



THE STATUTES OF THE REPUBLIC OF SINGAPORE

SUPREME COURT OF JUDICATURE ACT 1969

2020 REVISED EDITION

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Supreme Court of Judicature Act 1969

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

[40/2019]

[9 January 1970]

PART 1

PRELIMINARY

Short title

1. This Act is the Supreme Court of Judicature Act 1969.

Interpretation

2. In this Act, unless the context otherwise requires —
 - “Appellate Division” means the Appellate Division of the High Court;
 - “court” means the General Division, the Appellate Division, or the Court of Appeal;
 - “Family Division of the High Court” means the Family Division of the High Court constituted under section 4 of the Family Justice Act 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;

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

“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;

“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 1970, 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;

“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.

[5/2014; 27/2014; 42/2014; 40/2019]

PART 2

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.

[40/2019]

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.

[40/2019]

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 or her office, such powers are to be had and may be exercised and such duties are to 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 is not to 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.

[40/2019]

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.

[40/2019]

Vacations

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

[40/2019]

Sittings in private

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

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

[19/2018]

[Act 25 of 2021 wef 01/04/2022]

(2AA) Any application for a matter or proceeding to be held in private, on the grounds that it is expedient in the national interest or national security of Singapore to do so, is to be heard in private.

[Act 25 of 2021 wef 01/04/2022]

(2AB) The court has the power to hear any application mentioned in subsection (2AA), or any part of such an application, otherwise than in private, if the court is satisfied that —

- (a) it is expedient in the interests of justice to hear the application or part of the application otherwise than in private; and
- (b) it is not prejudicial to the national interest or national security of Singapore to hear the application or part of the application otherwise than in private.

[Act 25 of 2021 wef 01/04/2022]

(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, the national interest or national security of Singapore, or for other sufficient reason to do so, order that —

- (a) the name, address or photograph of any witness;
[Act 25 of 2021 wef 01/04/2022]
- (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; or
[Act 25 of 2021 wef 01/04/2022]
- (c) any information that, if disclosed, may be prejudicial to the national interest or national security of Singapore,

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

[15/2010]

[Act 25 of 2021 wef 01/04/2022]

- (3) A court may at any time order that no person is to —
 - (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;
[Act 25 of 2021 wef 01/04/2022]
 - (b) do any other act which is likely to lead to the identification of any witness mentioned in paragraph (a); or
[15/2010]

[Act 25 of 2021 wef 01/04/2022]

- (c) publish any information relating to any matter or proceeding before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore.

[Act 25 of 2021 wef 01/04/2022]

(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]

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

- (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.

[19/2018]

[Act 25 of 2021 wef 01/04/2022]

(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, the national interest or national security of Singapore, or for other sufficient reason, to hear the whole or any part of any matter or proceeding in private, 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.

[19/2018]

[Act 25 of 2021 wef 01/04/2022]

(7) In this section —

“broadcasting service” has the meaning given by section 2(1) of the Broadcasting Act 1994;

“newspaper” has the meaning given by section 2(1) of the Newspaper and Printing Presses Act 1974.

[19/2018]

[Act 25 of 2021 wef 01/04/2022]

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 (other than a matter or proceeding prescribed by the Rules of Court, the Family Justice Rules or the Criminal Procedure Rules) through a live video link, a live television link, a live audio link or any other electronic means of communication approved by the Chief Justice.

[Act 25 of 2021 wef 01/04/2022]

(2) Subsection (1) does not affect the operation of section 26A of the Administration of Justice (Protection) Act 2016, section 62A of the Evidence Act 1893 and section 281 of the Criminal Procedure Code 2010.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(3) A court must not conduct any part of a hearing of a matter through a live audio link only, without an accompanying live video link or live television link —

- (a) where oral evidence is given during that part of the hearing (including in a trial of an offence) in a criminal proceeding;
- (b) where oral evidence is given during that part of the hearing (including in a trial of an action) in a civil proceeding, unless all the parties consent; or
- (c) where the matter is prescribed by the Rules of Court, the Family Justice Rules or the Criminal Procedure Rules.

[Act 25 of 2021 wef 01/04/2022]

(4) For the purposes of subsection (3), a court is not considered to have conducted a part of a hearing of a matter through a live audio link only and without an accompanying live video link or live television link, by reason only of a temporary disruption in the accompanying live video link or live television link that was insignificant and which did not affect the court's duty to conduct proceedings fairly.

[Act 25 of 2021 wef 01/04/2022]

(5) A court must not conduct a hearing of a matter or proceeding in the manner provided under subsection (1), if to do so would be inconsistent with the court's duty to ensure that the hearing is conducted fairly to all parties.

[Act 25 of 2021 wef 01/04/2022]

(6) A court is deemed to be sitting at a place appointed under section 11(1), 34(1)(a) or 52(1)(a) (as the case may be) when the court conducts a hearing of a matter or proceeding in the manner provided under subsection (1) (whether any Judge or Registrar sitting in the court is situated in Singapore or outside Singapore).

[Act 25 of 2021 wef 01/04/2022]

PART 3

GENERAL DIVISION OF HIGH COURT

[40/2019]

Division 1 — General

[40/2019]

9. [Repealed by Act 40 of 2019]

Proceedings in General Division

10.—(1) Subject to subsection (1A), every proceeding in the General Division and all business arising out of the proceeding is to be heard and disposed of before a single Judge, or before any other number of Judges as provided by any written law for the time being in force.

[Act 25 of 2021 wef 01/04/2022]

(1A) Despite subsection (1) and any other written law mentioned in that subsection, the Chief Justice may direct that any particular proceeding in the General Division be heard before a court consisting of any uneven number of Judges greater than the number provided under subsection (1) or that other written law.

[Act 25 of 2021 wef 01/04/2022]

(1B) A proceeding in the General Division before 3 or more Judges must be decided in accordance with the opinion of the majority of them.

[Act 25 of 2021 wef 01/04/2022]

(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 9 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.

[27/2014; 40/2019]

(3) [Deleted by Act 42 of 2014]

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

(5) No Judge is to 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 the Judge as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts;
- (b) an appeal against a conviction before the Judge or a sentence passed by the Judge as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts;
- (c) the consideration of any case stated by the Judge under section 395 of the Criminal Procedure Code 2010 as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts;
- (d) any application made under section 400 of the Criminal Procedure Code 2010 in relation to any judgment or order made, or sentence passed, by the Judge as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts; or
- (e) any proceedings relating to any judgment, order or direction made by the Judge as the Presiding Judge of the State Courts or the Presiding Judge of the Family Justice Courts.

[5/2014; 27/2014; 40/2019]

[Act 25 of 2021 wef 01/04/2022]

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.

[27/2014; 40/2019]

(2) Subject to subsection (3), the remuneration of assessors for sitting under this section is to be at such rate as may be prescribed by

Rules of Court or Family Justice Rules and is to be costs in the proceedings unless otherwise ordered by the General Division.

[27/2014; 40/2019]

(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 is payable out of moneys provided by Parliament.

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

When General Division is open

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

[40/2019]

(2) Despite 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.

[40/2019]

Sittings of General Division and distribution of business

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

[40/2019]

(2) The distribution of business among the several Judges is to 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.

12. [Repealed by Act 40 of 2019]

Enforcement orders for seizure and sale of property

13. A judgment for the payment of money to any person or into court may be enforced by an enforcement order for seizure and sale of property, 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 the judgment debtor's family, and the tools and implements of the judgment debtor's 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, the judgment debtor's implements of husbandry and such animals and seed-grain or produce as may in the opinion of the court be necessary to enable the judgment debtor to earn his or her 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.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

Execution of deed or indorsement of negotiable instrument

14.—(1) If —

- (a) 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
- (b) 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 —

- (c) prepare a deed, or document, or indorsement of the instrument in accordance with the terms of the judgment or order; and
- (d) 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, has the same effect as the execution, signing or indorsement thereof by the party ordered to execute.

(2) Nothing in this section is to 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

[40/2019]

Criminal jurisdiction

15.—(1) The General Division has 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 1978 or the Maritime Offences Act 2003; and
- (f) in any place or by any person if it is provided in any written law that the offence is triable in Singapore.

[40/2019]

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

[40/2019]

Civil jurisdiction — general

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

- (a) the defendant is served with an originating claim or any other originating process —
 - (i) in Singapore in the manner prescribed by Rules of Court or Family Justice Rules; or
 - (ii) outside Singapore in the circumstances authorised by and in the manner prescribed by Rules of Court or Family Justice Rules; or

[Act 25 of 2021 wef 01/04/2022]

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

[30/2010; 27/2014; 40/2019]

(2) Without limiting subsection (1), the General Division has such jurisdiction as is vested in it by any other written law.

[40/2019]

Civil jurisdiction — specific

17.—(1) Without limiting section 16, the civil jurisdiction of the General Division includes —

- (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;

- (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;
- (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
- (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.

[1/2017; 40/2019; 4/2020]

(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.

[4/2020]

Civil jurisdiction — concurrent jurisdiction with Syariah Court in certain matters

17A.—(1) Despite sections 16 and 17, the General Division has 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 1966 in which all the parties are Muslims or where the parties were married under the provisions of the Muslim law.

[40/2019]

(2) Even though 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 1966, the General Division has 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.

[40/2019]

(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 is to 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 1966 between the same parties, unless a Syariah Court commencement certificate in respect of the civil proceedings has been filed with the General Division;
- (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 1966 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.

[40/2019]

(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 1966 is to be construed as a reference to the registration of a divorce or to a divorce that is registered under that section before 1 March 2009.

[29/2008]

(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 are deemed to have been commenced before the civil proceedings.

[40/2019]

(5) Subsection (3)(a) does 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 1966 have been filed in accordance with Family Justice Rules.

[27/2014; 40/2019]

(6) Subsection (3)(b) does 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 1966 have been filed in accordance with Family Justice Rules.

[27/2014]

(7) To avoid any doubt, the General Division, in exercising its jurisdiction or powers under subsection (2), is to apply the civil law.

[40/2019]

(8) Despite section 3(2) of the Women's Charter 1961, section 112 of that Act applies to the General Division in the exercise of its jurisdiction or powers under subsection (2)(c).

[40/2019]

(9) In this section —

“Syariah Court” means the Syariah Court constituted under the Administration of Muslim Law Act 1966;

“Syariah Court commencement certificate” means a commencement certificate issued by the Syariah Court under section 35A(4) of the Administration of Muslim Law Act 1966;

“Syariah Court continuation certificate” means a continuation certificate issued by the Syariah Court under section 35A(4) of the Administration of Muslim Law Act 1966.

Oral hearing not needed generally

17B.—(1) Subject to subsection (2), the General Division may decide any matter in its original civil jurisdiction without hearing oral arguments, other than a matter prescribed by the Rules of Court or the Family Justice Rules.

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given (including any part of a trial of an action) to be conducted without an oral hearing, unless all the parties consent.

