



**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**SUPREME COURT OF JUDICATURE ACT**

**(CHAPTER 322)**

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# Supreme Court of Judicature Act

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An Act to provide for the jurisdiction and powers of the superior courts of judicature.

*[Act 40 of 2019 wef 02/01/2021]*

[9th January 1970]

PART I  
PRELIMINARY

**Short title**

1. This Act may be cited as the Supreme Court of Judicature Act.

**Interpretation**

2. In this Act, unless the context otherwise requires —

“Appellate Division” means the Appellate Division of the High Court;

*[Act 40 of 2019 wef 02/01/2021]*

“court” means the General Division, the Appellate Division, or the Court of Appeal;

*[Act 40 of 2019 wef 02/01/2021]*

“Family Division of the High Court” means the Family Division of the High Court constituted under section 4 of the Family Justice Act 2014;

*[Act 27 of 2014 wef 01/10/2014]*

“Family Justice Rules” means the Family Justice Rules made under the Family Justice Act 2014 and any other written law by the Family Justice Rules Committee constituted under section 46(1) of that Act;

*[Act 27 of 2014 wef 01/10/2014]*

“General Division” means the General Division of the High Court;

*[Act 40 of 2019 wef 02/01/2021]*

“Judge” means a Supreme Court Judge, a Judicial Commissioner, a Senior Judge or an International Judge, and —



- (a) in relation to the General Division, means a Judge sitting in that Division in accordance with the Constitution and this Act;
- (b) in relation to the Appellate Division, means a Judge sitting in that Division in accordance with the Constitution and this Act; and
- (c) in relation to the Court of Appeal, means a Judge sitting in that Court in accordance with the Constitution and this Act;

*[Act 40 of 2019 wef 02/01/2021]*

*[Deleted by Act 40 of 2019 wef 02/01/2021]*

*[Deleted by Act 42 of 2014 wef 01/01/2015]*

“Registrar” means the Registrar of the Supreme Court and includes the Deputy Registrar and the Assistant Registrars;

“Rules of Court” means Rules of Court made under this Act and includes forms;

“seal” includes stamp;

“subordinate court” means a court constituted under the State Courts Act (Cap. 321), a Family Court or Youth Court constituted under the Family Justice Act 2014, and any other court, tribunal or judicial or quasi-judicial body from the decisions of which under any written law there is a right of appeal to the Supreme Court;

*[Act 40 of 2019 wef 02/01/2021]*

“Supreme Court Judge” means the Chief Justice, a Justice of the Court of Appeal, a Judge of the Appellate Division or a Judge of the High Court.

*[58/73; 16/93; 3/96]*

*[Act 5 of 2014 wef 07/03/2014]*

*[Act 27 of 2014 wef 01/10/2014]*

*[Act 40 of 2019 wef 02/01/2021]*

**PART II****THE SUPREME COURT****Superior courts**

3. It is declared that the General Division of the High Court, the Appellate Division of the High Court and the Court of Appeal are superior courts of record.

*[Act 40 of 2019 wef 02/01/2021]*

**Precedence**

4. The Supreme Court Judges rank in the following order:

- (a) the Chief Justice;
- (b) the Vice-Presidents of the Court of Appeal according to the order of their appointments;
- (c) the Justices of the Court of Appeal (other than the Vice-Presidents of the Court of Appeal) according to the order of their appointments;
- (d) the President of the Appellate Division (if the Chief Justice is not the President of the Appellate Division);
- (e) the Judges of the Appellate Division (other than the President of the Appellate Division) according to the order of their appointments;
- (f) the Judges of the High Court according to the order of their appointments.

*[Act 40 of 2019 wef 02/01/2021]*

**Acting appointment**

5.—(1) Whenever during any period, owing to illness or absence from Singapore or any other cause, the Chief Justice is unable to exercise the powers or perform the duties of his office, such powers shall be had and may be exercised and such duties shall be performed by the Judge having precedence next after the Chief Justice who is present in Singapore and able to act during that period.

(2) For the purposes of this section, temporary absence in any part of Malaysia shall not be deemed to be absence from Singapore.

## International Judges

**5A.** An International Judge may only sit in the Singapore International Commercial Court, in an appeal from a decision of that Court, and in an application relating to such an appeal.

[Act 40 of 2019 wef 02/01/2021]

## Seal

**6.** The Supreme Court is to have a seal or seals of such nature and pattern as the Chief Justice may, by notification in the *Gazette*, prescribe.

[Act 40 of 2019 wef 02/01/2021]

## Vacations

**7.** The Chief Justice may specify vacations of the Supreme Court, which must not exceed 2 months in any year.

[Act 40 of 2019 wef 02/01/2021]

## Sittings in camera

**8.—(1)** The place in which any court is held for the purpose of trying any cause or matter, civil or criminal, shall be deemed an open and public court to which the public generally may have access.

(2) The court shall have power to hear any matter or proceeding or any part thereof in camera if the court is satisfied that it is expedient in the interests of justice, public safety, public security or propriety, or for other sufficient reason to do so.

[Act 19 of 2018 wef 31/10/2018]

(2A) A court may, in any matter or proceeding or any part thereof tried or held or to be tried or held before it, if satisfied that it is expedient in the interests of justice, public safety, public security or propriety, or for other sufficient reason to do so, order that —

- (a) the name, address or photograph of any witness; or
- (b) any evidence or any other thing likely to lead to the identification of such witness by a person other than the party to that matter or proceeding,

which is contained in any court document intended to be produced before the court, be removed or be sufficiently redacted.

[15/2010 wef 02/01/2011]

- (3) A court may at any time order that no person shall —
- (a) publish the name, address or photograph of any witness in any matter or proceeding or any part thereof tried or held or to be tried or held before it, or any evidence or any other thing likely to lead to the identification of any such witness; or
  - (b) do any other act which is likely to lead to the identification of such a witness.

*[15/2010 wef 02/01/2011]*

(4) Any person who acts in contravention of any order under subsection (2A) or (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

*[15/2010 wef 02/01/2011]*

(5) A court that hears the whole or any part of any matter or proceeding in camera may, in its discretion, permit any of the following individuals to be present in the courtroom while that matter or proceeding is heard in camera:

- (a) any journalist who reports news for a newspaper or a broadcasting service;
- (b) any individual whom the court determines has a sufficient interest in that matter or proceeding;
- (c) any other individual that the court specifies in any particular case.

*[Act 19 of 2018 wef 31/10/2018]*

(6) For the purposes of subsection (2), the matters that the court may consider, when deciding whether it is expedient in the interests of justice, public safety, public security or propriety, or for other sufficient reason, to hear the whole or any part of any matter or proceeding in camera, include the following matters:

- (a) whether the defence of any accused person in that matter or proceeding will be prejudiced by the presence of any member of the public in the courtroom;

- (b) whether any accused person or witness in that matter or proceeding has any legitimate interest in privacy that needs to be protected;
- (c) whether the object of that matter or proceeding will be defeated by publicity if that matter or proceeding is heard in open court;
- (d) whether any accused person or witness in that matter or proceeding has any legitimate interest in protecting the confidentiality of any information that may be disclosed during the hearing of that matter or proceeding;
- (e) whether any information that may be disclosed during the hearing of that matter or proceeding will be prejudicial to the interests of Singapore.

*[Act 19 of 2018 wef 31/10/2018]*

(7) In this section —

“broadcasting service” has the same meaning as in section 2(1) of the Broadcasting Act (Cap. 28);

“newspaper” has the same meaning as in section 2(1) of the Newspaper and Printing Presses Act (Cap. 206).

*[Act 19 of 2018 wef 31/10/2018]*

### **Court may conduct hearing through electronic means of communication**

**8A.**—(1) Without limiting section 8, the court may conduct the hearing of any matter or proceeding through a live video link, a live television link or any other electronic means of communication.

(2) Subsection (1) does not affect the operation of section 62A of the Evidence Act (Cap. 97) and section 281 of the Criminal Procedure Code (Cap. 68).

*[Act 46 of 2018 wef 01/01/2019]*

PART III  
GENERAL DIVISION  
OF HIGH COURT

*[Act 40 of 2019 wef 02/01/2021]*

*Division 1 — General*

*[Act 40 of 2019 wef 02/01/2021]*

9. *[Repealed by Act 40 of 2019 wef 02/01/2021]*

**Proceedings in General Division to be disposed of by single Judge**

10.—(1) Every proceeding in the General Division and all business arising thereout shall, except as otherwise provided by any written law for the time being in force, be heard and disposed of before a single Judge.

*[Act 40 of 2019 wef 02/01/2021]*

(2) A Judge may, subject to Rules of Court or Family Justice Rules, exercise in court or in chambers all or any part of the jurisdiction vested in the General Division, in all such causes and matters and in all such proceedings in any causes or matters as might immediately before 9th January 1970 have been heard in court or in chambers respectively by a single Judge, or as may be directed or authorised to be so heard by Rules of Court or Family Justice Rules for the time being in force.

*[Act 27 of 2014 wef 01/10/2014]*

*[Act 40 of 2019 wef 02/01/2021]*

(3) *[Deleted by Act 42 of 2014 wef 01/01/2015]*

(4) If a Judge reserves judgment in any proceedings and his appointment as a Judge expires or is terminated before his judgment is delivered, he shall have power to deliver judgment in respect of those proceedings, notwithstanding that his appointment as a Judge has expired or has been terminated.

*[3/96]*

(5) No Judge shall sit in the General Division on the hearing of, or determine any application in proceedings incidental or preliminary to —

- (a) an appeal from a judgment or an order made by him as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts;  
*[Act 27 of 2014 wef 01/10/2014]*
- (b) an appeal against a conviction before him or a sentence passed by him as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts;  
*[Act 27 of 2014 wef 01/10/2014]*
- (c) the consideration of any case stated by him under section 395 of the Criminal Procedure Code (Cap. 68) as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts;  
*[Act 27 of 2014 wef 01/10/2014]*
- (d) any application made under section 400 of the Criminal Procedure Code in relation to any judgment or order made, or sentence passed, by him as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts; or  
*[Act 27 of 2014 wef 01/10/2014]*
- (e) any proceedings relating to any judgment, order or direction made by him as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts.  
*[Act 5 of 2014 wef 14/04/2014]*  
*[Act 27 of 2014 wef 01/10/2014]*  
*[Act 40 of 2019 wef 02/01/2021]*

### **Assessors to assist General Division**

**10A.—**(1) In any proceedings before the General Division, the Court may, if it thinks fit on the application of any party, or on its own motion, summon to its assistance, in such manner as may be prescribed by Rules of Court or Family Justice Rules, one or more persons of skill and experience in the matter to which the proceedings relate who may be willing to sit with the Court and act as assessors.  
*[16/93]*

*[Act 27 of 2014 wef 01/10/2014]*

*[Act 40 of 2019 wef 02/01/2021]*

(2) Subject to subsection (3), the remuneration of assessors for sitting under this section shall be at such rate as may be prescribed by Rules of Court or Family Justice Rules and shall be costs in the proceedings unless otherwise ordered by the General Division.

[16/93]

[Act 27 of 2014 wef 01/10/2014]

[Act 40 of 2019 wef 02/01/2021]

(3) Where one or more assessors are summoned for the purposes of this section otherwise than on the application of a party to the proceedings, the remuneration of any such assessor shall be payable out of moneys provided by Parliament.

[16/93]

(4) Where any person is proposed to be summoned as an assessor, objection to him, either personally or in respect of his qualification, may be taken by any party in the prescribed manner.

[16/93]

[Act 40 of 2019 wef 02/01/2021]

### **When General Division is open**

**10B.**—(1) Subject to subsection (2), the General Division shall sit on every day of the year except on Saturdays, Sundays and public holidays.

[8/98; 2/2007]

[Act 40 of 2019 wef 02/01/2021]

(2) Notwithstanding subsection (1), a Judge may lawfully sit on a Saturday, Sunday or public holiday or during a vacation prescribed under section 7 if —

- (a) the Chief Justice has directed the Judge to sit on that day or during that vacation; or
- (b) in the opinion of the Judge, the business to be despatched is extremely urgent.

[8/98; 2/2007]

[Act 40 of 2019 wef 02/01/2021]



**Sittings of General Division and distribution of business**

**11.—**(1) The General Division shall sit at such times and at such places as the Chief Justice shall from time to time appoint.

*[Act 40 of 2019 wef 02/01/2021]*

(2) The distribution of business among the several Judges shall be made in accordance with such directions, which may be of a general or a particular nature, as may be given by the Chief Justice.

*[Act 40 of 2019 wef 02/01/2021]*

**12.** *[Repealed by Act 40 of 2019 wef 02/01/2021]*

**Writs of execution**

**13.** A judgment for the payment of money to any person or into court may be enforced by a writ, to be called a writ of seizure and sale, under which all the property, movable or immovable, of whatever description, of a judgment debtor may be seized, except —

- (a) the wearing apparel and bedding of the judgment debtor or his family, and the tools and implements of his trade, when the value of such apparel, bedding, tools and implements does not exceed \$1,000;
- (b) tools of artisans, and, where the judgment debtor is an agriculturist, his implements of husbandry and such animals and seed-grain or produce as may in the opinion of the court be necessary to enable him to earn his livelihood as such;
- (c) the wages or salary of the judgment debtor;
- (d) any pension, gratuity or allowance granted by the Government; and
- (e) the share of the judgment debtor in a partnership, as to which the judgment creditor is entitled to proceed to obtain a charge under any provision of any written law relating to partnership.

*[16/93]*

*[Act 40 of 2019 wef 02/01/2021]*

**Execution of deed or indorsement of negotiable instrument**

**14.**—(1) If a judgment or order is for the execution of a deed, or signing of a document, or for the indorsement of a negotiable instrument, and the party ordered to execute, sign or indorse such instrument is absent, or neglects or refuses to do so, any party interested in having the same executed, signed or indorsed, may prepare a deed, or document, or indorsement of the instrument in accordance with the terms of the judgment or order, and tender the same to the court for execution upon the proper stamp, if any is required by law, and the signature thereof by the Registrar, by order of the court, shall have the same effect as the execution, signing or indorsement thereof by the party ordered to execute.

(2) Nothing in this section shall be held to abridge the powers of the court to proceed by attachment against any person neglecting or refusing to execute, sign or indorse any such instrument.

*Division 2 — Original jurisdiction*

*[Act 40 of 2019 wef 02/01/2021]*

**Criminal jurisdiction**

**15.**—(1) The General Division shall have jurisdiction to try all offences committed —

- (a) within Singapore;
- (b) on board any ship or aircraft registered in Singapore;
- (c) by any person who is a citizen of Singapore on the high seas or on any aircraft;
- (d) by any person on the high seas where the offence is piracy by the law of nations;
- (e) by any person within or outside Singapore where the offence is punishable under and by virtue of the provisions of the Hijacking of Aircraft and Protection of Aircraft and International Airports Act (Cap. 124) or the Maritime Offences Act (Cap. 170B); and

(f) in any place or by any person if it is provided in any written law that the offence is triable in Singapore.

[10/78; 16/93; 26/2003]

[Act 40 of 2019 wef 02/01/2021]

(2) The General Division may pass any sentence allowed by law.

[Act 40 of 2019 wef 02/01/2021]

### **Civil jurisdiction — general**

**16.—**(1) The General Division shall have jurisdiction to hear and try any action in personam where —

(a) the defendant is served with a writ of summons or any other originating process —

(i) in Singapore in the manner prescribed by Rules of Court or Family Justice Rules; or

[Act 27 of 2014 wef 01/10/2014]

(ii) outside Singapore in the circumstances authorised by and in the manner prescribed by Rules of Court or Family Justice Rules; or

[Act 27 of 2014 wef 01/10/2014]

(b) the defendant submits to the jurisdiction of the General Division.

[16/93]

[30/2010 wef 01/01/2011]

[Act 40 of 2019 wef 02/01/2021]

(2) Without prejudice to the generality of subsection (1), the General Division shall have such jurisdiction as is vested in it by any other written law.

[16/93]

[Act 40 of 2019 wef 02/01/2021]

### **Civil jurisdiction — specific**

**17.—**(1) Without prejudice to the generality of section 16, the civil jurisdiction of the General Division shall include —

(a) jurisdiction under any written law relating to divorce and matrimonial causes;

- (b) jurisdiction under any written law relating to matters of admiralty;
- (c) jurisdiction under any written law relating to bankruptcy or to companies;
- (d) jurisdiction to appoint and control guardians of infants and generally over the persons and property of infants;
- (e) jurisdiction to appoint and control guardians and keepers of the persons and estates of idiots, mentally disordered persons and persons of unsound mind;  
*[Act 1 of 2017 wef 01/11/2017]*
- (f) jurisdiction to grant probates of wills and testaments, letters of administration of the estates of deceased persons and to alter or revoke such grants;  
*[Act 1 of 2017 wef 01/11/2017]*  
*[Act 4 of 2020 wef 12/09/2020]*
- (g) jurisdiction under the Mediation Act 2017 to record a mediated settlement agreement made in a mediation, in relation to a dispute for which no proceedings have been commenced in a court, as an order of court; and  
*[Act 1 of 2017 wef 01/11/2017]*  
*[Act 1 of 2017 wef 01/11/2017]*  
*[Act 4 of 2020 wef 12/09/2020]*
- (h) jurisdiction under the Singapore Convention on Mediation Act 2020 to grant the applications provided for in that Act in respect of international settlement agreements.  
*[Act 4 of 2020 wef 12/09/2020]*  
*[Act 40 of 2019 wef 02/01/2021]*

(2) In this section —

“international settlement agreement” has the meaning given by section 2(1) of the Singapore Convention on Mediation Act 2020;

“mediated settlement agreement” and “mediation” have the meanings given by the Mediation Act 2017 (Act 1 of 2017).

