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**Notification No. B 18** — The Courts (Civil and Criminal Justice) Reform Bill is published for general information. It was introduced in Parliament on 26 July 2021.



# Courts (Civil and Criminal Justice) Reform Bill

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**Bill No. 18/2021.**

*Read the first time on 26 July 2021.*

A BILL

*intituled*

An Act to amend the Interpretation Act, the Administration of Justice (Protection) Act 2016, the Arbitration Act, the Attorney-General (Additional Functions) Act, the Civil Law Act, the Criminal Procedure Code, the Evidence Act, the Family Justice Act 2014, the International Arbitration Act, the Legal Profession Act, the Prisons Act, the State Courts Act, the Supreme Court of Judicature Act and certain other Acts, to reform, modernise, update and enhance court processes in the civil and criminal justice systems.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

## Short title and commencement

1. This Act is the Courts (Civil and Criminal Justice) Reform Act 2021 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

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## PART 1

### AMENDMENT OF INTERPRETATION ACT

#### Amendment of section 41A

2. Section 41A of the Interpretation Act is amended —

- 10 (a) by deleting the words “1st January 2006” in subsection (1) and substituting the words “the date of commencement of section 2 of the Courts (Civil and Criminal Justice) Reform Act 2021”;
- 15 (b) by deleting the words “originating summons” wherever they appear in subsections (1)(i) and (2) and substituting in each case the words “originating application”;
- (c) by deleting the words “a writ of summons” in subsection (4) and substituting the words “an originating claim”; and
- 20 (d) by deleting subsection (5) and substituting the following subsection:
- “(5) To avoid doubt, any application that —
- (a) was made to a Court before the date of commencement of section 2 of the Courts (Civil and Criminal Justice) Reform Act 2021 under any written law to which subsection (1) applies; and
- (b) is pending before the Court on or after that date,
- continues, unless otherwise ordered by the Court, to proceed in accordance with the provisions of the relevant written law and the practice and procedure as were in force and applicable in relation to that
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application immediately before that date, until the application is finally disposed of by the Court.”.

### **New sections 41D and 41E**

3.—(1) The Interpretation Act is amended by inserting, immediately after section 41C, the following sections:

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#### **“References to writs, etc.**

**41D.**—(1) As from the date of commencement of section 3(1) of the Courts (Civil and Criminal Justice) Reform Act 2021, a reference in any written law to a matter mentioned in the first column is to be construed as a reference to the corresponding expression in the second column, subject to the exceptions in subsection (2) and section 41E:

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| <i>First column</i>                                      | <i>Second column</i>  |    |
|--|---|----|
| <i>Old expression</i>                                    | <i>New expression</i>   |    |
| (a) Writ of summons                                      | Originating claim   | 15 |
| (b) Originating summons                                  | Originating application   |    |
| (c) Subpoena   | Order to attend court   |    |
| (d) Writ of execution                                    | Enforcement order   |    |
| (e) Writ of seizure and sale                             | Enforcement order for seizure and sale of property                    | 20 |
| (f) Writ of possession                                   | Enforcement order for possession of property                          |    |
| (g) Garnishee order                                      | Enforcement order for attachment of a debt                            |    |
| (h) Memorandum of appearance                             | Notice of intention to contest or not contest                         | 25 |
| (i) Entry of appearance in relation to a writ of summons | Filing and service of a notice of intention to contest or not contest |    |
| (j) Leave of court                                       | Permission of court   | 30 |

- |                          |                             |
|--------------------------|-----------------------------|
| (k) Plaintiff            | Claimant                    |
| (l) Ex parte application | Application without notice. |

(2) Subsection (1) does not apply in relation to any proceedings in the Family Division of the High Court, a Family Court or a Youth Court.

(3) A reference in any written law to a matter mentioned in the second column of the table in subsection (1) in relation to any proceedings in the Family Division of the High Court, a Family Court or a Youth Court is to be construed as a reference to the corresponding expression in the first column of that table.

### **References to originating claims, etc., in relation to Singapore International Commercial Court**

**41E.** As from the date of commencement of section 3(1) of the Courts (Civil and Criminal Justice) Reform Act 2021, a reference in any written law to a matter mentioned in the first column in relation to any proceedings in the Singapore International Commercial Court is to be construed as a reference to the corresponding expression in the second column:

| <i>First column</i>   | <i>Second column</i>                            |
|---|---|
| (a) Originating claim   | Originating application                         |
| (b) Writ of summons   | Originating application                         |
| (c) Notice of intention to contest or not contest                         | Defendant's statement                           |
| (d) Memorandum of appearance  | Defendant's statement                           |
| (e) Filing and service of a notice of intention to contest or not contest | Filing and service of a defendant's statement   |
| (f) Entry of appearance in relation to a writ of summons                  | Filing and service of a defendant's statement." |

(2) The Interpretation Act, as amended by subsection (1), is further amended by deleting subsections (2) and (3) of section 41D and substituting the following subsections:

“(2) Despite subsection (1), as from the date of commencement of section 29 of the Courts (Civil and Criminal Justice) Reform Act 2021, a reference in any written law to a matter mentioned in the first column of item (a), (b), (h), (i), (k) or (l) in the table in subsection (1) in relation to any proceedings in the Family Division of the High Court, a Family Court or a Youth Court is not to be construed as a reference to the corresponding expression in the second column of that item.

(3) A reference in any written law to a matter mentioned in the second column of item (a), (b), (h), (i), (k) or (l) in the table in subsection (1) in relation to any proceedings in the Family Division of the High Court, a Family Court or a Youth Court is to be construed as a reference to the corresponding expression in the first column of that item.”.

## PART 2

### AMENDMENT OF ADMINISTRATION OF JUSTICE (PROTECTION) ACT 2016

#### **Amendment of section 5**

4. Section 5 of the Administration of Justice (Protection) Act 2016 is amended —

(a) by deleting the word “leave” in subsection (1)(a) and substituting the word “permission”;

(b) by inserting, immediately after paragraph (a) of subsection (1), the following paragraph:

“(aa) to make an audio or a visual recording or both of court proceedings, or any recording derived directly or indirectly from it, without the permission of the court;”;

(c) by deleting the words “made by means of any such audio recorder, electronic device or other instrument” in

subsection (1)(b) and substituting the words “(being a recording mentioned in paragraph (aa) or made by means of any audio recorder, electronic device or other instrument mentioned in paragraph (a))”;

5 (d) by deleting the words “leave granted under paragraph (a)” in subsection (1)(c) and substituting the words “permission granted under paragraph (a) or (aa)”;

(e) by deleting the words “Leave under subsection (1)(a)” in subsection (2) and substituting the words “Permission under subsection (1)(a) or (aa)”;

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(f) by deleting the word “leave” wherever it appears in subsection (2) and substituting in each case the word “permission”;

(g) by deleting the words “under subsection (1)(a), the court may order the audio recorder, electronic device or other instrument, or any recording made with it, or both,” in subsection (3) and substituting the words “under subsection (1)(a) or (aa), the court may order the audio recorder, electronic device or other instrument mentioned in subsection (1)(a) or any recording made with it, or both, or the recording mentioned in subsection (1)(aa),”; and

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(h) by inserting, immediately after subsection (4), the following subsection:

“(5) In this section —

25 (a) “court proceedings” includes court proceedings, or any part of court proceedings, conducted through any electronic means of communication;

(b) the reference to an audio or a visual recording of court proceedings includes an audio or a visual recording of —

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(i) a person participating in a court proceeding; or



- (ii) a person viewing or listening to a court proceeding, including an audio or a visual recording of a court proceeding; and
- (c) “recording” includes any recording of a temporary nature, including (but not limited to) any such recording for the purposes of contemporaneous or instantaneous publication or transmission.”.

### **New section 21A**

5. The Administration of Justice (Protection) Act 2016 is amended by inserting, immediately after section 21, the following section:

**“No knowledge of making, etc., of recording of court proceedings**

**21A.** A person is not guilty of contempt of court under section 5(1)(*aa*), (*b*) or (*c*) in relation to the making, publication, transmission or use of a recording of a court proceeding, if —

- (*a*) the court proceeding was conducted through an electronic means of communication; and
- (*b*) the person did not know, and could not reasonably have known, that the person was making, publishing, transmitting or using a recording of a court proceeding.”.

### **New section 26A**

6. The Administration of Justice (Protection) Act 2016 is amended by inserting, immediately after section 26, the following section:

**“Evidence through video or television links**

**26A.—**(1) Despite any other written law, but subject to this section, in any proceedings brought against a person for contempt of court, a court may only grant permission for the person against whom those proceedings are brought to give

evidence or to appear (other than to give evidence) by means of a live video or live television link, if —

(a) the court is satisfied that —

5 (i) it is in the interests of justice for that person to give evidence or to appear (other than to give evidence) by means of a live video or live television link; and

10 (ii) sufficient administrative and technical facilities and arrangements are made at the place from which that person is to give evidence or to appear; and

(b) that person gives evidence or appears (other than to give evidence) by means of a live video or live television link from —

15 (i) a place within a court or a prison in Singapore; or

(ii) any other place in Singapore, where all parties consent to that person giving evidence or appearing from that place.

