately 8 hours with potential purchasers of assets.	
3.5	Documents (including legal opinions)	Documents perused: more than 2000 pages.  Documents prepared: 5 legal opinions rendered. (Total: 80 pages and 20 cases cited).	
3.6	Time spent	150 hours	

SUPREME COURT PRACTICE DIRECTIONS (AMENDMENT NO. 3 OF 2012)

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
3.7	Other relevant work	Not applicable	
<b>4.</b>	<b>Counsel and solicitors involved</b>		
4.1	Counsel and solicitor	Mr ABC, 15 years Ms DEF, 2 years	Ms DEF was however an inhouse counsel in an MNC for 5 years prior to practice.
<b>5.</b>	<b>Costs claimed</b>		
5.1	Amount claimed	\$ ____ [Please refer to the sample used for trials and modify as appropriate.]	
<b>Section 2: Work done for taxation</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
6.	Work done	Drawing up bill of costs, perusing documents and vouchers, attending taxation and drawing up Registrar's certificate.	
7.	Amount claimed	\$ ____ [Please refer to the sample used for trials and modify as appropriate.]	
<b>Section 3: Disbursements</b>			
<i>No.</i>	<i>Date</i>	<i>Description and amount claimed</i>	<i>Remarks</i>
8.	15/6/04	Land title search (fees): \$ xx	
9.	xxxx	[Nature of each disbursement and the amount claimed.]	
10.	-	<b>Total amount claimed: \$ ____</b> [Please refer to the sample used for trials and modify as appropriate.]	

**APPENDIX D**

Para. ~~122~~123

**FEES FOR USE OF THE TECHNOLOGY COURTS  
AND THE MOBILE INFO-TECHNOLOGY TROLLEY**

<i>No.</i>	<i>Items.</i>	<i>Fees. \$</i>	<i>Point of time at which fee must be paid</i>	<i>Document on which the stamp is to be affixed</i>
1.	For each day or part thereof in respect of a particular hearing or matter in which a Technology Court is used.	50	On filing Form <u>27-21</u> or Form <u>28-22</u> of Appendix A save that the Registrar may allow a refund for the fees paid in respect of days on which the Technology Court was not used.	Form <u>27-21</u> or Form <u>28-22</u> of Appendix A.
2.	For each day or part thereof in respect of a particular hearing or matter in which the videoconferencing equipment installed in a Technology Court is used.	1,000	On filing Form <u>27-21</u> or Form <u>28-22</u> of Appendix A, save that the Registrar may allow a refund for the fees paid in respect of days on which the videoconferencing equipment was not used.	Form <u>27-21</u> or Form <u>28-22</u> of Appendix A.
3.	For each day or part thereof in respect of a particular hearing or matter in which the Mobile Info-Technology Trolley is used.	100	On filing Form <u>28-21</u> or Form <u>29-22</u> of Appendix A save that the Registrar may allow a refund for the fees paid in respect of days on which the Mobile Info- Technology Trolley was not used.	Form <u>28-21</u> or Form <u>29-22</u> of Appendix A
4.	For each day or part thereof in respect of a particular hearing or matter in which the videoconferencing equipment from the mobile Info-Technology Trolley is used.	250	On filing Form <u>28-21</u> or Form <u>29-22</u> of Appendix A save that the Registrar may allow a refund for the fees paid in respect of days on which the videoconferencing equipment was not used.	Form <u>28-21</u> or Form <u>29-22</u> of Appendix A.
5.	Telecommunication charges incurred in using the videoconferencing equipment installed in a Technology Court or on using the Mobile Info-Technology Trolley.	Actual Cost	On receiving a letter from the Registry stating the telephone charges incurred.	Request.*
6.	Charges incurred in using the video printer.	\$5 per printed sheet	On receiving a letter from the Registry stating the charges incurred.	Request.*

\*Formerly known as “praecipe”.