*[Act 4 of 2020 wef 12/09/2020]*

**Civil jurisdiction — concurrent jurisdiction with Syariah Court in certain matters**

**17A.**—(1) Notwithstanding sections 16 and 17, the General Division shall have no jurisdiction to hear and try any civil proceedings involving matters which come within the jurisdiction of the Syariah Court under section 35(2)(a), (b) or (c) of the Administration of Muslim Law Act (Cap. 3) in which all the parties are Muslims or where the parties were married under the provisions of the Muslim law.

[20/99]

[Act 40 of 2019 wef 02/01/2021]

(2) Notwithstanding that such matters come within the jurisdiction of the Syariah Court under section 35(2)(d) or (e), 51 or 52(3)(c) or (d) of the Administration of Muslim Law Act, the General Division shall have jurisdiction as is vested in it by any written law to hear and try any civil proceedings involving matters relating to —

- (a) maintenance for any wife or child;
- (b) custody of any child; and
- (c) disposition or division of property on divorce.

[20/99]

[Act 40 of 2019 wef 02/01/2021]

(3) Where civil proceedings involving any matter referred to in subsection (2)(b) or (c) and involving parties who are Muslims or were married under the provisions of the Muslim law are commenced in the General Division, the General Division shall stay the civil proceedings —

- (a) involving any matter referred to in subsection (2)(b) or (c), if the civil proceedings are commenced on or after the commencement of proceedings for divorce in the Syariah Court or after the making of a decree or order for divorce by the Syariah Court or on or after the registration of any divorce under section 102 of the Administration of Muslim Law Act (Cap. 3) between the same parties, unless a Syariah Court commencement certificate in respect of the civil proceedings has been filed with the General Division;

[Act 40 of 2019 wef 02/01/2021]

(b) involving any matter referred to in subsection (2)(b), if proceedings for divorce are commenced in the Syariah Court or a decree or order for divorce is made by the Syariah Court or a divorce is registered under section 102 of the Administration of Muslim Law Act between the same parties after the commencement of the civil proceedings, unless a Syariah Court continuation certificate in respect of the civil proceedings has been filed with the General Division.

[20/99]

[Act 40 of 2019 wef 02/01/2021]

(3A) For the purposes of subsection (3), any reference to the registration of any divorce, or to a divorce that is registered, under section 102 of the Administration of Muslim Law Act shall be construed as a reference to the registration of a divorce or to a divorce that is registered under that section before the date of commencement of section 24 of the Administration of Muslim Law (Amendment) Act 2008.

[29/2008 wef 01/03/2009]

(4) For the purposes of subsection (3), where the proceedings in the Syariah Court are commenced on the same day as the civil proceedings in the General Division, the proceedings in the Syariah Court shall be deemed to have been commenced before the civil proceedings.

[20/99]

[Act 40 of 2019 wef 02/01/2021]

(5) Subsection (3)(a) shall not apply if the civil proceedings referred to therein are commenced in the General Division by the consent of the parties to the proceedings and the certificates of attendance of the parties issued under section 35A(7) of the Administration of Muslim Law Act have been filed in accordance with Family Justice Rules.

[20/99]

[Act 27 of 2014 wef 01/01/2015]

[Act 40 of 2019 wef 02/01/2021]

(6) Subsection (3)(b) shall not apply if the civil proceedings referred to therein are continued by the consent of the parties to the

proceedings and the certificates of attendance of the parties issued under section 35A(7) of the Administration of Muslim Law Act (Cap. 3) have been filed in accordance with Family Justice Rules.

[20/99]

[Act 27 of 2014 wef 01/01/2015]

(7) For the avoidance of any doubt, the General Division, in exercising its jurisdiction or powers under subsection (2), shall apply the civil law.

[20/99]

[Act 40 of 2019 wef 02/01/2021]

(8) Notwithstanding section 3(2) of the Women's Charter (Cap. 353), section 112 of that Act shall apply to the General Division in the exercise of its jurisdiction or powers under subsection (2)(c).

[20/99]

[Act 40 of 2019 wef 02/01/2021]

(9) In this section —

“Syariah Court” means the Syariah Court constituted under the Administration of Muslim Law Act;

“Syariah Court commencement certificate” means a commencement certificate issued by the Syariah Court under section 35A(4) of the Administration of Muslim Law Act;

“Syariah Court continuation certificate” means a continuation certificate issued by the Syariah Court under section 35A(4) of the Administration of Muslim Law Act.

[20/99]

### **Powers of General Division**

**18.—**(1) The General Division shall have such powers as are vested in it by any written law for the time being in force in Singapore.

[16/93]

[Act 40 of 2019 wef 02/01/2021]

(2) Without prejudice to the generality of subsection (1), the General Division shall have the powers set out in the First Schedule.

[16/93]

[Act 40 of 2019 wef 02/01/2021]

(3) The powers referred to in subsection (2) shall be exercised in accordance with any written law, Rules of Court or Family Justice Rules relating to them.

[16/93]

[Act 27 of 2014 wef 01/10/2014]

[Act 40 of 2019 wef 02/01/2021]

### *Division 3 — Singapore International Commercial Court*

[Act 40 of 2019 wef 02/01/2021]

#### **Singapore International Commercial Court**

**18A.** There shall be a division of the General Division known as the Singapore International Commercial Court.

[Act 42 of 2014 wef 01/01/2015]

[Act 40 of 2019 wef 02/01/2021]

#### **President of Singapore International Commercial Court**

**18B.**—(1) The Chief Justice may appoint a Supreme Court Judge, a Senior Judge or an International Judge to be the President of the Singapore International Commercial Court for such period as the Chief Justice may specify.

[Act 40 of 2019 wef 02/01/2021]

(2) If no appointment is made under subsection (1), the Chief Justice shall be the President of the Singapore International Commercial Court.

[Act 42 of 2014 wef 01/01/2015]

#### **Act to apply with modifications**

**18C.** Subject to sections 18D to 18M and 80(2A), the provisions of this Act shall apply to proceedings in the Singapore International



Commercial Court as they apply to proceedings in the General Division exercising its original civil jurisdiction.

*[Act 42 of 2014 wef 01/01/2015]*

*[Act 40 of 2019 wef 02/01/2021]*

### **Jurisdiction of Singapore International Commercial Court**

**18D.**—(1) The Singapore International Commercial Court shall have jurisdiction to hear and try any action that satisfies all of the following conditions:

- (a) the action is international and commercial in nature;
- (b) the action is one that the General Division may hear and try in its original civil jurisdiction;
- (c) the action satisfies such other conditions as the Rules of Court may prescribe.

*[Act 40 of 2019 wef 02/01/2021]*

*[Act 1 of 2018 wef 01/11/2018]*

(2) Without limiting subsection (1), the Singapore International Commercial Court (being a division of the General Division) has jurisdiction to hear any proceedings relating to international commercial arbitration that the General Division may hear and that satisfy such conditions as the Rules of Court may prescribe.

*[Act 1 of 2018 wef 01/11/2018]*

*[Act 40 of 2019 wef 02/01/2021]*

**18E.** *[Repealed by Act 1 of 2018 wef 01/11/2018]*

### **Effect of jurisdiction agreement**

**18F.**—(1) Subject to subsection (2), the parties to an agreement to submit to the jurisdiction of the Singapore International Commercial Court shall be considered to have agreed —

- (a) to submit to the exclusive jurisdiction of the Singapore International Commercial Court;
- (b) to carry out any judgment or order of the Singapore International Commercial Court without undue delay; and
- (c) to waive any recourse to any court or tribunal outside Singapore against any judgment or order of the Singapore International Commercial Court, and against the

enforcement of such judgment or order, insofar as such recourse can be validly waived.

(2) Subsection (1)(a), (b) and (c) applies only if there is no express provision to the contrary in the agreement.

*[Act 42 of 2014 wef 01/01/2015]*

### **Composition of Singapore International Commercial Court**

**18G.** Every proceeding in the Singapore International Commercial Court shall be heard and disposed of before a single Judge or 3 Judges.

*[Act 42 of 2014 wef 01/01/2015]*

### **Provisions where Singapore International Commercial Court comprises 3 Judges**

**18H.—**(1) This section applies where a case in the Singapore International Commercial Court is heard before 3 Judges.

(2) The Chief Justice shall appoint one of the Judges to preside.

(3) The case shall be decided in accordance with the opinion of the majority of the Judges hearing the case.

(4) Subject to subsection (5), a case shall be reheard if one or more of the Judges are unable to continue hearing the case for any reason.

(5) Where one Judge is unable to continue hearing a case for any reason, the remaining 2 Judges may continue to hear and determine the case if the parties consent.

(6) Where a case is heard by 2 Judges under subsection (5) —

(a) if the 2 Judges have the same opinion, the case shall be determined according to their opinion; or

(b) if the 2 Judges have different opinions on any claim, counterclaim or application, the claim, counterclaim or application, as the case may be, shall be dismissed.

*[Act 42 of 2014 wef 01/01/2015]*

## **Powers of Singapore International Commercial Court, generally**

**18I.**—(1) The Singapore International Commercial Court may exercise such powers as the General Division may exercise in its original civil jurisdiction, except —

- (a) the power under paragraph 1 of the First Schedule; and
- (b) any power that must be exercised through the Family Division of the High Court.

*[Act 40 of 2019 wef 02/01/2021]*

(2) The Singapore International Commercial Court shall exercise its powers in accordance with the Rules of Court, and any other written law, relating to that Court or those powers.

*[Act 42 of 2014 wef 01/01/2015]*

## **Transfer of cases**

**18J.**—(1) The Singapore International Commercial Court may transfer a case commenced in that Court to the General Division in accordance with the Rules of Court.

*[Act 40 of 2019 wef 02/01/2021]*

(2) The General Division may transfer a case commenced in the General Division to the Singapore International Commercial Court in accordance with the Rules of Court.

*[Act 40 of 2019 wef 02/01/2021]*

(3) Where a case is transferred under subsection (1) or (2) —

- (a) the court to which the case is transferred may permit any matter that has been adduced to remain in evidence, notwithstanding that different rules of evidence may apply in the court to which the case is transferred; and
- (b) the court transferring the case and the court to which the case is transferred may make any consequential order in accordance with the Rules of Court.

(4) In this section, “General Division” does not include the Singapore International Commercial Court.

*[Act 42 of 2014 wef 01/01/2015]*

*[Act 40 of 2019 wef 02/01/2021]*

**Rules of evidence in certain cases**

**18K.**—(1) The Singapore International Commercial Court —

- (a) shall not be bound to apply any rule of evidence under Singapore law in such cases and to such extent as the Rules of Court may provide; and
- (b) may, in those cases, apply other rules of evidence (whether such rules are found under any foreign law or otherwise) in accordance with the Rules of Court.

(2) In subsection (1), “rule of evidence” includes any rule of law relating to privilege, or to the taking of evidence.

*[Act 42 of 2014 wef 01/01/2015]*

**Determination of foreign law on submissions**

**18L.**—(1) The Singapore International Commercial Court may, in such cases as the Rules of Court may prescribe, order that any question of foreign law be determined on the basis of submissions instead of proof.

(2) In determining any question of foreign law on the basis of submissions, the Singapore International Commercial Court may have regard to such matters as the Rules of Court may prescribe.

*[Act 42 of 2014 wef 01/01/2015]*

**Representation by foreign lawyers and law experts**

**18M.** A party to a case in the Singapore International Commercial Court, or to an appeal from that Court, may in accordance with the Rules of Court be represented by a foreign lawyer or law expert who is registered in accordance with Part IVB of the Legal Profession Act (Cap. 161).

*[Act 42 of 2014 wef 01/01/2015]*

*[Act 22 of 2018 wef 01/11/2018]*

*Division 4 — Appellate jurisdiction*

*[Act 40 of 2019 wef 02/01/2021]*

**Appellate criminal jurisdiction**

**19.** The appellate criminal jurisdiction of the General Division shall consist of —

- (a) the hearing of appeals from District Courts or Magistrates' Courts before one or more Judges according to the provisions of the law for the time being in force relating to criminal procedure;

*[Act 27 of 2014 wef 01/10/2014]*

- (b) the hearing of points of law reserved by special cases submitted by a District Court or Magistrate's Court before one or more Judges according to the provisions of the law for the time being in force relating to criminal procedure;

*[Act 27 of 2014 wef 01/10/2014]*

- (c) the hearing of appeals from Family Courts when exercising criminal jurisdiction; and

*[Act 27 of 2014 wef 01/10/2014]*

- (d) the hearing of appeals from Youth Courts.

*[Act 27 of 2014 wef 01/10/2014]*

*[Act 40 of 2019 wef 02/01/2021]*

**Appellate civil jurisdiction**

**20.** The appellate civil jurisdiction of the General Division shall consist of —

- (a) the hearing of appeals from Family Courts when exercising jurisdiction of a quasi-criminal or civil nature;

*[Act 27 of 2014 wef 01/10/2014]*

- (b) the hearing of appeals from District Courts and Magistrates' Courts when exercising jurisdiction of a quasi-criminal or civil nature; and

- (c) the hearing of appeals from other tribunals as may from time to time be prescribed by any written law.

*[30/2010 wef 01/01/2011]*

*[Act 40 of 2019 wef 02/01/2021]*

**Appeals from District and Magistrates' Courts**

**21.**—(1) Subject to the provisions of this Act and any other written law, an appeal lies to the General Division from a decision of a District Court or Magistrate's Court only with the leave of that District Court or Magistrate's Court or the General Division in the following cases:

- (a) any case where the amount in dispute, or the value of the subject matter, at the hearing before that District Court or Magistrate's Court (excluding interest and costs) does not exceed \$60,000 or such other amount as may be specified by an order made under subsection (3);
- (b) any case specified in the Third Schedule.

*[Act 40 of 2019 wef 02/01/2021]*

(2) An appeal to the General Division from a decision of a District Court or Magistrate's Court may be heard before one Judge provided that the Judge, if he thinks fit, may reserve any appeal for the decision of a court consisting of 3 Judges, and in such case the appeal shall be decided in accordance with the opinion of the majority of those Judges.

*[Act 40 of 2019 wef 02/01/2021]*

(2A) An order of the General Division giving or refusing leave under subsection (1) shall be final.

*[30/2010 wef 01/01/2011]*

*[Act 40 of 2019 wef 02/01/2021]*

(2B) *[Deleted by Act 40 of 2019 wef 02/01/2021]*

(3) The President may, after consulting the Chief Justice, by order published in the *Gazette*, vary the amount mentioned in subsection (1).

*[43/98]*

**Powers of rehearing**

**22.**—(1) All appeals to the General Division in the exercise of its appellate civil jurisdiction shall be by way of rehearing.

*[Act 40 of 2019 wef 02/01/2021]*

(2) The General Division shall have the like powers and jurisdiction on the hearing of such appeals as the Appellate Division has on the hearing of appeals from the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

*Division 5 — Supervisory and revisionary jurisdiction*

*[30/2010 wef 01/01/2011]*

*[Act 40 of 2019 wef 02/01/2021]*

**Revision of criminal proceedings of subordinate courts**

**23.** The General Division may exercise powers of revision in respect of criminal proceedings and matters in subordinate courts in accordance with the provisions of any written law for the time being in force relating to criminal procedure.

*[Act 40 of 2019 wef 02/01/2021]*

**Power of General Division to call for records of civil proceedings in subordinate courts**

**24.** The General Division may call for and examine the record of any civil proceedings before any subordinate court for the purpose of satisfying itself as to the correctness, legality or propriety of any decision recorded or passed, and as to the regularity of any proceedings of any such subordinate court.

*[Act 40 of 2019 wef 02/01/2021]*

**Powers of General Division on revision of civil proceedings**

**25.** In the case of any civil proceedings in a subordinate court the record of which has been called for, or which otherwise comes to its knowledge, the General Division may give such orders thereon, either by directing a new trial or otherwise, as seem necessary to secure that substantial justice is done.

*[Act 40 of 2019 wef 02/01/2021]*

**No revision at instance of party who could have appealed**

**26.** Where an appeal lies from any decision in any civil matter, and no appeal is brought, no proceeding by way of revision shall be entertained at the instance of a party who could have appealed.

**General supervisory and revisionary jurisdiction of General Division**

**27.—**(1) In addition to the powers conferred on the General Division by this Act or any other written law, the General Division shall have general supervisory and revisionary jurisdiction over all subordinate courts.

*[Act 40 of 2019 wef 02/01/2021]*

(2) The General Division may in particular, but without prejudice to the generality of subsection (1), if it appears desirable in the interests of justice, either of its own motion or at the instance of any party or person interested, at any stage in any matter or proceeding, whether civil or criminal, in any subordinate court, call for the record thereof, and may remove the matter or proceeding into the General Division or may give to the subordinate court such directions as to the further conduct of the matter or proceeding as justice may require.

*[Act 40 of 2019 wef 02/01/2021]*

(3) Upon the General Division calling for any record under subsection (2), all proceedings in the subordinate court in the matter or proceeding in question shall be stayed pending further order of the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

(4) The General Division shall, when exercising (or deciding whether to exercise) its supervisory and revisionary jurisdiction under subsection (1) or powers under subsection (2) in relation to any matter which concerns a case where the General Division has heard and determined an appeal from a subordinate court, have regard to whether that matter was, or could reasonably have been, raised in that appeal.

*[30/2010 wef 01/01/2011]*

*[Act 40 of 2019 wef 02/01/2021]*

**Discretion of General Division as to hearing parties**

**28.—**(1) Subject to the provisions of any written law for the time being in force, no party shall have any right to be heard before the General Division when exercising its powers of supervision and revision.

*[Act 40 of 2019 wef 02/01/2021]*



(2) No final order shall be made to the prejudice of any person unless that person has had an opportunity of being so heard.