20 (2) Despite any other written law, but subject to this section, in any proceedings mentioned in subsection (1), the court may grant permission for a witness (not being the person against whom the proceedings are brought) in Singapore to give evidence from a place in Singapore by means of a live video or live television link, if —

(a) the court is satisfied that sufficient administrative and technical facilities and arrangements are made at the place from which the witness is to give evidence; and

(b) any one of the following conditions is satisfied:

30 (i) the witness is below the age of 18 years;

(ii) it is expressly agreed between the parties to the proceedings that evidence may be so given;

(iii) the court is satisfied that it is expedient in the interests of justice to do so.

(3) Despite any other written law, but subject to this section, in any proceedings mentioned in subsection (1), a court may only grant permission for a witness (not being the person against whom the proceedings are brought) who is not in Singapore to give evidence from a place that is not in Singapore by means of a live video or live television link, if — 5

(a) the court is satisfied that allowing the witness to give evidence from a place that is not in Singapore by means of a live video or live television link would be in the interests of justice; 10

(b) the court is satisfied that sufficient administrative and technical facilities and arrangements are made at the place from which the witness is to give evidence; and 15

(c) any one of the following conditions is satisfied:

(i) the witness is an expert witness;

(ii) the witness is a witness of fact and all parties consent to the witness giving evidence from outside Singapore; 20

(iii) the witness —

(A) is a witness of fact;

(B) is unable to give evidence from a place in Singapore; and

(C) has — 25

(CA) sworn an affidavit, in accordance with any Rules of Court or Family Justice Rules governing such affidavit, containing the evidence-in-chief which the witness proposes to give to the court; or 30

(CB) made a statutory declaration in the manner provided in section 11 or 12 of the Oaths and Declarations Act containing the evidence-in-chief which the witness proposes to give to the court.

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(4) For the purposes of subsection (3)(c)(iii)(B), a witness is not unable to give evidence from a place in Singapore merely because —

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- (a) the witness fears arrest in Singapore or in any other jurisdiction;
- (b) the witness fears prosecution in Singapore or in any other jurisdiction; or
- (c) a warrant of arrest has been issued against the witness in Singapore or in any other jurisdiction.

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(5) The court may, in granting permission under subsection (1), (2) or (3), make an order on all or any of the following matters:

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- (a) the persons who may be present at the place where the witness is giving evidence;
- (b) that a person be excluded from the place while the witness is giving evidence;
- (c) the persons in the courtroom who must be able to be heard, or seen and heard, by the witness and by the persons with the witness;
- (d) the persons in the courtroom who must not be able to be heard, or seen and heard, by the witness and by the persons with the witness;
- (e) the persons in the courtroom who must be able to see and hear the witness and the persons with the witness;
- (f) the stages in the proceedings during which a specified part of the order is to have effect;

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- (g) the method of operation of the live video or live television link system including compliance with such minimum technical standards as may be determined by the Chief Justice;
  - (h) any other order the court considers necessary in the interests of justice; 5
  - (i) any other matter prescribed by rules made under subsection (13) for the purposes of this subsection.
- (6) The court may revoke, suspend or vary an order made under this section if — 10
- (a) the live video or live television link system stops working and it would cause unreasonable delay to wait until a working system becomes available;
  - (b) it is necessary for the court to do so to comply with its duty to ensure that the proceedings are conducted fairly to the parties to the proceedings; 15
  - (c) it is necessary for the court to do so, so that the witness can identify a person or a thing or so that the witness can participate in or view a demonstration or an experiment; 20
  - (d) it is necessary for the court to do so because part of the proceedings is being heard outside a courtroom;
  - (e) there has been a material change in the circumstances after the court has made an order; or
  - (f) any conditions prescribed by rules made under subsection (13) for the purposes of this subsection are met. 25
- (7) A court may, if the court considers it necessary, either on the court's own motion or on the application of a person against whom proceedings for contempt of court are brought, require a person against whom proceedings for contempt of court are brought to be produced in person before the court in proceedings mentioned in subsection (1). 30

(8) The court must not make an order under this section, or include a particular provision in such an order, if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to the parties to the proceedings.

(9) In making any order under this section, or any particular provision in such an order, a court is to have regard to matters prescribed by rules made under subsection (13).

(10) An order made under subsection (2) does not cease to have effect merely because the person in respect of whom the order was made attains the age of 18 years before the proceedings in which the order was made are finally determined.

(11) Evidence given by a witness (whether in Singapore or elsewhere), or a person against whom proceedings are brought for contempt of court, through a live video or live television link by virtue of this section is deemed for the purposes of sections 193, 194, 195, 196 and 205 of the Penal Code as having been given in the proceedings in which the evidence is given.

(12) Where a person gives evidence in accordance with this section, the person is, for the purposes of the Evidence Act, deemed to be giving evidence in the presence of the court.

(13) The Rules Committee constituted under the Supreme Court of Judicature Act, and the Family Justice Rules Committee constituted under the Family Justice Act 2014, may make such rules as appear to it to be necessary or expedient for the purpose of giving effect to this section and for prescribing anything which may be prescribed under this section.

(14) In this section, "live video or live television link" means a live video or live television link that is created using an electronic communication technology approved by the Chief Justice."

## Miscellaneous amendments

7. The Administration of Justice (Protection) Act 2016 is amended —

- (a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”: 5
- Section 2(2)(b)(ii), (iii)(A) and (iv)  
 Section 13(1) and (8)  
 Section 32(2) and (3);
- (b) by inserting, immediately after the word “execution” in the following provisions, the words “or enforcement”: 10
- Section 2(2)(d)  
 Section 32(4) and (5);
- (c) by deleting subsection (2) of section 4 and substituting the following subsection:
- “(2) For the purposes of subsection (1), intentional 15  
 disposal by a person against whom an enforcement  
 order for attachment of a debt has been made,  
 otherwise than in accordance with law or with  
 permission of the court, of any property subject to  
 the order in his or her hands or under his or her 20  
 control, is contempt of court.”;
- (d) by deleting the word “Leave” in the following provision and substituting the word “Permission”:
- Section 13(7); and
- (e) by deleting the words “in camera” wherever they appear in the following provisions and substituting in each case the words “in private”: 25
- Section 14(2) and (3).

## PART 3

## AMENDMENT OF ARBITRATION ACT

**Repeal and re-enactment of section 56**

8. Section 56 of the Arbitration Act is repealed and the following  
5 section substituted therefor:

**“Proceedings to be heard in private**

**56.**—(1) Subject to subsection (2), proceedings under this Act  
in any court are to be heard in private.

(2) Proceedings under this Act in any court are to be heard in  
10 open court if the court, on its own motion or upon the application  
of any person (including a person who is not a party to the  
proceedings), so orders.”.

**Miscellaneous amendments**

9. The Arbitration Act is amended —

15 (a) by deleting the word “appearance” in the following  
provision and substituting the words “filing and serving  
a notice of intention to contest or not contest”:

Section 6(1);

20 (b) by inserting, immediately after the word “pleading” in the  
following provision, the words “(other than a pleading  
asserting that the court does not have jurisdiction in the  
proceedings)”:

Section 6(1);

25 (c) by deleting the word “leave” wherever it appears in the  
following provisions and substituting in each case the word  
“permission”:

Section 21A(1) and (2)

Section 28(4)

Section 36(6)

30 Section 37(3)

Section 41(8)



Section 45(5) and (7)

Section 46(1) and (2)

Section 49(3)(b), (6), (7) and (11)

Section 50(9)

Section 52(1), (2) and (3)(a) and section heading;

5

(d) by deleting the word “execution” in the following provisions and substituting in each case the word “enforcement”:

Section 21A(6)(a) and (7)(a);

(e) by deleting the word “taxed” in the following provisions and substituting in each case the word “assessed”:

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Section 39(1)

Section 40(2)

Section 41(2)(b);

(f) by deleting the words “A taxation” in the following provision and substituting the words “An assessment”:

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Section 41(3);

(g) by deleting the words “a taxation” in the following provision and substituting the words “an assessment”:

Section 41(3);

20

(h) by deleting the word “taxation” wherever it appears in the following provision and substituting in each case the word “assessment”:

Section 41(4);

(i) by deleting the word “Leave” in the following provision and substituting the word “Permission”:

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Section 49(5); and

(j) by deleting the words “otherwise than in open court” in the following provision and substituting in each case the words “in private”:

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Section 57(1) and section heading.

PART 4

AMENDMENT OF ATTORNEY-GENERAL  
(ADDITIONAL FUNCTIONS) ACT

**New sections 4A and 4B**

5     **10.** The Attorney-General (Additional Functions) Act is amended by inserting, immediately after section 4, the following sections:

**“Intervention by Attorney-General in public interest**

10     **4A.**—(1) The Attorney-General may, with the permission of court, intervene in any proceedings mentioned in subsection (3), where the Attorney-General is of the opinion that —

    (a) a question of public interest has arisen in those proceedings; and

15     (b) the intervention is necessary in the public interest to place any information or evidence or make any representations or submissions before the court in those proceedings.

    (2) An application for permission of court under subsection (1) may be made by application without notice supported by an affidavit as to the matters in subsection (1)(a) and (b).

20     (3) The Attorney-General may apply for permission of court to intervene in any proceedings in a court —

    (a) that are not criminal proceedings;

    (b) to which the Attorney-General is neither a party nor representing a party; and

25     (c) whether commenced before, on or after the appointed day.

