
First published in the *Government Gazette*, Electronic Edition, on 30 November 2023 at 5 pm.

No. S 779

SUPREME COURT OF JUDICATURE ACT 1969

SINGAPORE INTERNATIONAL COMMERCIAL COURT (AMENDMENT) RULES 2023

In exercise of the powers conferred by section 80 of the Supreme Court of Judicature Act 1969 and all other powers enabling us under any written law, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Singapore International Commercial Court (Amendment) Rules 2023 and come into operation on 1 December 2023.

Amendment of Order 1

2. In the Singapore International Commercial Court Rules 2021 (G.N. No. S 924/2021) (called in these Rules the principal Rules), in Order 1, in Rule 4, after the definition of “attend”, insert —

““Civil Procedure Convention” means any of the conventions set out in Appendix B and includes any convention, treaty or agreement of any description or any provision of such convention, treaty or agreement between different States relating to civil procedure in the court;”.

Amendment of Order 5

3. In the principal Rules, in Order 5 —

(a) in Rule 7(1), replace sub-paragraph (b) with —

“(b) where there is a Civil Procedure Convention governing service in the foreign country —

(i) in the case of the Hague Service Convention as defined in Rule 8A(7) —

-
-
- (A) in accordance with Rule 8A or 10, whichever is applicable; or
 - (B) subject to any objection made by the receiving Contracting State, in accordance with sub-paragraph (a), (c), (d), (e) or (f);
- (ii) in the case of any other Civil Procedure Convention — according to the manner provided in that convention; or
 - (iii) in the case where both the Hague Service Convention and another Civil Procedure Convention govern service in the foreign country — in accordance with either sub-paragraph (i) or (ii);”;
- (b) in Rule 7(1), replace sub-paragraph (e) with —
- “(e) through a Singapore consular authority in the foreign country seeking the assistance of the relevant authority in that foreign country to effect service;”;
- (c) in Rule 7, delete paragraph (7);
- (d) after Rule 8, insert —

“Service of Originating Application, etc., out of Singapore on person under Article 3 of Hague Service Convention (O. 5, r. 8A)

8A.—(1) This Rule applies to the service out of Singapore, under Article 3 of the Hague Service Convention, of an Originating Application or other court document required in connection with civil proceedings in respect of a civil or commercial matter on a person, other than a State, in a Contracting State.

(2) If any provision in this Rule is inconsistent with any other provision in this Order, the provision in this Rule prevails to the extent of the inconsistency.

(3) The person mentioned in paragraph (1) must have a known address in the Contracting State in which the documents are to be served.

(4) A person who wishes to serve any document mentioned in paragraph (1) out of Singapore under this Rule must file in the Registry a request for service in the current version of Part 1 of the Model Form, accompanied by —

(a) a sealed copy of the document to be served;

(b) a summary of the document to be served, in accordance with Part 3 of the Model Form;

(c) a translation of the documents mentioned in sub-paragraphs (a) and (b) in accordance with Rule 7(4) and (5); and

(d) a copy each of the request and the documents mentioned in sub-paragraphs (a), (b) and (c), which may be in electronic form if agreed to by the central authority.

(5) The Registrar must send the documents filed under paragraph (4) to the central authority of the Contracting State in which the documents are to be served.

(6) Rule 7(3) does not apply in relation to any service under this Rule.

(7) In this Rule —

“central authority”, in relation to a Contracting State, means an authority that is designated by that State under Article 2 of the Hague Service Convention for receiving requests for

service coming from other State parties to the Hague Service Convention;

“Contracting State” means a State (other than Singapore) which is a party to the Hague Service Convention;

“Hague Service Convention” means the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters done at The Hague on 15 November 1965;

“Model Form” means the model form, in 3 parts, annexed to the Hague Service Convention and set out on the Internet website for that Convention at <https://www.hcch.net/en/instruments/conventions/specialised-sections/service>.”; and

(e) in Rule 10, after paragraph (5), insert —

“(6) Where the State is a Contracting State to the Hague Service Convention, the request in paragraph (1)(a) must be accompanied by a summary of the document to be served, in accordance with Part 3 of the Model Form.

(7) In paragraph (6), “Contracting State”, “Hague Service Convention” and “Model Form” have the meanings given by Rule 8A(7).”.

Amendment of Appendix B

4. In the principal Rules, in Appendix B —

(a) in the Appendix reference, replace “O. 5, r. 7(7)” with “O. 1, r. 4”; and

(b) after item 4, insert —

“5. Convention on the Service Abroad of T 1/2023”.
Judicial and Extrajudicial Documents in
Civil or Commercial Matters done at
The Hague on 15 November 1965

[G.N. Nos. S 294/2022; S 754/2022]

Made on 26 November 2023.

SUNDARESH MENON
Chief Justice.

LUCIEN WONG
Attorney-General.

TAY YONG KWANG
Justice of the Court of Appeal.

STEVEN CHONG
Justice of the Court of Appeal.

BELINDA ANG SAW EAN
Justice of the Court of Appeal.

WOO BIH LI
Judge of the Appellate Division.

VINODH COOMARASWAMY
Judge.

VINCENT HOONG SENG LEI
Presiding Judge of the State Courts.

EDWIN SAN ONG KYAR
*District Judge and Registrar of the
State Courts.*

SIRAJ OMAR, SC
Advocate and Solicitor.

CHAN TAI-HUI JASON, SC
Advocate and Solicitor.

[SUPCT.RNJ.009.0200; LAW 62/004/SC/SICC Rules 2021
AG/LEGIS/SL/322/2020/6 Vol. 10]

(To be presented to Parliament under section 80(6) of the Supreme
Court of Judicature Act 1969).