*[Act 40 of 2019 wef 02/01/2021]*

### *Division 6 — Allocation of proceedings*

*[Act 40 of 2019 wef 02/01/2021]*

### **Allocation of proceedings to District Court or Family Court**

**28A.**—(1) The Chief Justice may, where he considers it necessary or expedient to improve efficiency in the administration of justice and to provide for more speedy disposal of proceedings commenced in the General Division, by order direct such class or classes or description of proceedings as may be specified in the order to be heard and determined by the District Court or Family Court.

*[16/93]*

*[Act 27 of 2014 wef 01/10/2014]*

*[Act 40 of 2019 wef 02/01/2021]*

(2) Notwithstanding any other written law, any order under subsection (1) —

(a) may confer jurisdiction on a District Court to hear and determine —

(i) any proceedings specified in the order which, but for the order, the District Court would not have jurisdiction to hear and determine by reason only of the fact that the amount involved exceeds the monetary limit of its jurisdiction; or

(ii) any proceedings relating to any of the matters referred to in section 17(1)(b) or (c);

*[Act 27 of 2014 wef 01/10/2014]*

*[Act 1 of 2017 wef 01/11/2017]*

(aa) may confer jurisdiction on a Family Court to hear and determine any proceedings specified in the order which, but for the order, the Family Court would not have jurisdiction to hear and determine;

*[Act 27 of 2014 wef 01/10/2014]*

- (b) may make such provision governing appeals relating to proceedings transferred to the District Court or Family Court (including provisions restricting the right of appeal) as the Chief Justice thinks fit; and

*[Act 27 of 2014 wef 01/10/2014]*

- (c) may make such incidental provision for the transfer of the proceedings to the District Court or Family Court (including matters relating to procedure and costs) as the Chief Justice thinks fit.

*[16/93; 36/2004]*

*[Act 27 of 2014 wef 01/10/2014]*

### *Further Arguments*

**28B.** *[Repealed by Act 40 of 2019 wef 02/01/2021]*

### *Division 7 — Matters that are non-appealable or appealable only with leave*

#### **No appeal in certain cases**

**29.** In the following cases, an appeal cannot be brought against a decision of the General Division made in the exercise of its original or appellate civil jurisdiction:

- (a) a case where it is expressly provided by any written law that the decision of the General Division is final or that an appeal cannot be brought against the decision of the General Division;
- (b) a case specified in the Fourth Schedule, subject to any exception specified in that Schedule.

*[Act 40 of 2019 wef 02/01/2021]*

#### **Leave required to appeal in certain cases**

**29A.—(1)** In the following cases, leave is required before an appeal may be brought against a decision of the General Division made in the exercise of its original or appellate civil jurisdiction:

- (a) a case where it is expressly provided by any written law that an appeal may be brought only with leave, or that no appeal may be brought except with leave;

- (b) subject to any exception specified in the Fifth Schedule, where the amount in dispute, or the value of the subject matter, at the hearing before the General Division (excluding interest and costs) does not exceed \$250,000 or such other sum as may be specified by an order made under subsection (3);
  - (c) subject to any exception specified in the Fifth Schedule, a case specified in paragraphs 3 and 4(1) of that Schedule.
- (2) For the purposes of subsection (1), leave must be obtained —
- (a) in a case where any written law specifies the court from which leave must be obtained, or the court which may grant leave — from the specified court; and
  - (b) in any other case — from the court specified in the Fifth Schedule.
- (3) The President may, after consulting with the Chief Justice, by order in the *Gazette*, specify another sum in substitution of the sum mentioned in subsection (1)(b).

[Act 40 of 2019 wef 02/01/2021]

### *Division 8 — Further arguments*

#### **Further arguments before notice of appeal is filed**

**29B.**—(1) This section applies to a decision made by a Judge in the exercise of the original or appellate civil jurisdiction of the General Division, after any hearing other than a trial of an action.

(2) Before any notice of appeal is filed against a decision to which this section applies, the Judge who made the decision may hear further arguments in respect of the decision if any party to the hearing, or the Judge, requests for further arguments before the earlier of the following:

- (a) the time on which the judgment or order relating to the decision is extracted;
  - (b) the 15th day after the date on which the decision is made.
- (3) After hearing further arguments, the Judge may affirm, vary or set aside the decision.

(4) If a request for further arguments has been made under subsection (2) —

(a) a notice of appeal may not be filed against the decision until the Judge —

(i) affirms, varies or sets aside the decision after hearing further arguments; or

(ii) certifies, or is deemed to have certified, that no further arguments are required; and

(b) the time for filing a notice of appeal in respect of the decision begins on the date the Judge —

(i) affirms, varies or sets aside the decision after hearing further arguments; or

(ii) certifies, or is deemed to have certified, that no further arguments are required.

(5) To avoid doubt, a party to the hearing may, but is not required to, request for further arguments before the party files a notice of appeal in respect of the decision.

*[Act 40 of 2019 wef 02/01/2021]*

### *Division 9 — Allocation of appeals*

#### **Court to which appeal is to be made**

**29C.**—(1) Subject to subsection (2), an appeal against a decision of the General Division in the exercise of its original or appellate civil jurisdiction, whether under this Act or any other written law, is to be made to the Appellate Division.

(2) An appeal against a decision of the General Division is to be made to the Court of Appeal if the Sixth Schedule or any other written law so provides.

(3) To avoid doubt, this section does not create any right of appeal against a decision of the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

**Power to transfer appeal to Court of Appeal**

**29D.**—(1) The Court of Appeal may transfer the following appeals to itself:

- (a) any appeal against any decision of the General Division that has been made to the Appellate Division;
- (b) where an order under section 39A of the Land Acquisition Act (Cap. 152) is in force, any appeal made to the Appellate Division under section 29(2) or 38(2) of the Land Acquisition Act.

(2) The power in subsection (1) may be exercised by the Court of Appeal —

- (a) on its own motion;
- (b) on a reference by the Appellate Division; or
- (c) on an application to the Court of Appeal by any party to the appeal, but such an application may only be made —
  - (i) on the ground that the appeal was not made to the Appellate Division in accordance with section 29C; or
  - (ii) on grounds prescribed by the Rules of Court.

(3) In deciding whether to exercise the power in subsection (1), the Court of Appeal is to have regard to matters prescribed by the Rules of Court.

(4) To avoid doubt, Rules of Court made for the purpose of subsection (3) may prescribe different matters for the different circumstances mentioned in subsection (2)(a), (b) and (c).

(5) To avoid doubt, an appeal may be transferred under subsection (1) even if it was made to the Appellate Division in accordance with section 29C(1).

*[Act 40 of 2019 wef 02/01/2021]*

**Power to transfer appeal to Appellate Division**

**29E.**—(1) The Court of Appeal may transfer the following appeals to the Appellate Division:

- (a) any appeal against any decision made by the General Division in any civil cause or matter in the exercise of the original or appellate civil jurisdiction of the General Division that has been made to the Court of Appeal;
- (b) any appeal made to the Court of Appeal under section 29(2) or 38(2) of the Land Acquisition Act.
- (2) The power in subsection (1) may be exercised by the Court of Appeal —
- (a) on its own motion; or
- (b) on an application by any party to the appeal, but such an application may only be made on the ground that the appeal was not made to the Court of Appeal in accordance with section 29C.
- (3) In deciding whether to exercise the power in subsection (1), the Court of Appeal is to have regard to matters prescribed by the Rules of Court.
- (4) To avoid doubt, Rules of Court made for the purpose of subsection (3) may prescribe different matters for the different circumstances mentioned in subsection (2)(a) and (b).
- (5) To avoid doubt, an appeal may be transferred under subsection (1) even if it was made to the Court of Appeal in accordance with section 29C(2).

*[Act 40 of 2019 wef 02/01/2021]*

## PART IV

### APPELLATE DIVISION OF HIGH COURT

*[Act 40 of 2019 wef 02/01/2021]*

#### *Division 1 — General*

#### **President**

**30.—**(1) The Chief Justice may appoint a Judge of the Appellate Division to be the President of the Appellate Division.

(2) If no appointment is made under subsection (1), the Chief Justice is the President of the Appellate Division.

(3) In a sitting of the Appellate Division —

- (a) the most senior Supreme Court Judge, as determined by section 4, is to preside; and
- (b) if there is no Supreme Court Judge, the Chief Justice is to appoint a person to preside.

*[Act 40 of 2019 wef 02/01/2021]*

### **Jurisdiction — general**

**31.**—(1) The Appellate Division has the civil jurisdiction mentioned in section 35.

(2) The Appellate Division has no criminal jurisdiction.

(3) The Appellate Division has, in an appeal and for any purpose relating to an appeal, all the jurisdiction and powers of the court or tribunal from which the appeal was brought.

(4) The Appellate Division may decide any question that needs to be decided to do justice in any case before it.

*[Act 40 of 2019 wef 02/01/2021]*

### **Composition — general**

**32.**—(1) Subject to this Act, the jurisdiction of the Appellate Division is to be exercised by 3 or any greater uneven number of Judges.

(2) A Judge must not sit in the Appellate Division to hear or decide any appeal from a decision made by the Judge, or any matter related to such an appeal.

(3) Section 10A applies in relation to proceedings before the Appellate Division as it applies in relation to proceedings before the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

**Decisions how made**

**33.**—(1) A decision of the Appellate Division is to be made in accordance with the opinion of the majority of the Judges hearing the case.

(2) An appeal or application to the Appellate Division is to be dismissed if the Judges hearing the appeal or application are evenly divided.

*[Act 40 of 2019 wef 02/01/2021]*

**Sittings**

**34.**—(1) The Appellate Division —

- (a) is to sit on such dates and at such places as the Chief Justice may from time to time appoint; and
- (b) may sit on a Saturday, Sunday or public holiday, or during a vacation, if the Chief Justice so appoints.

(2) The Chief Justice may cancel or postpone a sitting appointed under subsection (1).

*[Act 40 of 2019 wef 02/01/2021]*

*Division 2 — Civil jurisdiction***Civil jurisdiction**

**35.**—(1) This Division applies to the Appellate Division in the exercise of its civil jurisdiction.

(2) The civil jurisdiction of the Appellate Division consists of the following matters, subject to the provisions of this Act or any written law regulating the terms and conditions upon which those matters may be brought:

- (a) any appeal against any decision made by the General Division in any civil cause or matter in the exercise of its original or appellate civil jurisdiction;
- (b) any appeal or other process that any written law provides is to lie, or that is transferred in accordance with any written law, to the Appellate Division.

*[Act 40 of 2019 wef 02/01/2021]*



**Composition — further provisions**

**36.**—(1) Despite section 32(1), a case before the Appellate Division may, if the Seventh Schedule so provides, be heard and decided by —

- (a) either a single Judge or 2 Judges; or
- (b) 2 Judges.

(2) A Judge must not sit in the Appellate Division to hear or decide any application to discharge or vary a direction or an order made by the Judge under section 40(1).

(3) Where the Appellate Division is constituted by 3 or more Judges to hear and decide a case and one or more of those Judges are unable for any reason to continue exercising his functions as a Judge of the Appellate Division so constituted —

- (a) the Appellate Division must continue to hear and decide the case if every party to the case consents and there are at least 2 Judges remaining; and
- (b) the case must be reheard if it cannot continue under paragraph (a).

*[Act 40 of 2019 wef 02/01/2021]*

**Oral hearing not needed for certain matters**

**37.**—(1) The Appellate Division may decide the following cases without hearing oral arguments:

- (a) any application to the Appellate Division, whether under this Act or any other written law;
- (b) any appeal to the Appellate Division specified in paragraph 1 of the Eighth Schedule.

(2) To avoid doubt, subsection (1) does not affect the power of the Appellate Division to decide the cases mentioned in that subsection after hearing oral arguments.

*[Act 40 of 2019 wef 02/01/2021]*

**Summary dismissal of certain matters**

**38.**—(1) The Appellate Division may summarily dismiss any appeal or application on its own motion if the Appellate Division is satisfied of any of the following:

- (a) the Appellate Division does not have the jurisdiction to hear and determine the appeal or application;
- (b) the Appellate Division or the Court of Appeal has already decided every issue in the appeal or application in an earlier matter in which the appellant or applicant was involved, and the appeal or application therefore has no merit;
- (c) such conditions as may be prescribed by the Rules of Court are met.

(2) Before summarily dismissing any appeal or application under subsection (1), the Appellate Division must —

- (a) give the appellant or applicant a reasonable opportunity to show cause why the appeal or application should not be summarily dismissed; and
- (b) consider any representations made by the appellant or applicant.

(3) The Appellate Division may exercise its powers under this section without hearing oral arguments.

(4) In this section, “appeal” includes part of an appeal and “application” includes part of an application.

*[Act 40 of 2019 wef 02/01/2021]*

**Applications**

**39.** Where an application may be made either to the General Division or to the Appellate Division, it must first be made to the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

**Incidental directions and interim orders**

**40.**—(1) The Appellate Division may make one or more of the following directions and orders in any appeal or application pending before it (called in this section the pending matter):

- (a) any direction or order incidental to the pending matter not involving the decision of the pending matter;
- (b) any interim order to prevent prejudice to the claims of the parties pending the determination of the pending matter;
- (c) any order for security for costs, and for the dismissal of the pending matter for default in furnishing security so ordered.

(2) A direction or an order under subsection (1) may be made by the Appellate Division on its own motion or on the application of a party.

(3) A direction or an order under subsection (1) may be made by 2 Judges.

(4) A direction or an order under subsection (1) may also be made by a single Judge, in which case the following provisions apply:

- (a) the direction or order may be varied or discharged by 2 other Judges; but
- (b) an application to vary or discharge the direction or order may only be made with the leave of the single Judge or any other Judge, and a decision by any Judge to give or refuse leave is final.

(5) Subsections (3) and (4) apply despite section 32(1).

*[Act 40 of 2019 wef 02/01/2021]*

**Hearing of appeals**

**41.**—(1) Appeals to the Appellate Division are to be by way of rehearing.

(2) In hearing and deciding an appeal, the Appellate Division has all the powers and duties, as to amendment or otherwise, of the court or tribunal from which the appeal was brought.

(3) The Appellate Division may receive further evidence by oral examination in court, by affidavit, or by deposition taken before an examiner or a commissioner.

(4) Except as provided in subsection (5), such further evidence may be given to the Appellate Division only with the leave of the Appellate Division and on special grounds.

(5) Such further evidence may be given to the Appellate Division without leave if the evidence relates to matters occurring after the date of the decision appealed against.

(6) The Appellate Division may draw any inference of fact, give any judgment and make any order.

(7) The powers in this section —

(a) may be exercised in relation to any part of the decision appealed against, including any part of the decision appealed against to which the appeal does not relate; and

(b) may be exercised in favour of any party to the decision appealed against, including any party to the decision appealed against who has not appealed against the decision.

*[Act 40 of 2019 wef 02/01/2021]*

### **Costs of appeal**

**42.** The Appellate Division may make any order as to the costs of an appeal or of the proceedings relating to the decision appealed against.

*[Act 40 of 2019 wef 02/01/2021]*

### **New trial**

**43.—**(1) Subject to this Act, the Appellate Division may order a new trial of any matter that has been tried by the General Division in the exercise of the original or appellate civil jurisdiction of the General Division.

(2) A new trial must not be ordered on the ground of an improper admission or rejection of evidence, unless the improper admission or rejection has caused a substantial wrong or a miscarriage of justice.

(3) If the substantial wrong or miscarriage of justice mentioned in subsection (2) affects only part of a case, or only one or some of the parties to the case, the Appellate Division may —

- (a) give final judgment in respect of the unaffected part of the case or the unaffected parties to the case; and
- (b) direct a new trial in respect of the affected part of the case or the affected parties to the case.

(4) A new trial may be ordered on any question without interfering with the finding or decision of the General Division on any other question.

*[Act 40 of 2019 wef 02/01/2021]*

### **Immaterial errors**

**44.** The Appellate Division may not reverse or substantially vary a decision of the General Division, or order a new trial, on account of any error, defect or irregularity that does not affect the merits of the decision or the jurisdiction of the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

### **Appeal not to operate as stay of execution**

**45.—**(1) An appeal to the Appellate Division does not operate as a stay of execution or of proceedings under the decision appealed against, unless the General Division or the Appellate Division so orders.

(2) No intermediate act or proceeding is to be invalidated except so far as the Appellate Division directs.

*[Act 40 of 2019 wef 02/01/2021]*

### *Division 3 — Matters that are non-appealable or appealable only with leave*

### **No appeal in certain cases**

**46.** An appeal cannot be brought against a decision of the Appellate Division in the cases specified in the Ninth Schedule.

*[Act 40 of 2019 wef 02/01/2021]*

**Leave required to appeal**

**47.—**(1) An appeal against a decision of the Appellate Division made in the exercise of its appellate civil jurisdiction may only be brought with the leave of the Court of Appeal.

(2) The Court of Appeal may grant leave under subsection (1) only if the appeal will raise a point of law of public importance.

(3) In deciding whether to grant leave under subsection (1) or in determining, for the purposes of subsection (2), whether an appeal will raise a point of law of public importance, the Court of Appeal is to have regard to matters prescribed by the Rules of Court.

(4) To avoid doubt —

(a) the Court of Appeal is not required to grant leave under subsection (1) even if the appeal will raise a point of law of public importance; and

(b) leave may be granted under subsection (1) even if the decision of the Appellate Division sought to be appealed against —

(i) was made in an appeal transferred by the Court of Appeal to the Appellate Division under section 29E(1); or

(ii) was made in an appeal to the Appellate Division that the Court of Appeal declined to transfer to itself under section 29D(1).

*[Act 40 of 2019 wef 02/01/2021]*

**PART V****COURT OF APPEAL**

*[Act 40 of 2019 wef 02/01/2021]*

*Division 1 — General***President and Vice-Presidents**

**48.**—(1) The Chief Justice is the President of the Court of Appeal and may appoint one or more Vice-Presidents of the Court of Appeal from among the Justices of the Court of Appeal.