    (4) Without limiting subsection (3), the proceedings in which the Attorney-General may apply to intervene include —

30     (a) any judicial review proceedings, and any incidental or preliminary proceedings connected to those proceedings;

- (b) any civil proceedings, family proceedings or quasi-criminal proceedings;
- (c) an appeal or a revision to, or a case stated or referred to or reserved for, a court, from a decision of a court, tribunal, panel, board or other body of persons or an individual, under any written law; 5
- (d) proceedings before a Judge of the General Division or before a court of 3 Supreme Court Judges under the Legal Profession Act; and
- (e) proceedings before a court of 3 Judges of the General Division for an appeal under the Medical Registration Act. 10

(5) If the court is satisfied that the grounds for the Attorney-General's opinion in subsection (1) have been adequately set out in the application for permission and accompanying affidavit, the court must grant permission to the Attorney-General to intervene in those proceedings. 15

(6) The application for permission of court, supporting affidavit and order granting permission must be served on every party to the proceedings within 2 working days after the day the order granting permission to intervene is made. 20

(7) Any party to the proceedings may, within 7 working days after the day the party is served in accordance with subsection (6), apply to the court to set aside the order granting permission to the Attorney-General to intervene. 25

(8) The court may set aside the order granting permission to the Attorney-General to intervene if the court is satisfied that it would be in the interests of justice to do so, having regard to the circumstances of the case, including the stage of the proceedings in which the intervention is sought and any prejudice to any party or parties, but without enquiring into the grounds on which the Attorney-General's opinion in subsection (1) is based. 30

(9) Upon the order granting permission to intervene in any proceedings —

- (a) the Attorney-General is deemed to be a party to the proceedings;
- (b) the court before which the proceedings are held may in the proceedings make any order, including an order as to costs for or against the Government, that the court thinks fit; and
- (c) the Attorney-General has the same right of appeal in the proceedings as a party to the proceedings.

(10) Subsection (9) applies despite any application for setting aside of the order granting permission to the Attorney-General to intervene, or any appeal against the decision to set aside or refuse to set aside the order, having been made, until the order granting permission to intervene is finally set aside and there is no further appeal thereon.

(11) To avoid doubt, this section does not affect any right of the Attorney-General to appear in any court, or to intervene in any proceedings, under any other written law.

(12) In this section and section 4B —

“Appellate Division” and “General Division” have the meanings given by section 2 of the Supreme Court of Judicature Act;

“appointed day” means the date of commencement of section 10 of the Courts (Civil and Criminal Justice) Reform Act 2021;

“working day” means any day other than a Saturday, Sunday or public holiday.

### **Provisions for appeal, etc.**

**4B.**—(1) Subject to subsections (2) and (3), an appeal lies from any court —

- (a) against a decision refusing permission to the Attorney-General to intervene or a decision to set aside the order granting permission to intervene —

by the Attorney-General without requiring permission to appeal; and

- (b) against a refusal to set aside the order granting permission to intervene — by any party only with permission to appeal.

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(2) No appeal may be brought under subsection (1) against any decision of a court of 3 Judges of the General Division under the Medical Registration Act or a court of 3 Supreme Court Judges under the Legal Profession Act.

(3) No permission to appeal is required against a decision under subsection (1)(b) of the Registrar of the Supreme Court (including the Deputy Registrar and any Assistant Registrar), registrar of the State Courts (including a deputy registrar) or registrar of the Family Justice Courts (including the deputy registrar and any assistant registrar).

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(4) Permission to appeal under subsection (1)(b) must be obtained —

- (a) where the appeal is to the General Division against a decision of a State Court constituted under section 4 of the State Courts Act or a Family Court or Youth Court constituted under section 5 of the Family Justice Act 2014 — from that State Court, Family Court or Youth Court or, where permission to appeal is refused by that court, from the General Division;

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- (b) where the appeal is against a decision of the General Division (made in the exercise of its appellate jurisdiction) on an appeal from a State Court, Family Court or Youth Court — from the Court of Appeal; or

25

- (c) where the appeal is against a decision of the General Division (made in the exercise of its original jurisdiction) or the Appellate Division — from the Court of Appeal.

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(5) An order of the General Division giving or refusing leave under subsection (4)(a) is final.

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(6) Subsection (1) applies despite sections 21(1), 29A and 47 of the Supreme Court of Judicature Act, section 23(2A) of the Family Justice Act 2014 and any provision in other written law specifying requirements concerning permission to appeal.

5 (7) Rules of Court and Family Justice Rules may provide for the manner in which and the time within which an application for permission to intervene, setting aside of the order granting permission to intervene, application for permission to appeal, or an appeal, may be made.”.

10 PART 5

AMENDMENT OF CIVIL LAW ACT

**Amendment of section 4**

**11.** Section 4 of the Civil Law Act is amended by inserting, immediately after subsection (10), the following subsections:

15 *“Interim relief in aid of foreign proceedings*

(10A) Subject to subsections (10B), (10C) and (10D), a court has the power to grant interim relief in aid of proceedings in any civil or commercial matter (excluding proceedings arising out of any fiscal, monetary or revenue law or measure) which have  
20 been or are to be commenced outside Singapore, if it appears to the court to be just or convenient that such order should be made.

(10B) An order under subsection (10A) may be made either unconditionally or upon such terms and conditions as the court thinks just.

25 (10C) The court may refuse to make an order under subsection (10A) if —

(a) in the opinion of the court, the fact that the court has no jurisdiction apart from subsection (10A) in relation to the subject matter of the proceedings in question makes it inappropriate for the court to make the order;  
30 or

- (b) the proceedings concerned are not capable of giving rise to a judgment which may be enforced in Singapore.

(10D) In subsection (10A), “interim relief”, in relation to the court before which an application is brought, means interim relief of any kind which that court has power to grant in proceedings relating to matters within its jurisdiction, other than —

- (a) a warrant for the arrest of property; or  
 (b) provision for obtaining evidence.”.

### Miscellaneous amendments

#### 12. The Civil Law Act is amended —

- (a) by deleting the word “*Plaintiffs*” in the following provision and substituting the word “*Claimants*”:

Section 3(a) (paragraph heading);

- (b) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 3(a), (b) and (c)

Section 18

Section 20(6);

- (c) by deleting the word “*plaintiffs*” in the following provision and substituting the word “*claimants*”:

Section 3(c) (paragraph heading);

- (d) by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 28(5); and

- (e) by deleting the word “plaintiff’s” in the following provision and substituting the word “claimant’s”:

Section 28(5).

## PART 6

## AMENDMENT OF CRIMINAL PROCEDURE CODE

**New section 238A**

13. The Criminal Procedure Code is amended by inserting,  
5 immediately after section 238, the following section:

**“Oral hearing not needed generally**

**238A.**—(1) Subject to subsection (2), a court may decide any matter without hearing oral arguments, other than a matter prescribed by the Criminal Procedure Rules.

10 (2) Subsection (1) does not allow any part of a proceeding where oral evidence is given (including any part of a trial of an offence) to be conducted without an oral hearing.

15 (3) Subject to subsection (4), a court 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.

20 (4) The court 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 a court to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.”.

**Amendment of section 281**

25 **14.** Section 281 of the Criminal Procedure Code is amended —

(a) by inserting, immediately after the word “satisfied” in subsection (1)(c), the words “, having regard to matters prescribed by the Criminal Procedure Rules,”;

(b) by deleting subsection (2A);

30 (c) by deleting the words “who is not a juvenile” in subsection (4);



- (d) by inserting, immediately after the words “subsection (4)” in subsection (5), the words “or (5A)”;
- (e) by inserting, immediately after subsection (5), the following subsections:

“(5A) Despite any provision of this Code or of any other written law, a court may, in any court proceedings (whether a trial, an inquiry, an appeal or other court proceedings), if the court is satisfied that it is in the interests of justice and that sufficient administrative and technical facilities and arrangements are made at the place from which an accused person is to give evidence or to appear, allow the accused person to give evidence or to appear (other than to give evidence) by means of a live video or live television link from —

(a) a place within a court, a prison, an approved centre or an approved institution in Singapore; or

(b) any other place in Singapore —

(i) in proceedings where all parties consent to the accused person giving evidence or appearing from that place; or

(ii) in any other proceedings that the Minister may prescribe by regulations under this section, after consulting the Chief Justice.

(5B) Despite any provision of this Code or of any other written law, a court may, in any court proceedings (whether a trial, an inquiry, an appeal or other court proceedings), allow a witness (not being the accused) who is not in Singapore to give evidence from a place that is not in Singapore by means of a live video or live television link, if —

(a) the court is satisfied that allowing the witness to give evidence from a place that is not in Singapore by means of a live video or live television link would be in the interests of justice;

(b) the court is satisfied that sufficient administrative and technical facilities and arrangements are made at the place from which the witness is to give evidence; and

(c) any one of the following conditions is satisfied:

(i) the witness is an expert witness;

(ii) the witness is a witness of fact and all parties consent to the witness giving evidence from outside Singapore;

(iii) the witness —

(A) is a witness of fact;

(B) is unable to give evidence from a place in Singapore; and

(C) has —

(CA) sworn an affidavit in the manner provided in section 262(1) containing the evidence which the witness proposes to give to the court;

(CB) made a statutory declaration in the manner provided in section 11 or 12 of the Oaths and Declarations Act containing the evidence which the

witness proposes to give to the court; or

(CC) made a statement under section 264 containing the evidence which the witness proposes to give to the court.