(3) Subject to subsection (4), the General Division may, in any matter that the General Division may decide without hearing oral arguments, direct that the matter be heard in an asynchronous manner by exchange of written correspondence with the party or parties using such means of communication as directed by the General Division.

(4) The General Division must not hear a matter in an asynchronous manner if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to all parties.

(5) To avoid doubt, this section does not affect the power of the General Division to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.

[Act 25 of 2021 wef 01/04/2022]

Summary dismissal of certain matters

17C.—(1) A Judge sitting in the General Division may, on his or her own motion, summarily dismiss any appeal made against a decision of the Registrar relating to civil proceedings, if the Judge is satisfied of any of the following:

- (a) every issue in the appeal has already been decided by the General Division, the Appellate Division or the Court of Appeal in an earlier matter in which the appellant was involved, and the appeal therefore has no merit;
- (b) such conditions as may be prescribed by the Rules of Court or the Family Justice Rules are met.

(2) Before summarily dismissing any appeal under subsection (1), a Judge sitting in the General Division must —

- (a) give the appellant a reasonable opportunity to show cause why the appeal should not be summarily dismissed; and
 - (b) consider any representations of the appellant.
- (3) In this section, “appeal” includes part of an appeal.
[Act 25 of 2021 wef 01/04/2022]

Powers of General Division

18.—(1) The General Division has the powers that are vested in it by any written law for the time being in force in Singapore.
[40/2019]

(2) Without limiting subsection (1), the General Division has the powers set out in the First Schedule.
[40/2019]

(3) The powers mentioned in subsection (2) are to be exercised in accordance with any written law, Rules of Court or Family Justice Rules relating to them.
[27/2014]

Division 3 — Singapore International Commercial Court

[40/2019]

Singapore International Commercial Court

18A. There shall be a division of the General Division known as the Singapore International Commercial Court.
[42/2014; 40/2019]

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.
[42/2014; 40/2019]

(2) If no appointment is made under subsection (1), the Chief Justice is the President of the Singapore International Commercial Court.
[42/2014]

Act to apply with modifications

18C. Subject to sections 18D to 18M and 80(2A), the provisions of this Act apply to proceedings in the Singapore International Commercial Court as they apply to proceedings in the General Division exercising its original civil jurisdiction.

[42/2014; 40/2019]

Jurisdiction of Singapore International Commercial Court

18D.—(1) The Singapore International Commercial Court has 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.

[42/2014; 1/2018; 40/2019]

(2) Without limiting subsection (1), the Singapore International Commercial Court (being a division of the General Division) has jurisdiction —

- (a) 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 25 of 2021 wef 01/10/2022]

- (b) to hear any application —
 - (i) that seeks relief for the purposes of proceedings in the Singapore International Commercial Court;
 - (ii) that is made before the commencement of such proceedings; and
 - (iii) that satisfies such conditions as the Rules of Court may prescribe; and

[Act 25 of 2021 wef 01/10/2022]

- (c) to hear any proceedings relating to corporate insolvency, restructuring or dissolution under the Insolvency,

Restructuring and Dissolution Act 2018, or under the Companies Act 1967* as in force immediately before 30 July 2020 —

- (i) that are international and commercial in nature; and
- (ii) that satisfy such conditions as the Rules of Court may prescribe.

*[*Updated to be consistent with the 2020 Revised Edition]*

[Act 25 of 2021 wef 01/04/2022]

[Act 25 of 2021 wef 01/10/2022]

(3) Where the Singapore International Commercial Court has and exercises jurisdiction under subsection (1) in respect of any action, such jurisdiction includes —

- (a) the jurisdiction to hear and try the action upon the joinder of any additional party, if the action continues to maintain an international and commercial character, even if the claim by or against the additional party is not international and commercial in nature;
- (b) the jurisdiction to hear and try a counterclaim brought in, and that remains part of, that action, if the action and counterclaim taken as a whole maintain an international and commercial character, even if the counterclaim is not international and commercial in nature;
- (c) the jurisdiction to hear and try any proceedings (called in this subsection and subsection (4) third party proceedings) brought by a defendant or respondent against any party (called in this subsection and subsection (4) a third party) who is not already a party to the action, if —
 - (i) the requirements prescribed in the Rules of Court for the bringing of third party proceedings are satisfied; and
 - (ii) the main action and the third party proceedings taken as a whole maintain an international and commercial character, even if the third party proceedings are not international and commercial in nature; and

- (d) the jurisdiction to hear and try any proceedings (called in this subsection and subsection (4) subsequent party proceedings) brought by a third party against any party (called in this subsection and subsection (4) a subsequent party) who is not already a party to the third party proceedings, if —
- (i) the requirements prescribed in the Rules of Court for the bringing of subsequent party proceedings are satisfied; and
 - (ii) the main action, the third party proceedings and the subsequent party proceedings taken as a whole maintain an international and commercial character, even if the third party proceedings or the subsequent party proceedings are not international and commercial in nature.

[Act 25 of 2021 wef 01/04/2022]

(4) Subsection (3)(d) applies, with the appropriate modifications, to any proceedings brought by a subsequent party against any party who is not already a party to the subsequent party proceedings, as if the subsequent party were a third party, and the subsequent party proceedings were third party proceedings.

[Act 25 of 2021 wef 01/04/2022]

18E. *[Repealed by Act 1 of 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 are 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 the judgment or order, insofar as the recourse can be validly waived.

[42/2014]

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

[42/2014]

Composition of Singapore International Commercial Court

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

[42/2014]

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.

[42/2014]

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

[42/2014]

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

[42/2014]

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

[42/2014]

(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.

[42/2014]

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

(a) if the 2 Judges have the same opinion, the case is to 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) is to be dismissed.

[42/2014]

**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.

[42/2014; 40/2019]

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

[42/2014]

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.

[42/2014; 40/2019]

(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.

[42/2014; 40/2019]

(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, even though 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.

[42/2014]

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

[40/2019]

Rules of evidence in certain cases

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

- (a) is not 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.

[42/2014]

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

[42/2014]

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.

[42/2014]

(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.

[42/2014]

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 4B of the Legal Profession Act 1966.

[42/2014; 22/2018]

Division 4 — Appellate jurisdiction

[40/2019]

Appellate criminal jurisdiction

19. The appellate criminal jurisdiction of the General Division consists 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;
- (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;
- (ba) the hearing of reviews of the orders of District Courts or Magistrates' Courts in extradition proceedings;
[Act 17 of 2022 wef 01/07/2022]
- (c) the hearing of appeals from Family Courts when exercising criminal jurisdiction; and
- (d) the hearing of appeals from Youth Courts.

[27/2014; 40/2019]

Appellate civil jurisdiction

20. The appellate civil jurisdiction of the General Division consists of —

- (a) the hearing of appeals from Family Courts when exercising jurisdiction of a quasi-criminal or civil nature;
- (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; 27/2014; 40/2019]

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 permission 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.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(2) [Deleted by Act 25 of 2021 wef 01/04/2022]

(2A) An order of the General Division giving or refusing permission under subsection (1) is final.

[30/2010; 40/2019]

[Act 25 of 2021 wef 01/04/2022]

(2B) [Deleted by Act 40 of 2019]

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

Powers of rehearing

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

[40/2019]

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

[Act 25 of 2021 wef 01/04/2022]

(3) Subject to the provisions of this Act and any other written law, the General Division may receive further evidence —

- (a) by oral examination in court;
 - (b) by affidavit;
 - (c) by deposition taken before an examiner or a commissioner;
- or

(d) in any other manner as the court may allow.

[Act 25 of 2021 wef 01/04/2022]

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

[Act 25 of 2021 wef 01/04/2022]

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

[Act 25 of 2021 wef 01/04/2022]

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

[Act 25 of 2021 wef 01/04/2022]

(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 25 of 2021 wef 01/04/2022]

Oral hearing not needed for appellate matters generally

22A.—(1) Subject to subsection (2), the General Division may decide any matter in its appellate civil jurisdiction without hearing oral arguments, other than a matter prescribed by the Rules of Court or the Family Justice Rules.

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given to be conducted without an oral hearing, unless all the parties consent.

(3) Subject to subsection (4), the General Division may, in any matter that the General Division may decide without hearing oral arguments, direct that the matter be heard in an asynchronous manner by exchange of written correspondence with the party or parties using such means of communication as directed by the General Division.

(4) The General Division must not hear a matter in an asynchronous manner if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to all parties.

(5) To avoid doubt, this section does not affect the power of the General Division to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.

[Act 25 of 2021 wef 01/04/2022]

Summary dismissal of certain appeals

22B.—(1) The General Division may, on its own motion, summarily dismiss any appeal to the General Division in the exercise of its appellate civil jurisdiction, if it is satisfied of any of the following:

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

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

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

(3) In this section, “appeal” includes part of an appeal.

[Act 25 of 2021 wef 01/04/2022]

Division 5 — Supervisory and revisionary jurisdiction

[40/2019]

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.

[30/2010; 40/2019]

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.

[40/2019]

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.

[40/2019]

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 is to 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 has general supervisory and revisionary jurisdiction over all subordinate courts.

[40/2019]

(2) The General Division may in particular, but without limiting 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.

[40/2019]

(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 are to be stayed pending further order of the General Division.

[40/2019]

(4) The General Division, 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, is to have regard to whether that matter was, or could reasonably have been, raised in that appeal.

[30/2010; 40/2019]

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 has any right to be heard before the General Division when exercising its powers of supervision and revision.

[40/2019]

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

Division 6 — Allocation of proceedings

[40/2019]

Allocation of proceedings to District Court or Family Court

28A.—(1) The Chief Justice may, where he or she 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.

[27/2014; 40/2019]

- (2) Despite 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);
 - (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;
 - (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
 - (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.

[27/2014; 1/2017]

28B. [Repealed by Act 40 of 2019]

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

[Act 25 of 2021 wef 01/04/2022]

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.

[40/2019]

Permission required to appeal in certain cases

29A.—(1) In the following cases, permission 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 permission, or that no appeal may be brought except with permission;

[Act 25 of 2021 wef 01/04/2022]

- (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, 4(1) and 5(1) of that Schedule.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(2) For the purposes of subsection (1), permission must be obtained —

- (a) in a case where any written law specifies the court from which permission must be obtained, or the court which may grant permission — from the specified court; and

[Act 25 of 2021 wef 01/04/2022]

- (b) in any other case — from the court specified in the Fifth Schedule.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(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).

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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.

[40/2019]

(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 at which the judgment or order relating to the decision is extracted;

[Act 25 of 2021 wef 01/04/2022]

(b) the 15th day after the date on which the decision is made.

[40/2019]

(3) After hearing further arguments, the Judge may affirm, vary or set aside the decision.

[40/2019]

(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.

[40/2019]

(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.

[40/2019]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

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 1966 is in force, any appeal made to the Appellate Division under section 29(2) or 38(2) of the Land Acquisition Act 1966.

[40/2019]

(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.

[40/2019]

(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.

[40/2019]

(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).

[40/2019]

(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).

[40/2019]

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 1966.

[40/2019]

(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.