(2) In a sitting of the Court of Appeal —

(a) the most senior Supreme Court Judge, as determined by section 4, is to preside; and

(b) if there is no Supreme Court Judge, the Chief Justice is to appoint a person to preside.

*[Act 40 of 2019 wef 02/01/2021]*

**Jurisdiction — general**

**49.**—(1) The Court of Appeal has the civil jurisdiction mentioned in section 53 and the criminal jurisdiction mentioned in section 60D.

(2) The Court of Appeal has, in an appeal and for any purpose related to an appeal, all the jurisdiction and powers of the court or tribunal from which the appeal was brought.

(3) The Court of Appeal may decide any question that needs to be decided to do justice in any case before it.

*[Act 40 of 2019 wef 02/01/2021]*

**Composition — general**

**50.**—(1) Subject to this Act, the jurisdiction of the Court of Appeal is to be exercised by 3 or any greater uneven number of Judges.

(2) A Judge must not sit in the Court of Appeal to hear or decide any appeal from a decision made by the Judge, or any matter related to such an appeal.

(3) Section 10A applies in relation to proceedings before the Court of Appeal as it applies in relation to proceedings before the General Division.

*[Act 40 of 2019 wef 02/01/2021]*

**Decisions how made**

**51.**—(1) A decision of the Court of Appeal is to be made in accordance with the opinion of the majority of the Judges hearing the case.

(2) An appeal or application to the Court of Appeal is to be dismissed if the Judges hearing the appeal or application are evenly divided.

*[Act 40 of 2019 wef 02/01/2021]*

**Sittings**

**52.**—(1) The Court of Appeal —

- (a) is to sit on such dates and at such places as the Chief Justice may from time to time appoint; and
- (b) may sit on a Saturday, Sunday or public holiday, or during a vacation, if the Chief Justice so appoints.

(2) The Chief Justice may cancel or postpone a sitting appointed under subsection (1).

*[Act 40 of 2019 wef 02/01/2021]*

*Division 2 — Civil jurisdiction***Civil jurisdiction**

**53.**—(1) This Division applies to the Court of Appeal in the exercise of its civil jurisdiction.

(2) The civil jurisdiction of the Court of Appeal consists of the following matters, subject to the provisions of this Act or any other written law regulating the terms and conditions upon which those matters may be brought:

- (a) any appeal against any decision made by the General Division in any civil cause or matter in the exercise of its original or appellate civil jurisdiction;
- (b) any appeal from the Appellate Division;
- (c) any appeal or other process that any written law provides is to lie, or that is transferred in accordance with any written law, to the Court of Appeal;



- (d) any application (whether made to the General Division, the Appellate Division or the Court of Appeal) to which either or both of the following apply:
- (i) a common question of law or fact arises in both the application and a matter falling within the criminal jurisdiction of the Court of Appeal;
  - (ii) any relief claimed in the application —
    - (A) may affect any matter falling within the criminal jurisdiction of the Court of Appeal; or
    - (B) may affect the outcome of any matter falling within the criminal jurisdiction of the Court of Appeal.

*[Act 40 of 2019 wef 02/01/2021]*

### **Composition — further provisions**

**54.**—(1) Despite section 50(1), a case before the Court of Appeal may, if the Seventh Schedule so provides, be heard and decided by —

- (a) either a single Judge or 2 Judges; or
- (b) 2 Judges.

(2) A Judge must not sit in the Court of Appeal to hear or decide any application to discharge or vary a direction or an order made by the Judge under section 58(1).

(3) Where the Court of Appeal is constituted by 3 or more Judges to hear and decide a case and one or more of those Judges are unable for any reason to continue exercising his functions as a Judge of the Court of Appeal so constituted —

- (a) the Court of Appeal must continue to hear and decide the case if every party to the case consents and there are at least 2 Judges remaining; and
- (b) the case must be reheard if it cannot continue under paragraph (a).

*[Act 40 of 2019 wef 02/01/2021]*

**Oral hearing not needed for certain matters**

**55.**—(1) The Court of Appeal may decide the following cases without hearing oral arguments:

- (a) any application to the Court of Appeal, whether under this Act or any other written law;
- (b) any appeal to the Court of Appeal specified in paragraph 2 of the Eighth Schedule.

(2) To avoid doubt, subsection (1) does not affect the power of the Court of Appeal to decide the cases mentioned in that subsection after hearing oral arguments.

*[Act 40 of 2019 wef 02/01/2021]*

**Summary dismissal of certain matters**

**56.**—(1) The Court of Appeal may summarily dismiss any appeal or application on its own motion if the Court of Appeal is satisfied of any of the following:

- (a) the Court of Appeal does not have the jurisdiction to hear and determine the appeal or application;
- (b) the Court of Appeal has already decided every issue in the appeal or application in an earlier matter in which the appellant or applicant was involved, and the appeal or application therefore has no merit;
- (c) such conditions as may be prescribed by the Rules of Court are met.

(2) Before summarily dismissing any appeal or application under subsection (1), the Court of Appeal must —

- (a) give the appellant or applicant a reasonable opportunity to show cause why the appeal or application should not be summarily dismissed; and
- (b) consider any representations made by the appellant or applicant.

(3) The Court of Appeal may exercise its powers under this section without hearing oral arguments.

(4) In this section, “appeal” includes part of an appeal and “application” includes part of an application.

*[Act 40 of 2019 wef 02/01/2021]*

## **Applications**

**57.** Where an application may be made either to the Court of Appeal or to another court, it must first be made to the other court.

*[Act 40 of 2019 wef 02/01/2021]*

## **Incidental directions and interim orders**

**58.—**(1) The Court of Appeal may make one or more of the following directions and orders in any appeal or application pending before it (called in this section the pending matter):

- (a) any direction or order incidental to the pending matter not involving the decision of the pending matter;
- (b) any interim order to prevent prejudice to the claims of the parties pending the determination of the pending matter;
- (c) any order for security for costs, and for the dismissal of the pending matter for default in furnishing security so ordered.

(2) A direction or an order under subsection (1) may be made by the Court of Appeal on its own motion or on the application of a party.

(3) A direction or an order under subsection (1) may be made by 2 Judges.

(4) A direction or an order under subsection (1) may also be made by a single Judge, in which case the following provisions apply:

- (a) the direction or order may be varied or discharged by 2 other Judges; but
- (b) an application to vary or discharge the direction or order may only be made with the leave of the single Judge or any other Judge, and a decision by any Judge to give or refuse leave is final.

(5) Subsections (3) and (4) apply despite section 50(1).

*[Act 40 of 2019 wef 02/01/2021]*

**Hearing of appeals**

**59.**—(1) Appeals to the Court of Appeal are to be by way of rehearing.

(2) In hearing and deciding an appeal, the Court of Appeal has all the powers and duties, as to amendment or otherwise, of the court or tribunal from which the appeal was brought.

(3) The Court of Appeal may receive further evidence by oral examination in court, by affidavit, or by deposition taken before an examiner or a commissioner.

(4) Except as provided in subsection (5), such further evidence may be given to the Court of Appeal only with the leave of the Court of Appeal and on special grounds.

(5) Such further evidence may be given to the Court of Appeal without leave if the evidence relates to matters occurring after the date of the decision appealed against.

(6) The Court of Appeal may draw any inference of fact, give any judgment and make any order.

(7) The powers in this section —

(a) may be exercised in relation to any part of the decision appealed against, including any part of the decision appealed against to which the appeal does not relate; and

(b) may be exercised in favour of any party to the decision appealed against, including any party to the decision appealed against who has not appealed against the decision.

*[Act 40 of 2019 wef 02/01/2021]*

**Costs of appeal**

**60.** The Court of Appeal may make any order as to the costs of an appeal or of the proceedings relating to the decision appealed against.

*[Act 40 of 2019 wef 02/01/2021]*

**New trial**

**60A.**—(1) Subject to this Act, the Court of Appeal may order a new trial of —

- (a) any matter that has been tried by the General Division in the exercise of the original or appellate civil jurisdiction of the General Division; or
- (b) any matter that has been tried by the Appellate Division in the exercise of the civil jurisdiction of the Appellate Division.

(2) A new trial must not be ordered on the ground of an improper admission or rejection of evidence, unless the improper admission or rejection has caused a substantial wrong or a miscarriage of justice.

(3) If the substantial wrong or miscarriage of justice mentioned in subsection (2) affects only part of a case, or only one or some of the parties to the case, the Court of Appeal may —

- (a) give final judgment in respect of the unaffected part of the case or the unaffected parties to the case; and
- (b) direct a new trial in respect of the affected part of the case or the affected parties to the case.

(4) A new trial may be ordered on any question without interfering with the finding or decision of the General Division or the Appellate Division (as the case may be) on any other question.

*[Act 40 of 2019 wef 02/01/2021]*

### **Immaterial errors**

**60B.** The Court of Appeal may not reverse or substantially vary a decision appealed against, or order a new trial, on account of any error, defect or irregularity that does not affect the merits of the decision appealed against or the jurisdiction of the court whose decision is appealed against.

*[Act 40 of 2019 wef 02/01/2021]*

### **Appeal not to operate as stay of execution**

**60C.**—(1) An appeal to the Court of Appeal does not operate as a stay of execution or of proceedings under the decision appealed against, unless the court whose decision is appealed against or the Court of Appeal so orders.

(2) No intermediate act or proceeding is to be invalidated except so far as the Court of Appeal directs.

*[Act 40 of 2019 wef 02/01/2021]*

### *Division 3 — Criminal jurisdiction*

#### **Criminal jurisdiction**

**60D.** The criminal jurisdiction of the Court of Appeal consists of the following matters, subject to the provisions of this Act or any other written law regulating the terms and conditions upon which those matters may be brought:

- (a) any appeal against any decision made by the General Division in the exercise of its original criminal jurisdiction;
- (b) any petition for confirmation under Division 1A of Part XX of the Criminal Procedure Code (Cap. 68);
- (c) any review of a decision of the Court of Appeal, or a decision of the General Division, under Division 1B of Part XX of the Criminal Procedure Code;
- (d) any case stated to the Court of Appeal under section 395 or 396 of the Criminal Procedure Code;
- (e) any reference to the Court of Appeal under section 397 of the Criminal Procedure Code;
- (f) any motion to the Court of Appeal under Division 5 of Part XX of the Criminal Procedure Code.

*[Act 40 of 2019 wef 02/01/2021]*

#### **Composition when exercising criminal jurisdiction**

**60E.—**(1) Despite section 50(1), a single Judge may hear and decide an application under section 394H of the Criminal Procedure Code for leave to apply to the Court of Appeal to review an earlier decision of the Court of Appeal.

(2) A Judge must not sit in the Court of Appeal to hear or decide any of the following matters, or any matter related to any of the following matters:

- (a) an appeal against a conviction before the Judge or a sentence passed by the Judge;
- (b) any petition for confirmation under Division 1A of Part XX of the Criminal Procedure Code lodged in respect of a sentence of death passed by the Judge on an accused;
- (c) any case stated by the Judge under section 395 of the Criminal Procedure Code;
- (d) any reference under section 397 of the Criminal Procedure Code of a question of law of public interest that has arisen in a criminal matter determined by the Judge.

[Act 40 of 2019 wef 02/01/2021]

## PART VI

### OFFICERS AND OFFICES

#### *Division 1 — Registrar*

[Act 40 of 2019 wef 02/01/2021]

#### **Appointment of Registrar, Deputy Registrar and Assistant Registrars**

**61.**—(1) The President may, on the recommendation of the Chief Justice, appoint a Registrar, a Deputy Registrar and Assistant Registrars of the Supreme Court.

[58/73]

(2) No person shall be appointed to be or to act as the Registrar, the Deputy Registrar or an Assistant Registrar unless he is a qualified person as defined in section 2 of the Legal Profession Act (Cap. 161).

[58/73]

#### **Powers and duties of Registrar, Deputy Registrar and Assistant Registrars**

**62.**—(1) The Registrar, the Deputy Registrar and the Assistant Registrars shall, subject to the provisions of this Act or any other written law, have such jurisdiction, powers and duties as may be prescribed by Rules of Court.

[58/73; 7/97]

(2) Subject to Rules of Court, all the powers and duties conferred and imposed on the Registrar may be exercised or performed by the Deputy Registrar or the Assistant Registrars.

[58/73]

*Division 2 — Sheriff*

[Act 40 of 2019 wef 02/01/2021]

**Sheriff, Deputy Sheriff and Assistant Sheriffs of Supreme Court**

**63.**—(1) The Registrar shall be the Sheriff and the Deputy Registrar shall be the Deputy Sheriff and the Assistant Registrars shall be the Assistant Sheriffs of the Supreme Court.

[58/73]

(2) The Deputy Sheriff and the Assistant Sheriffs shall have all the powers and privileges and may perform all the duties of the Sheriff.

[58/73]

**Powers and duties of Sheriff**

**64.**—(1) The Sheriff or his officers shall —

- (a) execute all writs, summonses, rules, orders, warrants, commands and process of the Supreme Court given to him by the Court for that purpose;
- (b) make a return of the same together with the manner of the execution thereof to the Supreme Court from which the process issued; and
- (c) receive all such persons as are committed to his custody by the Supreme Court.

(2) The Sheriff or his officers in executing any writ of seizure and sale or any other writ of execution or of distress may effect an entry into any building, and for that purpose if necessary may break open any outer or inner door or window of the building or any receptacle therein, using such force as is reasonably necessary to effect an entry.



**Sheriff not to act when an interested party**

**65.** Where in any cause or matter the Sheriff is an interested party, the court may appoint for that purpose an officer or a person who may act in the place of the Sheriff.

**Solicitor authorised to act as officer of Sheriff**

**65A.**—(1) Subject to such directions as may be given by the Chief Justice, the Registrar may authorise a solicitor or a person employed by a solicitor to exercise the powers and perform the duties of an officer of the Sheriff during such period or on such occasion as the Registrar thinks fit and subject to such terms and conditions as the Registrar may determine.

[16/93]

(2) Section 79(2) shall apply to a solicitor or person authorised under subsection (1) as it applies to an officer of the Supreme Court.

[16/93]

*Division 3 — Accountant*

[Act 40 of 2019 wef 02/01/2021]

**Accountant — his duties**

**66.**—(1) An Accountant shall be appointed by the Chief Justice for the Supreme Court.

(2) Such Accountant shall do all things necessary to execute the orders of the Supreme Court relating to the payment or delivery or depositing of suitors' money, jewels, precious stones and securities into or in his custody, and investing the money of suitors and keeping the accounts thereof.

*Division 4 — Subordinate officers*

[Act 40 of 2019 wef 02/01/2021]

**Subordinate officers of Supreme Court**

**67.**—(1) There shall be attached to the Supreme Court commissioners for oaths, interpreters, clerks, process servers and other officers as shall, from time to time, appear to the Chief Justice to

be necessary for the administration of justice and the due execution of all powers and duties which are vested in the Supreme Court.

(2) Such of the officers attached to the Supreme Court as may be thought necessary or proper for the performance of any special duties in connection with any particular Judge may, with the approval of the Chief Justice, be attached to that Judge.

### **Commissioners for oaths**

**68.**—(1) The Registrar, the Deputy Registrar and the Assistant Registrars shall be ex-officio commissioners for oaths.

[58/73]

(2) The Senate of the Singapore Academy of Law may appoint fit and proper persons to be commissioners for oaths (subject to any limitations expressed in their appointment) who may do all or any of the following things:

- (a) receive acknowledgements of married women in all cases where such acknowledgements are required by law to be taken before a public officer;
- (b) receive acknowledgements of recognisances of bail and bail bonds;
- (c) administer oaths for —
  - (i) the justification for bail;
  - (ii) taking any affidavit or affirmation;
  - (iii) receiving and taking the answer, plea, demurrer, disclaimer, allegation or examination of any party or parties to any action;
  - (iv) the examination of any witnesses upon any interrogatories or de bene esse or in chief or on any other occasions;
  - (v) swearing executors and administrators; and
  - (vi) swearing persons in any cause or matter which is pending or about to be instituted in any court in any of its jurisdiction;

(d) take and receive statutory declarations.

[34/95]

(3) The Senate of the Singapore Academy of Law may make rules for the appointment and conduct of, fees to be charged by, fees payable to the Singapore Academy of Law by, and for all things appertaining to, commissioners for oaths and persons appointed by the Senate under subsection (2).

[34/95]

### **Oaths of officers**

**69.** The Registrar, the Deputy Registrar, the Assistant Registrars and such other officers of the Supreme Court as may be required by the Chief Justice shall, before exercising the functions of their respective offices, take and subscribe the appropriate oath of office set out in the Second Schedule.

[58/73; 16/93]

### **Apportionment of work**

**70.** The Chief Justice may make such rules and regulations as he thinks fit for the apportionment of the work among the several officers of the Supreme Court.

## *Division 5 — Offices*

[Act 40 of 2019 wef 02/01/2021]

### **Registry of Supreme Court**

**71.—(1)** There shall be an office of the Supreme Court called the Registry comprising such departments as the Chief Justice may, from time to time, determine.

(2) The Registry shall be under the control and supervision of the Registrar.

### **Registry to be open throughout the year**

**72.—(1)** The Registry of the Supreme Court shall be open on every day of the year except on Saturdays, Sundays and public holidays.

[8/98; 2/2007]

(2) Notwithstanding subsection (1), the Registrar may lawfully sit or carry out the business of the Registry on a Saturday, Sunday or public holiday if —

- (a) the Chief Justice has directed the Registrar to do so on that day; or
- (b) in the opinion of the Registrar, the business to be despatched is extremely urgent.

[8/98; 2/2007]

(3) The office hours of the Registry shall be such times as the Chief Justice may from time to time direct.

