

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO. 6 OF 2014

It is hereby notified for general information that, with effect from 1st October 2014, the State Courts Practice Directions will be amended as follows:

- (a) the following new paragraph 7A will be inserted immediately after the existing paragraph 7:

[New paragraph 7A](#)

- (b) the existing Part VI (paragraphs 39 to 47) will be deleted and replaced with the following new Part VI:

[New Part VI \(paragraph 39\)](#)

- (c) the existing paragraph 145 will be deleted and replaced by the following new paragraphs 145 and 145A:

[New paragraphs 145 and 145A](#)

- (d) the existing Form 9I in Appendix B will be deleted and replaced by the following new Form:

[New Form 9I of Appendix B](#)

2 The new Part VI arises from the discontinuance of Justice Online (JOL) as a mode of video-conferencing with effect from 30 September 2014. With effect from 1 October 2014, solicitors may mention selected types of matters via Skype.

3 The new paragraphs 7A, 145 and 145A of the State Courts Practice Directions clarify the procedures for inspection of case files and the use of personal data by the State Courts. These new provisions are similar to the provisions of paragraphs 7A, 24 and 24A of the Supreme Court Practice Directions.

4 The new Form 9I (for use in recording consent judgment and terms of settlement) incorporates certain amendments which relate to the court's approval of the damages recovered, the payment clause stating how damages are recovered where the Plaintiff is a person under disability pursuant to Order 76 of the Rules of Court and the amount of Public Trustee's fee payable when entering final judgment where the damages recovered exceeds the

relevant amount of \$5,000 pursuant to the Motor Vehicles (Third-Party Risks and Compensation) Act.

Dated this 23rd day of September 2014.

A handwritten signature in black ink, appearing to read 'Jm', is positioned above the typed name.

JENNIFER MARIE
REGISTRAR
STATE COURTS

7A. Business of the Registry

- (1) Pursuant to Order 60, Rule 1(3) of the Rules of Court, the business of the Registry is governed by the Rules of Court and these Practice Directions.
- (2) For the avoidance of doubt, any instruction manuals which may be issued from time to time by the Government are not applicable to the business of the Registry.

Part VI – Hearings via Skype

39. Video-Conferencing using Skype

Introduction

- (1) The State Courts and the Family Justice Courts will allow solicitors to use Skype, a free and accessible service, to mention cases on the following hearing lists that satisfy the criteria set out opposite thereto:

Registry / Department	Hearing Lists	Criteria
Civil Registry	<ul style="list-style-type: none">• Probate list (Monday afternoons)• Ex-parte summons list (Wednesday mornings)• Garnishee list (Tuesday and Thursday afternoons)• Summons for Directions (Tuesdays and Thursdays)• Duty Registrar matters (every day)	Uncontested matters for selected hearing lists, where no documents will be tendered and the party attending via Skype is mentioning for all other parties (if applicable).
Primary Dispute Resolution Centre (PDRC)	<ul style="list-style-type: none">• Court Dispute Resolution sessions for non-injury motor accident claims and personal injury claims arising from motor vehicle accidents (Mondays, Wednesdays and Fridays)	Court Dispute Resolution sessions for non-injury motor accident claims and personal injury claims arising from motor vehicle accidents.
Family Justice Courts Registry	<ul style="list-style-type: none">• Family Justice Courts Consent Order hearing list (Wednesday mornings)	Cases in which parties have a consent order.

- (2) This will enable solicitors to mention their cases via Skype instead of personally attending Court for many short mentions which generally will not last beyond 10 minutes.

Guidelines and Procedures

- (3) Solicitors mentioning their cases via Skype must comply with the guidelines and procedures set out in the Annex to this Paragraph (see below).

Court etiquette

- (4) A solicitor mentioning a case via Skype must proceed with the hearing as if he or she were appearing before the Judge in person, and must comply with all Court rules of etiquette as prescribed in these Practice Directions and any relevant Registrar's Circular.

Adjournment of Skype hearing

- (5) If for any reason the presiding Judge or Registrar considers that it is not expedient for any hearing to continue via Skype, he or she may —
- (a) adjourn the matter and require parties to attend Court personally on an appointed date and time;
 - (b) conduct the hearing via telephone; or
 - (a) make any other direction that may be appropriate in the circumstances of the case.

Hearing Records

- (6) Hearings conducted via Skype shall not be recorded on video or audio tape or any other form.

Queries and Assistance

- (7) Any queries or requests for assistance pertaining to Skype hearings may be sent to the following email addresses:
- (a) for hearings at the Civil Registry:
Statecourts_Civil_Registry@statecourts.gov.sg
 - (b) for hearings at the PDRC:
Statecourts_PDRC@statecourts.gov.sg
 - (c) for hearings at the Family Justice Courts Registry:
FJCourts_Family_Registry@fjcourts.gov.sg.