[40/2019]

(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.

[40/2019]

(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).

[40/2019]

(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).

[40/2019]

PART 4

APPELLATE DIVISION OF HIGH COURT

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.

[40/2019]

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

[40/2019]

(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.

[40/2019]

Jurisdiction — general

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

[40/2019]

- (2) The Appellate Division has no criminal jurisdiction.

[40/2019]

(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.

[40/2019]

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

[40/2019]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

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.

[40/2019]

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

[40/2019]

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.

[40/2019]

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

[40/2019]

Division 2 — Civil jurisdiction

Civil jurisdiction

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

[40/2019]

(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.

[40/2019]

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.

[40/2019]

(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).

[40/2019]

(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 or her 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).

[40/2019]

Oral hearing not needed for appellate matters generally

37.—(1) Subject to subsection (2), the Appellate Division may decide any matter without hearing oral arguments, other than a matter prescribed by the Rules of Court.

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given to be conducted without an oral hearing, unless all the parties consent.

(3) Subject to subsection (4), the Appellate Division may, in any matter that the court may decide without hearing oral arguments, direct that the matter be heard in an asynchronous manner by exchange of written correspondence with the party or parties using such means of communication as directed by the court.

(4) The Appellate Division must not hear a matter in an asynchronous manner if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to all parties.

(5) To avoid doubt, this section does not affect the power of the Appellate Division to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.

[Act 25 of 2021 wef 01/04/2022]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

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

[40/2019]

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.

[40/2019]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

(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 permission of the single Judge

or any other Judge, and a decision by any Judge to give or refuse permission is final.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

Hearing of appeals

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

[40/2019]

(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.

[40/2019]

(3) The Appellate Division may receive further evidence —

(a) by oral examination in court;

(b) by affidavit;

(c) by deposition taken before an examiner or a commissioner;
or

(d) in any other manner that the Appellate Division allows.

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

(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.

[40/2019]

(8) Where an application for permission to adduce further evidence in an appeal before the Appellate Division is heard and decided by a single Judge or 2 Judges, any party may request the full panel of the Appellate Division hearing the appeal to rehear arguments in respect of the application for permission to adduce further evidence.

[Act 25 of 2021 wef 01/04/2022]

(9) No request may be made under subsection (8) in respect of an application for permission to adduce further evidence in an appeal where the Appellate Division that first decided the application is constituted —

- (a) by 2 Judges, where the Appellate Division hearing the appeal is constituted by 2 Judges; or
- (b) by 3 or more Judges.

[Act 25 of 2021 wef 01/04/2022]

(10) A request under subsection (8) must be made before the earlier of the following:

- (a) the time at which the judgment or order relating to the decision on the application for permission to adduce further evidence is extracted;
- (b) the expiration of 7 days after the date on which the decision on the application for permission to adduce further evidence is made.

[Act 25 of 2021 wef 01/04/2022]

(11) After rehearing arguments on a request mentioned in subsection (8), the Appellate Division may affirm, vary or set aside

the decision on the application for permission to adduce further evidence.

[Act 25 of 2021 wef 01/04/2022]

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.
[40/2019]

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.

[40/2019]

(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.
[40/2019]

(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.

[40/2019]

(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.

[40/2019]

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.

[40/2019]

Appeal not to operate as stay of execution or enforcement

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[Act 25 of 2021 wef 01/04/2022]

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.

[40/2019]

Permission 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 permission of the Court of Appeal.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(3) In deciding whether to grant permission 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.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(4) To avoid doubt —

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

[Act 25 of 2021 wef 01/04/2022]

(b) permission 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).

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

PART 5

COURT OF APPEAL

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.

[40/2019]

(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.

[40/2019]

Jurisdiction — general

49.—(1) The Court of Appeal has the civil jurisdiction mentioned in section 53, the criminal jurisdiction mentioned in section 60D and the jurisdiction to deal with any application or action that is to be dealt with by the Court of Appeal as is provided in Division 4 of this Part.

[Act 41 of 2022 wef 28/06/2024]

(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.

[40/2019]

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

[40/2019]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

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.

[40/2019]

(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.

[40/2019]

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.

[40/2019]

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

[40/2019]

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

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

[40/2019]

(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.

[40/2019]

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.

[40/2019]

(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).

[40/2019]

(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 or her 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).

[40/2019]

Oral hearing not needed for appellate matters generally

55.—(1) Subject to subsection (2), the Court of Appeal may decide any matter without hearing oral arguments, other than a matter prescribed by the Rules of Court.

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given to be conducted without an oral hearing, unless all the parties consent.

(3) Subject to subsection (4), the Court of Appeal may, in any matter that the court may decide without hearing oral arguments, direct that the matter be heard in an asynchronous manner by exchange of written correspondence with the party or parties using such means of communication as directed by the court.

(4) The Court of Appeal must not hear a matter in an asynchronous manner if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to all parties.

(5) To avoid doubt, this section does not affect the power of the Court of Appeal to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.

[Act 25 of 2021 wef 01/04/2022]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

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

[40/2019]

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.

[40/2019]

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.

[40/2019]

(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.

[40/2019]

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

[40/2019]

(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 permission of the single Judge or any other Judge, and a decision by any Judge to give or refuse permission is final.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

Hearing of appeals

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

[40/2019]

(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.

[40/2019]

- (3) The Court of Appeal may receive further evidence —

- (a) by oral examination in court;
- (b) by affidavit;
- (c) by deposition taken before an examiner or a commissioner;
or
- (d) in any other manner that the Court of Appeal allows.

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

(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.

[40/2019]

(8) Where an application for permission to adduce further evidence in an appeal before the Court of Appeal is heard and decided by a single Judge or 2 Judges, any party may request the full panel of the Court of Appeal hearing the appeal to rehear arguments in respect of the application for permission to adduce further evidence.

[Act 25 of 2021 wef 01/04/2022]

(9) No request may be made under subsection (8) in respect of an application for permission to adduce further evidence in an appeal where the Court of Appeal that first decided the application is constituted —

(a) by 2 Judges, where the Court of Appeal hearing the appeal is constituted by 2 Judges; or

(b) by 3 or more Judges.

[Act 25 of 2021 wef 01/04/2022]

(10) A request under subsection (8) must be made before the earlier of the following:

(a) the time at which the judgment or order relating to the decision on the application for permission to adduce further evidence is extracted;

(b) the expiration of 7 days after the date on which the decision on the application for permission to adduce further evidence is made.

[Act 25 of 2021 wef 01/04/2022]

(11) After rehearing arguments on a request mentioned in subsection (8), the Court of Appeal may affirm, vary or set aside the decision on the application for permission to adduce further evidence.

[Act 25 of 2021 wef 01/04/2022]

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.

[40/2019]

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.

[40/2019]

(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.

[40/2019]

(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.

[40/2019]

(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.

[40/2019]

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.

[40/2019]

Appeal not to operate as stay of execution or enforcement

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

*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 20 of the Criminal Procedure Code 2010;
- (c) any review of a decision of the Court of Appeal, or a decision of the General Division, under Division 1B of Part 20 of the Criminal Procedure Code 2010;
- (d) any case stated to the Court of Appeal under section 395 or 396 of the Criminal Procedure Code 2010;

- (e) any reference to the Court of Appeal under section 397 of the Criminal Procedure Code 2010;
- (f) any motion to the Court of Appeal under Division 5 of Part 20 of the Criminal Procedure Code 2010;
- (g) any reference to the Court of Appeal under section 18 of the Extradition Act 1968.

[40/2019]

[Act 17 of 2022 wef 01/07/2022]

[Act 17 of 2022 wef 01/07/2022]

Composition when exercising criminal jurisdiction

60E.—(1) Despite section 50(1), a case before the Court of Appeal may, if the Tenth Schedule so provides, be heard and determined by a single Judge.

[Act 25 of 2021 wef 01/04/2022]

(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 20 of the Criminal Procedure Code 2010 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 2010;
- (d) any reference under section 397 of the Criminal Procedure Code 2010 of a question of law of public interest that has arisen in a criminal matter determined by the Judge.

[40/2019]

Division 4 — Post-appeal application in capital case and finding of abuse of process

[Act 41 of 2022 wef 28/06/2024]

Interpretation of this Division

60F. In this Division, unless the context otherwise requires —

“application for PACC permission” means an application for permission to make a PACC application;

“application for review permission” means an application for permission to make a review application;

“counsel” means any advocate and solicitor;

“Judge of the Court of Appeal” means a Judge sitting in the Court of Appeal in accordance with this Act and the Constitution;

“PACP” means a prisoner awaiting capital punishment;

“post-appeal application in a capital case” or “PACC application” means any application (not being a review application) —

(a) made by a PACP after the relevant date; and

(b) to which either of the following applies:

(i) the application is for a stay of the execution of the death sentence on the PACP;

(ii) the determination of the application calls into question, or may call into question, the propriety of the conviction of, the imposition of the sentence of death on, or the carrying out of the sentence of death on, the PACP;

Examples

Examples of an application made by a PACP the determination of which calls into question, or may call into question, the propriety of the conviction of, the imposition of the sentence of death on, or the carrying out of the sentence of death on, the PACP are —

(a) an application challenging the President’s order;

(b) an application challenging the manner in which the death sentence is to be carried out;

(c) an application challenging the imposition of the sentence of death as a form of punishment (such as an application alleging that the

death penalty is an unlawful deprivation of life under Article 9(1) of the Constitution);

- (d) an application challenging the Public Prosecutor’s decision not to certify that the PACP has substantively assisted the Central Narcotics Bureau in disrupting drug trafficking activities within or outside Singapore, under section 33B(2)(b) of the Misuse of Drugs Act 1973; and
- (e) an application challenging the Public Prosecutor’s decision to institute and conduct proceedings against the PACP for an offence punishable with death.

“President’s order”, in relation to a PACP, means the order of the President under section 313(1)(f) of the Criminal Procedure Code 2010 stating that the sentence of death is to be carried out against the PACP;

“relevant application” means —

- (a) an application for PACC permission;
- (b) a PACC application;
- (c) an application for review permission; or
- (d) a review application;

“relevant date” means —

- (a) in relation to the first PACC application by a PACP —
 - (i) the date of dismissal of the appeal by the Court of Appeal (whether before, on or after the date of commencement of the Post-appeal Applications in Capital Cases Act 2022) in relation to the offence for which the sentence of death was imposed on the PACP;
 - (ii) the date of imposition of the sentence of death by the Court of Appeal (whether before, on or after the date of commencement of the Post-appeal Applications in Capital Cases Act 2022) in an appeal against the acquittal of the PACP of an offence punishable with

death, or against a non-capital sentence imposed on the PACP; or

(iii) the date of the issuance by the Court of Appeal of a certificate (whether before, on or after the date of commencement of the Post-appeal Applications in Capital Cases Act 2022) confirming the imposition of the sentence of death on the PACP; and

(b) in relation to the second or any subsequent PACC application (called the instant application) by a PACP —

(i) the date mentioned in paragraph (a); or

(ii) if prior to the making of the instant application, there has been a determination of —

(A) any application for PACC permission (not being an application for PACC permission for the instant application); or

(B) any PACC application,

in relation to the PACP, the date of the most recent of any such determination;

“review application” means a review application within the meaning of section 394F of the Criminal Procedure Code 2010 where the application is to review an earlier decision of the Court of Appeal relating to the offence for which the sentence of death was imposed on a PACP.