[8/98]

## PART VII

### MISCELLANEOUS PROVISIONS

#### *Division 1 — List of touts*

*[Act 40 of 2019 wef 02/01/2021]*

#### **List of touts**

**73.—**(1) The Registrar may publish a list of persons proved to his satisfaction, by evidence of general repute or otherwise, to act as touts or unauthorised advisers to suitors or other persons having business with or before any officer of the Supreme Court, and may alter and amend such list.

(2) The Registrar may, by general or special order, exclude from the precincts of the Supreme Court any person whose name is included in the list, except when that person is a party to or a witness in any proceedings in the Supreme Court, when he shall be allowed to remain for such time as is necessary.

(3) No person's name shall be included in the list until he has been heard or had an opportunity of being heard against such inclusion.

(4) An appeal shall lie to a Judge sitting in chambers in the General Division from an order made by the Registrar to include a person's name in the list.

*[Act 40 of 2019 wef 02/01/2021]*

(5) The decision of the Judge sitting in chambers in the General Division shall be final.

[Act 40 of 2019 wef 02/01/2021]

(6) A copy of the list shall be kept hung up in the Registry and shall be published in the *Gazette*.

(7) A person whose name appears in the list of touts under section 39 of the Family Justice Act 2014, or the list of touts under section 62 of the State Courts Act (Cap. 321), shall be deemed to be included in the list under this section, and vice versa.

[Act 27 of 2014 wef 01/10/2014]

*Division 2 — Measures for dealing with  
unmeritorious or vexatious proceedings  
and vexatious litigants*

[Act 40 of 2019 wef 02/01/2021]

**Measures for dealing with unmeritorious or vexatious proceedings**

**73A.**—(1) A court may, in respect of any legal proceedings in the court —

- (a) make a limited civil restraint order in accordance with section 73B;
- (b) make an extended civil restraint order in accordance with section 73C; or
- (c) make a general civil restraint order in accordance with section 73D.

(2) A court may, if satisfied that a party is conducting any legal proceedings in the court in a vexatious manner, order that those proceedings be stayed on such terms as the court considers appropriate.

(3) A court may, if satisfied that the filing of further documents by a party in any legal proceedings in the court would be vexatious or for an improper purpose, order that no further documents be filed by that party in relation to those proceedings.

(4) The General Division may, in respect of any legal proceedings in any subordinate court —

- (a) make a limited civil restraint order in accordance with section 73B;
- (b) make an extended civil restraint order in accordance with section 73C; or
- (c) make a general civil restraint order in accordance with section 73D.

*[Act 40 of 2019 wef 02/01/2021]*

(5) The General Division may, if satisfied that a party is conducting any legal proceedings in any subordinate court in a vexatious manner, order that those proceedings be stayed on such terms as the General Division considers appropriate.

*[Act 40 of 2019 wef 02/01/2021]*

(6) The General Division may, if satisfied that the filing of further documents by a party in any legal proceedings in any subordinate court would be vexatious or for an improper purpose, order that no further documents be filed by that party in relation to those proceedings.

*[Act 40 of 2019 wef 02/01/2021]*

(7) A court may, on the court's own motion, or on the application of —

- (a) the Attorney-General; or
- (b) any party in any legal proceedings in the court,

make an order mentioned in subsection (1)(a), (b) or (c), (2) or (3) against another party in those legal proceedings after giving the other party an opportunity to be heard.

(8) The General Division may, on the application of —

- (a) the Attorney-General; or
- (b) any party in any legal proceedings in a subordinate court,

make an order mentioned in subsection (4)(a), (b) or (c), (5) or (6) against another party in those legal proceedings after giving the other party an opportunity to be heard.

*[Act 40 of 2019 wef 02/01/2021]*

(9) A party against whom the General Division makes an order mentioned in subsection (1)(a), (b) or (c), (2), (3), (4)(a), (b) or (c), (5) or (6) may appeal against the order only with the leave of the court to which the appeal is to be made under section 29C.

*[Act 40 of 2019 wef 02/01/2021]*

(9A) A party against whom the Appellate Division makes an order mentioned in subsection (1)(a), (b) or (c), (2) or (3) may appeal against the order only with the leave of the Court of Appeal.

*[Act 40 of 2019 wef 02/01/2021]*

(10) In this section and sections 73B and 73C, “legal proceedings” includes any proceedings, process, action, application or appeal in any civil matter or quasi-criminal matter.

*[Act 46 of 2018 wef 01/01/2019]*

### **Limited civil restraint orders**

**73B.**—(1) A court may, if satisfied that a party has made 2 or more applications that are totally without merit, make a limited civil restraint order against the party.

(2) Where a court makes a limited civil restraint order, the party against whom the order is made —

- (a) is restrained from making any further application in the legal proceedings in respect of which the order is made without the leave of that court; and
- (b) may apply to amend, vary or discharge the order, only if the party has the leave of that court to make that application.

(3) Where a party, who is subject to a limited civil restraint order, makes an application (other than for the leave of the court under subsection (2)) in the legal proceedings in respect of which the order is made without the leave of the court under subsection (2), that application is to be treated as dismissed —

- (a) without the court having to make any further order; and
- (b) without the need for any other party to be heard on the merits of that application.

(4) A limited civil restraint order —

- (a) is limited to the particular legal proceedings in respect of which the order is made; and
- (b) remains in effect for the duration of the legal proceedings in respect of which the order is made, unless the court orders otherwise.

(5) Where a party, who is subject to a limited civil restraint order made by the General Division, applies for the leave of the court under subsection (2), and the court refuses such leave, the party may appeal against the refusal only with the leave of the court to which the appeal is to be made under section 29C.

*[Act 40 of 2019 wef 02/01/2021]*

(6) Where a party, who is subject to a limited civil restraint order made by the Appellate Division, applies for the leave of the court under subsection (2), and the court refuses such leave, the party may appeal against the refusal only with the leave of the Court of Appeal.

*[Act 46 of 2018 wef 01/01/2019]*

*[Act 40 of 2019 wef 02/01/2021]*

### **Extended civil restraint orders**

**73C.**—(1) A court may, if satisfied that a party has persistently commenced actions or made applications that are totally without merit, make an extended civil restraint order against the party.

(2) Where a court makes an extended civil restraint order, the party against whom the order is made —

- (a) is restrained from commencing any action or making any application, in any court or subordinate court specified in the order, concerning any matter involving, relating to, touching upon or leading to the legal proceedings in respect of which the order is made, without the leave of the court that made the order; and
- (b) may apply to amend, vary or discharge the order, only if the party has the leave of the court that made the order to make that application.



(3) Where a party, who is subject to an extended civil restraint order, commences an action or makes an application (other than for the leave of the court under subsection (2)), in any court or subordinate court specified in the order, concerning any matter involving, relating to, touching upon or leading to the legal proceedings in respect of which the order is made, without the leave of the court under subsection (2), that action or application is to be treated as struck out or dismissed —

- (a) without the court having to make any further order; and
- (b) without the need for any other party to be heard on the merits of that action or application.

(4) An extended civil restraint order —

- (a) remains in effect for a period (not exceeding 2 years) that is specified in the order; and
- (b) must specify every court or subordinate court in which the party against whom the order is made is restrained from commencing any action or making any application.

(5) The court —

- (a) may extend the period for which an extended civil restraint order remains in effect, if the court considers it appropriate to do so; but
- (b) must not extend that period for more than 2 years on any given occasion.

(6) Where a party, who is subject to an extended civil restraint order made by the General Division, applies for the leave of the court under subsection (2), and the court refuses such leave, the party may appeal against the refusal only with the leave of the court to which the appeal is to be made under section 29C.

*[Act 40 of 2019 wef 02/01/2021]*

(7) Where a party, who is subject to an extended civil restraint order made by the Appellate Division, applies for the leave of the court under subsection (2), and the court refuses such leave, the party may appeal against the refusal only with the leave of the Court of Appeal.

*[Act 46 of 2018 wef 01/01/2019]*

*[Act 40 of 2019 wef 02/01/2021]*

**General civil restraint orders**

**73D.**—(1) A court may, if satisfied that a party has persisted in commencing actions or making applications that are totally without merit, in circumstances where an extended civil restraint order would not be sufficient or appropriate, make a general civil restraint order against the party.

(2) Where a court makes a general civil restraint order, the party against whom the order is made —

- (a) is restrained from commencing any action or making any application, in any court or subordinate court specified in the order, without the leave of the court that made the order; and
- (b) may apply to amend, vary or discharge the order, only if the party has the leave of the court that made the order to make that application.

(3) Where a party, who is subject to a general civil restraint order, commences an action or makes an application (other than for the leave of the court under subsection (2)), in any court or subordinate court specified in the order, without the leave of the court under subsection (2), that action or application is to be treated as struck out or dismissed —

- (a) without the court having to make any further order; and
- (b) without the need for any other party to be heard on the merits of that action or application.

(4) A general civil restraint order —

- (a) remains in effect for a period (not exceeding 2 years) that is specified in the order; and
- (b) must specify every court or subordinate court in which the party against whom the order is made is restrained from commencing any action or making any application.

(5) The court —

- (a) may extend the period for which a general civil restraint order remains in effect, if the court considers it appropriate to do so; but
- (b) must not extend that period for more than 2 years on any given occasion.

(6) Where a party, who is subject to a general civil restraint order made by the General Division, applies for the leave of the court under subsection (2), and the court refuses such leave, the party may appeal against the refusal only with the leave of the court to which the appeal is to be made under section 29C.

*[Act 40 of 2019 wef 02/01/2021]*

(7) Where a party, who is subject to a general civil restraint order made by the Appellate Division, applies for the leave of the court under subsection (2), and the court refuses such leave, the party may appeal against the refusal only with the leave of the Court of Appeal.

*[Act 46 of 2018 wef 01/01/2019]*

*[Act 40 of 2019 wef 02/01/2021]*

### **Vexatious litigants**

**74.**—(1) If, on an application made by the Attorney-General, the General Division is satisfied that any person has habitually and persistently and without any reasonable ground instituted vexatious legal proceedings in any court or subordinate court, whether against the same person or against different persons, the General Division may, after hearing that person or giving him an opportunity of being heard, order that —

- (a) no legal proceedings shall without the leave of the General Division be instituted by him in any court or subordinate court; and

*[Act 40 of 2019 wef 02/01/2021]*

- (b) any legal proceedings instituted by him in any court or subordinate court before the making of the order shall not be continued by him without such leave, and such leave shall not be given unless the General Division is satisfied that the proceedings are not an abuse of the process of the

court and that there is prima facie ground for the proceedings.

[30/2010 wef 01/01/2011]

[Act 40 of 2019 wef 02/01/2021]

(2) If the person against whom an order is sought under subsection (1) satisfies the General Division that he lacks the means to retain an advocate and solicitor, the General Division shall assign one to him.

[30/2010 wef 01/01/2011]

[Act 40 of 2019 wef 02/01/2021]

(2A) A person against whom the General Division makes an order under subsection (1) may bring an appeal against the order only with the leave of the court to which the appeal is to be made under section 29C.

[Act 46 of 2018 wef 01/01/2019]

[Act 40 of 2019 wef 02/01/2021]

(3) No appeal shall lie from an order refusing leave under subsection (1) for institution or continuance of legal proceedings.

[Act 46 of 2018 wef 01/01/2019]

(4) A copy of any order under subsection (1) shall be published in the *Gazette*.

(5) In this section, “legal proceedings” includes any proceedings, process, action, application or appeal in any civil matter, quasi-criminal matter or criminal matter.

[30/2010 wef 01/01/2011]

[Act 46 of 2018 wef 01/01/2019]

### *Division 3 — Disabilities of Registrar and other officers*

[Act 40 of 2019 wef 02/01/2021]

## **Disqualification of Registrar**

**75.—**(1) Except with the approval of the Chief Justice, the Registrar, the Deputy Registrar and an Assistant Registrar —

(a) shall not be capable of —

(i) accepting or taking any other office of emolument; or

(ii) carrying on any business either directly or indirectly;  
and

(b) shall not accept any fees of office, perquisites, emoluments or advantages, other than his salary and allowances.

*[30/2010 wef 01/01/2011]*

(2) Without prejudice to the generality of subsection (1), the Registrar, the Deputy Registrar and an Assistant Registrar may, with the approval of the Chief Justice —

(a) be appointed to any commission of inquiry, committee of inquiry or other judicial, quasi-judicial or administrative tribunal, or hold any office in any institution or society for charitable purposes or for the advancement or encouragement of art, science, education or other knowledge; and

(b) receive an allowance or other honorarium in respect of that appointment or office.

*[30/2010 wef 01/01/2011]*

### **Registrar not to act where interested**

76. The Registrar, the Deputy Registrar or an Assistant Registrar shall not, except with the approval of the Chief Justice, or with the consent of the parties, investigate or hear and determine any proceedings to or in which he is a party or personally interested.

*[58/73]*

### **Officers of Supreme Court not to bid at sales under any written law**

77. No officer of the Supreme Court having any duty to perform in connection with the sale of any property under any written law shall, directly or indirectly, purchase or bid for the property.

### **Misconduct of officers**

78.—(1) Without prejudice to any written law and rules governing the conduct and discipline of public officers, if any officer of the Supreme Court is charged —

(a) with extortion or misconduct while acting under colour of the process of the Supreme Court; or

(b) with not duly paying or accounting for any money levied by him under the authority of this Act or Rules of Court,

it shall be lawful for the Registrar to inquire into the matter in a summary way.

(2) For the purpose of any such inquiry, the Registrar may summon and enforce the attendance of all necessary parties in the like manner as the attendance of witnesses in any case may be enforced.

(3) On any such inquiry, the Registrar may make such order as he thinks just for the repayment of the money extorted or the due payment of the money levied, and for the payment of damages and costs, and also, if he thinks fit, may impose such fine upon the officer, not exceeding \$100 for each offence, as appears to him to be adequate.

(4) If it is found by the Registrar that any officer, while employed in putting in execution this Act or Rules of Court or any of the powers thereof, has wilfully and corruptly exacted or accepted any fee or reward whatsoever, other than such fees as are for the time being allowed under this Act or Rules of Court, that officer shall, in addition to being liable for damages under subsection (3), be incapable of being an officer of the Supreme Court.

(5) An appeal shall lie to the Chief Justice from an order made by the Registrar under this section.

(6) The decision of the Chief Justice shall be final.

#### *Division 4 — Protection of Registrar and other persons*

*[Act 46 of 2018 wef 01/01/2019]*

*[Act 40 of 2019 wef 02/01/2021]*

### **Protection of Registrar and other persons**

**79.—**(1) The Registrar, the Deputy Registrar or an Assistant Registrar or other person acting judicially shall not be liable to be sued in any court exercising civil jurisdiction for any act done by him in the discharge of his judicial duty whether or not within the limits of

his jurisdiction, provided that he at the time in good faith believed himself to have jurisdiction to do or order the act complained of.

[58/73]

(2) No officer of the Supreme Court charged with the duty of executing any writ, summons, warrant, order, notice or other mandatory process of the court shall be liable to be sued in any court exercising civil jurisdiction for the execution of or attempting to execute such writ, summons, warrant, order, notice or other mandatory process, or in respect of any damage caused to any property in effecting or attempting to effect execution, unless it appears that he knowingly acted in excess of the authority conferred upon him by such writ, summons, warrant, order, notice or other mandatory process of the court.

(3) An officer of the Supreme Court shall not be deemed to have acted knowingly in excess of his authority merely by reason of the existence of a dispute as to the ownership of any property seized under any writ or order of execution.

(4) Where a registered medical practitioner, psychologist, counsellor, social worker or mental health professional is appointed by the General Division to examine and assess a child or person for the purposes of preparing expert evidence for use in any proceedings involving the custody or welfare of that child or involving that person (as the case may be), the registered medical practitioner, psychologist, counsellor, social worker or mental health professional (as the case may be) shall not be liable to be sued for an act done by him for the purposes of the examination or assessment, or the preparation of the expert evidence for use in those proceedings, if the act —

(a) was done in good faith; and

(b) did not involve any fraud or wilful misconduct on his part.

[Act 16 of 2016 wef 10/06/2016]

[Act 46 of 2018 wef 01/01/2019]

[Act 40 of 2019 wef 02/01/2021]

### *Division 5 — Rules of Court*

[Act 40 of 2019 wef 02/01/2021]

**Rules of Court**

**80.**—(1) The Rules Committee constituted under subsection (3) may make Rules of Court regulating and prescribing the procedure (including the method of pleading) and the practice to be followed in the General Division, the Appellate Division and the Court of Appeal respectively in all causes and matters whatsoever in or with respect to which those courts respectively have for the time being jurisdiction (including the procedure and practice to be followed in the Registry of the Supreme Court) and any matters incidental to or relating to any such procedure or practice.