5

(5C) For the purposes of subsection (5B)(c)(iii)(B), a witness is not unable to give evidence from a place in Singapore merely because —

10

(a) the witness fears arrest in Singapore or in any other jurisdiction;

(b) the witness fears prosecution in Singapore or in any other jurisdiction; or

(c) a warrant of arrest has been issued against the witness in Singapore or in any other jurisdiction.”;

15

(f) by deleting the words “subsection (1), (3) or (4)” in subsection (6) and substituting the words “subsection (1), (3), (4), (5A) or (5B)”;

20

(g) by deleting the full-stop at the end of paragraph (h) of subsection (6) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(i) any other matter prescribed by the Criminal Procedure Rules.”;

25

(h) by deleting the word “or” at the end of subsection (7)(d);

(i) by deleting the full-stop at the end of paragraph (e) of subsection (7) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(f) any conditions prescribed by the Criminal Procedure Rules for the purposes of this subsection are met.”;

30

(j) by inserting, immediately after subsection (8), the following subsection:

“(8A) In making any order under this section, or any particular provision in such an order, a court is to have regard to matters prescribed by the Criminal Procedure Rules.”;

(k) by inserting, immediately after the words “live television link” in subsection (10), the words “under this section”;

(l) by deleting the words “(3) or (4)” in subsection (12) and substituting the words “(3), (4) or (5A)”;

(m) by deleting subsection (13) and substituting the following subsections:

“(13) An accused person is deemed to attend court at the place appointed for the accused to do so, if the accused person appears before the court in accordance with subsection (5A).

(14) Criminal Procedure Rules may be made under section 428A to give effect to this section and for prescribing anything that may be prescribed under this section.

(15) The Minister may, after consulting the Chief Justice, make regulations to prescribe any offence for the purposes of subsection (2)(e) or any proceedings for the purposes of subsection (3)(e) or (5A)(b)(ii).

(16) In this section —

“approved centre” means an approved centre declared under section 18 of the Intoxicating Substances Act;

“approved institution” means an approved institution declared under section 35 of the Misuse of Drugs Act;

“live video or live television link” means a live video or live television link that is created

using an electronic communication technology approved by the Chief Justice.”.

### **Amendment of section 378**

**15.** Section 378 of the Criminal Procedure Code is amended by deleting subsection (5A) and substituting the following subsection: 5

“(5A) Despite section 386(1) and (2), where every party to the appeal consents to the withdrawal of the appeal, a single Judge of the General Division of the High Court, or of the Court of Appeal, respectively, may summarily give permission to withdraw the appeal without the appeal being set down for hearing.”. 10

### **Amendment of section 408A**

**16.** Section 408A of the Criminal Procedure Code is amended by deleting subsection (4) and substituting the following subsection:

“(4) A single Judge of the relevant court may summarily give permission to withdraw a criminal motion, without the motion being set down for hearing, if every party to the proceedings consents to the withdrawal of the motion.”. 15

### **Miscellaneous amendments**

**17.** The Criminal Procedure Code is amended — 20

(a) by deleting the words “pre-trial conference” wherever they appear in the following provisions and substituting in each case the words “case conference”:

Section 2(1) (definition of “proceeding”)

Section 171 25

Section 220A

Section 222

Section 235(6)

Section 425B(4)(b);

(b) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

Section 149F(4)

5 Section 149M(4)

Section 281B(1) and (2)(a) and (b) and section heading

Section 425B(6);

(c) by deleting the words “ex parte” in the following provision and substituting in each case the words “in the absence of the accused”:

10

Section 156(1)(a) and (b);

(d) by deleting the words “proceeded ex parte” in the following provision and substituting the words “proceeded in the absence of the accused”:

15

Section 156(2);

(e) by deleting the words “ex parte proceedings” wherever they appear in the following provisions and substituting in each case the words “proceedings in the absence of the accused”:

20

Section 156(2), (3) and (6);

(f) by deleting the words “Pre-trial conference” in the following provisions and substituting in each case the words “Case conference”:

25

Section 171 (section heading)

Section 220A (section heading);

(g) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

30

Section 264A(1)(b)(iii)(C)

Section 267(4)

Section 278(1), (2) and (9)

Section 378(5) and (6)

Section 384(4)

Section 394H(1) and (9) and section heading

Section 394I(1)

Section 394J(3)(a)

Section 396(2)

5

Section 397(1), (2), (3B)(a) and (4)

Section 406(2)(a);

(h) by inserting, immediately before the definition of “civil application” in section 394F(1), the following definition:

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

10

(i) by deleting the definition of “leave application” in section 394F(1);

(j) by deleting the words “A leave application” in the following provisions and substituting in each case the words “An application for permission”:

15

Section 394H(2), (6) and (7);

(k) by deleting the words “a leave application” in the following provisions and substituting in each case the words “an application for permission”:

20

Section 394H(3), (4) and (8)

Section 394K(3), (4) and (5);

(l) by deleting the words “No leave application” in the following provision and substituting the words “No application for permission”:

25

Section 394K(5);

(m) by deleting the words “leave applications” in the following provision and substituting the words “applications for permission”:

30

Section 394K (section heading);

- (*n*) by deleting the words “leave application” wherever they appear in the following provision and substituting in each case the words “application for permission”:

Section 397(3E);

- 5 (*o*) by inserting, immediately after the word “decree” in the following provisions, the words “, or under or pursuant to an enforcement order”:

First Schedule, second column in the items relating to sections 206 and 207; and

- 10 (*p*) by inserting, immediately after the word “executed” in the following provisions, the words “or enforced”:

First Schedule, second column in the items relating to sections 208 and 210.

## PART 7

### 15 AMENDMENT OF EVIDENCE ACT

#### **Amendment of section 62A**

#### **18. Section 62A of the Evidence Act is amended —**

- 20 (*a*) by inserting, immediately after the words “criminal matter” in subsection (1), the words “or proceedings for contempt of court”;
- (*b*) by deleting the word “and” at the end of subsection (2)(*b*);
- (*c*) by deleting the full-stop at the end of paragraph (*c*) of subsection (2) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:
- 25 “(*d*) any other matter prescribed by rules made under subsection (9).”;
- (*d*) by deleting the word “or” at the end of subsection (4)(*d*);
- (*e*) by deleting the full-stop at the end of paragraph (*e*) of subsection (4) and substituting the word “; or”, and by
- 30 inserting immediately thereafter the following paragraph:



“(f) any conditions prescribed by rules made under subsection (9) for the purposes of this subsection are met.”;

(f) by inserting, immediately after subsection (5), the following subsection: 5

“(5A) In making any order under this section, or any particular provision in such an order, a court is to have regard to matters prescribed by rules made under subsection (9).”;

(g) by inserting, immediately after subsection (6), the following subsection: 10

“(6A) Despite any provision of this Act and this section, the parties in any civil proceedings may, with the express agreement of all the parties to the proceedings pursuant to section 11(3)(b) of the Family Justice Act 2014, section 8(3)(b) of the State Courts Act or section 8A(3)(b) of the Supreme Court of Judicature Act, apply for permission of the court for a witness to give evidence through a live audio link only, and the application must describe the arrangements that the parties have agreed to put in place to ensure the integrity and quality of the evidence to be given by the witness.”; 15  
20

(h) by inserting, immediately after the words “this section” in subsection (7), the words “, or through a live audio link (without an accompanying live video link or live television link) by virtue of subsection (6A),”; 25

(i) by inserting, immediately after subsection (9), the following subsection: 30

“(10) In this section, “live video or live television link” means a live video or live television link that is created using an electronic communication technology approved by the Chief Justice.”; and

(j) by inserting, immediately after the word “links” in the section heading, the word “, etc.”.

### **Miscellaneous amendments**

5 **19.** The Evidence Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 32C(1)(b)

Section 62A(1), (2) and (3)

Section 167(1)

10 Section 168.

## **PART 8**

### **AMENDMENT OF FAMILY JUSTICE ACT 2014**

#### **Repeal of section 6**

**20.** Section 6 of the Family Justice Act 2014 is repealed.

#### **15 Amendment of section 9**

**21.** Section 9(3) of the Family Justice Act 2014 is amended by inserting, immediately after the words “at such times”, the words “and at such places”.

#### **Amendment of section 10**

20 **22.** Section 10 of the Family Justice Act 2014 is amended —

(a) by deleting the words “in camera” in subsection (1) and in the section heading and substituting in each case the words “in private”;

25 (b) by inserting, immediately after the words “open and public court” in subsection (2), the words “, or by way of an open and public hearing,”;

(c) by inserting, immediately after the word “propriety,” in subsection (3), the words “the national interest or national security of Singapore,”;

(d) by deleting the full-stop at the end of paragraph (b) of subsection (3) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(c) any information that, if disclosed, may be prejudicial to the national interest or national security of Singapore.”;

5

(e) by deleting the word “or” at the end of subsection (4)(a);

(f) by deleting the words “any such witness.” in subsection (4)(b) and substituting the words “any witness mentioned in paragraph (a); or”; and

10

(g) by inserting, immediately after paragraph (b) of subsection (4), the following paragraph:

“(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.”.