[Act 41 of 2022 wef 28/06/2024]

Application for permission to make PACC application

60G.—(1) Subject to section 60I, before making a PACC application, the applicant must apply to the Court of Appeal for, and obtain, the permission of that court to do so.

(2) Despite section 50(1), an application for PACC permission may be heard and determined by a single Judge of the Court of Appeal.

(3) An application for PACC permission must be fixed for hearing within such period as is prescribed by the Rules of Court.

(4) The applicant in an application for PACC permission must file written submissions in support of that application, and such other documents as are prescribed in the Rules of Court, within such periods as are prescribed in the Rules of Court.

(5) The respondent in an application for PACC permission may file written submissions in relation to that application within such period as is prescribed in the Rules of Court.

(6) The Registrar or any Supreme Court Judge may extend or abridge any period mentioned in subsection (3), (4) or (5).

(7) In deciding whether or not to grant an application for PACC permission, the Court of Appeal must consider the following matters:

- (a) whether the PACC application to be made is based on material (being evidence or legal arguments) that, even with reasonable diligence, could not have been adduced in court before the relevant date;
- (b) whether there was any delay in filing the application for PACC permission after the PACP or counsel for the PACP obtained the material mentioned in paragraph (a) and the reasons for the delay;
- (c) whether subsection (4) is complied with;
- (d) whether the PACC application to be made has a reasonable prospect of success.

(8) An application for PACC permission may, without being set down for hearing, be summarily dealt with by a written order of the Court of Appeal.

(9) Before summarily refusing an application for PACC permission under subsection (8), the Court of Appeal, in addition to considering the matters mentioned in subsection (7) —

- (a) must consider the applicant's written submissions, if any; and

(b) may, but is not required to, consider the respondent's written submissions, if any.

(10) Before summarily granting an application for PACC permission, the Court of Appeal, in addition to considering the matters mentioned in subsection (7) —

(a) must consider the applicant's written submissions, if any; and

(b) must consider the respondent's written submissions, if any.

(11) The Court of Appeal may —

(a) before deciding any application for PACC permission;

(b) when granting an application for PACC permission; or

(c) when summarily granting an application for PACC permission,

do one or both of the following:

(d) make any incidental directions or give any interim orders (including a stay of execution of the death sentence) as the Court considers necessary;

(e) take additional evidence.

(12) The Court of Appeal may, if it thinks additional evidence needs to be taken under subsection (11) —

(a) where the application for PACC permission is dealt with by a single Judge of the Court of Appeal — take such evidence itself; or

(b) where the application for PACC permission is dealt with by 3 or any greater uneven number of Judges sitting in the Court of Appeal — either take such evidence itself or have such evidence taken by one of those Judges.

(13) If the Court of Appeal does not grant the application for PACC permission, no further proceedings may be taken in respect of the PACC application.

(14) Subsection (13) does not prevent the taking of any proceedings against the PACP's counsel (if any) in relation to the counsel's conduct in the application for PACC permission.

(15) Despite any provision in this section, if an application for PACC permission is made by a PACP, and prior to the making of that application, the applicant is found by the Court of Appeal —

- (a) to have abused the process of the court in relation to a relevant application that was filed on or after the date of commencement of the Post-appeal Applications in Capital Cases Act 2022; or
- (b) to have abused the process of the court in order to delay or frustrate the carrying out of the sentence of death in relation to an application (other than a relevant application) or action that was filed on or after the date mentioned in paragraph (a),

the Court of Appeal must not grant the application for PACC permission unless —

- (c) the PACP adduces material (being evidence or legal arguments) that was not adduced in court before the date of the most recent of any such finding of abuse of process by the Court of Appeal; and
- (d) the material could not, even with reasonable diligence, have been adduced in court before the date mentioned in paragraph (c).

[Act 41 of 2022 wef 28/06/2024]

Hearing of PACC application

60H.—(1) Subject to section 60I, where the Court of Appeal grants the application for PACC permission, the PACC application must be made to the Court of Appeal, and fixed for hearing, within such period as is prescribed by the Rules of Court.

(2) The applicant in a PACC application must file such documents in support of that application, within such period, as are prescribed in the Rules of Court.

(3) The respondent in a PACC application must file such documents in relation to that application, within such period, as are prescribed in the Rules of Court.

(4) The Registrar or any Supreme Court Judge may extend or abridge any period mentioned in subsection (1), (2) or (3).

(5) The Court of Appeal which hears a PACC application may exercise any power and make any order that could have been exercised and made by the Appellate Division or the General Division (whether or not exercising its original jurisdiction).

(6) A PACC application may, without being set down for hearing, be summarily dealt with by a written order of the Court of Appeal.

(7) Before summarily refusing a PACC application under subsection (6), the Court of Appeal —

(a) must consider the applicant's written submissions, if any; and

(b) may, but is not required to, consider the respondent's written submissions, if any.

(8) Except where subsection (7) applies, before summarily deciding a PACC application on its merits, the Court of Appeal —

(a) must consider the applicant's written submissions, if any; and

(b) must consider the respondent's written submissions, if any.

(9) The Court of Appeal may —

(a) before deciding a PACC application;

(b) when granting a PACC application; or

(c) when summarily granting a PACC application,

do one or both of the following:

(d) make any incidental directions or give any interim orders (including a stay of execution of the death sentence) as the Court considers necessary;

(e) take additional evidence.

(10) The Court of Appeal may, if it thinks additional evidence needs to be taken under subsection (9), either take such evidence itself or have such evidence taken by one of the Judges of the Court of Appeal.

[Act 41 of 2022 wef 28/06/2024]

Procedure for making PACC application, etc., when there is pending PACC application, etc.

60I.—(1) Where any application for PACC permission, or any PACC application, made by a PACP (each called in this section the specified application) is pending determination, the PACP cannot make a subsequent application for PACC permission or a subsequent PACC application (each called in this section the subsequent application) unless the PACP has the permission of the Court of Appeal dealing with the specified application to do so.

(2) The Court of Appeal dealing with the specified application may do any one of the following:

- (a) grant permission for the PACP to adduce further material when the Court of Appeal is dealing with the specified application;
- (b) grant permission for the PACP to make the subsequent application separately under section 60G or 60H, as the case may be;
- (c) refuse to grant permission under paragraph (a) or (b).

(3) When dealing with any specified application or subsequent application under this section, the Court of Appeal may give such directions as the Court of Appeal thinks necessary or expedient —

- (a) in the case of a specified application — in respect of that application or a subsequent application; or
- (b) in the case of a subsequent application — in respect of that application.

[Act 41 of 2022 wef 28/06/2024]

Court of Appeal may determine whether application is, or action contains, application for PACC permission or PACC application, etc.

60J.—(1) Where any application or action by a PACP (called in this section the specified application or specified action, as the case may be) is filed in a court other than the Court of Appeal, the Court of Appeal may determine whether the specified application is, or the specified action contains, an application for PACC permission or a PACC application.

(2) Despite section 50(1), a determination under subsection (1) may be made by a single Judge of the Court of Appeal.

(3) If the Court of Appeal makes a determination under subsection (1) that the specified application is, or the specified action contains, an application for PACC permission or a PACC application, the Court of Appeal may —

- (a) proceed to determine the specified application, or that part of the specified action containing an application for PACC permission or a PACC application, in accordance with section 60G or 60H, as the case may be; or
- (b) strike out the specified application or specified action, in whole or in part.

(4) The Court of Appeal may, in making any determination under subsection (1), do one or both of the following:

- (a) make any incidental directions or give any interim orders (including a stay of execution of the death sentence) as the Court considers necessary;
- (b) take additional evidence.

(5) The Court of Appeal may, if it thinks additional evidence needs to be taken under subsection (4) —

- (a) where the determination under subsection (1) is being made by a single Judge of the Court of Appeal — take such evidence itself; or
- (b) where the determination under subsection (1) is being made by 3 or any greater uneven number of Judges sitting

in the Court of Appeal — either take such evidence itself or have such evidence taken by one of those Judges.

[Act 41 of 2022 wef 28/06/2024]

Operation of Division 1B of Part 20 of Criminal Procedure Code 2010

60K. Nothing in this Division affects the operation of Division 1B of Part 20 of the Criminal Procedure Code 2010.

[Act 41 of 2022 wef 28/06/2024]

Stay of execution of death sentence

60L. Despite anything in this Act or any other written law, a stay of execution of the death sentence may only be granted by the Court of Appeal.

[Act 41 of 2022 wef 28/06/2024]

Power of Court of Appeal to make finding of abuse of process when dealing with application or action

60M.—(1) When dealing with any application or action, the Court of Appeal may, on its own motion or upon the application of the Attorney-General or the Public Prosecutor, decide whether to make a finding that a PACP, or a counsel for a PACP, has in the commencement, continuation or conduct of the proceedings relating to the application or action —

- (a) committed an abuse of process, in the case of a relevant application; or
- (b) committed an abuse of process in order to delay or frustrate the carrying out of the sentence of death imposed on the PACP, in the case of an application (other than a relevant application) or action.

(2) In deciding whether to make a finding under subsection (1), the Court of Appeal may inquire into and take into account the following matters:

- (a) in relation to an application for PACC permission —
 - (i) whether the PACC application to be made is based on material (being evidence or legal arguments) that,

even with reasonable diligence, could not have been adduced in court before the relevant date;

- (ii) whether there was any delay in filing the application for PACC permission after the PACP or counsel for the PACP obtained the material mentioned in sub-paragraph (i) and the reasons for the delay; and
 - (iii) whether the PACP has complied with section 60G(4);
- (b) in relation to a PACC application —
- (i) whether the PACC application was based on material (being evidence or legal arguments) that, even with reasonable diligence, could not have been adduced in court before the relevant date;
 - (ii) whether there was any delay in filing the application for PACC permission after the PACP or counsel for the PACP obtained the material mentioned in sub-paragraph (i) and the reasons for the delay; and
 - (iii) whether the PACP has complied with section 60H(2);
- (c) in relation to an application for review permission —
- (i) whether the PACP has complied with the conditions or the requirements in sections 394G, 394J and 394K of the Criminal Procedure Code 2010;
 - (ii) whether the application for review permission was filed within a reasonable time after the PACP or counsel for the PACP had obtained the material mentioned in section 394J(2) of the Criminal Procedure Code 2010; and
 - (iii) whether the PACP has complied with section 394H(3) of the Criminal Procedure Code 2010;

- (d) in relation to a review application —
- (i) whether the PACP has complied with the conditions or the requirements in sections 394G, 394J and 394K of the Criminal Procedure Code 2010;
 - (ii) whether the application for review permission granted in respect of the review application was filed within a reasonable time after the PACP or counsel for the PACP had obtained the material mentioned in section 394J(2) of the Criminal Procedure Code 2010; and
 - (iii) whether the PACP has complied with section 394I(2) of the Criminal Procedure Code 2010.
- (3) Despite section 50(1), where a relevant application is heard before a single Judge of the Court of Appeal, a finding under subsection (1) may be made by that Judge.
- (4) In deciding whether to make a finding under subsection (1), the Court of Appeal may, if it thinks additional evidence is necessary —
- (a) where the relevant application is being heard by a single Judge of the Court of Appeal — take such evidence itself; or
 - (b) where the relevant application is being heard by 3 or any greater uneven number of Judges sitting in the Court of Appeal — either take such evidence itself or have such evidence taken by one of those Judges.