## APPENDIX E PART 1

Part ~~IVA-V~~

### CHECK LIST OF ISSUES FOR GOOD FAITH COLLABORATION

Where electronic discovery and inspection is contemplated, parties should discuss and consider, with a view to agreeing to as much as possible, the aspects relating to electronic discovery and inspection, including the following:

#### 1. Scope of reasonable search

(a) *Who are the custodians of documents that have to be discovered?*

Typically, the custodians will eventually be called as witnesses in the trial. The key witnesses are also likely to be the custodians of key documents.

(b) *The physical locations where the documents and any reasonable searches will be conducted.*

Identify the computing equipment, communication and storage devices, etc for each custodian. Examples include personal and notebook computers, tablets, mobile phones, removable storage devices like flash drives and external hard disks, external storage media like optical discs, cloud-based storage, etc. Parties should be aware that there may be centralised online or networked storage locations which may be accessible by the custodians.

Consider the amount of printed documents that will be disclosed during discovery. Discuss whether printed documents should be digitised, and if so, whether the digitised electronic copies should be subjected to text-conversion using Optical Character Recognition (OCR) software to facilitate searching. Documents with typewritten text will undergo OCR conversion with a higher degree of accuracy than documents containing handwritten text and drawings.

(c) *The precise date range of requested documents, including the period during which the requested documents were created, modified, and/or sent received, if necessary.*

(d) *The specific categories of documents sought to be disclosed.*

For example, electronic mail, instant messages, Short Message Text messages, web-based electronic mail, etc.

(e) *The use of agreed search terms and/or phrases.*

Discuss the keywords to be used with reference to the issues in dispute and pleadings. Try to avoid common words which will result in many hits. It is useful to consider the following categories of search terms and/or phrases:

- (i) names, nick names and e-mail addresses of key witnesses or custodians;
- (ii) search terms and/or phrases derived from the names of projects or products;
- (iii) search terms and/or phrases derived from significant events, eg date or location of a key meeting or discussion,



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Be familiar with the search engine that will be used and explore the use of search operators (eg proximity searches).

### **2. Use of software tools to facilitate searches and to save costs**

(a) *The use of search engines and the preparation of the search engine.*

If each party is using a different search engine, to agree on steps to minimise discrepancies in search results. For example, preparation of a fresh index of the search engine.

Documents which are image files (these include image-based PDF files) and which have not undergone text conversion using OCR software will not be searchable. Similarly, electronic documents which are password protected or encrypted may not be indexed by the search engine and hence may not be searchable.

Parties should also be aware of the foreign language capabilities of the search engine that will be used and be familiar with the amount of electronic documents which are in different languages.

(b) *The use of de-duplicating software, and/or the methods used to identify duplicate documents.*

(c) *The format(s) of documents which parties accept for the purposes of the discovery.*

Document review software platforms are able to produce a set of discoverable documents in PDF or TIFF documents or, increasingly, in native format. Production in native format is preferred. If production is in PDF or TIFF formats, the original electronic documents in native format should remain available for inspection, if necessary.

(d) *Review of search results*

Where search terms are used, the search results are deemed to be relevant and discoverable subject to review for the purpose of identifying privileged documents. Parties **should not** expend additional time, effort and resources to review search results for relevance.

### **3. Privilege review and redaction of privileged material**

(a) *The methods to be used to identify privileged documents and other non- discoverable documents.*

Search terms may be considered to identify potentially privileged documents for the privilege review. For example, the email addresses of solicitors, the law firm's file reference number, "without prejudice", "legal privilege", "legal advice privilege", "litigation privilege", etc.

(b) *The methods used to redact documents, where required.*

Where legible parts of documents are to be redacted, the redacted document can be provided in PDF or TIFF format. Where internal metadata is to be redacted, the redacted documents can be provided as a new version (without the metadata) in native format or in PDF or TIFF format.

### **4. Preliminary searches, data sampling or discovery in stages**

(a) *Conducting preliminary searches on the agreed repositories using the agreed search terms and limits.*

Preliminary searches are conducted after parties have agreed on the repositories and also the limits (eg time periods). The agreed search terms are used to run a search in order to identify whether there are some search terms that will lead to little or no hits and whether there are those search terms that will lead to too many hits. This does not entail either party viewing the contents of documents in the search results (at least not the full contents, perhaps highlights of documents if the search engine supports this function). This is intended to assist parties in discarding search terms with little or no hits and to refine the search parameters and/or operators for search terms that turn up too many hits.