15

## **New section 11**

**23.** The Family Justice Act 2014 is amended by inserting, immediately after section 10, the following section:

20

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

**11.—(1)** Without limiting section 10, a Family Justice Court may conduct the hearing of any matter or proceeding (other than a matter or proceeding prescribed by the Criminal Procedure Rules or the Family Justice 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.

25

(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 and section 281 of the Criminal Procedure Code.

30

(3) A Family Justice 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 —

5           (a) where oral evidence is given during that part of the hearing (including in a trial of an offence) in a criminal or quasi-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

10          (c) where the matter is prescribed by the Criminal Procedure Rules or the Family Justice Rules.

          (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.

20          (5) A Family Justice 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.

25          (6) A Family Court or a Youth Court is deemed to be sitting at a place appointed under section 9(3) when the court conducts a hearing of a matter or proceeding in the manner provided under subsection (1) (whether any judicial officer of the court is situated in Singapore or outside Singapore).”.

### **Amendment of section 18**

30          **24.** Section 18 of the Family Justice Act 2014 is amended by inserting, immediately after subsection (3), the following subsection:

          “(4) The Registrar may engage any auxiliary police officer appointed under the Police Force Act, 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 bailiff in the discharge of the bailiff’s duties.”.

### **New sections 29A and 29B**

**25.** The Family Justice Act 2014 is amended by inserting, immediately after section 29, the following sections:

5

#### **“Oral hearing not needed generally**

**29A.**—(1) Subject to subsection (2), a Family Court may decide any matter in its civil or quasi-criminal jurisdiction without hearing oral arguments, other than a matter prescribed by the Family Justice Rules.

10

(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), a Family Court 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 communications as directed by the court.

15

(4) A Family Court 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.

20

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

25

#### **Summary dismissal of certain matters**

**29B.**—(1) A District Judge sitting in a Family Court may, on his or her own motion, summarily dismiss any appeal, or any part of any appeal, made against a decision of the Registrar relating to civil or quasi-criminal proceedings.

30

(2) A District Judge sitting in a Family Court may exercise his or her power under subsection (1) only if the District Judge is satisfied that there is no merit in that appeal, or that part of the

appeal, because every issue in that appeal, or that part of the appeal, has already been decided by a Family Court in an earlier matter in which the appellant was involved.

5 (3) Before summarily dismissing any appeal, or any part of any appeal, under subsection (1), a District Judge sitting in a Family Court must —

(a) give the appellant a reasonable opportunity to show cause why the appeal, or the part of the appeal, should not be dismissed; and

10 (b) consider any representations (if any) of the appellant.

(4) A District Judge sitting in a Family Court may exercise his or her powers under this section without hearing oral arguments.”.

### **Repeal and re-enactment of section 33**

15 **26.** Section 33 of the Family Justice Act 2014 is repealed and the following section substituted therefor:

#### **“Agreement not to appeal from Family Court exercising civil jurisdiction**

20 **33.**—(1) An appeal cannot be brought against a decision of the Family Court exercising civil jurisdiction, 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

25 (b) there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision.

(2) An agreement mentioned in subsection (1) —

(a) may be made before or after the decision to which the agreement relates is made; and

30 (b) may relate to part of a decision, in which case references in subsection (1) to a decision are to be read as references to that part of the decision.”.

## **New section 35A**

27. The Family Justice Act 2014 is amended by inserting, immediately after section 35, the following section:

### **“Oral hearing not needed generally**

35A.—(1) Subject to subsection (2), a Youth Court may decide any matter in its jurisdiction without hearing oral arguments, other than a matter prescribed by the Criminal Procedure Rules or the Family Justice Rules. 5

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given (including any part of a trial of an offence) to be conducted without an oral hearing. 10

(3) Subject to subsection (4), a Youth Court 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. 15

(4) A Youth Court 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 a Youth Court to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.”. 20

## **Amendment of section 46**

28. Section 46(3) of the Family Justice Act 2014 is amended —

(a) by deleting the word “and” at the end of paragraph (o); and 25

(b) by deleting the full-stop at the end of paragraph (p) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(q) prescribing anything that is required or permitted under this Act to be prescribed by the Family Justice Rules.”. 30

## Miscellaneous amendments

29. The Family Justice Act 2014 is amended —

5 (a) by deleting the words “any writ of seizure and sale or any other writ of execution or of distress” in the following provision and substituting the words “any enforcement order for seizure and sale of property, any other enforcement order or any writ of distress”:

Section 18(2);

10 (b) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 23(2A)

Section 28(2)

Second Schedule;

15 (c) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 23(2B);

20 (d) by deleting the words “execution of any process” in the following provision and substituting the words “execution of any process or enforcement order”:

Section 26(6)(a);

25 (e) by deleting the words “taken in execution of the process” in the following provision and substituting the words “taken in execution of the process or under or pursuant to the enforcement order”:

Section 26(6)(a);

(f) by inserting, immediately after the words “stay of execution” in the following provision, the words “or enforcement”:

30 Section 34(1) and section heading;



- (g) by deleting the words “writ or order of execution” in the following provision and substituting the words “enforcement order or writ of distress”:

Section 45(3);

- (h) by deleting the words “a writ of seizure and sale” in the following provision and substituting the words “an enforcement order for seizure and sale of property”:

Section 46(3)(l);

- (i) by deleting the word “execution” in the following provision and substituting the word “enforcement”:

Section 46(3)(m); and

- (j) by deleting the word “LEAVE” in the following provision and substituting the word “PERMISSION”:

Second Schedule (Schedule heading).

## PART 9

### AMENDMENT OF INTERNATIONAL ARBITRATION ACT

#### **Repeal and re-enactment of section 22**

**30.** Section 22 of the International Arbitration Act is repealed and the following section substituted therefor:

#### **“Proceedings to be heard in private**

**22.**—(1) Subject to subsection (2), proceedings under this Act in any court are to be heard in private.

(2) Proceedings under this Act in any court are to be heard in open court if the court, on its own motion or upon the application of any person (including a person who is not a party to the proceedings), so orders.”.

## Miscellaneous amendments

### 31. The International Arbitration Act is amended —

5 (a) by deleting the word “appearance” in the following provision and substituting the words “filing and serving a notice of intention to contest or not contest”:

Section 6(1);

10 (b) by inserting, immediately after the word “pleading” in the following provision, the words “(other than a pleading asserting that the court does not have jurisdiction in the proceedings)”:

Section 6(1);

(c) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

15 Section 10(4) and (5)

Section 12(6)

Section 18(b)

Section 19;

20 (d) by deleting the word “execution” in the following provisions and substituting in each case the word “enforcement”:

Section 10(9)(a) and (10)(a);

(e) by deleting the word “taxable” in the following provision and substituting the word “assessable”:

25 Section 21(1);

(f) by deleting the word “taxed” in the following provisions and substituting in each case the word “assessed”:

Section 21(2) and (3);

30 (g) by deleting the word “Taxation” in the following provision and substituting the word “Assessment”:

Section 21 (section heading); and

- (h) by deleting the words “otherwise than in open court” in the following provision and substituting in each case the words “in private”:

Section 23(1) and section heading.

## PART 10

5

### AMENDMENT OF LEGAL PROFESSION ACT

#### **Amendment of section 29**

**32.** Section 29(2) of the Legal Profession Act is amended —

(a) by deleting the word “and” at the end of paragraph (c); and

(b) by deleting the full-stop at the end of paragraph (d) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

10

“(e) an academic involved in the teaching of law, or a person who was formerly such an academic, to appear and plead in those courts when appointed by those courts as an independent counsel under —

15

(i) the Supreme Court of Judicature Act or any Rules of Court made under that Act; or

20

(ii) the Family Justice Act 2014 or any Family Justice Rules made under that Act; and

(f) a person who has special knowledge or experience in any area of law to appear and plead in those courts when appointed by those courts as an independent counsel under —

25

(i) the Supreme Court of Judicature Act or any Rules of Court made under that Act; or

(ii) the Family Justice Act 2014 or any Family Justice Rules made under that Act.”.

### **Amendment of section 34**

**33.** Section 34(1) of the Legal Profession Act is amended —

(a) by deleting the word “or” at the end of paragraph (l); and

(b) by deleting the full-stop at the end of paragraph (m) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

“(n) an academic involved in the teaching of law, or a person who was formerly such an academic, acting as an independent counsel appointed by a court under —

(i) the Supreme Court of Judicature Act or any Rules of Court made under that Act; or

(ii) the Family Justice Act 2014 or any Family Justice Rules made under that Act; or

(o) a person who has special knowledge or experience in any area of law acting as an independent counsel appointed by a court under —

(i) the Supreme Court of Judicature Act or any Rules of Court made under that Act; or

(ii) the Family Justice Act 2014 or any Family Justice Rules made under that Act.”.