[16/93]

[Act 40 of 2019 wef 02/01/2021]

(2) Without prejudice to the generality of subsection (1), Rules of Court may be made for the following purposes:

- (a) prescribing the manner in which, and the time within which, any application which under this Act or any other written law is to be made to the General Division, the Appellate Division or the Court of Appeal shall be made;

[Act 40 of 2019 wef 02/01/2021]

- (b) prescribing what part of the business which may be transacted and of the jurisdiction and powers which may be exercised by a Judge sitting in the General Division (whether in court or in chambers) may be transacted or exercised by the Registrar, the Deputy Registrar or an Assistant Registrar (including provisions for appeals against decisions of the Registrar, the Deputy Registrar or an Assistant Registrar);

[Act 40 of 2019 wef 02/01/2021]

- (c) regulating and prescribing the procedure to be followed in regard to proceedings under the Government Proceedings Act (Cap. 121) where such proceedings are instituted in the Supreme Court;

- (d) regulating and prescribing the procedure to be followed on appeals from any subordinate court to the General Division, the Appellate Division or the Court of Appeal and the procedure in connection with the transfer of any proceedings from any subordinate court to the General



Division or from the General Division to a subordinate court;

*[Act 40 of 2019 wef 02/01/2021]*

- (e) regulating and prescribing the procedure to be followed on appeals from the General Division to the Appellate Division or the Court of Appeal, appeals from the Appellate Division to the Court of Appeal, the reference of any appeal by the Appellate Division to the Court of Appeal and the transfer of appeals between the Appellate Division and the Court of Appeal;

*[Act 40 of 2019 wef 02/01/2021]*

- (ea) prescribing what powers in sections 40(1) and 58(1) may be exercised by the Registrar, the Deputy Registrar or an Assistant Registrar (including provisions for the variation or discharge of any direction or order of the Registrar, the Deputy Registrar or an Assistant Registrar by a single Judge and for the finality of such variation or discharge);

*[Act 40 of 2019 wef 02/01/2021]*

- (f) prescribing the scales of allowances, costs and fees to be taken or paid to any party or witness in any proceedings in the General Division, the Appellate Division or the Court of Appeal, and for regulating any matters relating to the costs of proceedings in such courts;

*[Act 40 of 2019 wef 02/01/2021]*

- (g) enabling proceedings —

- (i) to be commenced in the General Division against the estate of a deceased person (whether by the appointment of a person to represent the estate or otherwise) where no grant of probate or letters of administration has been made;

*[Act 40 of 2019 wef 02/01/2021]*

- (ii) purporting to have been commenced in the General Division by or against a person to be treated, if he was dead at their commencement, as having been commenced by or against, as the case may be, his estate whether or not a grant of probate or letters of

administration was made before their commencement; and

*[Act 40 of 2019 wef 02/01/2021]*

- (iii) commenced or treated as commenced in the General Division by or against the estate of a deceased person to be maintained (whether by substitution of parties, amendment or otherwise) by or against, as the case may be, a person appointed to represent the estate or, if a grant of probate or letters of administration is or has been made, by or against the personal representatives;

*[Act 40 of 2019 wef 02/01/2021]*

- (h) regulating the means by which particular facts may be proved, and the manner in which any factual, expert or opinion evidence may be adduced, in any proceedings or on any application in connection with or at any stage of any proceedings;

*[Act 46 of 2018 wef 01/01/2019]*

- (i) regulating the joinder of parties and for prescribing in what cases persons absent, but having an interest in a cause or matter, shall be bound by any order made therein, and in what cause or matter orders may be made for the representation of absent persons by one or more parties to a cause or matter;

- (j) regulating the rate of interest payable on all debts, including judgment debts, or on the sums found due on taking accounts between parties, or on sums found due and unpaid by receivers or other persons liable to account to the court, except that in no case shall any rate of interest exceed 8% per annum, unless it has been otherwise agreed between the parties;

- (k) prescribing in what cases money due under a judgment or order is to be paid into court;

- (l) regulating the modes in which a writ of seizure and sale may be executed, and the manner in which seizure may be made of any property seizable thereunder, and the mode of sale by the Sheriff or any other officer of the Supreme

Court of any property so seized, and the manner in which the right and title of purchasers of the property at any sale by any officer of the Supreme Court may be secured to the purchasers;

- (m) regulating the discovery of a judgment debtor's property in aid of the execution of any judgment or order;
- (n) the taking of evidence before an examiner on commission or by letters of request, and prescribing the circumstances in which evidence so taken may be read on the trial of an action;
- (o) prescribing in what cases and on what conditions a court may act upon the certificate of accountants, actuaries or other scientific persons;
- (p) prescribing the duties of the Accountant in respect of funds or property in the custody of the court, and in particular prescribing the mode of transfer of securities into the name of the Accountant, and the method of investment of any such funds, and the rate of interest to be charged thereon, and the manner in which unclaimed funds may be dealt with;

*[Act 46 of 2018 wef 01/01/2019]*

*[Act 40 of 2019 wef 02/01/2021]*

- (q) prescribing anything that is required or permitted under this Act to be prescribed by the Rules of Court.

*[Act 40 of 2019 wef 02/01/2021]*

(2A) Without prejudice to the generality of subsection (1), Rules of Court may be made in relation to the Singapore International Commercial Court for the following purposes:

- (a) to provide for different procedures and practices to be followed in respect of proceedings in that Court and in appeals from that Court;
- (b) to prescribe, for the purposes of section 18D(1), what constitutes an action of an international and commercial nature, and any other conditions that an action must satisfy before that Court may hear and try the action;

*[Act 1 of 2018 wef 01/11/2018]*

- (c) to prescribe, for the purposes of section 18D(2), what constitutes an international commercial arbitration, and any conditions that any proceedings must satisfy before that Court may hear those proceedings;  
*[Act 1 of 2018 wef 01/11/2018]*
- (d) to prescribe, for the purposes of section 18J, the conditions to be satisfied before a case can be transferred to or from that Court, and to provide for the making of, and other matters related to, any consequential order referred to in section 18J(3)(b);  
*[Act 1 of 2018 wef 01/11/2018]*
- (e) to prescribe, for the purposes of section 18K, the cases in which and the extent to which that Court is not bound to apply any rule of evidence under Singapore law, and the rules of evidence (if any) to be applied in those cases;
- (f) to prescribe, for the purposes of section 18L, any conditions to be satisfied before an order can be made under section 18L(1), and the matters which that Court may have regard to in determining any question of foreign law on the basis of submissions;
- (g) to prescribe, for the purposes of section 18M, any conditions to be satisfied before a party can be represented by a foreign lawyer or law expert in that Court or in an appeal from that Court;  
*[Act 22 of 2018 wef 01/11/2018]*
- (h) to prescribe the circumstances where that Court may make a judgment or an order without hearing oral arguments;
- (i) to declare to be final, for the purposes of paragraph 1 of the Fourth Schedule, any judgment or order of that Court (not being a judgment or an order that finally disposes of an action on its merits);  
*[Act 46 of 2018 wef 01/01/2019]*
- (j) to prescribe the fees and deposits payable for proceedings in that Court and in appeals from that Court;
- (k) to provide for the Registrar to decline to administer, or decline to continue administering, a case in that Court or an

appeal from that Court if any fee or deposit referred to in paragraph (j) is not paid.

[Act 42 of 2014 wef 01/01/2015]

(3) The Rules Committee shall consist of —

(a) the Chief Justice, who shall be the Chairman of the Committee;

(b) the Attorney-General;

(c) not more than 5 Supreme Court Judges (excluding the Presiding Judge of the State Courts) to be appointed by the Chief Justice for such period as he may specify in writing;

[Act 5 of 2014 wef 14/04/2014]

[Act 40 of 2019 wef 02/01/2021]

(d) the Presiding Judge of the State Courts;

[Act 5 of 2014 wef 14/04/2014]

(e) a District Judge to be appointed by the Chief Justice for such period as he may specify in writing; and

(f) 2 practising advocates and solicitors to be appointed by the Chief Justice for such period as he may specify in writing.

[3/96]

(4) At any meeting of the Rules Committee, 5 members shall form a quorum and all questions shall be decided by a majority of votes of the members present and voting.

(5) No Rules of Court shall be made without the consent of the Chief Justice.

(6) All Rules of Court made under this section shall be presented to Parliament as soon as possible after publication in the *Gazette*.

### *Division 6 — Council of Judges*

[Act 40 of 2019 wef 02/01/2021]

#### **Council of Judges to consider operation of this Act, etc.**

**81.** A council of the Supreme Court Judges shall assemble at least once in every year, on such day or days as shall be fixed by the Chief Justice, for the purpose of —

- (a) considering the operation of this Act and of any Rules of Court;
- (b) considering the working of the Registry of the Supreme Court and the arrangements relative to the duties of the officers of the Supreme Court; and
- (c) inquiring and examining into any defects which may appear to exist in the system of procedure or the administration of the law in the General Division, the Appellate Division or, the Court of Appeal or in any subordinate court.

[16/93]

[Act 40 of 2019 wef 02/01/2021]

### *Division 7 — Supplemental*

[Act 40 of 2019 wef 02/01/2021]

## **Conversion of pending petitions and motions to writs of summons, originating summonses and summonses**

**82.—(1)** Where —

- (a) under any written law any civil action or application may be commenced in or made to the Court of Appeal, a Judge of Appeal, the High Court, a Judge or the Registrar (referred to in this section as the Court); and
- (b) the provisions under any written law by virtue of which such an action or application was required to be commenced or made by way of a petition, a motion or an originating motion have been amended such as to require that any such action or application shall, as from the date appointed for the coming into operation of the amendment, be commenced or made by way of a writ of summons, an originating summons or a summons,

then, if any such action or application that has been commenced or made before that date by way of a petition, a motion or an originating motion is still pending before the Court on or after that date, the Court may, if it thinks just and expedient, order that the action or application (referred to in this section as a pending action or application) shall be

converted to and be continued as an action or application commenced or made by way of a writ of summons, an originating summons or a summons, as is appropriate.

[42/2005]

(2) The Chief Justice may, where he considers it necessary or expedient to improve efficiency in the administration of justice, by order direct that any class or description of pending actions or applications before the Court shall be converted to and be continued as actions or applications commenced or made by way of a writ of summons, an originating summons or a summons, as is appropriate.

[42/2005]

(3) Where pursuant to subsection (1) or (2) any pending action or application has been converted to an action or application commenced or made by way of a writ of summons, an originating summons or a summons —

- (a) the action or application shall be continued in accordance with the provisions of the relevant written law and the practice and procedure as are in force and applicable in relation to that action or application at the time of the conversion; and
- (b) the Court may give to the parties to the action or application such directions as to the conduct and costs of the action or application as it thinks just and expedient for the purpose of facilitating the conversion of the action or application to an action or application commenced or made by way of a writ of summons, an originating summons or a summons (as the case may be) and its continuance as such.

[42/2005]

### **Amendment of Third to Ninth Schedules**

**83.—**(1) The Minister may, after consulting the Chief Justice, by order published in the *Gazette*, amend the Third, Fourth, Fifth, Sixth, Seventh, Eighth or Ninth Schedule.

[30/2010 wef 01/01/2011]

[Act 46 of 2018 wef 01/01/2019]

[Act 40 of 2019 wef 02/01/2021]

(1A) Without limiting subsection (1), the Seventh and Eighth Schedules may make different provisions for the Appellate Division and the Court of Appeal.

[Act 40 of 2019 wef 02/01/2021]

(2) An order under subsection (1) may contain such transitional and savings provisions as may appear to the Minister, after consulting the Chief Justice, to be necessary or expedient.

[30/2010 wef 01/01/2011]

[Act 46 of 2018 wef 01/01/2019]

[Act 40 of 2019 wef 02/01/2021]

## FIRST SCHEDULE

Section 18(2)

### ADDITIONAL POWERS OF GENERAL DIVISION

[Act 40 of 2019 wef 02/01/2021]

#### **Prerogative orders**

1. Power to issue to any person or authority any direction, order or writ for the enforcement of any right conferred by any written law or for any other purpose, including the following prerogative orders:

- (a) a Mandatory Order (formerly known as *mandamus*);
- (b) a Prohibiting Order (formerly known as a prohibition);
- (c) a Quashing Order (formerly known as *certiorari*); and
- (d) an Order for Review of Detention (formerly known as a writ of *habeas corpus*).

#### **Partition and sale in lieu of partition**

2. Power to partition land and to direct a sale instead of partition in any action for partition of land; and in any cause or matter relating to land, where it appears necessary or expedient, to order the land or any part of it to be sold, and to give all necessary and consequential directions.

#### **Charge or mortgage in lieu of sale of land**

3. Power to order land to be charged or mortgaged, as the case may be, in any case in which there is jurisdiction to order a sale.



FIRST SCHEDULE — *continued***Interpleader**

## 4. Power to grant relief by way of interpleader —

- (a) where the person seeking relief is under liability for any debt, money, or goods or chattels, for or in respect of which he has been or expects to be, sued by 2 or more parties making adverse claims thereon; and
- (b) where a Sheriff, bailiff or other officer of court is charged with the execution of process of court, and claim is made to any money or goods or chattels taken or intended to be taken in execution under any process, or to the proceeds or value of any such goods or chattels by any person other than the person against whom the process is issued,

and to order the sale of any property subject to interpleader proceedings.

**Preservation of subject-matter, evidence and assets to satisfy judgment**

## 5. Power before or after any proceedings are commenced to provide for —

- (a) the interim preservation of property which is the subject-matter of the proceedings by sale or by injunction or the appointment of receiver or the registration of a caveat or a lis pendens or in any manner whatsoever;
- (b) the preservation of evidence by seizure, detention, inspection, photographing, the taking of samples, the conduct of experiments or in any manner; and
- (c) the preservation of assets for the satisfaction of any judgment which has been or may be made.

**Interest**

6. Power to direct interest to be paid on damages, or debts (whether the debts are paid before or after commencement of proceedings) or judgment debts, or on sums found due on taking accounts between parties, or on sums found due and unpaid by receivers or other persons liable to account to the court.

**Time**

7. Power to enlarge or abridge the time prescribed by any written law for doing any act or taking any proceeding, whether the application therefor is made before or after the expiration of the time prescribed, but this provision shall be without prejudice to any written law relating to limitation.

FIRST SCHEDULE — *continued***Enforcement of judgment**

8. Power to enforce a judgment of the court in any manner which may be prescribed by any written law or by Rules of Court or Family Justice Rules.

*[Act 27 of 2014 wef 01/10/2014]*

**Stay of proceedings**

9. Power to dismiss or stay proceedings where the matter in question is res judicata between the parties, or where by reason of multiplicity of proceedings in any court or courts or by reason of a court in Singapore not being the appropriate forum the proceedings ought not to be continued.

**Transfer of proceedings**

10. Power to transfer any proceedings to any other court or to or from any subordinate court, and in the case of transfer to or from a subordinate court to give any directions as to the further conduct thereof, except that this power shall be exercised in such manner as may be prescribed by Rules of Court or Family Justice Rules.

*[Act 27 of 2014 wef 01/10/2014]*

**Set-off**

11. Power to allow a defence of set-off.

**Discovery and interrogatories**

12. Power before or after any proceedings are commenced to order discovery of facts or documents by any party to the proceedings or by any other person in such manner as may be prescribed by Rules of Court or Family Justice Rules.

*[Act 27 of 2014 wef 01/10/2014]*

**Costs**

13. Power to award costs.

**Reliefs and remedies**

14. Power to grant all reliefs and remedies at law and in equity, including damages in addition to, or in substitution for, an injunction or specific performance.

**Interim payment**

15. Power to order a party in a pending proceeding to make interim payments to another party or to a stakeholder or into court on account of any damages, debt or

FIRST SCHEDULE — *continued*

other sum, excluding costs, which he may subsequently in the proceeding be adjudged to be liable to pay.

**Provisional damages for personal injuries**

16. Power to award in any action for damages for personal injuries, provisional damages assessed on the assumption that a contingency will not happen and further damages at a future date if the contingency happens.

**Periodic payments**

17. Power to order damages assessed in any action for personal injuries to be paid in periodic instalments rather than as a lump sum.

**Attaching deposits**

18. Power to attach deposits with a financial institution whether or not the deposits have matured and notwithstanding any restriction as to the mode of withdrawal.

**Ordering medical examination**

19. Power to order medical examination of a person who is a party to any proceedings where the physical or mental condition of the person is relevant to any matter in question in the proceedings.

[16/93; 42/2005]

**Examination and assessment of child, etc.**

20. Power, in any proceedings involving the custody or welfare of a child or involving a person —

- (a) to appoint a registered medical practitioner, psychologist, counsellor, social worker or mental health professional to examine and assess the child or person (as the case may be) for the purposes of preparing expert evidence for use in those proceedings; and
- (b) to prohibit from being adduced in those proceedings any evidence arising out of an examination or assessment of the child or person by any person who is not so appointed.

[Act 27 of 2014 wef 01/10/2014]

**Ordering mediation, counselling or participation in family support programme or activity**

21. Power to order any party to any proceedings, or any child who is a subject of those proceedings, to undergo such mediation or counselling, or to participate in such family support programme or activity (that is to say, any programme or

FIRST SCHEDULE — *continued*

activity carried out for the purpose of addressing or resolving any relationship issue or relationship problem between spouses or former spouses, between siblings or between parent and child), as the court may direct.

*[Act 27 of 2014 wef 01/10/2014]*

**Late filing charge**

22. Power, in any case where a person fails to file any document within the period (for the filing of that document) specified in any order or direction of a court, any Rules of Court or any practice directions issued by the Registrar, to require the person to pay a late filing charge, of such amount as may be prescribed in the Rules of Court, for each day, after the expiry of that period, that that document remains unfiled.

*[Act 46 of 2018 wef 01/01/2019]*

## SECOND SCHEDULE

Section 69

## 1. OATH OF OFFICE OF THE REGISTRAR, DEPUTY REGISTRAR OR ASSISTANT REGISTRAR

I, \_\_\_\_\_, having been appointed to the office of \_\_\_\_\_ do solemnly swear (or affirm) that I will faithfully discharge my judicial duties and I will do right to all manner of people after the laws and usages of the Republic of Singapore without fear or favour, affection or ill-will to the best of my ability and I will be faithful and bear true allegiance to the Republic of Singapore.

Taken and subscribed before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ .

\_\_\_\_\_  
Officer Administering the Oath.

## 2. OATH OF OFFICE OF AN INTERPRETER

I, \_\_\_\_\_, having been appointed an Interpreter of the Court do solemnly swear (or affirm) that I will faithfully interpret, translate and transcribe from the \_\_\_\_\_ language into the English language and from the English language into the \_\_\_\_\_ language to the best of my knowledge, skill and ability and without fear or favour, affection or ill-will.

Taken and subscribed before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ .

\_\_\_\_\_  
Officer Administering the Oath.

## 3. OATH OF OFFICE OF OTHER OFFICER OF THE SUPREME COURT

SECOND SCHEDULE — *continued*

I, \_\_\_\_\_, having been appointed to the office of \_\_\_\_\_ in the Supreme Court do solemnly and sincerely swear (or affirm) that I will not use or exercise my office corruptly during the time that I remain therein, nor will I take or accept by any means whatsoever any fee or reward from any person or persons, but will truly and faithfully and with convenient speed execute the duties assigned to me and will make true and faithful returns as to the manner and time of the execution of all writs, summonses, warrants, orders, notices and other mandatory processes given to me.

Taken and subscribed before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Officer Administering the Oath.

[16/93]

## THIRD SCHEDULE

Sections 21(1) and 83

ORDERS MADE BY DISTRICT COURT OR MAGISTRATE'S COURT  
THAT ARE APPEALABLE ONLY WITH LEAVE

An appeal lies to the General Division from a decision of a District Court or Magistrate's Court only with the leave of that District Court or Magistrate's Court or the General Division in any of the following cases:

- (a) where a District Court or Magistrate's Court makes an order giving unconditional leave to defend any proceedings;
- (b) where a District Court or Magistrate's Court makes an order giving leave to defend any proceedings on condition that the party defending those proceedings pays into court or gives security for the sum claimed, except if the appellant is that party;
- (c) where a District Court or Magistrate's Court makes an order setting aside unconditionally a default judgment, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise);
- (d) where a District Court or Magistrate's Court makes an order setting aside a default judgment on condition that the party against whom the judgment had been entered pays into court or gives security for the sum claimed, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise), except if the appellant is that party.

[30/2010 wef 01/01/2011]

[Act 40 of 2019 wef 02/01/2021]

**FOURTH SCHEDULE**

Sections 29(b), 80(2A)(i) and 83

**DECISIONS OF GENERAL DIVISION THAT ARE NOT APPEALABLE**

1. Subject to paragraph 2, an appeal cannot be brought against a decision of the General Division in any of the following cases:

- (a) *[Deleted by Act 40 of 2019 wef 02/01/2021]*
- (b) where the judgment or order is made by consent of the parties;
- (c) *[Deleted by Act 40 of 2019 wef 02/01/2021]*
- (d) *[Deleted by Act 40 of 2019 wef 02/01/2021]*
- (e) *[Deleted by Act 40 of 2019 wef 02/01/2021]*
- (f) *[Deleted by Act 40 of 2019 wef 02/01/2021]*
- (g) *[Deleted by Act 40 of 2019 wef 02/01/2021]*
- (h) where a Judge makes an order giving or refusing further and better particulars;
- (i) where a Judge makes an order giving leave to amend a pleading, except if —
  - (i) the application for such leave is made after the expiry of any relevant period of limitation current at the date of issue of the writ of summons; and
  - (ii) the amendment is an amendment to correct the name of a party or to alter the capacity in which a party sues, or the effect of the amendment will be to add or substitute a new cause of action;
- (j) where a Judge makes an order refusing security for costs;
- (k) where a Judge makes an order giving or refusing interrogatories.

*[Act 40 of 2019 wef 02/01/2021]*

2. Paragraph 1 does not apply to any decision, judgment or order of the Family Division of the High Court involving the exercise of the appellate civil jurisdiction mentioned in section 23 of the Family Justice Act 2014 (Act 27 of 2014).

*[Act 40 of 2019 wef 02/01/2021]*

3. *[Deleted by Act 40 of 2019 wef 02/01/2021]*

## FIFTH SCHEDULE

Sections 29A(1)(b) and (c) and (2)(b)  
and 83(1)

DECISIONS OF GENERAL DIVISION THAT ARE  
APPEALABLE ONLY WITH LEAVE,  
AND CERTAIN EXCEPTIONS

**Definition**

1. In this Schedule, “appellate court”, in relation to an appeal against a decision of the General Division, means the court to which the appeal is to be made under section 29C.

**Cases not exceeding \$250,000**

2.—(1) Subject to sub-paragraph (2) and paragraph 4(2), the leave of the appellate court is required to appeal against a decision of the General Division in a case mentioned in section 29A(1)(b).

(2) Despite section 29A(1)(b), leave is not required to appeal against the following decisions of the General Division:

- (a) any decision of the General Division made in the exercise of its original jurisdiction under any written law which requires that case to be decided by the General Division in the exercise of its original jurisdiction;
- (b) any decision of the Family Division of the High Court made in the exercise of its original jurisdiction.

**Interlocutory decisions, etc.**

3. Subject to paragraph 4(2), the leave of the appellate court is required to appeal against a decision of the General Division in any of the following cases:

- (a) where a Judge makes an order giving unconditional leave to defend any proceedings;
- (b) where a Judge makes an order giving leave to defend any proceedings on condition that the party defending those proceedings pays into court or gives security for the sum claimed, except if the appellant is that party;
- (c) where a Judge makes an order setting aside unconditionally a default judgment, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise);

FIFTH SCHEDULE — *continued*

- (d) where a Judge makes an order setting aside a default judgment on condition that the party against whom the judgment had been entered pays into court or gives security for the sum claimed, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise), except if the appellant is that party;
- (e) where a Judge makes an order refusing to strike out —
  - (i) an action or a matter commenced by a writ of summons or by any other originating process; or
  - (ii) a pleading or a part of a pleading;
- (f) where the only issue in the appeal relates to costs or fees for hearing dates;
- (g) where a Judge sitting in chambers makes a decision in a summary way on an interpleader summons where the facts are not in dispute;
- (h) where a Judge makes an order refusing leave to amend a pleading, except if —
  - (i) the application for leave is made after the expiry of any relevant period of limitation current at the date of issue of the writ of summons; and
  - (ii) the amendment is an amendment to correct the name of a party or to alter the capacity in which a party sues, or the effect of the amendment will be to add or substitute a new cause of action;
- (i) where a Judge makes an order giving security for costs;
- (j) where a Judge makes an order giving or refusing discovery or inspection of documents;
- (k) where a Judge makes an order refusing a stay of proceedings;
- (l) where a Judge makes an order at the hearing of any interlocutory application other than an application for any of the following matters:
  - (i) for summary judgment;
  - (ii) to set aside a default judgment;
  - (iii) to strike out an action or a matter commenced by a writ of summons or by any other originating process, a pleading or a part of a pleading;
  - (iv) to dismiss an action or a matter commenced by a writ of summons or by any other originating process;



FIFTH SCHEDULE — *continued*

- (v) for further and better particulars;
  - (vi) for leave to amend a pleading;
  - (vii) for security for costs;
  - (viii) for discovery or inspection of documents;
  - (ix) for interrogatories to be varied or withdrawn, or for leave to serve interrogatories;
  - (x) for a stay of proceedings;
- (m) where a Judge at the hearing of an appeal under section 17, 29, 35 or 44 of the Protection from Online Falsehoods and Manipulation Act 2019 (Act 18 of 2019) refuses to set aside the Part 3 Direction, Part 4 Direction, Declaration or Account Restriction Direction (as the case may be) against which the appeal was brought.

**Appellate decisions of Family Division**

4.—(1) The leave of the appellate court is required to appeal against a decision of the Family Division of the High Court involving the exercise of the appellate civil jurisdiction mentioned in section 23 of the Family Justice Act 2014 (Act 27 of 2014).

(2) Section 29A(1)(b), and section 29A(1)(c) read with paragraph 3, do not apply to an appeal against a decision of the Family Division of the High Court involving the exercise of the appellate civil jurisdiction mentioned in section 23 of the Family Justice Act 2014.

*[Act 40 of 2019 wef 02/01/2021]*

## SIXTH SCHEDULE

Sections 29C(2) and 83(1)

## CIVIL APPEALS TO BE MADE TO COURT OF APPEAL

1. For the purposes of section 29C(2), an appeal against a decision of the General Division in the exercise of its original or appellate civil jurisdiction is to be made to the Court of Appeal in the following cases:

- (a) the appeal arises from a case relating to constitutional or administrative law (even if the appeal does not raise any issue relating to constitutional or administrative law);
- (b) the appeal arises from a case relating to contempt of court (even if the appeal does not raise any issue relating to the law of contempt of court);

SIXTH SCHEDULE — *continued*

- (c) the appeal arises from a case relating to the law of arbitration (even if the appeal does not raise any issue relating to the law of arbitration);
- (d) the appeal arises from a case relating to the insolvency, restructuring or dissolution of a corporation, limited liability partnership or sub-fund of a variable capital company (even if the appeal does not raise any issue relating to the law concerning the insolvency, restructuring or dissolution of a corporation, limited liability partnership or sub-fund of a variable capital company);
- (e) the appeal arises from a case relating to the law of patents (even if the appeal does not raise any issue relating to the law of patents);
- (f) the appeal is against a decision of the Singapore International Commercial Court;
- (g) the appeal is against a decision or order of a Judge sitting in the General Division made under the Parliamentary Elections Act (Cap. 218);
- (h) the appeal is against a judgment or order in an action brought under section 47(8) of the Presidential Elections Act (Cap. 240A);
- (i) the appeal is made under any of the following written laws:
  - (i) section 32(1) of the Administration of Justice (Protection) Act 2016 (Act 19 of 2016);
  - (ii) sections 21A(1), 45(7) and 49(11) of the Arbitration Act (Cap. 10);
  - (iii) section 74(4) of the Competition Act (Cap. 50B);
  - (iv) section 10(4) of the International Arbitration Act (Cap. 143A);
  - (v) section 18(5) of the Maintenance of Parents Act (Cap. 167B);
  - (vi) section 90(3) of the Patents Act (Cap. 221);
  - (vii) section 35(4) of the Personal Data Protection Act 2012 (Act 26 of 2012) as in force immediately before 1 February 2021 or section 48R(4) of the Personal Data Protection Act 2012, as the case may be;
- (viii) sections 17(8), 29(9), 35(7) and 44(9) of the Protection from Online Falsehoods and Manipulation Act 2019;

[S 72/2021 wef 01/02/2021]

SIXTH SCHEDULE — *continued*

- (j) the appeal is made under any written law that provides for the appeal to lie to the Court of Appeal;

[Act 40 of 2019 wef 02/01/2021]

[S 1102/2020 wef 02/01/2021]

- (k) the appeal is against a decision or an order of the General Division under the Mediation Act 2017 (Act 1 of 2017), including a decision of the General Division to record or refuse to record a mediated settlement agreement as an order of court under that Act;

[S 1102/2020 wef 02/01/2021]

- (l) the appeal is against a decision or an order of the General Division under the Singapore Convention on Mediation Act 2020 (Act 4 of 2020), including a decision of the General Division granting leave or refusing to grant leave to record an international settlement agreement as an order of court under that Act.

[S 1102/2020 wef 02/01/2021]

## SEVENTH SCHEDULE

Sections 36(1), 54(1) and 83(1) and  
(1A), and paragraphs 1(a) and (b) and  
2(a) of Eighth Schedule

CASES WHERE CIVIL JURISDICTION  
OF APPELLATE DIVISION OR COURT OF APPEAL  
CAN BE EXERCISED BY LESS THAN 3 JUDGES

**Appellate Division cases that may be heard and decided by single Judge or  
2 Judges**

1.—(1) Despite section 32(1), the following cases may be heard and decided by the Appellate Division consisting of a single Judge or 2 Judges:

- (a) an application —
- (i) to record a judgment, or an order, that is made by consent of the parties; or
  - (ii) to make an order that is incidental to any such judgment or order;
- (b) an application to adduce further evidence in proceedings before the Appellate Division;
- (c) an application for costs, or any other matter that remains to be dealt with, after an application or appeal to the Appellate Division is withdrawn;

SEVENTH SCHEDULE — *continued*

(d) an application for any direction or order mentioned in section 40(1).

(2) Despite section 32(1), the Appellate Division consisting of a single Judge or 2 Judges may —

(a) refer an appeal to the Court of Appeal under section 29D(2)(b); and

(b) for the purposes of paragraph 2(k)(ii), decide whether it is appropriate for the Appellate Division consisting of 2 Judges to hear and decide an appeal to which that paragraph applies.

(3) Despite section 32(1), the Appellate Division consisting of a single Judge may hear and decide an application to vary or discharge any direction or order made by the Registrar, the Deputy Registrar or an Assistant Registrar exercising any of the powers of the Appellate Division.

**Appellate Division cases that may be heard and decided by 2 Judges**

2. Despite section 32(1), the following cases may be heard and decided by the Appellate Division consisting of 2 Judges:

(a) an application to extend the time for filing and serving a notice of appeal;

(b) an application to discharge or vary any direction or order made under section 40(1) by the Appellate Division consisting of a single Judge;

(c) an application for leave to appeal to the Appellate Division, whether under this Act or any other written law, or to extend time for applying for such leave;

(d) an application to the Appellate Division for a stay of execution (whether pending or after the appeal) or a stay of proceedings under the decision appealed from;

(e) an appeal against an interlocutory judgment;

(f) an appeal against any judgment or order obtained after the hearing of an application for the admission of a person under section 15 of the Legal Profession Act (Cap. 161);

(g) an appeal against any judgment or order obtained after the hearing of an assessment of damages;

(h) an appeal against any judgment or order obtained after the hearing of a taking of accounts between parties;

(i) an appeal against any judgment or order obtained after any proceedings other than the trial or hearing of any action or matter commenced by any originating process;

SEVENTH SCHEDULE — *continued*

- (j) an appeal which, under any written law, may be heard and decided by 2 Judges;
- (k) any appeal where —
  - (i) all parties consent for the case to be —
    - (A) decided by the Appellate Division consisting of 2 Judges; and
    - (B) decided by the Appellate Division without hearing oral arguments; and
  - (ii) the Appellate Division (consisting of at least a single Judge) considers it appropriate for the Appellate Division consisting of 2 Judges to hear and decide the appeal.

**Court of Appeal cases that may be heard and decided by single Judge or 2 Judges**

3.—(1) Despite section 50(1), the following cases may be heard and decided by the Court of Appeal consisting of a single Judge or 2 Judges:

- (a) an application —
  - (i) to record a judgment, or an order, that is made by consent of the parties; or
  - (ii) to make an order that is incidental to any such judgment or order;
- (b) an application to adduce further evidence in proceedings before the Court of Appeal;
- (c) an application for costs, or any other matter that remains to be dealt with, after an application or appeal to the Court of Appeal is withdrawn;
- (d) an application for any direction or order mentioned in section 58(1).

(2) Despite section 50(1), the Court of Appeal consisting of a single Judge or 2 Judges may exercise the following powers:

- (a) the power under section 29D(1) to transfer to the Court of Appeal an appeal that has been made to the Appellate Division;
- (b) the power under section 29E(1) to transfer to the Appellate Division an appeal that has been made to the Court of Appeal.

(3) Despite section 50(1), the Court of Appeal consisting of a single Judge may hear and decide an application to vary or discharge any direction or order made by

SEVENTH SCHEDULE — *continued*

the Registrar, the Deputy Registrar or an Assistant Registrar exercising any of the powers of the Court of Appeal.

**Court of Appeal cases that may be heard and decided by 2 Judges**

4. Despite section 50(1), the following cases may be heard and decided by the Court of Appeal consisting of 2 Judges:

- (a) an application to extend the time for filing and serving a notice of appeal;
- (b) an application to discharge or vary any direction or order made under section 58(1) by the Court of Appeal consisting of a single Judge;
- (c) an application for leave to appeal to the Court of Appeal, whether under this Act or any other written law, or to extend time for applying for such leave;
- (d) an application to the Court of Appeal for a stay of execution (whether pending or after the appeal) or a stay of proceedings under the decision appealed from;
- (e) an appeal against an interlocutory judgment;
- (f) an appeal against any judgment or order obtained after the hearing of an application for the admission of a person under section 15 of the Legal Profession Act;
- (g) an appeal against any judgment or order obtained after the hearing of an assessment of damages;
- (h) an appeal against any judgment or order obtained after the hearing of a taking of accounts between parties;
- (i) an appeal against any judgment or order obtained after any proceedings other than the trial or hearing of any action or matter commenced by any originating process;
- (j) an appeal which, under any written law, may be heard and decided by 2 Judges.

*[Act 40 of 2019 wef 02/01/2021]*

## EIGHTH SCHEDULE

Sections 37(1)(b), 55(1)(b) and 83(1)  
and (1A)

APPEALS THAT MAY BE DECIDED BY  
APPELLATE DIVISION OR COURT OF APPEAL  
WITHOUT HEARING ORAL ARGUMENTS

1. The following appeals may be decided by the Appellate Division without hearing oral arguments:

- (a) an appeal mentioned in paragraph 2(e), (f), (g), (h), (i) or (j) of the Seventh Schedule, where every party to the appeal consents to the appeal being decided without hearing oral arguments;
- (b) an appeal mentioned in paragraph 2(k) of the Seventh Schedule.

2. The following appeals may be decided by the Court of Appeal without hearing oral arguments:

- (a) an appeal mentioned in paragraph 4(e), (f), (g), (h), (i) or (j) of the Seventh Schedule, where every party to the appeal consents to the appeal being decided without hearing oral arguments;
- (b) an appeal against a decision of the Singapore International Commercial Court, where every party to the appeal consents to the appeal being decided without hearing oral arguments.

*[Act 40 of 2019 wef 02/01/2021]*

## NINTH SCHEDULE

Sections 46 and 83(1)

CASES WHERE DECISION OF APPELLATE DIVISION  
IS NOT APPEALABLE

1. An appeal cannot be brought against a decision of the Appellate Division in the following cases:

- (a) a case where the Appellate Division makes an incidental direction or interim order under section 40(1);
- (b) a case where the Appellate Division makes a judgment or an order that is made by consent of the parties;
- (c) a case where the Appellate Division gives or refuses leave to appeal against a decision of the General Division;
- (d) a case where any written law expressly provides that the decision of the Appellate Division is final or that there is no appeal from the decision of the Appellate Division.