ANNEX

GUIDELINES AND PROCEDURES FOR HEARINGS VIA SKYPE

1. Log into your Skype account and set your status to 'available'.
2. You may access the relevant hearing list at <http://www.statecourts.gov.sg> (for civil matters) or <http://www.familyjusticecourts.gov.sg> (for family matters).
3. Check the chambers assigned to hear your case.
4. Then identify the corresponding **Skype contact** from amongst the following:

Civil Registry	
Chambers C	StateCts_CivilReg_ChC
Chambers D	StateCts_CivilReg_ChD
Chambers J	StateCts_CivilReg_ChJ
Chambers N	StateCts_CivilReg_ChN
Chambers P	StateCts_CivilReg_ChP
Chambers H (duty matters)	StateCts_CivilReg_DutyReg
PDRC	
PDRC Chambers 1	StateCts_PDRC_Ch_1
PDRC Chambers 2	StateCts_PDRC_Ch_2
PDRC Chambers 3	StateCts_PDRC_Ch_3
PDRC Chambers 4	StateCts_PDRC_Ch_4
PDRC Chambers 5	StateCts_PDRC_Ch_5
PDRC Chambers 7	StateCts_PDRC_Ch_7
PDRC Chambers 8	StateCts_PDRC_Ch_8
Family Justice Courts Registry	
Chambers C	FJCourts_Ch_C
Chambers D	FJCourts_Ch_D
Chambers E	FJCourts_Ch_E
Chambers J	FJCourts_Ch_J

5. Send an instant message to the relevant Chambers using Skype to inform the judge that you are ready and state your name, law firm and case number. E.g., if your matter is fixed for hearing in Chambers J, you will send your message to ‘*StateCts_CivilReg_ChJ*’. Your instant message will state “*John Tan, ABC Law Firm, ready at 3:15, MC 12345/20XX/A*”. **Note that the judge will not call you unless you have previously sent a message to indicate your readiness to proceed with the Skype hearing.**
6. When the judge is ready to deal with your matter, he/she will call you. Accept the *video call* and start the hearing. **Do not attempt to call the judge.**
7. If you encounter any problem, you may call the following numbers for assistance:
 - Civil Registry: 6435 5058
 - PDRC: 6435 5882
 - Family Justice Courts Registry: 6435 5473
8. If the problems cannot be resolved, you may be required to personally attend Court to mention your case.

145. Access to case file, inspection and taking copies of documents and conducting 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 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, and for this purpose —
 - (a) administrative details include the contact details of solicitors, the identities of the solicitors, and the nature of the claim; and
 - (b) where a party to a case is not a registered user of the Electronic Filing Service, he 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 (e.g. 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

- (5) In order to inspect a case file containing documents that were filed through the Electronic Filing Service, the following procedure should be followed:
 - (a) A Request should be made to obtain leave to inspect the file, which request should —
 - (i) be filed using the Electronic Filing Service;

- (ii) state the name of the person who is to carry out the search or inspection (and if this person is not a solicitor, his identity card number should also be included in the request, after his name);
 - (iii) state the interest the applicant has in the matter, and the reason for the search or inspection; and
 - (iv) if the search or inspection is requested for the purpose of ascertaining information for use in a separate suit or matter, 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:
 - (i) Registered users can inspect the case file online through the Electronic Filing Service;
 - (ii) Parties who are not registered users can inspect the case file by presenting a copy of the approval at the service bureau. After verifying the approval that has been presented, the service bureau will assign a personal computer to the inspecting party for the inspection to be carried out. An inspecting party will usually be allowed only 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 soft copies or printing hard copies of documents from the case file being inspected.
- (6) Requests in hard copy may be submitted to inspect case files containing documents which were not filed using the Electronic Filing Service. The Civil 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, that is, if the requests were originally short stamped and later stamped to add up to the correct fee, may be rejected.
- (7) 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.
- (8) For the avoidance of doubt, a non-party who 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 certified true copies of documents

- (9) Applications to obtain certified true paper copies of documents should be made by way of filing a Request through the Electronic Filing Service, unless the documents concerned have not been filed through the Electronic Filing Service.
- (10) 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.
- (11) Once approval is received from the Court, the applicant should present a printed copy of the approved Request at the Records Section. After verifying that the Request presented has been approved, the staff of the Records Section will inform the applicant of any additional fees payable. Any additional fees payable should then be stamped on the Request at the State Courts Cashier's Office. Upon presentation of this stamped Request, the documents will be furnished to the applicant.
- (12) The fees prescribed by Appendix B to the Rules of Court will be payable for the above services without prejudice to additional printing charges which may be chargeable by the Court or the service bureau for reproducing the copies in paper form.