### **Amendment of section 36P**

**34.** Section 36P(1) of the Legal Profession Act is amended by deleting paragraphs (a) to (d) and substituting the following paragraphs:

- “(a) appear and plead — 5
  - (i) in any relevant proceedings; or
  - (ii) in any proceedings that are preliminary to any relevant proceedings;
- (b) appear and plead in the appellate court —
  - (i) in any relevant appeal; or 10
  - (ii) in any proceedings that are preliminary to a relevant appeal;
- (c) represent any party to —
  - (i) any relevant proceedings or relevant appeal in any matter concerning those proceedings or that appeal, as the case may be; or 15
  - (ii) any proceedings that are preliminary to any relevant proceedings or relevant appeal in any matter concerning those preliminary proceedings; 20
- (d) give advice, prepare documents and provide any other assistance in relation to or arising out of —
  - (i) any relevant proceedings or relevant appeal; or
  - (ii) any proceedings that are preliminary to any relevant proceedings or relevant appeal.”. 25

### **Amendment of section 98**

**35.** Section 98 of the Legal Profession Act is amended by deleting subsection (10).

### **Amendment of section 100**

36. Section 100 of the Legal Profession Act is amended by inserting, immediately after subsection (6), the following subsection:

5 “(7) Subject to this section, the Rules Committee may make rules for regulating and prescribing the procedure and practice to be followed in connection with proceedings under this section, and in the absence of any rule dealing with any point of procedure or practice, the Rules of Court may be followed as nearly as the circumstances permit.”

### 10 **New sections 192 and 193**

37. The Legal Profession Act is amended by inserting, immediately after section 191, the following sections:

#### **“Interlocutory applications in certain proceedings**

15 **192.** Despite anything in this Act, any interlocutory application in proceedings under this Act before a court of 3 Supreme Court Judges may be decided without hearing oral arguments.

#### **Rules for certain proceedings**

20 **193.—**(1) The Rules Committee may make rules regulating and prescribing the procedure and practice to be followed in proceedings under this Act before a court of 3 Supreme Court Judges, including —

(a) the fees and deposits payable for any such proceedings; and

25 (b) any matter incidental to or relating to the procedure and practice to be followed in any such proceedings.

(2) In the absence of any rule dealing with any point of procedure or practice made under subsection (1), the Rules of Court may be followed as nearly as the circumstances permit.”

## Miscellaneous amendments

### 38. The Legal Profession Act is amended —

- (a) by deleting the words “originating summons” in the following provisions and substituting in each case the words “originating application”:

Section 15(3) and (4)

Section 25B(1)

Section 25C(1) and (8)(c)(ii)(B)

Section 27A(1)

Section 27B(2)

Section 28(1)

Section 36T(3)(a)

Section 36U(1)

Section 49(6)

Section 78(1)

Section 80(1)

Section 85(4D)(a) and (19B)(a)

Section 95(2)

Section 96(2)

Section 97(2)(a)

Section 98(1)

Section 100(2)

Section 102(2) and (3)

Section 113(2)

Section 120(1);

- (b) by deleting the word “taxed” in the following provisions and substituting in each case the word “assessed”:

Section 36S(16)(b)

Section 82A(13A)

Section 85(19)(a)(ii)

Section 93(2) and (2A)(b)

Section 112(1)

Section 113(5) and (7)(b)

Section 117(1)(a)

5

Section 123

Section 128(1)(a) and (b)

Section 130(2)

Second Schedule, paragraph 4(1)(b) and (2);

10

- (c) by deleting the words “it was a subpoena” in the following provision and substituting the words “it were an order to attend court or an order to produce documents”:

Section 36S(27);

15

- (d) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 49(4), (5), (6), (7) and (8)

Section 57(4)

Section 82A(4), (5), (6) and (6A)

Section 85(4C) and (4D)

20

Section 118(1)

First Schedule, paragraph 9(1);

- (e) by deleting the word “taxation” wherever it appears in the following provisions and substituting in each case the word “assessment”:

25

Section 81(1)

Section 108(4)(a) and (5)

Section 109(6)

Section 112(1) and (4)

Section 114(4)

30

Section 115(2) and (3)

Section 117(1)(b)



- Section 119
- Section 120(1) and (3) and section heading
- Section 121(1) and (2) and section heading
- Section 122 and section heading
- Section 123 (section heading) 5
- Section 124(1)
- Section 126
- Section 128(1), (3) and (4) and section heading
- Section 130(2)
- Second Schedule, paragraph 4(1)(a); 10
- (f) by deleting the words “ex parte originating summons” in the following provision and substituting the words “originating application without notice”:
- Section 82A(5);
- (g) by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”: 15
- Section 91(4);
- (h) by deleting the words “writs of summons” in the following provision and substituting the words “originating claims”: 20
- Section 98(3);
- (i) by deleting the word “taxing” in the following provision and substituting the word “assessing”:
- Section 109(6);
- (j) by deleting the word “TAXATION” in the following provision and substituting the word “ASSESSMENT”: 25
- Part IX (Part heading);

(k) by deleting the word “tax” in the following provisions and substituting in each case the word “assess”:

Section 120(3)

Section 128(2); and

5 (l) by deleting the word “Taxation” in the following provision and substituting the word “Assessment”:

Second Schedule, paragraph 4 (paragraph heading).

## PART 11

### AMENDMENT OF PRISONS ACT

#### 10 **Amendment of section 38**

**39.** Section 38 of the Prisons Act is amended by inserting, immediately after subsection (4), the following subsection:

“(5) An order under this section requiring the production of a person before a court in civil proceedings may be made by —

15 (a) the Registrar of the Supreme Court, if the presence of the person is required in the Court of Appeal, the Appellate Division of the High Court or the General Division of the High Court;

20 (b) the registrar of the Family Justice Courts, if the presence of the person is required in the Family Division of the High Court or a Family Court; or

(c) the registrar of the State Courts, if the presence of the person is required in a District Court, a Magistrate’s Court, a Coroner’s Court or any other State Court.”.

## PART 12

## AMENDMENT OF STATE COURTS ACT

**Amendment of section 4**

**40.** Section 4 of the State Courts Act is amended —

- (a) by deleting the words “, and shall appoint some place or places as the court house or court houses of each such Court”; and 5
- (b) by deleting the section heading and substituting the following section heading:

**“Constitution of State Courts”.** 10

**Amendment of section 6A**

**41.** Section 6A(3) of the State Courts Act is amended by inserting, immediately after the words “at such times”, the words “and at such places”.

**Amendment of section 7** 15

**42.** Section 7 of the State Courts Act is amended —

- (a) by deleting the words “in camera” wherever they appear in subsections (2), (5) and (6) and in the section heading and substituting in each case the words “in private”; 15
- (b) by inserting, immediately after the word “propriety,” in subsections (2), (2A) and (6), the words “the national interest or national security of Singapore,”; 20
- (c) by inserting, immediately after subsection (2), the following subsections:

“(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. 25

(2AB) A State Court has the power to hear any application mentioned in subsection (2AA), or any 30

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.”;

(d) by deleting the word “or” at the end of subsection (2A)(a);

(e) by deleting the comma at the end of paragraph (b) of  
subsection (2A) and substituting the word “; or”, and by  
inserting immediately thereafter the following paragraph:

“(c) any information that, if disclosed, may be  
prejudicial to the national interest or  
national security of Singapore.”;

(f) by deleting the word “or” at the end of subsection (3)(a);

(g) by deleting the words “such a witness.” in  
subsection (3)(b) and substituting the words “any witness  
mentioned in paragraph (a); or”; and

(h) by inserting, immediately after paragraph (b) of  
subsection (3), the following paragraph:

“(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.”.

### **Amendment of section 8**

**43.** Section 8 of the State Courts Act is amended —

(a) by deleting subsection (1) and substituting the following  
subsection:

“(1) Without limiting section 7, a State Court may conduct the hearing of any matter or proceeding (other than a matter or proceeding prescribed by the Rules of Court 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.”;

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(b) by inserting, immediately after the words “operation of” in subsection (2), the words “section 26A of the Administration of Justice (Protection) Act 2016,”; and

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(c) by inserting, immediately after subsection (2), the following subsections:

“(3) A State 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 —

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(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

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(c) where the matter is prescribed by the Rules of Court or the Criminal Procedure Rules.

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(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.

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(5) A State Court must not conduct a hearing of a matter or proceeding in the manner provided under

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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.

(6) A State Court is deemed to be sitting at a place appointed under section 6A(3) when the court conducts a hearing of a matter or proceeding in the manner provided under subsection (1) (whether any judicial officer of the court is situated in Singapore or outside Singapore).”.

#### **Amendment of section 15**

**44.** Section 15 of the State Courts Act is amended —

(a) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) The registrar may engage any auxiliary police officer appointed under the Police Force Act, 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 bailiffs in the discharge of the bailiffs’ duties.”; and

(b) by inserting, immediately after the word “officers” in the section heading, the word “, etc.”.

#### **Repeal and re-enactment of section 48**

**45.** Section 48 of the State Courts Act is repealed and the following section substituted therefor:

##### **“Agreement not to appeal**

**48.—**(1) An appeal cannot be brought against a decision of a District Court exercising civil jurisdiction, 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 subsection (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 subsection (1) to a decision are to be read as references to that part of the decision.”.

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### **New sections 49A and 49B**

**46.** The State Courts Act is amended by inserting, immediately after section 49, the following sections:

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#### **“Oral hearing not needed generally**

**49A.—**(1) Subject to subsection (2), a District Court may decide any matter in its civil jurisdiction without hearing oral arguments, other than a matter prescribed by the Rules of Court.

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(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), a District Court 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 communications as directed by the court.

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(4) A District Court 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.

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

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### Summary dismissal of certain matters

5 **49B.**—(1) A District Judge sitting in a District Court may, on his or her own motion, summarily dismiss any appeal made against a decision of the registrar relating to civil proceedings, if the District Judge is satisfied of any of the following:

(a) every issue in the appeal has already been decided by a District Court or a higher court in an earlier matter in which the appellant was involved, and the appeal therefore has no merit;

10 (b) such conditions as may be prescribed by the Rules of Court are met.