NINTH SCHEDULE — *continued*

2. An appeal that relates only to costs or fees for hearing dates cannot be brought against a decision of the Appellate Division.

*[Act 40 of 2019 wef 02/01/2021]*



LEGISLATIVE HISTORY  
SUPREME COURT OF JUDICATURE ACT  
(CHAPTER 322)

This Legislative History is provided for the convenience of users of the Supreme Court of Judicature Act. It is not part of the Act.

**1. Act 24 of 1969 — Supreme Court of Judicature Act 1969**

|                                   |                                   |
|-----------------------------------|-----------------------------------|
| Date of First Reading             | : 8 April 1969<br>(Bill No. 6/69) |
| Date of Second and Third Readings | : 29 December 1969                |
| Date of commencement              | : 9 January 1970                  |

**2. 1970 Revised Edition — Supreme Court of Judicature Act (Chapter 15)**

|                   |                |
|-------------------|----------------|
| Date of operation | : 1 March 1971 |
|-------------------|----------------|

**3. Act 58 of 1973 — Supreme Court of Judicature (Amendment) Act 1973**

|                                   |                                      |
|-----------------------------------|--------------------------------------|
| Date of First Reading             | : 28 August 1973<br>(Bill No. 50/73) |
| Date of Second and Third Readings | : 30 November 1973                   |
| Date of commencement              | : 11 February 1974                   |

**4. Act 10 of 1978 — Supreme Court of Judicature (Amendment) Act 1978**

|                                   |                                      |
|-----------------------------------|--------------------------------------|
| Date of First Reading             | : 31 January 1978<br>(Bill No. 5/78) |
| Date of Second and Third Readings | : 17 February 1978                   |
| Date of commencement              | : 8 April 1978                       |

**5. Act 4 of 1986 — Supreme Court of Judicature (Amendment) Act 1986**

|                                   |                                       |
|-----------------------------------|---------------------------------------|
| Date of First Reading             | : 31 October 1985<br>(Bill No. 20/85) |
| Date of Second and Third Readings | : 10 January 1986                     |
| Date of commencement              | : 1 March 1986                        |

**6. 1985 Revised Edition — Supreme Court of Judicature Act (Chapter 322)**

|                   |                 |
|-------------------|-----------------|
| Date of operation | : 30 March 1987 |
|-------------------|-----------------|

**7. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993**

|                       |  |
|-----------------------|--|
| Date of First Reading | : 26 February 1993<br>(Bill No. 12/93) |
|-----------------------|--|

Date of Second and Third Readings : 12 April 1993

Date of commencement : 1 July 1993

**8. 1993 Reprint — Supreme Court of Judicature Act (Chapter 322)**

Date of operation : 10 August 1993

**9. Act 2 of 1994 — Judicial Committee (Repeal) Act 1994**

(Consequential amendments made to Act by)

Date of First Reading : 17 January 1994  
(Bill No. 2/94)

Date of Second and Third Readings : 23 February 1994

Date of commencement : 8 April 1994 (item (4) of the  
Schedule — amendment of  
Supreme Court of Judicature  
Act)

**10. Act 34 of 1995 — Singapore Academy of Law (Amendment) Act 1995**

(Consequential amendments made to Act by)

Date of First Reading : 7 August 1995  
(Bill No. 27/95)

Date of Second and Third Readings : 27 September 1995

Date of commencement : 1 January 1996 (section 12 —  
amendment of Supreme Court of  
Judicature Act)

**11. Act 3 of 1996 — Supreme Court of Judicature (Amendment) Act 1995**

Date of First Reading : 1 November 1995  
(Bill No. 38/95)

Date of Second and Third Readings : 5 December 1995

Date of commencement : 26 January 1996

**12. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997**

Date of First Reading : 11 July 1997  
(Bill No. 6/97)

Date of Second and Third Readings : 25 August 1997

Date of commencement : 1 October 1997 (item (11) of the  
First Schedule — amendment of  
Supreme Court of Judicature  
Act)

**13. Act 8 of 1998 — Holidays Act 1998**

(Consequential amendments made to Act by)

|                                   |  |
|-----------------------------------|--|
| Date of First Reading             | : 14 January 1998<br>(Bill No. 1/98)   |
| Date of Second and Third Readings | : 19 February 1998   |
| Date of commencement              | : 10 April 1998 (section 11(6) —<br>amendment of Supreme Court of<br>Judicature Act) |

**14. Act 43 of 1998 — Supreme Court of Judicature (Amendment) Act 1998**

|                                   |                                       |
|-----------------------------------|---------------------------------------|
| Date of First Reading             | : 12 October 1998<br>(Bill No. 40/98) |
| Date of Second and Third Readings | : 26 November 1998                    |
| Date of commencement              | : 1 January 1999                      |

**15. 1999 Revised Edition — Supreme Court of Judicature Act (Chapter 322)**

|                   |                 |
|-------------------|-----------------|
| Date of operation | : 1 August 1999 |
|-------------------|-----------------|

**16. Act 20 of 1999 — Administration of Muslim Law (Amendment) Act 1999**

(Related amendments made to Act by)

|  |  |
|--|--|
| Date of First Reading                              | : 20 April 1998<br>(Bill No. 18/98)  |
| Date of Second Reading                             | : 30 June 1998   |
| Date Committed to Select Committee                 | : 30 June 1998   |
| Date of Presentation of Select<br>Committee Report | : 10 February 1999 (Parl 1 of<br>1999)   |
| Date of Third Reading                              | : 15 April 1999  |
| Date of commencement                               | : 1 August 1999 (item (2) of the<br>Schedule — amendment of<br>Supreme Court of Judicature<br>Act) |

**17. Act 26 of 2003 — Maritime Offences Act 2003**

(Consequential amendments made to Act by)

|                                   |   |
|-----------------------------------|---|
| Date of First Reading             | : 16 October 2003<br>(Bill No. 23/2003) |
| Date of Second and Third Readings | : 10 November 2003                      |

- Date of commencement : 3 May 2004 (section 13 — amendment of Supreme Court of Judicature Act)
- 18. Act 36 of 2004 — Supreme Court of Judicature (Amendment) Act 2004**
- Date of First Reading : 1 September 2004  
(Bill No. 35/2004)
- Date of Second and Third Readings : 21 September 2004
- Date of commencement : 1 November 2004
- 19. Act 17 of 2005 — Statutes (Miscellaneous Amendments and Repeal) Act 2005**
- Date of First Reading : 18 April 2005  
(Bill No. 7/2005)
- Date of Second and Third Readings : 16 May 2005
- Date of commencement : 15 July 2005 (section 11 — amendment of Supreme Court of Judicature Act)
- 20. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005**
- Date of First Reading : 17 October 2005  
(Bill No. 30/2005)
- Date of Second and Third Readings : 21 November 2005
- Date of commencement : 1 January 2006 (section 4 — amendment of Supreme Court of Judicature Act)
- 21. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2007**
- Date of First Reading : 8 November 2006  
(Bill No. 14/2006)
- Date of Second and Third Readings : 22 January 2007
- Date of commencement : 1 March 2007 (section 17 — amendment of Supreme Court of Judicature Act)
- 22. 2007 Revised Edition — Supreme Court of Judicature Act (Chapter 322)**
- Date of operation : 31 July 2007

**23. Act 43 of 2007 — Inquiries Act 2007**

(Consequential amendments made to Act by)

- Date of First Reading : 27 August 2007  
(Bill No. 31/2007)
- Date of Second and Third Readings : 19 September 2007
- Date of commencement : 1 November 2007 (item (4) of  
the Second Schedule —  
amendment of Supreme Court of  
Judicature Act)

**24. Act 29 of 2008 — Administration of Muslim Law (Amendment) Act 2008**

(Related amendments made to Act by)

- Date of First Reading : 15 September 2008  
(Bill No. 24/2008)
- Date of Second and Third Readings : 17 November 2008
- Date of commencement : 1st March 2009 (section 32 —  
amendment of Supreme Court of  
Judicature Act)

**25. Act 4 of 2010 — Statutes (Miscellaneous Amendments) Act 2010**

- Date of First Reading : 23 November 2009  
(Bill No. 26/2009)
- Date of Second and Third Readings : 12 January 2010
- Date of commencement : 17 February 2010 (section 5 —  
amendment of Supreme Court of  
Judicature Act)

**26. Act 30 of 2010 — Supreme Court of Judicature (Amendment) Act 2010**

- Date of First Reading : 15 September 2010  
(Bill No. 25/2010)
- Date of Second and Third Readings : 18 October 2010
- Date of commencement : 1 January 2011

**27. Act 15 of 2010 — Criminal Procedure Code 2010**

(Consequential and related amendments made to Act by)

- Date of First Reading : 26 April 2010  
(Bill No. 11/2010)
- Date of Second and Third Readings : 19 May 2010

- Date of commencement : 2 January 2011 (item 106 of the Sixth Schedule — amendment of Supreme Court of Judicature Act)
- 28. Act 3 of 2012 — Legal Profession (Amendment) Act 2012**  
(Related amendments made to Act by)
- Date of First Reading : 16 January 2012  
(Bill No. 1/2012)
- Date of Second and Third Readings : 14 February 2012
- Date of commencement : 1 April 2012 (section 15 — amendment of Supreme Court of Judicature Act)
- 29. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014**  
(Consequential or related amendments made to Act by)
- Date of First Reading : 11 November 2013 (Bill No. 26/2013)
- Date of Second and Third Readings : 21 January 2014
- Dates of commencement : 7 March 2014 (section 11(7)(a) — amendment of Supreme Court of Judicature Act)
- 30. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014**  
(Consequential or related amendments made to Act by)
- Date of First Reading : 11 November 2013 (Bill No. 26/2013)
- Date of Second and Third Readings : 21 January 2014
- Dates of commencement : 14 April 2014 (section 11(7)(b) and (c) — amendment of Supreme Court of Judicature Act)
- 31. Act 27 of 2014 — Family Justice Act 2014**  
(Consequential and related amendments made to Act by)
- Date of First Reading : 8 July 2014 (Bill No. 21/2014)
- Date of Second and Third Readings : 4 August 2014
- Dates of commencement : 1 October 2014 (except section 74(e) and (m) to (p) —

amendment of Supreme Court of  
Judicature Act)

**32. Act 27 of 2014 — Family Justice Act 2014**

(Consequential and related amendments made to Act by)

- Date of First Reading : 8 July 2014 (Bill No. 21/2014)
- Date of Second and Third Readings : 4 August 2014
- Dates of commencement : 1 January 2015 (section 74(e)  
and (m) to (p) — amendment of  
Supreme Court of Judicature  
Act)

**33. Act 42 of 2014 — Supreme Court of Judicature (Amendment) Act 2014**

(Consequential amendments made to Act by)

- Date of First Reading : 7 October 2014  
(Bill No. 38/2014 published on  
7 October 2014)
- Date of Second and Third Readings : 4 November 2014
- Date of commencement : 1 January 2015

**34. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016**

- Date of First Reading : 14 April 2016 (Bill No. 15/2016  
published on 14 April 2016)
- Date of Second and Third Readings : 9 May 2016
- Date of commencement : 10 June 2016

**35. Act 19 of 2016 — Administration of Justice (Protection) Act 2016**

- Date of First Reading : 11 July 2016 (Bill No. 23/2016  
published on 11 July 2016)
- Date of Second and Third Readings : 15 August 2016
- Date of commencement : 1 October 2017

**36. Act 1 of 2017 — Mediation Act 2017**

- Date of First Reading : 7 November 2016 (Bill No.  
37/2016 published on  
7 November 2016)
- Date of Second and Third Readings : 10 January 2017
- Date of commencement : 1 November 2017

**37. Act 19 of 2018 — Criminal Justice Reform Act 2018**

Date of First Reading : 28 February 2018 (Bill No. 14/2018 published on 28 February 2018)

Date of Second and Third Readings : 19 March 2018

Date of commencement : 31 October 2018

**38. Act 1 of 2018 — Supreme Court of Judicature (Amendment) Act 2018**

Date of First Reading : 6 November 2017 (Bill No. 47/2017 published on 6 November 2017)

Date of Second and Third Readings : 9 January 2018

Date of commencement : 1 November 2018

**39. Act 22 of 2018 — Legal Profession (Amendment) Act 2018**

Date of First Reading : 2 March 2018 (Bill No. 16/2018 published on 2 March 2018)

Date of Second and Third Readings : 20 March 2018

Dates of commencement : 1 November 2018

**40. Act 46 of 2018 — Supreme Court of Judicature (Amendment No. 2) Act 2018**

Date of First Reading : 10 September 2018 (Bill No. 33/2018 published on 10 September 2018)

Date of Second and Third Readings : 20 October 2018

Date of commencement : 1 January 2019

**41. G.N. No. S 666/2019 — Supreme Court of Judicature Act (Amendment of Fifth Schedule) Order 2019**

Date of commencement : 2 October 2019

**42. Act 4 of 2020 — Singapore Convention on Mediation Act 2020**

Date of First Reading : 6 January 2020 (Bill No. 5/2020 published on 6 January 2020)

Date of Second and Third Readings : 4 February 2020

Date of commencement : 12 September 2020



**43. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**

Date of First Reading : 7 October 2019  
(Bill No. 32/2019)

Date of Second and Third Readings : 5 November 2019

Date of commencement : 2 January 2021

**44. G. N. No. S 1102/2020 — Supreme Court of Judicature Act (Amendment of Sixth Schedule) Order 2020**

Date of commencement : 2 January 2021

**45. G.N. No. S 72/2021 — Supreme Court of Judicature Act (Amendment of Sixth Schedule) Order 2021**

Date of commencement : 1 February 2021

**COMPARATIVE TABLE**  
**SUPREME COURT OF JUDICATURE ACT**  
**(CHAPTER 322)**

The following provisions in the 1993 Reprint of the Supreme Court of Judicature Act were renumbered by the Law Revision Commissioners in the 1999 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Supreme Court of Judicature Act.

| <b>1999 Ed.</b>                        | <b>1993 Reprint</b>     |
|--|-------------------------|
| Omitted — <i>Repealed by Act 16/93</i> | <b>7</b>                |
| <b>7</b>                               | <b>8</b>                |
| <b>8—(1)</b>                           | <b>9—(1)</b>            |
| (2)                                    | Proviso to <b>9—(1)</b> |
| (3) and (4)                            | (2)                     |
| <b>9</b>                               | <b>9A</b>               |
| Omitted — <i>Deleted by Act 20/99</i>  | <b>16—(2)</b>           |
| <b>16—(2)</b>                          | (3)                     |
| <b>22—(1) and (2)</b>                  | <b>22</b>               |
| <b>27—(1) and (2)</b>                  | <b>27—(1)</b>           |
| (3)                                    | (2)                     |
| <b>28—(1) and (2)</b>                  | <b>28</b>               |
| <b>37—(1) and (2)</b>                  | <b>37—(1)</b>           |
| (3)                                    | (2)                     |
| (4)                                    | (3)                     |
| (5)                                    | (4)                     |
| (6)                                    | (5)                     |
| <b>39—(2) and (3)</b>                  | <b>39—(2)</b>           |
| (4)                                    | (3)                     |
| <b>41—(1) and (2)</b>                  | <b>41</b>               |
| Omitted — <i>Deleted by Act 16/93</i>  | <b>44—(1)</b>           |

| <b>1999 Ed.</b>                       | <b>1993 Reprint</b>      |
|---------------------------------------|--------------------------|
| <b>44—(1)</b>                         | <b>44—(2)</b>            |
| (2)                                   | Proviso to <b>44—(2)</b> |
| <b>47—(2) and (3)</b>                 | <b>47—(2)</b>            |
| (4) and (5)                           | (3)                      |
| <b>49—(2)</b>                         | <b>49—(1A)</b>           |
| (3)                                   | (2)                      |
| <b>51—(1) and (2)</b>                 | <b>51—(1)</b>            |
| (3)                                   | (2)                      |
| (4)                                   | (3)                      |
| <b>52—(1) and (2)</b>                 | <b>52—(1)</b>            |
| (3)                                   | (2)                      |
| (4)                                   | Proviso to <b>52—(2)</b> |
| <b>54—(1) and (2)</b>                 | <b>54—(1)</b>            |
| (3)                                   | Proviso to <b>54—(1)</b> |
| (4)                                   | <b>54—(2)</b>            |
| (5)                                   | (3)                      |
| <b>56—(3)</b>                         | Proviso to <b>56—(2)</b> |
| (4)                                   | <b>56—(3)</b>            |
| <b>57—(3) and (4)</b>                 | <b>57—(3)</b>            |
| <b>59—(4) and (5)</b>                 | <b>59—(4)</b>            |
| <b>66—(1) and (2)</b>                 | <b>66</b>                |
| Omitted — Spent                       | <b>68—(4)</b>            |
| <b>75—(1) and (2)</b>                 | <b>75</b>                |
| <b>79—(2) and (3)</b>                 | <b>79—(2)</b>            |
| Omitted — <i>Repealed by Act 2/94</i> | <b>80—(2) (f)</b>        |
| <b>80—(2) (f)</b>                     | (2) (g)                  |
| (2) (g)                               | (2) (ga)                 |
| (5)                                   | Proviso to <b>80—(4)</b> |

| <b>1999 Ed.</b>             | <b>1993 Reprint</b> |
|-----------------------------|---------------------|
| (6)                         | <b>80</b> —(5)      |
| <b>81</b> —(a), (b) and (c) | <b>81</b>           |
| Omitted — Spent             | <b>82</b>           |
| Omitted — Spent             | <b>83</b>           |
| Omitted — Spent             | <b>84</b>           |