Electronic cause books and registers maintained by the Registry

- (13) Order 60 Rule 2 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; and
 - (iii) details of probate proceedings, including wills and caveats filed therein;
 - (b) details of writs of execution, writs of distress and warrants of arrest; and
 - (c) any other information as may from time to time be deemed necessary.

- (14) Searches of this information under Order 60 Rule 3 of the Rules of Court may be conducted through the Electronic Filing Service at a service bureau or at the Records Section. The fees prescribed by Appendix B to the Rules of Court will be payable for the searches.

- (15) An application may be made by any person for a licence to use any information contained in any electronic cause book or register subject to such terms and conditions as the Registrar may determine. Successful applicants will be required to enter into separate technical services agreements with the Electronic Filing Service provider. Applications under this paragraph must be made in writing, identifying the data fields sought and providing details of how the information will be used.'

145A. Personal Data

- (1) For the purposes of the following sub-paragraphs:
 - (a) “personal data” shall have the same meaning as defined in the Personal Data Protection Act 2012 (Act No. 26 of 2012); and
 - (b) “data subject” means a person whose personal data appears in any document filed in the Registry or an electronic cause book or register maintained by the Registry.

Consent to collection, use or disclosure of personal data

- (2) Consent to the collection, use or disclosure of personal data contained in any document filed with, served on, delivered or otherwise conveyed to the Registrar need not be obtained.
- (3) Pursuant to Order 60, Rule 2 of the Rules of Court (Cap. 322, R 5), the Registrar may compile and maintain electronic cause books and registers by extracting information, including personal data, contained in any document filed with, served on, delivered or otherwise conveyed to the Registrar.

Access to, and correction of, personal data contained in documents filed with, served on, delivered or otherwise conveyed to the Registrar

- (4) A data subject who wishes to access his personal data contained in any document filed with, served on, delivered or otherwise conveyed to the Registrar must comply with the applicable provisions in the Rules of Court and these Practice Directions relating to the access to and inspection of case files.
- (5) A data subject shall not be entitled to request information about the ways in which his personal data contained in any document filed with, served on, delivered or otherwise conveyed to the Registrar has been used or disclosed.
- (6) A data subject who wishes to correct any error or omission in his personal data in any document filed with, served on, delivered or otherwise conveyed to the Registrar must comply with the applicable provisions in the Rules of Court and these Practice Directions relating to the amendment of the relevant document.

Access to, and correction of, personal data contained in electronic cause books and registers maintained by the Registry

- (7) A data subject who wishes to access his personal data contained in any electronic cause book or register must conduct a search through the Electronic Filing Service at

a service bureau or at the Legal Registry and shall pay the fees prescribed by Appendix B to the Rules of Court.

- (8) A data subject shall not be entitled to request information about the ways in which his personal data contained in any electronic cause book or register has been used or disclosed.
- (9) A data subject who wishes to correct any error or omission of his personal data in any electronic cause book or register maintained by the Registry shall comply with the following procedure:
 - (a) The request to correct the error or omission must be made in writing by the data subject or by his solicitor, together with the reason for the requested correction. The request must clearly identify the record and the personal data to be corrected;
 - (b) If the data subject is not represented, his identity card number should also be included in the request and a copy of his identity card should be provided; and
 - (c) The following documents should accompany the request:
 - (i) recent copy of the record identifying the error or omission; and
 - (ii) supporting document(s) to substantiate the proposed correction.
- (10) Where a correction is made pursuant to a request under sub-paragraph (9), any information that is licensed for use under paragraph 145(15) will be updated accordingly with the corrected personal data.

RECORDING SETTLEMENT / ENTERING JUDGMENT BY CONSENT

Case Number: DC/MC _____ of _____ Date : _____

Plaintiff's Law Firm / Lawyer: _____

Defendant's Law Firm / Lawyer: _____

Other party's Law Firm(s) / Lawyer(s): _____

**Section A:
Terms of
Settlement /
Judgment**

Terms of Settlement:
By consent, and in full & final settlement of the _____'s claim, the _____ shall pay the following to the _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.
 \$ _____ as costs.* / Costs to be taxed if not agreed*.
 \$ _____ as disbursements.* / Disbursements to be taxed if not agreed*.
 \$ _____ as interest from _____