[Act 41 of 2022 wef 28/06/2024]

PART 6

OFFICERS AND OFFICES

Division 1 — Registrar

[40/2019]

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.

(2) A person must not be appointed to be or to act as the Registrar, the Deputy Registrar or an Assistant Registrar unless he or she is a qualified person as defined in section 2 of the Legal Profession Act 1966.

Powers and duties of Registrar, Deputy Registrar and Assistant Registrars

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

(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.

*Division 2 — Sheriff**[40/2019]***Sheriff, Deputy Sheriff and Assistant Sheriffs of Supreme Court**

63.—(1) The Registrar is the Sheriff and the Deputy Registrar is the Deputy Sheriff and the Assistant Registrars are the Assistant Sheriffs of the Supreme Court.

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

Powers and duties of Sheriff

64.—(1) The Sheriff or his or her officers must —

- (a) execute all writs, summonses, rules, orders, warrants, commands and process of the Supreme Court given to him or her 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 persons committed to his or her custody by the Supreme Court.

(2) The Sheriff or his or her officers in executing any enforcement order for seizure and sale of property, any other enforcement order or any writ 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.

[Act 25 of 2021 wef 01/04/2022]

(3) The Sheriff may engage any auxiliary police officer appointed under the Police Force Act 2004^{*}, any security agency, a provider of transport and of warehousing, a valuer, an estate agent, a broker, a solicitor or any other appropriate person to assist the Sheriff in the discharge of the Sheriff's duties.

[Act 25 of 2021 wef 01/04/2022]

*[*Updated to be consistent with the 2020 Revised Edition]*

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.

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

Division 3 — Accountant

[40/2019]

Duties of Accountant

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

(2) The Accountant must 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 the Accountant's custody, and investing the money of suitors and keeping the accounts thereof.

Division 4 — Subordinate officers

[40/2019]

Subordinate officers of Supreme Court

67.—(1) There are to be attached to the Supreme Court commissioners for oaths, interpreters, clerks, process servers and other officers as, 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) Those 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 are ex-officio commissioners for oaths.

(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.

(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).

Oaths of officers

69.—(1) The Registrar, the Deputy Registrar, the Assistant Registrars and such other officers of the Supreme Court as may be required by the Chief Justice must, before exercising the functions of

their respective offices, take and subscribe the appropriate oath of office set out in the Second Schedule.

[Act 25 of 2023 wef 01/12/2023]

(2) To avoid doubt, where an oath of office is required to be taken and subscribed under subsection (1), a person may take and subscribe the oath by appearing before the person administering the oath through a live video link or live television link created using a remote communication technology that allows the person administering the oath to —

- (a) maintain visual contact and communicate with the person taking the oath, and any interpreter present, throughout the process;
- (b) confirm the identity of the person taking the oath and any interpreter present; and
- (c) verify by inspection the oath to be subscribed.

[Act 25 of 2023 wef 01/12/2023]

Apportionment of work

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

Division 5 — Offices

[40/2019]

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 is under the control and supervision of the Registrar.

Registry to be open throughout the year

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

(2) Despite 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.

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

PART 7

MISCELLANEOUS PROVISIONS

Division 1 — List of touts

[40/2019]

List of touts

73.—(1) The Registrar may publish a list of persons proved to the Registrar's 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 that person is to be allowed to remain for such time as is necessary.

(3) A person's name must not be included in the list until the person has been heard or had an opportunity of being heard against such inclusion.

(4) An appeal lies 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.

[40/2019]

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

[40/2019]

(6) A copy of the list must be kept hung up in the Registry and must 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 1970, is deemed to be included in the list under this section, and vice versa.

[27/2014]

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

[40/2019]

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.

[46/2018]

(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.

[46/2018]

(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.

[46/2018]

(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.

[46/2018; 40/2019]

(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.

[46/2018; 40/2019]

(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.

[46/2018; 40/2019]

(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.

[46/2018]

(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.

[46/2018; 40/2019]

(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 permission of the court to which the appeal is to be made under section 29C.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(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 permission of the Court of Appeal.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

(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.

[46/2018]

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.

[46/2018]

(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 permission of that court; and

[Act 25 of 2021 wef 01/04/2022]

(b) may apply to amend, vary or discharge the order, only if the party has the permission of that court to make that application.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(3) Where a party, who is subject to a limited civil restraint order, makes an application (other than for the permission of the court under subsection (2)) in the legal proceedings in respect of which the order is made without the permission 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.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(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.

[46/2018]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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.

[46/2018]

(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 permission of the court that made the order; and

[Act 25 of 2021 wef 01/04/2022]

- (b) may apply to amend, vary or discharge the order, only if the party has the permission of the court that made the order to make that application.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(3) Where a party, who is subject to an extended civil restraint order, commences an action or makes an application (other than for the permission 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 permission 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.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(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.

[46/2018]

(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.

[46/2018]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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.

[46/2018]

(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 permission of the court that made the order; and

[Act 25 of 2021 wef 01/04/2022]

- (b) may apply to amend, vary or discharge the order, only if the party has the permission of the court that made the order to make that application.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(3) Where a party, who is subject to a general civil restraint order, commences an action or makes an application (other than for the permission of the court under subsection (2)), in any court or subordinate court specified in the order, without the permission 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.

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(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.

[46/2018]

(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.

[46/2018]

(6) Where a party, who is subject to a general civil restraint order made by the General Division, applies for the permission of the court

under subsection (2), and the court refuses such permission, the party may appeal against the refusal only with the permission of the court to which the appeal is to be made under section 29C.

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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 or her an opportunity of being heard, order that —

- (a) no legal proceedings may without the permission of the General Division be instituted by that person in any court or subordinate court; and

[Act 25 of 2021 wef 01/04/2022]

- (b) any legal proceedings instituted by that person in any court or subordinate court before the making of the order must not be continued by him or her without such permission, and such permission must 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; 40/2019]

[Act 25 of 2021 wef 01/04/2022]

(2) If the person against whom an order is sought under subsection (1) satisfies the General Division that he or she lacks

the means to retain an advocate and solicitor, the General Division is to assign one to the person.

[30/2010; 40/2019]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[46/2018]

[Act 25 of 2021 wef 01/04/2022]

(4) A copy of any order under subsection (1) must 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; 46/2018]

Division 3 — Disabilities of Registrar and other officers

[40/2019]

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) must not accept any fees of office, perquisites, emoluments or advantages, other than his or her salary and allowances.

[30/2010]

(2) Without limiting 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]

Registrar not to act where interested

76. The Registrar, the Deputy Registrar or an Assistant Registrar must 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 or she is a party or personally interested.

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

77. An officer of the Supreme Court having any duty to perform in connection with the sale of any property under any written law must not, directly or indirectly, purchase or bid for the property.

Misconduct of officers

78.—(1) Without affecting 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 the officer under the authority of this Act or Rules of Court,

it is 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 any order that the Registrar 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 the Registrar thinks fit, may impose a fine upon the officer, not exceeding \$100 for each offence, as appears to the Registrar 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 any fees that are for the time being allowed under this Act or Rules of Court), that officer is, in addition to being liable for damages under subsection (3), incapable of being an officer of the Supreme Court.

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

(6) The decision of the Chief Justice is final.

Division 4 — Protection of Registrar and other persons

[40/2019]

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 or her in the discharge of his or her judicial duty whether or not within the limits of his or her jurisdiction, provided that he or she at the time in good faith believed himself or herself to have jurisdiction to do or order the act complained of.

[46/2018]

(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 or she knowingly acted in excess of the authority conferred upon him or her by such writ, summons, warrant, order, notice or other mandatory process of the court.

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

[Act 25 of 2021 wef 01/04/2022]

(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 or her 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 or her part.

[16/2016; 40/2019]

(5) The Registrar, the Deputy Registrar, an Assistant Registrar or a court-appointed mediator is not liable to be sued for any act done by him or her for the purposes of any mediation or other alternative dispute resolution process conducted by him or her in the Supreme Court, if the act —

(a) was done in good faith; and

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

[Act 25 of 2021 wef 01/04/2022]

(6) Any person or entity who does any act, or does not do any act, in compliance with a prerogative order is immune from legal proceedings in respect of that act or omission.

[Act 25 of 2021 wef 01/04/2022]

Division 5 — Rules of Court

[40/2019]

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.

[40/2019]

(2) Without limiting 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 must be made;
- (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);

- (c) regulating and prescribing the procedure to be followed in regard to proceedings under the Government Proceedings Act 1956 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;
- (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;
- (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);
- (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 regulating any matters relating to the costs of proceedings in such courts;
- (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;

- (ii) purporting to have been commenced in the General Division by or against a person to be treated, if the person was dead at their commencement, as having been commenced by or against (as the case may be) the person's estate, whether or not a grant of probate or letters of administration was made before their commencement; and
 - (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;
- (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;
- (i) regulating the joinder of parties and prescribing in what cases persons absent, but having an interest in a cause or matter, are 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 the rate of interest must not in any case 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 an enforcement order for seizure and sale of property 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;
[Act 25 of 2021 wef 01/04/2022]
- (m) regulating the discovery of a judgment debtor's property in aid of the enforcement of any judgment or order;
[Act 25 of 2021 wef 01/04/2022]
- (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;
- (q) prescribing anything that is required or permitted under this Act to be prescribed by the Rules of Court;
[Act 25 of 2021 wef 01/04/2022]
- (r) prescribing the fees and deposits payable for proceedings in the General Division, the Appellate Division and the Court of Appeal.
[Act 25 of 2021 wef 01/04/2022]
[46/2018; 40/2019]

(2A) Without limiting 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;
- (c) to prescribe, for the purposes of section 18D(2) —
 - (i) what constitutes an international commercial arbitration, and any conditions that any proceedings must satisfy before that Court may hear those proceedings; and
 - (ii) what constitutes a corporate insolvency, restructuring or dissolution under the Insolvency, Restructuring and Dissolution Act 2018, or under the Companies Act 1967* as in force immediately before 30 July 2020, that is international and commercial in nature, and any conditions that any proceedings must satisfy before that Court may hear those proceedings;
[Act 25 of 2021 wef 01/10/2022]
- (ca) to prescribe, for the purposes of section 18D(3)(b), any conditions that a counterclaim must satisfy before that Court can hear and try the counterclaim;
[Act 25 of 2021 wef 01/04/2022]
- (cb) to prescribe, for the purposes of section 18D(3)(c), any requirements for the issue of proceedings against a third party;
[Act 25 of 2021 wef 01/04/2022]
- (cc) to prescribe, for the purposes of section 18D(3)(d), any requirements for the issue of proceedings against a subsequent party.
[Act 25 of 2021 wef 01/04/2022]

- (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 mentioned in section 18J(3)(b);
- (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;
- (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);
- (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 mentioned in paragraph (j) is not paid.