(b) *The use of data sampling methods to test the suggested search terms.*

Data sampling requires that parties agree to a sample of documents, which is ideally representative of the documents which will eventually be given during discovery. A sample may be, for example, selected electronic mail and softcopy folders of a key custodian. A reasonable search is conducted and the documents in the search results reviewed. This is intended to assist parties arrive at a useful set of search terms for the actual reasonable search. Safeguards to preserve privilege will have to be agreed by parties. As this method is resource intensive, parties should agree to limit the number of times data sampling is used to test the efficacy of search terms.

(c) *The use of a staged approach in the discovery of electronic documents, if appropriate.*

In staged discovery, parties agree to discover documents from the repositories of key custodians or witnesses initially. After reviewing the documents, they may then agree to proceed to discovery of other custodians or witnesses, or they may agree that the initial stage is sufficient for general discovery and proceed with specific or further discovery. Staged discovery is useful if there are a few key custodians who have the majority of the relevant and material documents in the repositories under their possession, power or control.

## **5. Inspection and provision of copies**

(a) *The place of inspection of the documents.*

For inspection of electronic document which require proprietary or obsolete computing equipment (including software programs), the place for inspection may be the client organisation's premises where the electronic documents are accessible.

(b) *The manner of inspection of the documents.*

Inspection may be carried out by an operator who will retrieve each document that is to be inspected, and display it on the display panel. He will then manipulate the document on the screen at the request of the party entitled to inspection. Parties may also need to consider a protocol that will allow the solicitors for the party giving discovery to prevent disclosure of privileged information (including metadata), where relevant.

(c) *The supply of copies of documents, if any, and the format and manner in which the copies will be supplied.*

Apart from optical discs, parties may discuss supply of copies on removable hard disks, flash drives, online storage folders, etc.

## **6. Production of non-reasonably accessible documents and metadata**

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- (a) *Whether production of deleted documents which are recoverable only with forensic techniques is necessary and proportionate.*
- (b) *Whether production of data archived using backup software and stored off-line on backup tapes or other storage media is proportionate and economical.*
- (c) *Whether metadata is stored externally, and if so, whether production of externally stored metadata is necessary.*

**7. Appointment of computer experts for inspection and/or forensic examination**

- (a) *The appointment of a joint computer expert for the acquisition of the Original Acquired Image where there is to be forensic inspection of electronic medium or recording devices.*
- (b) *Whether the joint computer expert will also be appointed to carry out the reasonable search on the electronic medium or recording device, or parties will appoint their own computer expert to carry out the reasonable search.*
- (c) *The costs of and incidental to the conduct of the search, including the costs of appointment of any joint experts.*

**APPENDIX E PART 2**

| Part ~~IVA-V~~

**AGREED ELECTRONIC DISCOVERY PLAN**

**1. Scope of electronic discovery**

- (a) General discovery of the following class or classes of electronically stored documents shall be given:

[eg for each custodian, the repositories to be identified as well as the classes of electronically stored documents – electronic mail, correspondence, letters, etc.]

- (b) The party giving discovery shall take reasonable steps to decrypt encrypted files or encrypted storage locations, media or devices in order to identify discoverable electronically stored documents. This may include taking reasonable steps to obtain the decryption code and/or using reasonable technical means to perform decryption of the encrypted files or encrypted storage locations, media or devices.
- (c) For the avoidance of doubt, electronically stored documents residing in folders or directories in storage locations, media or devices, including folders or directories where temporarily deleted files are located (for example the Recycle Bin folder or Trash folder) are within the scope of general discovery. Electronically stored documents that are (i) not reasonably accessible, for example deleted files or file fragments containing information which are recoverable through the use of computer forensic tools or techniques during a forensic inspection of the unallocated file space or file slack, (ii) files and folders which are not known to the party giving discovery to be hidden in the file system, and (iii) documents archived using backup software and stored off-line on backup tapes or other storage media are **not** within the scope of general discovery.
- (d) **Reasonable search.** The search terms or phrases specified in the first column will be used in the conduct of a reasonable search for relevant electronically stored documents. The reasonable search will be limited by the scope described in the second column.

