

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**JUDICIAL COMMITTEE ACT**

**(CHAPTER 148)**

**1970 Ed. Cap. 8**

**Act**

**37 of 1966**

**Amended by**

**14 of 1967**

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# Judicial Committee Act

## ARRANGEMENT OF SECTIONS

### Section

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An Act to confer jurisdiction upon the Judicial Committee of Her Britannic Majesty's Privy Council to hear appeals from the decisions of the appellate courts in Singapore.

[6th September 1966]

1. This Act may be cited as the Judicial Committee Act. Short title.
2. In this Act, unless the context otherwise requires — Interpretation.

“appellate court” means such court as, in accordance with the laws for the time being in force, has jurisdiction to hear appeals from the High Court or a judge thereof;

“Judicial Committee” means the Judicial Committee of Her Britannic Majesty's Privy Council.
- 3.—(1) An appeal shall lie from the appellate court to the Judicial Committee with the leave of the appellate court granted in accordance with section 4 — Conditions of appeal.
  - (a) from any final judgment, decree or order in any civil matter where —
    - (i) the matter in dispute in the appeal amounts to or is of the value of \$5,000 or upwards;

- (ii) the appeal involves, directly or indirectly, some claim or question to or respecting property or some civil right of like amount or value; or
- (iii) the case is from its nature a fit one for appeal;
- (b) from any interlocutory judgment or order which the appellate court considers a fit one for appeal; and
- (c) from any decision in the exercise of any original or advisory jurisdiction conferred on the appellate court.

(2) An appeal shall also lie from the appellate court to the Judicial Committee in the following cases:

- (a) in any case mentioned in subsection (1) where the leave of the appellate court has not been duly obtained;
- (b) in any case arising in a civil matter other than the cases referred to in subsection (1); and
- (c) in any criminal matter,

where application for special leave to appeal has been made to the Judicial Committee, and the Judicial Committee has granted special leave to appeal.

Leave to  
appeal.

4.—(1) Application under section 3 (1) for leave to appeal to the Judicial Committee shall be made to the appellate court but where the application is made after 3 months from the date on which the decision appealed against was given leave shall not be granted unless the appellate court considers that in all the circumstances it is reasonable to do so.

(2) Where the judgment appealed from requires the appellant to pay money or perform a duty, the court shall have power, when granting leave to appeal, either to direct that such judgment shall be carried into execution or that the execution thereof shall be suspended pending the appeal, as to the court shall seem just; and in case the court shall direct such judgment to be carried into execution, the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security to the satisfaction of the court, for the due performance of such order as the Judicial Committee may make in order to give effect thereto.

**5.—(1)** On any appeal or application for special leave to appeal under this Act, the Judicial Committee shall make such order as may be necessary to give effect to its decisions. Orders of Judicial Committee.

**(2)** Without prejudice to the generality of subsection (1), such order may —

**(a)** direct that such witness be examined or re-examined as to such facts as may be specified in the order, notwithstanding that any such witness may not have been examined or no evidence may have been given on any such facts in a previous stage of the matter;

**(b)** direct that the matter which is the subject of the appeal be remitted to the appellate court or High Court and that the court rehear the matter in such form and either generally or upon certain points only and upon such hearing take such additional evidence, though previously rejected, or reject such evidence, though previously admitted, as the Judicial Committee shall direct; or

**(c)** direct that a new trial be held either generally or as to certain points only.

**6.** The provisions of any enactments or rules for the time being in force regulating the proceedings of the Judicial Committee shall apply to appeals and other proceedings under this Act. Procedure on appeal.

**7.** Any person who desires to enforce or obtain execution of any order of the Judicial Committee shall file the order in the appellate court and thereupon the order shall be enforced and executed in the same way as a judgment of the appellate court. Enforcement of order of Judicial Committee.

**8.** The costs incurred in the prosecution of any appeal or application for leave to appeal under this Act shall be paid by such party or parties, person or persons as the Judicial Committee may by order direct and the amount of any such costs so far as the same relates to costs incurred in England shall be specified in the order and so far as the same relates to costs incurred in Singapore shall be taxed by the Registrar of the Supreme Court in accordance with the Rules of the Court. Costs.