[42/2014; 1/2018; 22/2018; 46/2018]

[*Updated to be consistent with the 2020 Revised Edition]

(2B) The Rules of Court may, instead of providing for any matter, refer to any provision made or to be made for that matter by practice directions issued for the time being by the Registrar.

[Act 25 of 2021 wef 01/04/2022]

(3) The Rules Committee consists of —

- (a) the Chief Justice, who is the Chairperson 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 the Chief Justice may specify in writing;
- (d) the Presiding Judge of the State Courts;
- (e) a District Judge to be appointed by the Chief Justice for such period as the Chief Justice may specify in writing; and
- (f) 2 practising advocates and solicitors to be appointed by the Chief Justice for such period as the Chief Justice may specify in writing.

[4/2010; 5/2014; 40/2019]

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

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

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

Division 6 — Council of Judges

[40/2019]

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

81. A council of the Supreme Court Judges is to assemble at least once in every year, on such day or days as may 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.

[40/2019]

Division 7 — Supplemental

[40/2019]

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 (called in this section 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 so as to require that any such action or application must, 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 (called in this section a pending action or application) 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.

(2) The Chief Justice may, where he or she 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 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.

(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 is to 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.

Amendment of Third to Ninth Schedules

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

[30/2010; 46/2018; 40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[40/2019]

[Act 25 of 2021 wef 01/04/2022]

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

[30/2010]

FIRST SCHEDULE

Sections 18(2) and 18I(1)(a)

ADDITIONAL POWERS OF GENERAL DIVISION

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.

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 the person 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 under or pursuant to an enforcement order under any process, or to the proceeds or value of

FIRST SCHEDULE — *continued*

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.

[Act 25 of 2021 wef 01/04/2022]

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 does not affect any written law relating to limitation.

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.

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.

FIRST SCHEDULE — *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 is to be exercised in such manner as may be prescribed by Rules of Court or Family Justice Rules.

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.

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 other sum, excluding costs, which the party 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.

FIRST SCHEDULE — *continued***Attaching deposits**

18. Power to attach deposits with a financial institution whether or not the deposits have matured and despite 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.

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.

Ordering mediation, counselling, attendance at professional clinical or therapeutic intervention sessions or participation in family support programme or activity

21.—(1) Power to order any party to any proceedings, or any child involved in or whose custody or welfare is involved in the proceedings —

- (a) to undergo any mediation or other alternative dispute resolution process or counselling, or to participate in any family support programme or activity, directed by the court; and
- (b) to attend any professional clinical or therapeutic intervention sessions directed by the court.

(2) In this paragraph, “family support programme or activity” means any programme or 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.

[Act 18 of 2023 wef 31/01/2024]

FIRST SCHEDULE — *continued***Power to appoint mediators**

21A. Where a court orders any party to any proceedings, or any child involved in or whose custody or welfare is involved in the proceedings, to undergo any mediation or other alternative dispute resolution process, the court also has the following powers:

- (a) to conduct the mediation or other alternative dispute resolution process;
- (b) to appoint a Judge, a Registrar, an officer of the Supreme Court, or any other person, to conduct the mediation or other alternative dispute resolution process.

[Act 18 of 2023 wef 31/01/2024]

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.

Ordering parties to attempt to resolve dispute by amicable resolution

23.—(1) Power to order any party to any proceedings to attempt to resolve any dispute by amicable resolution.

(2) In this paragraph, “amicable resolution” means —

- (a) settlement of an action or appeal relating to a dispute; or
- (b) resolution of a dispute other than by litigation, whether in whole or in part.

[Act 25 of 2021 wef 01/04/2022]

[27/2014; 46/2018; 40/2019]

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,

THIRD SCHEDULE — *continued*

- (a) where a District Court or Magistrate's Court makes an order giving unconditional permission to defend any proceedings;
[Act 25 of 2021 wef 01/04/2022]
- (b) where a District Court or Magistrate's Court makes an order giving permission 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;
[Act 25 of 2021 wef 01/04/2022]
- (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; 40/2019]
[Act 25 of 2021 wef 01/04/2022]

FOURTH SCHEDULE

Sections 29(b), 80(2A)(i) and 83(1)

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]*
- (b) where the judgment or order is made by consent of the parties;
- (c) *[Deleted by Act 40 of 2019]*
- (d) *[Deleted by Act 40 of 2019]*
- (e) *[Deleted by Act 40 of 2019]*
- (f) *[Deleted by Act 40 of 2019]*
- (g) *[Deleted by Act 40 of 2019]*
- (h) where a Judge makes an order giving or refusing further and better particulars;

FOURTH SCHEDULE — *continued*

- (i) where a Judge makes an order giving permission to amend a pleading, except if —
- (i) the application for such permission is made after the expiry of any relevant period of limitation current at the date of issue of the originating claim; and
[Act 25 of 2021 wef 01/04/2022]
 - (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;
[Act 25 of 2021 wef 01/04/2022]
- (j) where a Judge makes an order refusing security for costs;
- (k) where a Judge makes an order giving or refusing interrogatories.

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.

3.—(1) An appeal cannot be brought against a decision of the General Division, where the parties have agreed in writing signed by or on behalf of each party that the decision is final, unless the party seeking to appeal proves that —

- (a) the decision is affected by fraud or illegality; or
- (b) there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision.

(2) An agreement mentioned in sub-paragraph (1) —

- (a) may be made before or after the decision to which the agreement relates is made; and
- (b) may relate to part of a decision, in which case references in sub-paragraph (1) to a decision are to be read as references to that part of the decision.

[Act 25 of 2021 wef 01/04/2022]

[46/2018; 40/2019]

4.—(1) Where an action is, with the consent of all the parties, ordered by the General Division to be dealt with in accordance with an expedited procedure under the Rules of Court that includes restrictions in this sub-paragraph on the bringing of an appeal, an appeal cannot be brought against any decision of a Judge in the action except —

- (a) an order that the Court has no jurisdiction, or should not exercise jurisdiction, to hear the action;

FOURTH SCHEDULE — *continued*

- (b) an order for summary judgment;
- (c) an order refusing to set aside 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) an order for the striking out of the action;
- (e) an order for the action (or part of the action) to be dismissed, or for judgment to be entered, upon the striking out or amendment of any pleading or part of any pleading;
- (f) an order giving or refusing permission to amend a pleading, where —
 - (i) the application for permission is made after the expiry of any relevant period of limitation current at the date of issue of the originating claim; 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;
- (g) an order giving security for costs (subject to obtaining permission to appeal as required in paragraph 3(i) of the Fifth Schedule);
- (h) an order for a stay of proceedings; or
- (i) a judgment given after the trial of an action (whether or not all parties participated in the trial).

(2) An appeal cannot be brought against a decision of the General Division where a Judge makes an order refusing a request made with the consent of all the parties for an action to be dealt with in accordance with the expedited procedure under the Rules of Court mentioned in sub-paragraph (1).

[S 505/2024 wef 01/07/2024]

FIFTH SCHEDULE

Sections 29A(1)(b) and (c)
and (2)(b) and 83(1)

DECISIONS OF GENERAL DIVISION THAT ARE
APPEALABLE ONLY WITH PERMISSION,
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.

FIFTH SCHEDULE — *continued***Cases not exceeding \$250,000**

2.—(1) Subject to sub-paragraph (2) and paragraph 4(2), the permission of the appellate court is required to appeal against a decision of the General Division in a case mentioned in section 29A(1)(b).

[Act 25 of 2021 wef 01/04/2022]

(2) Despite section 29A(1)(b), permission 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.

[Act 25 of 2021 wef 01/04/2022]

Interlocutory decisions, etc.

3. Subject to paragraph 4(2), the permission 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 permission to defend any proceedings;
[Act 25 of 2021 wef 01/04/2022]
- (b) where a Judge makes an order giving permission 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;
[Act 25 of 2021 wef 01/04/2022]
- (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);
- (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;

FIFTH SCHEDULE — *continued*

- (e) where a Judge makes an order refusing to strike out —
- (i) an action or a matter commenced by an originating claim or by any other originating process; or
[Act 25 of 2021 wef 01/04/2022]
 - (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 permission to amend a pleading, except if —
- (i) the application for permission is made after the expiry of any relevant period of limitation current at the date of issue of the originating claim; and
[Act 25 of 2021 wef 01/04/2022]
 - (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;
[Act 25 of 2021 wef 01/04/2022]
- (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 an originating claim or by any other originating process, a pleading or a part of a pleading;
[Act 25 of 2021 wef 01/04/2022]
 - (iv) to dismiss an action or a matter commenced by an originating claim or by any other originating process;
[Act 25 of 2021 wef 01/04/2022]
 - (v) for further and better particulars;

FIFTH SCHEDULE — *continued*

- (vi) for permission to amend a pleading;
[Act 25 of 2021 wef 01/04/2022]
- (vii) for security for costs;
- (viii) for discovery or inspection of documents;
- (ix) for interrogatories to be varied or withdrawn, or for permission to serve interrogatories;
[Act 25 of 2021 wef 01/04/2022]
- (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 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.
[Act 25 of 2021 wef 01/04/2022]

Appellate decisions of Family Division

4.—(1) The permission 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 25 of 2021 wef 01/04/2022]

(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.

Signed agreement in writing that decision is final, where appellant makes certain allegations

5.—(1) The permission of the appellate court is required to appeal against a decision of the General Division (including the Family Division of the High Court), where —

- (a) the parties have agreed in writing signed by or on behalf of each party that the decision is final; and
- (b) the party seeking to appeal alleges that —
 - (i) the decision is affected by fraud or illegality; or
 - (ii) there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision.

FIFTH SCHEDULE — *continued*

- (2) An agreement mentioned in sub-paragraph (1) —
- (a) may be made before or after the decision to which the agreement relates is made; and
 - (b) may relate to part of a decision, in which case references in sub-paragraph (1) to a decision are to be read as references to that part of the decision.