<i>Search term or phrase</i>	<i>Scope</i>
[Specify the keyword(s).]	[Describe the scope of the search by reference to custodian and repository, eg physical or logical storage locations, media or devices, the period during which the requested electronically stored document was created, modified or received, etc.]

- (e) **Preliminary search.** A preliminary search of the repositories identified in subparagraph (d) above is to be conducted forthwith. Such preliminary search is limited to providing information relating to the number of hits and/or the number of documents containing the keywords. Parties shall review the search results within two (2) days of being provided with the same; and within a further five (5) days, parties shall meet to discuss whether the keywords and/or the repositories identified in subparagraph (d) above need to be revised. Parties agree to abandon any keywords with

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no hits and to review any keywords with hits exceeding [*insert a figure, eg 10,000*] for the purpose of constraining the keywords. Unless mutually agreed, no new keywords may be introduced following the performance of the preliminary search.

- (f) **Data sampling.** Parties agree to perform a reasonable search of the following repositories in sub-paragraph (d) above: [*insert a sample of the custodians and repositories by referencing the table in sub-paragraph (d)*]. Parties shall review the search results within seven (7) days of being provided with the same; and within a further seven (7) days, parties shall meet to discuss whether the keywords and/or the repositories identified in sub-paragraph (d) above need to be revised. Data sampling in accordance with the terms of this sub-paragraph shall be performed no more than twice.
- (g) **No review for relevance.** Subject to paragraph 3 (Review for privileged material) below, each party's obligation to conduct a reasonable search is fulfilled upon that party carrying out the search to the extent agreed in this plan; the party giving discovery shall not be required to review the search results for relevance.

### 2. Format of list

The list of documents shall categorise and list electronically stored documents separately from documents in printed or other form. The list of documents enumerating electronically stored documents shall include the following columns: [*contents of table for illustration*]

Description of electronically stored document	File name & location	File format
Contract for sale and purchase of 123 Blackacre Heights Singapore 234123	//Contract Documents/Contract_Sale_Purchase_123_Blackacre_Heights.doc	Adobe Acrobat
Excel spreadsheet showing rental income and outgoings on 123 Blackacre Heights Singapore 234123	//Income Documents/Rental_Outgoings_Tabulation.xls	Microsoft Office Excel 2007
E-mails from Christopher Tan's e-mail account "chris.tan@realter.com.sg" in relation to 123 Blackacre Heights Singapore 234123 for the period 1 January 2010 to 31 December 2010.	//Correspondence/Thomas Liew.pst	Microsoft Outlook PST

An index of documents enumerated in the list of documents shall be provided in an electronic spreadsheet in the [eg Excel 2007 Binary (.xls), Comma Separated Value (.csv), etc] file format.

### 3. Review for privileged material

Nothing in this plan shall prevent the party giving discovery from reviewing the documents in any list provided hereunder for the purpose of claiming privilege. If the party giving discovery claims privilege over any document or record, he shall list the electronic documents or class of electronic documents over which privilege is claimed in the list of documents.

### 4. Inspection and copies

- (a) **Arrangements for inspection.** The place for inspection of discoverable electronic documents should be stated separately if it is different from the place for inspection

of other discoverable documents. If the party entitled to inspect intends to inspect through or with the assistance of its appointed computer expert, such computer expert shall provide an undertaking of confidentiality to the party giving inspection before he commences his inspection.

- (b) **Supply of copies.** During inspection, copies shall not be taken. If copies are required, a request should be made. Electronic copies of discoverable documents will be supplied in their native format and in read-only optical discs upon request. Electronic copies of discoverable documents where privilege is claimed only with respect to their internally stored metadata information will be supplied in the Tagged Image File Format (or TIFF) with privileged metadata information removed. For each of the read-only optical discs supplied, a further list stating the storage format version of the optical disc and enumerating the list of electronic documents stored therein shall be provided.