Payment is to be made within _____ weeks from today.
 Where the Plaintiff is a person under disability pursuant to Order 76 of the Rules of Court, payment is to be made to the [_____] on trust for the Plaintiff for his maintenance or otherwise for his benefit.
 In default of payment, the party entitled to payment pursuant to the settlement is at liberty to extract the Order of Court for enforcement.
 The Plaintiff / Defendant shall file the Notice of Discontinuance within _____ days of receiving final payment from the _____.
 This is a tentative settlement and the parties will write in within _____ weeks, i.e. by _____, if they are unable to reach a final settlement. Otherwise this tentative settlement recorded shall be deemed to be a final settlement between them.
 (Insert any other terms not provided for above) _____

Consent Interlocutory Judgment:
 By consent, interlocutory judgment is entered for the _____ against the _____ for [____% of the]* damages to be assessed and costs reserved to the Registrar assessing the damages.
 By consent, Third Party is to indemnify the Defendant [____% of the]* damages, costs, reasonable disbursements and interests payable to the Plaintiff.
 By consent, interlocutory judgment is entered for the _____ against the _____ on the following terms: _____

Consent Final Judgment:
By consent, final judgment is entered for the _____ against the _____ whereby the _____ shall pay the following to the _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.
 \$ _____ as general damages, \$ _____ as injury related special damages and \$ _____ as non-injury related special damages (inclusive of interest)*.
 (Where it is a fatal accident claim), general damages comprises \$ _____ for bereavement for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____] and \$ _____ for loss of dependency for the benefit of [_____].

		<p>\$_____ in special damages (excluding the sum for funeral expenses) to [_____] and \$_____ for funeral expenses to [_____].</p> <p><input type="checkbox"/> \$_____ as interest from _____.</p> <p><input type="checkbox"/> \$_____ as costs* / Costs to be taxed if not agreed*.</p> <p><input type="checkbox"/> \$_____ as disbursements* / Disbursements to be taxed if not agreed*.</p> <p><input type="checkbox"/> \$ _____ as Public Trustee's fee</p> <p><input type="checkbox"/> (Insert any other terms not provided for above)_____</p>	
	<input type="checkbox"/>	For the Plaintiff under a disability pursuant to Order 76 of the Rules of Court, settlement / consent final judgment is approved by the Court.	
	<input type="checkbox"/>	<p>Usual Consequential Orders when entering Final Judgment:</p> <p><input type="checkbox"/> The Usual Consequential Orders where Plaintiff is a Specified Person shall apply.</p> <p><input type="checkbox"/> "...And it is ordered that the monies adjudged shall be paid to the Public Trustee as trustee for the Plaintiff, he being <i>a minor/lacking in capacity within the meaning of the Mental Capacity Act (Cap 177A)</i> and therefore a specified person as set out in section 2 of the Motor Vehicles (Third Party Risks and Compensation) Act as well as a person under a disability pursuant to Order 76 of the Rules of Court.</p> <p><input type="checkbox"/> The Public Trustee is to make payment to the [_____] on trust for the Plaintiff for his maintenance or otherwise for his benefit."</p> <p><input type="checkbox"/> "...And it is ordered that the monies adjudged shall be paid to the Public Trustee as trustee for the Plaintiff, he being [<i>not represented by a public officer or an advocate and solicitor/ isolated in a hospital or other place under section 15(1) or (2) of the Infectious Diseases Act (Cap. 137)/ a person under legal custody or in a place of detention</i>] and being a specified person as set out in section 2 of the Motor Vehicles (Third Party Risks and Compensation) Act."</p> <p><input type="checkbox"/> (Insert any other terms of payment not provided for above)_____</p> <p><input type="checkbox"/> The Usual Consequential Orders where Plaintiff is <u>NOT</u> a specified person shall apply.</p> <p>"...And it is ordered that</p> <ol style="list-style-type: none"> 1. The Plaintiff's costs and disbursements of this action payable to his solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act and be deducted from the judgment sums and paid by the Defendant to the Plaintiff's solicitor; and 2. The balance of the judgment sums due to the Plaintiff be paid by the Defendant to the Plaintiff." 	
	<input type="checkbox"/>	<p>Indication on costs: Plaintiff's Counsel: \$_____; Defendant's Counsel: \$_____; _____ Counsel: \$_____</p>	
Section B: Judge's Order / Directions Judgment	<input type="checkbox"/>	<p>Settlement is recorded / Judgment is entered as per terms stated in Section A.</p> <p><input type="checkbox"/> Costs indicated at \$_____/plus reasonable disbursements*/plus GST*.</p> <p><input type="checkbox"/> Other directions _____</p>	Judge's Signature & Stamp

This Form may be downloaded from: <http://www.statecourts.gov.sg> under "Civil Justice Division – Court Dispute Resolution"

*delete where appropriate