

Miscellaneous Amendments to the Practice Directions

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).~~

(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.

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, the Sheriff may require the 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.

Amendments to the Practice Directions to Introduce the “ADR Offer”

PART IIIA: Alternative Dispute Resolution

35B. Overview of Alternative Dispute Resolution (ADR) for civil cases

(1) This Part of the Practice Directions applies only to civil cases in the High Court and the Court of Appeal.

(2) ADR should be considered at the earliest possible stage in order to facilitate the just, expeditious and economical disposal of civil cases.

(3) The attention of counsel and all parties is drawn to Order 59, Rule 5(c) of the Rules of Court, which provides that:

The Court in exercising its discretion as to costs shall, to such extent, if any, as may be appropriate in the circumstances, take into account — ... the parties' conduct in relation to any attempt at resolving the cause or matter by mediation or any other means of dispute resolution ...

35C. ADR Offer and Response to ADR Offer

(1) A party who wishes to attempt mediation or any other means of dispute resolution should file and serve on all relevant parties an ADR Offer in Form 28 of Appendix A of these Practice Directions.

(2) An ADR Offer may be made by any party at any time of the proceedings and shall be valid for a period of 14 days after its service.

(3) Within 14 days after service of the ADR Offer, the relevant parties shall file and serve a Response to ADR Offer in Form 29 of Appendix A of these Practice Directions, failing which they shall be deemed to be unwilling to attempt ADR without providing any reasons.

(4) If all the parties are willing to attempt ADR, directions may be given by the court in relation to the relevant civil case, including an adjournment of pending proceedings in court with stipulated timelines for the completion of the ADR process.

(5) In exercising its discretion as to costs, including costs of any claim or issue in any proceedings or of the entire action, the court may consider all the relevant circumstances of the case, including the ADR Offer and the Response to ADR Offer.

Form 28: ADR Offer

<u>Case Reference No:</u>	
<u>Date :</u>	
<u>Details _____ of Applicant(s):</u>	<u>Plaintiff/ Defendant/ Third Party/ Others (please state)* _____</u>

The Applicant(s) are willing to attempt mediation/ neutral evaluation/ others (please state).*

The Applicant(s) have the following proposals:

Please state proposals, e.g. possible dates for the ADR session, reference to particular ADR body, appointment of particular ADR practitioner, venue, etc.

* Delete as appropriate

<u>Name of Applicant(s):</u>	
<u>Signature of Applicant(s):</u>	
<u>Name of Counsel (if applicable):</u>	
<u>Law Firm (if applicable):</u>	
<u>Signature of Counsel (if applicable):</u>	

Form 29: Response to ADR Offer

<u>Case Reference No:</u>	
<u>Date :</u>	
<u>Details _____ of Respondent(s):</u>	<u>Plaintiff/ Defendant/ Third Party/ Others (please state)* _____</u>

The Respondent(s) are willing to attempt mediation/ neutral evaluation/ others (please state).*

The Respondent(s) are unwilling to attempt mediation/ neutral evaluation/ others (please state)* for the following reasons:*

Please state detailed reasons for unwillingness to attempt ADR.

The Respondent(s) are willing to accept the following proposals of the Applicant(s):

Please state the proposals of the Applicant(s) being accepted.

The Respondent(s) have the following counter-proposals:

Please state counter-proposals, e.g. possible dates for the ADR session, reference to particular ADR body, appointment of particular ADR practitioner, venue, etc.

* Delete as appropriate

<u>Name of Respondent(s):</u>	
<u>Signature of Respondent(s):</u>	
<u>Name of Counsel (if applicable):</u>	
<u>Law Firm (if applicable):</u>	
<u>Signature of Counsel (if applicable):</u>	

Amendments to the Practice Directions relating to electronic applications for practising certificates

136. Electronic applications for practising certificates ~~Practising Certificate Electronic Filing System~~

(1) Subject to section 26 of the Legal Profession Act, section 25 of the 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. Unless directed otherwise, with effect from 2 January 2014, all applications for practising certificates shall be made only through the Practising Certificate Module (PC Module) of the Integrated Electronic Litigation System (eLitigation) ~~Practising Certificate Electronic Filing System (PC E-Filing System)~~ according to the procedures set out on the Electronic Filing Service website (www.elitigation.sg) directions in paragraph 137.

(2) Solicitors who do not have access to eLitigation may file an application through the Service Bureau established pursuant to Order 63A, Rule 4 of the Rules of Court. Payment for applications made through the Service Bureau must be made by way of NETS, cashier's orders, cash or a law firm-issued cheque.

(3) Payment for applications made directly through the PC Module of eLitigation must be by way of GIRO electronic payment. It is the applicant's responsibility to ensure that the designated bank account has sufficient funds for GIRO electronic payment of all applicable subscriptions, levies, contributions, fees and charges (which may include outstanding amounts due to the Law Society and/or the Singapore Academy of Law) at the time of the application. The issuance of any practising certificate is subject to the clearance of funds. Upon notification that a payment transaction is unsuccessful, the applicant shall make arrangements to effect full payment within five (5) working days. At any time before full payment is made, the applicant shall, immediately upon demand, surrender to the Registrar all paper copies of any practising certificate issued to him for the practice year for which payment has not been settled and certify to the Registrar that he has destroyed all electronic copies thereof.

(42) 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. This notification shall be made only through the PC Module of eLitigation~~E-Filing System~~.

(53) 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.

~~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 made through 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. 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) payment shall be made through Interbank GIRO or 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;~~

~~(e) the applicant must not have a pending application in respect of the practice year for which his electronic application is being made;~~

~~(f) the Law Society must have confirmed 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;~~

~~(g) the Singapore Academy of Law must have confirmed through the PC E-filing System that the applicant has complied with section 25(1)(c) of the Legal Profession Act; and~~

~~(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 through the PC E-filing System that the applicant has been issued a certificate of registration under rule 29 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), and (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 through 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 through the PC E-filing System, and he has entered his Law Firm Code for payment using 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.~~