**5. Forensic inspection of electronic media or recording devices**

Parties agree that the protocol for forensic inspection of electronic media or recording devices (Appendix E Part 3) shall apply for the inspection of the following:

[List the electronic media or recording devices]

**6. Inadvertent disclosure of privileged documents**

Notwithstanding compliance with the procedures in this plan, nothing in this plan is intended to be or shall be taken to amount to a waiver of privilege.

**7. Discovery and production only if necessary**

For the avoidance of doubt, nothing in this plan shall compel any party to give discovery of any document or produce any document for inspection which is not otherwise discoverable under Order 24, Rules 7 or 13 of the Rules of Court (Cap 322, R5) [(where the party giving discovery is a bank) or disclose customer information in a manner contrary to its banking secrecy obligations].

**APPENDIX E PART 3**

| Part ~~IVA-V~~

**PROTOCOL FOR FORENSIC INSPECTION OF  
ELECTRONIC MEDIA OR RECORDING DEVICES**

**1. Appointment of computer experts**

- (a) **Joint appointment.** The party producing the electronic media or recording device for inspection (“**the Producing Party**”) and the party entitled to inspection of the electronic media or recording device thus produced (“**the Inspecting Party**”), may jointly appoint a computer expert (“**the Joint Expert**”) for the purpose of making a forensic copy of such electronic media or recording device (“**the Original Acquired Image**”). The Joint Expert’s role shall be restricted to the acquisition of the Original Acquired Image and the performance of a reasonable search on a copy of the Original Acquired Image in accordance with the terms of this protocol. Before the Joint Expert commences his appointment, he shall provide, and shall procure that each of his employees, representatives, agents or sub-contractors involved in the engagement provides, an undertaking of confidentiality to the Court and to all parties concerned in the inspection.
- (b) **Costs and expenses of Joint Expert.** All costs and expenses relating to the appointment of the Joint Expert under this protocol shall initially be borne equally between the Producing Party and the Inspecting Party. Nothing in this protocol is intended to or shall be taken to prevent any party to the cause or matter from seeking the recovery of such costs and expenses in accordance with the Rules of Court (Cap 322, R5).
- (c) **Individual appointments.** Nothing in this protocol shall prevent the Producing Party, the Inspecting Party and any other party concerned in the inspection, from appointing his own computer expert.

**2. Acquisition of the Original Acquired Image**

- (a) **Where Joint Expert appointed.** The Joint Expert shall acquire the Original Acquired Image under the supervision of all parties concerned in the inspection, their representatives or computer experts. Sufficient copies of the Original Acquired Image shall be made as necessary in order that the Producing Party and each of the Inspecting Party may be supplied with an electronic copy of the Original Acquired Image. The Joint Expert shall provide sufficient information with the copy of the Original Acquired Image to enable each party’s computer expert to access the copy supplied.

The Original Acquired Image shall be sealed and delivered to the custody of the Producing Party, who shall enumerate it in a list of documents to be filed under Order 24 of the Rules of Court (Cap 322, R5).

- (b) **Where Joint Expert not appointed.** The Producing Party’s computer expert shall be responsible for acquiring the Original Acquired Image under the supervision of all parties concerned in the inspection, their representatives or computer experts. Sufficient copies of the Original Acquired Image shall be made as necessary for the purposes of inspection and reasonable search to be provided under this protocol.

The Original Acquired Image shall be sealed and delivered to the custody of the Producing Party, who shall enumerate it in a list of documents to be filed under Order 24 of the Rules of Court (Cap 322, R5).

- (c) **Original Acquired Image to be produced when ordered by Court.** The party to whose custody the sealed Original Acquired Image has been delivered shall not tamper with or break the seal, and shall produce the Original Acquired Image to the Court or such other person(s) as the Court may direct.

### 3. Safeguards for reasonable search

This paragraph applies in situations where a reasonable search is conducted on the contents of a copy of the Original Acquired Image.