(2) Before summarily dismissing any appeal under subsection (1), a District Judge sitting in a District Court must —

15 (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.”.

### Amendment of section 52

20 **47.** Section 52(1B) of the State Courts Act is amended by deleting the words “section 43” in paragraph (d)(i) and substituting the words “sections 43 and 49A”.

### New section 54AA

25 **48.** The State Courts Act is amended by inserting, immediately after section 54, the following section:

#### “Agreement not to appeal

30 **54AA.**—(1) An appeal cannot be brought against a decision of a Magistrate’s Court exercising civil jurisdiction, 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 subsection (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 subsection (1) to a decision are to be read as references to that part of the decision.”.

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**Amendment of section 69**

**49.** Section 69 of the State Courts Act is amended —

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(a) by deleting the word “and” at the end of subsection (3)(h)(iii);

(b) by deleting the full-stop at the end of paragraph (i) of subsection (3) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

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“(j) prescribing anything that is required or permitted under this Act to be prescribed by Rules of Court.”; and

(c) by inserting, immediately after subsection (3), the following subsection:

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“(3A) 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.”.

**Miscellaneous amendments**

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**50.** The State Courts Act is amended —

(a) by deleting the words “any writ of seizure and sale or any other writ of execution or of distress” in the following provision and substituting the words “any enforcement order for seizure and sale of property, any other enforcement order or any writ of distress”:

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Section 16;

(b) by deleting the words “a writ of summons” in the following provisions and substituting in each case the words “an originating claim”:

Section 19(2)(a)

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Section 52(1)(a);

(c) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 22(1)

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Section 39(1), (2) and (3)

Section 54E(3)

Section 54F(3);

(d) by deleting the word “plaintiff’s” in the following provisions and substituting in each case the word “claimant’s”:

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Section 39(6)

Section 54E(2)(c)

Section 54F(2)(c);

(e) by deleting the word “execution” in the following provisions and substituting in each case the word “enforcement”:

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Section 43(3)

Section 54E(3)

Section 54F(3);

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(f) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 43(3);

(g) by inserting, immediately after the words “stay of execution” in the following provision, the words “or enforcement”:

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Section 49(1) and section heading;

- (h) by deleting the words “writ or order of execution” in the following provision and substituting the words “enforcement order or writ of distress”:

Section 68(3);

- (i) by deleting the words “writ of execution” in the following provision and substituting the words “enforcement order”:

Section 69(3)(f)(i); and

- (j) by deleting the words “writ or” in the following provision:

Section 69(3)(f).

## PART 13

### AMENDMENT OF SUPREME COURT OF JUDICATURE ACT

#### **Amendment of section 8**

**51.** Section 8 of the Supreme Court of Judicature Act is amended —

- (a) by deleting the words “in camera” wherever they appear in subsections (2), (5) and (6) and in the section heading and substituting in each case the words “in private”;

- (b) by inserting, immediately after the word “propriety,” in subsections (2), (2A) and (6), the words “the national interest or national security of Singapore,”;

- (c) by inserting, immediately after subsection (2), the following subsections:

“(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.

(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.”;

(d) by deleting the word “or” at the end of subsection (2A)(a);

(e) by deleting the comma at the end of paragraph (b) of subsection (2A) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(c) any information that, if disclosed, may be prejudicial to the national interest or national security of Singapore,”;

(f) by deleting the word “or” at the end of subsection (3)(a);

(g) by deleting the words “such a witness.” in subsection (3)(b) and substituting the words “any witness mentioned in paragraph (a); or”; and

(h) by inserting, immediately after paragraph (b) of subsection (3), the following paragraph:

“(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.”.

### **Amendment of section 8A**

**52.** Section 8A of the Supreme Court of Judicature Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(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.”;

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(b) by inserting, immediately after the words “operation of” in subsection (2), the words “section 26A of the Administration of Justice (Protection) Act 2016,”; and

(c) by inserting, immediately after subsection (2), the following subsections:

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“(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;

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(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

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(c) where the matter is prescribed by the Rules of Court, the Family Justice Rules or the Criminal Procedure Rules.

(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.

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(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

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with the court’s duty to ensure that the hearing is conducted fairly to all parties.

(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).”.

**Amendment of section 10**

**53.** Section 10 of the Supreme Court of Judicature Act is amended —

(a) by deleting subsection (1) and substituting the following subsections:

“(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.

(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.

(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.”; and

(b) by deleting the words “to be disposed of by single Judge” in the section heading.

### **Amendment of section 13**

**54.** Section 13 of the Supreme Court of Judicature Act is amended —

- (a) by deleting the words “a writ, to be called a writ of seizure and sale” and substituting the words “an enforcement order for seizure and sale of property”; and
- (b) by deleting the section heading and substituting the following section heading:

**“Enforcement orders for seizure and sale of property”.**

### **New sections 17B and 17C**

**55.** The Supreme Court of Judicature Act is amended by inserting, immediately after section 17A, the following sections:

**“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.

### **Summary dismissal of certain matters**

5       **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:

10           (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;

15           (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 —

20           (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.”.

### **Amendment of section 18D**

25       **56.**—(1) Section 18D of the Supreme Court of Judicature Act is amended —

(a) by deleting subsection (2) and substituting the following subsection:

30           “(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; and

(b) to hear any application —

(i) that seeks relief for the purposes of proceedings in the Singapore International Commercial Court; 5

(ii) that is made before the commencement of such proceedings; and 10

(iii) that satisfies such conditions as the Rules of Court may prescribe.”; and

(b) by inserting, immediately after subsection (2), the following subsections:

“(3) Where the Singapore International Commercial Court has and exercises jurisdiction under subsection (1) in respect of any action, such jurisdiction includes — 15

(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; 20 25

(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; 30

(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.

(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.”

(2) Section 18D(2) of the Supreme Court of Judicature Act, as amended by subsection (1)(a), is further amended —

(a) by deleting the word “and” at the end of paragraph (a); and

(b) by deleting the full-stop at the end of paragraph (b) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

“(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 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.”

### **Amendment of section 21**

57. Section 21 of the Supreme Court of Judicature Act is amended by deleting subsection (2).

### **Amendment of section 22**

58. Section 22 of the Supreme Court of Judicature Act is amended by deleting subsection (2) and substituting the following subsections:

“(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.

5 (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
- 10 (d) in any other manner as the court may allow.

(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.

15 (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.

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

(7) The powers in this section —

- 20 (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
- 25 (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.”.

### **New sections 22A and 22B**

30 **59.** The Supreme Court of Judicature Act is amended by inserting, immediately after section 22, the following sections:

**“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. 5

(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. 10

(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. 15

(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. 20

**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: 25

(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; 30

(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 —

5 (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.”.

#### 10 **Amendment of section 29A**

**60.** Section 29A(1) of the Supreme Court of Judicature Act is amended by deleting the words “3 and 4(1)” in paragraph (c) and substituting the words “3, 4(1) and 5(1)”.

#### **Amendment of section 29B**

15 **61.** Section 29B(2) of the Supreme Court of Judicature Act is amended by deleting the word “on” in paragraph (a) and substituting the word “at”.

#### **Repeal and re-enactment of section 37**

20 **62.** Section 37 of the Supreme Court of Judicature Act is repealed and the following section substituted therefor:

##### **“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.

25 (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.

30 (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.

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(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.”.

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### **Amendment of section 41**

**63.** Section 41 of the Supreme Court of Judicature Act is amended —

(a) by deleting subsection (3) and substituting the following subsection:

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“(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

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

(b) by inserting, immediately after subsection (7), the following subsections:

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“(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.

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(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.

(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.

(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.”.

## **Repeal and re-enactment of section 55**

**64.** Section 55 of the Supreme Court of Judicature Act is repealed and the following section substituted therefor:

### **“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.”.

### **Amendment of section 59**

**65.** Section 59 of the Supreme Court of Judicature Act is amended —

(a) by deleting subsection (3) and substituting the following subsection:

“(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.”; and

(b) by inserting, immediately after subsection (7), the following subsections:

“(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.

(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.

(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.

(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.”.

### **Amendment of section 60E**

**66.** Section 60E of the Supreme Court of Judicature Act is amended by deleting subsection (1) and substituting the following subsection:

“(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.”.

#### **Amendment of section 64**

**67.** Section 64 of the Supreme Court of Judicature Act is amended by inserting, immediately after subsection (2), the following subsection: 5

“(3) The Sheriff may engage any auxiliary police officer appointed under the Police Force Act, 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.”. 10

#### **Amendment of section 79**

**68.** Section 79 of the Supreme Court of Judicature Act is amended by inserting, immediately after subsection (4), the following subsections: 15

“(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 — 20

(a) was done in good faith; and

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

(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.”. 25

#### **Amendment of section 80**

**69.** Section 80 of the Supreme Court of Judicature Act is amended — 30

(a) by deleting the full-stop at the end of paragraph (q) of subsection (2) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

5 “(r) prescribing the fees and deposits payable for proceedings in the General Division, the Appellate Division and the Court of Appeal.”;

(b) by deleting paragraph (c) of subsection (2A) and substituting the following paragraph:

10 “(c) to prescribe, for the purposes of section 18D(2) —

15 (i) what constitutes an international commercial arbitration, and any conditions that any proceedings must satisfy before that Court may hear those proceedings; and

20 (ii) what constitutes a corporate insolvency, restructuring or dissolution under the Insolvency, Restructuring and Dissolution Act 2018, or under the Companies Act 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;”;

25 (c) by inserting, immediately after paragraph (c) of subsection (2A), the following paragraphs:

30 “(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;

35 (cb) to prescribe, for the purposes of section 18D(3)(c), any requirements for

the issue of proceedings against a third party;

(cc) to prescribe, for the purposes of section 18D(3)(d), any requirements for the issue of proceedings against a subsequent party.”; and

(d) by inserting, immediately after subsection (2A), the following subsection:

“(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.”.