[Act 25 of 2021 wef 01/04/2022]

[40/2019]

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);
- (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);
- (ea) the appeal arises from a case relating to admiralty law or shipping law (even if the appeal does not raise any issue relating to admiralty law or shipping law);

[S 1030/2022 wef 01/02/2023]

- (f) the appeal is against a decision of the Singapore International Commercial Court;

SIXTH SCHEDULE — *continued*

- (g) the appeal is against a decision or order of a Judge sitting in the General Division made under the Parliamentary Elections Act 1954;
- (h) the appeal is against a judgment or order in an action brought under section 47(8) of the Presidential Elections Act 1991;
- (i) the appeal is made under any of the following written laws:
 - (i) section 32(1) of the Administration of Justice (Protection) Act 2016;
 - (ii) sections 21A(1), 45(7) and 49(11) of the Arbitration Act 2001;
 - (iii) section 74(4) of the Competition Act 2004;
 - (iv) section 10(4) of the International Arbitration Act 1994;
 - (v) section 18(5) of the Maintenance of Parents Act 1995;
 - (vi) section 90(3) of the Patents Act 1994;
 - (vii) section 35(4) of the Personal Data Protection Act 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;
- (j) the appeal is made under any written law that provides for the appeal to lie to the Court of Appeal;
- (k) the appeal is against a decision or an order of the General Division under the Mediation Act 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;
- (l) the appeal is against a decision or an order of the General Division under the Singapore Convention on Mediation Act 2020, including a decision of the General Division granting permission or refusing to grant permission to record an international settlement agreement as an order of court under that Act.

[Act 25 of 2021 wef 01/04/2022]

[40/2019; S 1102/2020; S 72/2021]

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;
- (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:

SEVENTH SCHEDULE — *continued*

- (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 permission to appeal to the Appellate Division, whether under this Act or any other written law, an application to extend time for applying for such permission or an application for a declaration that such permission is not required;
[Act 25 of 2021 wef 01/04/2022]
[S 269/2022 wef 01/04/2022]
- (d) an application to the Appellate Division for a stay of execution or enforcement (whether pending or after the appeal) or a stay of proceedings under the decision appealed from;
[Act 25 of 2021 wef 01/04/2022]
- (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 1966;
- (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;
- (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.

SEVENTH SCHEDULE — *continued***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 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 permission to appeal to the Court of Appeal, whether under this Act or any other written law, an application to extend time

SEVENTH SCHEDULE — *continued*

for applying for such permission or an application for a declaration that such permission is not required;

[Act 25 of 2021 wef 01/04/2022]

[S 269/2022 wef 01/04/2022]

- (d) an application to the Court of Appeal for a stay of execution or enforcement (whether pending or after the appeal) or a stay of proceedings under the decision appealed from;

[Act 25 of 2021 wef 01/04/2022]

- (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 1966;
- (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.

[40/2019]

EIGHTH SCHEDULE

[Repealed by Act 25 of 2021 wef 01/04/2022]

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);

NINTH SCHEDULE — *continued*

- (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 permission to appeal against a decision of the General Division;
[Act 25 of 2021 wef 01/04/2022]
 - (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.
2. An appeal that relates only to costs or fees for hearing dates cannot be brought against a decision of the Appellate Division.
- 3.—(1) An appeal cannot be brought against a decision of the Appellate Division, where the parties have agreed in writing signed by or on behalf of each party that the decision is final, unless the party seeking to appeal proves that —
- (a) the decision is affected by fraud or illegality; or
 - (b) there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision.
- (2) An agreement mentioned in sub-paragraph (1) —
- (a) may be made before or after the decision to which the agreement relates is made; and
 - (b) may relate to part of a decision, in which case references in sub-paragraph (1) to a decision are to be read as references to that part of the decision.
- [Act 25 of 2021 wef 01/04/2022]*
[40/2019]

TENTH SCHEDULE

Section 60E(1)

CASES WHERE CRIMINAL JURISDICTION OF
COURT OF APPEAL CAN BE EXERCISED BY
LESS THAN 3 JUDGES

1. Despite section 50(1), the following cases may be heard and decided by the Court of Appeal consisting of a single Judge:
- (a) an application under section 394H of the Criminal Procedure Code 2010* for permission to apply to the Court of Appeal to review an earlier decision of the Court of Appeal;

TENTH SCHEDULE — *continued*

- (b) a criminal motion mentioned in section 408A of the Criminal Procedure Code 2010* for which each party consents to the relief or remedy sought in the motion.

*[*Updated to be consistent with the 2020 Revised Edition]*

2. Despite section 50(1), the following orders may be made by the Court of Appeal consisting of a single Judge:

- (a) an order under section 378(5A) of the Criminal Procedure Code 2010* summarily giving permission to withdraw an appeal where every party consents to the withdrawal of the appeal;
- (b) an order under section 408A(4) of the Criminal Procedure Code 2010* summarily giving permission to withdraw a criminal motion where every party consents to the withdrawal of the motion.

*[*Updated to be consistent with the 2020 Revised Edition]*

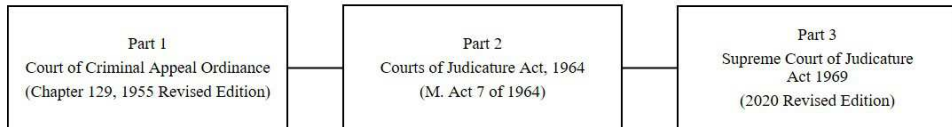
[Act 25 of 2021 wef 01/04/2022]

LEGISLATIVE HISTORY

SUPREME COURT OF JUDICATURE ACT 1969

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1

COURT OF CRIMINAL APPEAL ORDINANCE (CHAPTER 129, 1955 REVISED EDITION)

1. Ordinance 5 of 1931 — Court of Criminal Appeal Ordinance, 1931

Bill	:	G.N. No. 490/1931
First Reading	:	23 March 1931
Second Reading	:	11 May 1931
Notice of Amendments	:	11 May 1931
Third Reading	:	6 July 1931
Commencement	:	1 September 1934

2. 1936 Revised Edition — Court of Criminal Appeal Ordinance (Chapter 11)

Operation	:	1 September 1936
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3. Ordinance 9 of 1937 — Court of Criminal Appeal (Amendment) Ordinance 1937

Bill	:	G.N. No. 1011/1937
First Reading	:	26 April 1937
Second Reading	:	14 June 1937
Notice of Amendments	:	14 June 1937
Third Reading	:	14 June 1937

Commencement : 25 June 1937

4. Ordinance 26 of 1938 — Court of Criminal Appeal (Amendment) Ordinance, 1938

Bill : G.N. No. 2651/1938

First Reading : 31 October 1938

Second and Third Readings : 23 November 1938

Commencement : 6 December 1938

5. Ordinance 38 of 1941 — Court of Criminal Appeal (Amendment) Ordinance, 1941

Bill : G.N. No. 1294/1941

First Reading : 9 June 1941

Second and Third Readings : 25 August 1941

Commencement : 9 September 1941

6. 1955 Revised Edition — Court of Criminal Appeal Ordinance (Chapter 129)

Operation : 1 July 1956

7. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958

(Amendments made by section 2 read with the Schedule to the above Ordinance)

Bill : 158/1958

First Reading : 16 July 1958

Second Reading : 13 August 1958

Notice of Amendments : 10 September 1958

Third Reading : 10 September 1958

Commencement : 25 September 1958 (section 2 read with the Schedule)

8. G.N. No. S (N.S.) 67/1959 — Singapore Constitution (Modification of Laws) (No. 2) Order, 1959

Commencement : 21 August 1959

9. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959

Commencement : 20 November 1959

10. Ordinance 24 of 1960 — Court of Criminal Appeal (Amendment) Ordinance, 1960

Bill	:	68/1960
First Reading	:	2 March 1960
Second Reading	:	6 April 1960
Notice of Amendments	:	6 April 1960
Third Reading	:	6 April 1960
Commencement	:	14 April 1960

PART 2
COURTS OF JUDICATURE ACT, 1964
(M. ACT 7 OF 1964)

11. M. Act 7 of 1964 — Courts of Judicature Act, 1964

Commencement	:	16 September 1963 (section 5 and as provided in section 81) 16 March 1964 (except section 5 and as provided in section 81)
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Note: This Act repealed the portions of the Courts Ordinance (Chapter 3, 1955 Revised Edition) relating to the superior Courts and the Court of Criminal Appeal Ordinance (Chapter 129, 1955 Revised Edition).

PART 3
SUPREME COURT OF JUDICATURE ACT 1969
(2020 REVISED EDITION)

12. Act 24 of 1969 — Supreme Court of Judicature Act, 1969

Bill	:	6/1969
First Reading	:	8 April 1969
Second Reading	:	12 June 1969
Notice of Amendments	:	29 December 1969
Third Reading	:	29 December 1969
Commencement	:	9 January 1970

13. 1970 Revised Edition — Supreme Court of Judicature Act (Chapter 15)

Operation	:	1 March 1971
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14. Act 58 of 1973 — Supreme Court of Judicature (Amendment) Act, 1973

Bill	:	50/1973
First Reading	:	28 August 1973
Second and Third Readings	:	30 November 1973
Commencement	:	11 February 1974

15. Act 10 of 1978 — Supreme Court of Judicature (Amendment) Act, 1978

Bill	:	5/1978
First Reading	:	31 January 1978
Second and Third Readings	:	17 February 1978
Commencement	:	8 April 1978

16. Act 4 of 1986 — Supreme Court of Judicature (Amendment) Act 1986

Bill	:	20/1985
First Reading	:	31 October 1985
Second and Third Readings	:	10 January 1986
Commencement	:	1 March 1986

17. 1985 Revised Edition — Supreme Court of Judicature Act (Chapter 322)

Operation	:	30 March 1987
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18. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993

Bill	:	12/1993
First Reading	:	26 February 1993
Second Reading	:	12 April 1993
Notice of Amendments	:	12 April 1993
Third Reading	:	12 April 1993
Commencement	:	1 July 1993

19. 1993 Reprint — Supreme Court of Judicature Act (Chapter 322)

Reprint	:	10 August 1993
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20. Act 2 of 1994 — Judicial Committee (Repeal) Act 1994

(Amendments made by section 3 read with item (4) of the Schedule to the above Act)

Bill	:	2/1994
First Reading	:	17 January 1994

- | | | |
|---------------------------|---|---|
| Second and Third Readings | : | 23 February 1994 |
| Commencement | : | 8 April 1994 (section 3 read with item (4) of the Schedule) |
- 21. Act 34 of 1995 — Singapore Academy of Law (Amendment) Act 1995**
(Amendments made by section 12 of the above Act)
- | | | |
|---------------------------|---|-----------------------------|
| Bill | : | 27/1995 |
| First Reading | : | 7 August 1995 |
| Second and Third Readings | : | 27 September 1995 |
| Commencement | : | 1 January 1996 (section 12) |
- 22. Act 3 of 1996 — Supreme Court of Judicature (Amendment) Act 1995**
- | | | |
|---------------------------|---|-----------------|
| Bill | : | 38/1995 |
| First Reading | : | 1 November 1995 |
| Second and Third Readings | : | 5 December 1995 |
| Commencement | : | 26 January 1996 |
- 23. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997**
(Amendments made by section 6 read with item (11) of the First Schedule to the above Act)
- | | | |
|---------------------------|---|--|
| Bill | : | 6/1997 |
| First Reading | : | 11 July 1997 |
| Second and Third Readings | : | 25 August 1997 |
| Commencement | : | 1 October 1997 (section 6 read with item (11) of the First Schedule) |
- 24. Act 8 of 1998 — Holidays Act 1998**
(Amendments made by section 11(6) of the above Act)
- | | | |
|---------------------------|---|-------------------------------|
| Bill | : | 1/1998 |
| First Reading | : | 14 January 1998 |
| Second and Third Readings | : | 19 February 1998 |
| Commencement | : | 10 April 1998 (section 11(6)) |
- 25. Act 43 of 1998 — Supreme Court of Judicature (Amendment) Act 1998**
- | | | |
|---------------------------|---|------------------|
| Bill | : | 40/1998 |
| First Reading | : | 12 October 1998 |
| Second and Third Readings | : | 26 November 1998 |