#### *Where Joint Expert appointed*

- (a) **Conduct of reasonable search.** The Inspecting Party shall specify or describe the search terms or phrases to be used in a reasonable search to be conducted on the contents of a copy of the Original Acquired Image to the Producing Party and the Joint Expert.

If the Producing Party does not object to the search terms or phrases so specified or described, he shall communicate his consent to the Joint Expert and the Inspecting Party. The Joint Expert shall make arrangements for the conduct of the reasonable search on a copy of the Original Acquired Image under the supervision of all parties concerned in the inspection, their representatives or computer experts.

If the Producing Party objects to any or all of the search terms or phrases so specified or described, he shall forthwith inform the Joint Expert. The parties shall resolve such objections before any further steps are taken for the conduct of the reasonable search. The Joint Expert shall not take any further steps for the conduct of the reasonable search until:

- (i) he is informed by the Producing Party of his consent to the original search terms or phrases; or  
(ii) the Inspecting Party specifies or describes a new set of search terms or phrases and to which the Producing Party provides his consent in accordance with this sub-paragraph.

A copy of the documents or records that are the results of the reasonable search (“**the Search Results**”) shall be made and released to the Producing Party.

- (b) **Review for privileged material.** The Producing Party shall be at liberty to review the Search Results for the purpose of claiming privilege. If the Producing Party claims privilege over any document or record from the Search Results, he shall list the electronic documents or records over which privilege is claimed.
- (c) **Release for inspection.** Thereafter, the Joint Expert shall remove copies of any documents or records over which privilege is claimed from the Search Results (“**the Redacted Search Results**”). The Joint Expert may maintain a separate privilege log which records the documents or records which are thus removed and the reasons given for doing so. For the avoidance of doubt, the privilege log shall not be included in the Joint Expert’s report but the Joint Expert shall produce the privilege log to the Court if so directed by the Court.



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The Redacted Search Results shall be released to the Inspecting Party for inspection together with the list of electronic documents or records over which privilege is claimed.

*Where Joint Expert not appointed*

- (a) **Conduct of reasonable search.** The Inspecting Party shall specify or describe the search terms or phrases to be used in a reasonable search to be conducted on the contents of a copy of the Original Acquired Image to the Producing Party. If the Producing Party objects to any or all of the search terms or phrases so specified or described, parties shall resolve such objections before any further steps are taken for the conduct of the reasonable search.

Upon resolution of any objections or if the Producing Party consents to the specified or described search terms or phrases, he shall make arrangements for his computer expert to conduct the requested reasonable search on a copy of the Original Acquired Image under the supervision of all parties concerned in the inspection, their representatives or computer experts.

- (b) **Review for privileged material.** The Producing Party shall be at liberty to review the Search Results for the purpose of claiming privilege. If the Producing Party claims privilege over any document or record from the Search Results, he shall list the electronic documents or records over which privilege is claimed.
- (c) **Release for inspection.** Thereafter, the Producing Party shall remove copies of any documents or records over which privilege is claimed from the Search Results. The Redacted Search Results shall be released to the Inspecting Party for inspection together with the list of electronic documents or records over which privilege is claimed.

#### 4. Safeguards for forensic examination

This paragraph applies to the forensic examination of a copy of the Original Acquired Image for the purpose of identifying electronically stored documents thereon or for the recovery of deleted files or file fragments from unallocated file space or file slack using computer forensic tools or techniques. A Joint Expert shall be appointed for the purpose of such forensic examination.

- (a) **Conduct of forensic examination.** The Inspecting Party shall specify or describe the search terms or phrases to be used in the forensic examination to be conducted on the contents of a copy of the Original Acquired Image to the Joint Expert. The Joint Expert shall not at any time disclose to the Producing Party the search terms or phrases specified or described by the Inspecting Party and shall not include the search terms or phrases in his report.

The Joint Expert shall make arrangements for the conduct of the forensic examination on a copy of the Original Acquired Image. Neither the Inspecting Party nor the Producing Party, or any of their solicitors, computer experts, employees, representatives or agents shall be present during the conduct of the forensic examination.

A copy of the documents or records that are the results of the reasonable search (“**the Search Results**”) shall be made and released to the Producing Party. The Producing Party is not entitled to a copy, and shall not request the Joint Expert for a copy, of the search terms or phrases specified or described by the Inspecting Party.

- (b) **Review for privileged material.** The Joint Expert and the Producing Party shall jointly review the Search Results for the purpose of permitting the Producing Party to identify electronically stored documents, deleted files or file fragments over which he claims privilege. If the Producing Party claims privilege over any electronically stored documents, deleted files or file fragments from the Search Results, he shall identify them to the Joint Expert. The Producing Party shall list the electronic documents, deleted files or file fragments over which privilege is claimed.
- (c) **Release for inspection.** Thereafter, the Joint Expert shall remove copies of any electronic documents, deleted files or file fragments over which privilege is claimed from the Search Results (“**the Redacted Search Results**”). The Joint Expert may maintain a separate privilege log which records the electronic documents, deleted files or file fragments which are thus removed and the reasons provided for the request. For the avoidance of doubt, the privilege log shall not be included in the Joint Expert’s report but the Joint Expert shall produce the privilege log to the Court if so directed by the Court.

The Redacted Search Results shall be released to the Inspecting Party for inspection together with the Producing Party’s list of electronic documents, deleted files or file fragments over which privilege is claimed.

**5. Inadvertent disclosure of privileged documents**

Notwithstanding compliance with the procedures in this protocol, nothing in this protocol is intended to be or shall be taken to amount to a waiver of privilege.

**6. Discovery and production only if necessary**

For the avoidance of doubt, nothing in this protocol shall compel any party to give discovery of any document or produce any document for inspection which is not otherwise discoverable under Order 24, Rules 7 or 13 of the Rules of Court (Cap 322, R5) [(where the party giving discovery is a bank) or disclose customer information in a manner contrary to its banking secrecy obligations].

**APPENDIX E PART 4**Part ~~IVA-V~~**REASONABLY USABLE FORMATS**

<b>File Format</b>	<b>Version</b>
<i>Office documents</i>	
Hypertext Markup Language	HTML 4.01 or ISO/IEC 15445:2000
Extensible Hypertext Markup Language	XHTML 2.0
Rich Text Format (RTF)	RTF 1.9.1
Plaintext Format	ASCII or Unicode
Portable Document Format (PDF)	PDF 1.7 or ISO 32000-1:2008
Microsoft Office file formats	Word 97-2007 Binary File Format (.doc) Specification PowerPoint 97-2007 Binary File Format (.ppt) Specification Excel 97-2007 Binary File Format (.xls) Specification Excel 2007 Binary File Format (.xlsb) Specification Office Drawing 97-2007 Binary Format Specification
<i>Electronic Mail</i>	
Multipurpose Internet Mail Extension (MIME)	RFC 5322
.eml	Mozilla Thunderbird, Windows Mail and Microsoft Outlook Express e-mail messages
.msg	Microsoft Office Outlook e-mail messages
Personal Storage Table (PST)	Microsoft Outlook
Notes Storage Format (NSF)	Lotus Notes
<i>Images</i>	
Joint Photographic Experts Group (JPEG)	ISO/IEC 10918-1
JPEG 2000	ISO/IEC 15444-1:2000
Portable Network Graphics (PNG)	ISO/IEC 15948:2004
Tagged Image File Format	TIFF

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Portable Document Format (PDF) PDF 1.7 or ISO 32000-1:2008

*Audio*

MPEG-1 Audio Layer 3 (MP3) ISO/IEC 11172-3

Advanced Audio Coding (AAC) ISO/IEC 14496-3:2005

*Video*

Moving Picture Experts Group (MPEG-1) ISO/IEC-11172

H.264 ITU-T H.264

MPEG-4 Part 10 or MPEG-4 AVC (Advanced Video Coding) ISO/IEC 14496-10

*Multimedia container formats*

Audio Video Interleave AVI

QuickTime MOV

MPEG-4 Part 14 ISO/IEC 14496-14:2003