- Commencement : 1 January 1999
- 26. Act 20 of 1999 — Administration of Muslim Law (Amendment) Act 1999**
(Amendments made by section 28(2) read with item (2) of the Schedule to the above Act)
- Bill : 18/1998
- First Reading : 20 April 1998
- Second Reading : 30 June 1998
- Select Committee Report : Parl. 1 of 1999
- Third Reading : 15 April 1999
- Commencement : 1 August 1999 (section 28(2) read with item (2) of the Schedule)
- 27. 1999 Revised Edition — Supreme Court of Judicature Act (Chapter 322)**
- Operation : 1 August 1999
- 28. Act 26 of 2003 — Maritime Offences Act 2003**
(Amendments made by section 13 of the above Act)
- Bill : 23/2003
- First Reading : 16 October 2003
- Second and Third Readings : 10 November 2003
- Commencement : 3 May 2004 (section 13)
- 29. Act 36 of 2004 — Supreme Court of Judicature (Amendment) Act 2004**
- Bill : 35/2004
- First Reading : 1 September 2004
- Second and Third Readings : 21 September 2004
- Commencement : 1 November 2004
- 30. Act 17 of 2005 — Statutes (Miscellaneous Amendments and Repeal) Act 2005**
(Amendments made by section 11 of the above Act)
- Bill : 7/2005
- First Reading : 18 April 2005
- Second and Third Readings : 16 May 2005
- Commencement : 15 July 2005 (section 11)

31. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005
(Amendments made by section 4 and section 6 read with item (12) of the Fourth Schedule to the above Act)

Bill	:	30/2005
First Reading	:	17 October 2005
Second and Third Readings	:	21 November 2005
Commencement	:	1 January 2006 (section 4 and section 6 read with item (12) of the Fourth Schedule)

32. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2007
(Amendments made by section 17 of the above Act)

Bill	:	14/2006
First Reading	:	8 November 2006
Second and Third Readings	:	22 January 2007
Commencement	:	1 March 2007 (section 17)

33. 2007 Revised Edition — Supreme Court of Judicature Act (Chapter 322)

Operation	:	31 July 2007
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34. Act 43 of 2007 — Inquiries Act 2007

(Amendments made by section 19 read with item (4) of the Second Schedule to the above Act)

Bill	:	31/2007
First Reading	:	27 August 2007
Second and Third Readings	:	19 September 2007
Commencement	:	1 November 2007 (section 19 read with item (4) of the Second Schedule)

35. Act 29 of 2008 — Administration of Muslim Law (Amendment) Act 2008
(Amendments made by section 32 of the above Act)

Bill	:	24/2008
First Reading	:	15 September 2008
Second and Third Readings	:	17 November 2008
Commencement	:	1 March 2009 (section 32)

- 36. Act 4 of 2010 — Statutes (Miscellaneous Amendments) Act 2010**
(Amendments made by section 5 of the above Act)
- | | | |
|---------------------------|---|------------------------------|
| Bill | : | 26/2009 |
| First Reading | : | 23 November 2009 |
| Second and Third Readings | : | 12 January 2010 |
| Commencement | : | 17 February 2010 (section 5) |
- 37. Act 30 of 2010 — Supreme Court of Judicature (Amendment) Act 2010**
- | | | |
|---------------------------|---|-------------------|
| Bill | : | 25/2010 |
| First Reading | : | 15 September 2010 |
| Second and Third Readings | : | 18 October 2010 |
| Commencement | : | 1 January 2011 |
- 38. Act 15 of 2010 — Criminal Procedure Code 2010**
(Amendments made by section 430 read with item 106 of the Sixth Schedule to the above Act)
- | | | |
|----------------|---|---|
| Bill | : | 11/2010 |
| First Reading | : | 26 April 2010 |
| Second Reading | : | 18 May 2010 |
| Commencement | : | 2 January 2011 (section 430 read with item 106 of the Sixth Schedule) |
- 39. Act 3 of 2012 — Legal Profession (Amendment) Act 2012**
(Amendments made by section 15 of the above Act)
- | | | |
|---------------------------|---|---------------------------|
| Bill | : | 1/2012 |
| First Reading | : | 16 January 2012 |
| Second and Third Readings | : | 14 February 2012 |
| Commencement | : | 1 April 2012 (section 15) |
- 40. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014**
(Amendments made by section 11(7) of the above Act)
- | | | |
|---------------------------|---|--|
| Bill | : | 26/2013 |
| First Reading | : | 11 November 2013 |
| Second and Third Readings | : | 21 January 2014 |
| Commencement | : | 7 March 2014 (section 11(7)(a))
14 April 2014 (section 11(7)(b)
and (c)) |

41. Act 27 of 2014 — Family Justice Act 2014

(Amendments made by section 74 of the above Act)

Bill	:	21/2014
First Reading	:	8 July 2014
Second Reading	:	4 August 2014
Notice of Amendments	:	4 August 2014
Third Reading	:	4 August 2014
Commencement	:	1 October 2014 (section 74 except section 74(e) and (m) to (p)) 1 January 2015 (section 74(e) and (m) to (p))

42. Act 42 of 2014 — Supreme Court of Judicature (Amendment) Act 2014

Bill	:	38/2014
First Reading	:	7 October 2014
Second and Third Readings	:	4 November 2014
Commencement	:	1 January 2015

43. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016

(Amendments made by section 43 of the above Act)

Bill	:	15/2016
First Reading	:	14 April 2016
Second and Third Readings	:	9 May 2016
Commencement	:	10 June 2016 (section 43)

44. Act 19 of 2016 — Administration of Justice (Protection) Act 2016

(Amendments made by section 45 of the above Act)

Bill	:	23/2016
First Reading	:	11 July 2016
Second and Third Readings	:	15 August 2016
Commencement	:	1 October 2017 (section 45)

45. Act 1 of 2017 — Mediation Act 2017

(Amendments made by section 18 of the above Act)

Bill	:	37/2016
First Reading	:	7 November 2016

- Second and Third Readings : 10 January 2017
- Commencement : 1 November 2017 (section 18)
- 46. Act 19 of 2018 — Criminal Justice Reform Act 2018**
(Amendments made by section 127 of the above Act)
- Bill : 14/2018
- First Reading : 28 February 2018
- Second and Third Readings : 19 March 2018
- Commencement : 31 October 2018 (section 127)
- 47. Act 1 of 2018 — Supreme Court of Judicature (Amendment) Act 2018**
- Bill : 47/2017
- First Reading : 6 November 2017
- Second and Third Readings : 9 January 2018
- Commencement : 1 November 2018
- 48. Act 22 of 2018 — Legal Profession (Amendment) Act 2018**
(Amendments made by section 33 of the above Act)
- Bill : 16/2018
- First Reading : 2 March 2018
- Second and Third Readings : 20 March 2018
- Commencement : 1 November 2018 (section 33)
- 49. G.N. No. S 746/2018 — Supreme Court of Judicature (Amendment No 2) Act 2018**
- Commencement : 1 January 2019
- 50. Act 46 of 2018 — Supreme Court of Judicature (Amendment No. 2) Act 2018**
- Bill : 33/2018
- First Reading : 10 September 2018
- Second and Third Readings : 2 October 2018
- Commencement : 1 January 2019
- 51. G.N. No. S 666/2019 — Supreme Court of Judicature Act (Amendment of Fifth Schedule) Order 2019**
- Commencement : 2 October 2019

- 52. Act 4 of 2020 — Singapore Convention on Mediation Act 2020**
(Amendments made by section 13 of the above Act)
- Bill : 5/2020
- First Reading : 6 January 2020
- Second Reading : 3 February 2020
- Third Reading : 4 February 2020
- Commencement : 12 September 2020 (section 13)
- 53. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**
- Bill : 32/2019
- First Reading : 7 October 2019
- Second Reading : 5 November 2019
- Notice of Amendments : 5 November 2019
- Third Reading : 5 November 2019
- Commencement : 2 January 2021 (except section 29(2), (3), (4), (5), (6), (9), (13), (14) and (19))
- 54. G.N. No. S 1102/2020 — Supreme Court of Judicature Act (Amendment of Sixth Schedule) Order 2020**
- Commencement : 2 January 2021
- 55. G.N. No. S 72/2021 — Supreme Court of Judicature Act (Amendment of Sixth Schedule) Order 2021**
- Commencement : 1 February 2021
- 56. 2020 Revised Edition — Supreme Court of Judicature Act 1969**
- Operation : 31 December 2021
- 57. G.N. No. S 269/2022 — Supreme Court of Judicature Act (Amendment of Seventh Schedule) Order 2022**
- Commencement : 1 April 2022
- 58. Act 17 of 2022 — Extradition (Amendment) Act 2022**
(Amendments made by the above Act)
- Bill : 10/2022
- First Reading : 7 March 2022
- Second and Third Readings : 4 April 2022

- Commencement : 1 July 2022
- 59. Act 25 of 2021 — Courts (Civil and Criminal Justice) Reform Act 2021**
- Bill : 18/2021
- First Reading : 26 July 2021
- Second and Third Readings : 14 September 2021
- Commencement : 1 April 2022
1 October 2022
- 60. G.N. No. S 1030/2022 — Supreme Court of Judicature Act 1969
(Amendment of Sixth Schedule) Order 2022**
- Commencement : 1 February 2023
- 61. Act 25 of 2023 — Oaths, Declarations and Notarisations (Remote
Methods) Act 2023**
- Bill : 21/2023
- First Reading : 3 July 2023
- Second and Third Readings : 2 August 2023
- Commencement : 1 December 2023 (Section 20)
- 62. Act 18 of 2023 — Family Justice Reform Act 2023
(Amendments made by the above Act)**
- Bill : 15/2023
- First Reading : 20 April 2023
- Second and Third Readings : 8 May 2023
- Commencement : 31 January 2024
- 63. Act 41 of 2022 — Post-appeal Applications in Capital Cases Act 2022**
- Bill : 34/2022
- First Reading : 7 November 2022
- Second and Third Readings : 29 November 2022
- Commencement : 28 June 2024
- 64. G.N. No. S 505/2024 — Supreme Court of Judicature Act 1969
(Amendment of Fourth Schedule) Order 2024**
- Date of commencement : 1 July 2024

Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)