### **Amendment of section 83**

70. Section 83 of the Supreme Court of Judicature Act is amended —

(a) by deleting the word “, Eighth” in subsection (1); and

(b) by deleting the words “Seventh and Eighth Schedules” in subsection (1A) and substituting the words “Seventh Schedule”.

### **Amendment of First Schedule**

71. The First Schedule to the Supreme Court of Judicature Act is amended —

(a) by deleting the words “in execution” in paragraph 4(b) and substituting the words “under or pursuant to an enforcement order”; and

(b) by inserting, immediately after paragraph 22, the following paragraph:

**“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.”.

### **Amendment of Fourth Schedule**

**72.** The Fourth Schedule to the Supreme Court of Judicature Act is amended by inserting, immediately after paragraph 2, the following paragraph:

“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.”.

### **Amendment of Fifth Schedule**

**73.** The Fifth Schedule to the Supreme Court of Judicature Act is amended by inserting, immediately after paragraph 4, the following paragraph:

**“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.
- (2) An agreement mentioned in sub-paragraph (1) — 5
  - (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.”. 10

### **Amendment of Sixth Schedule**

**74.** Paragraph 1 of the Sixth Schedule to the Supreme Court of Judicature Act is amended by deleting the full-stop at the end of sub-paragraph (l) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph: 15

- “(m) the appeal is made under section 4B(1) of the Attorney-General (Additional Functions) Act against a decision of the General Division —
  - (i) refusing permission to the Attorney-General to intervene in proceedings in the General Division, or setting aside the order granting permission to intervene; 20
  - (ii) refusing to set aside the order granting permission to the Attorney-General to intervene; or
  - (iii) arising from an appeal against a decision of a State Court, Family Court or Youth Court refusing permission to the Attorney-General to intervene, setting aside the order granting permission to intervene or refusing to set aside the order granting permission to intervene.”. 25

### **Amendment of Seventh Schedule**

**75.** The Seventh Schedule to the Supreme Court of Judicature Act is amended — 30

- (a) by inserting, immediately after sub-paragraph (3) of paragraph 1, the following sub-paragraph:

“(4) Despite section 32(1), the Appellate Division consisting of a single Judge or 2 Judges may hear and decide any of the following:

5 (a) an application by the Attorney-General for permission to intervene under section 4A(1) of the Attorney-General (Additional Functions) Act in any proceedings in the Appellate Division;

10 (b) an application to set aside the order granting permission to the Attorney-General to intervene made under section 4A(7) of the Attorney-General (Additional Functions) Act.”; and

(b) by inserting, immediately after sub-paragraph (3) of paragraph 3, the following sub-paragraph:

15 “(4) Despite section 50(1), the Court of Appeal consisting of a single Judge or 2 Judges may hear and decide any of the following:

20 (a) an application by the Attorney-General for permission to intervene under section 4A(1) of the Attorney-General (Additional Functions) Act in any proceedings in the Court of Appeal;

(b) an application to set aside the order granting permission to the Attorney-General to intervene made under section 4A(7) of the Attorney-General (Additional Functions) Act.”.

## 25 **Repeal of Eighth Schedule**

**76.** The Eighth Schedule to the Supreme Court of Judicature Act is repealed.

## **Amendment of Ninth Schedule**

30 **77.** The Ninth Schedule to the Supreme Court of Judicature Act is amended by inserting, immediately after paragraph 2, the following paragraph:

35 “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 5
- (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.”.

## **New Tenth Schedule**

**78.** The Supreme Court of Judicature Act is amended by inserting, 10  
immediately after the Ninth Schedule, the following Schedule:

### “TENTH SCHEDULE

Section 60E(1)

#### CASES WHERE CRIMINAL JURISDICTION OF COURT OF APPEAL CAN BE EXERCISED BY LESS THAN 3 JUDGES 15

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 for permission to apply to the Court of Appeal to review an earlier decision of the Court of Appeal; 20
- (b) a criminal motion mentioned in section 408A of the Criminal Procedure Code for which each party consents to the relief or remedy sought in the motion.
2. Despite section 50(1), the following orders may be made by the Court of Appeal consisting of a single Judge: 25
- (a) an order under section 378(5A) of the Criminal Procedure Code 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 summarily giving permission to withdraw a criminal motion where every party consents to the withdrawal of the motion.”. 30

## Miscellaneous amendments

79. The Supreme Court of Judicature Act is amended —

(a) by deleting the words “a writ of summons” in the following provisions and substituting in each case the words “an originating claim”:

Section 16(1)(a)

Fifth Schedule, paragraph 3(e)(i) and (l)(iii) and (iv);

(b) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 21(1) and (2A)

Section 29A(1) and (2)

Section 40(4)(b)

Section 41(4) and (5)

Section 47(1), (2), (3) and (4)

Section 58(4)(b)

Section 59(4) and (5)

Section 73A(9) and (9A)

Section 73B(2)(a) and (b), (3), (5) and (6)

Section 73C(2)(a) and (b), (3), (6) and (7)

Section 73D(2)(a) and (b), (3), (6) and (7)

Section 74(1)(a) and (b), (2A) and (3)

Third Schedule, the paragraph

Fourth Schedule, paragraph 1(i)

Fifth Schedule, paragraphs 2(1) and (2), 3 and 4(1)

Sixth Schedule, paragraph 1(l)

Seventh Schedule, paragraphs 2(c) and 4(c)

Ninth Schedule, paragraph 1(c);

- (c) by deleting the word “*leave*” in the following provisions and substituting in each case the word “*permission*”:
- Division 7 of Part III (Division heading)
  - Division 3 of Part IV (Division heading);
- (d) by deleting the word “Leave” in the following provisions and substituting in each case the word “Permission”:
- Section 29A (section heading)
  - Section 47 (section heading);
- (e) by inserting, immediately after the words “stay of execution” in the following provisions, the words “or enforcement”:
- Section 45(1) and section heading
  - Section 60C(1) and section heading
  - Seventh Schedule, paragraphs 2(d) and 4(d);
- (f) by deleting the words “any writ of seizure and sale or any other writ of execution or of distress” in the following provision and substituting the words “any enforcement order for seizure and sale of property, any other enforcement order or any writ of distress”:
- Section 64(2);
- (g) by deleting the words “writ or order of execution” in the following provision and substituting the words “enforcement order or writ of distress”:
- Section 79(3);
- (h) by deleting the words “a writ of seizure and sale” in the following provision and substituting the words “an enforcement order for seizure and sale of property”:
- Section 80(2)(l);
- (i) by deleting the word “execution” in the following provision and substituting the word “enforcement”:
- Section 80(2)(m);

(j) by deleting the word “LEAVE” in the following provisions and substituting in each case the word “PERMISSION”:

Third Schedule (Schedule heading)

Fifth Schedule (Schedule heading); and

5 (k) by deleting the words “the writ of summons” in the following provisions and substituting in each case the words “the originating claim”:

Fourth Schedule, paragraph 1(i)(i)

Fifth Schedule, paragraph 3(h)(i).

10

## PART 14

### AMENDMENTS TO OTHER ACTS

#### **Amendment of Administration of Muslim Law Act**

**80.** The Administration of Muslim Law Act is amended —

15

(a) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 35A(1) to (4)

Section 36(2)

Section 43B(2)

20

Section 55(1)(f) and (g), (2) and (4);

(b) by deleting the word “Leave” in the following provision and substituting the word “Permission”:

Section 35A (section heading);

25

(c) by deleting the words “in camera” in the following provision and substituting in each case the words “in private”:

Section 46(1) and section heading; and

(d) by inserting, immediately after the word “execution” in the following provision, the words “or enforcement”:

30

Section 122(1).

## **Amendment of Arbitration (International Investment Disputes) Act**

**81.** The Arbitration (International Investment Disputes) Act is amended by deleting the word “execution” wherever it appears in the following provisions and substituting in each case the word “enforcement”:

Section 5

Section 6(d).

## **Amendment of Banking Act**

**82.** The Banking Act is amended —

(a) by deleting the words “in camera” in the following provision and substituting the words “in private”:

Section 47(3)(a);

(b) by deleting the word “execution” in the following provisions and substituting in each case the words “an enforcement order”:

Section 54(1)(iii)

Section 57FB(1)(e);

(c) by deleting the words “*in camera*” in the following provisions and substituting in each case the words “*in private*”:

Part I of Third Schedule, third column of items 3 and 4;

(d) by deleting the words “a garnishee order” in the following provision and substituting the words “an enforcement order for attachment of a debt”:

Part I of Third Schedule, first column of item 6; and

(e) by deleting the words “the garnishee order” in the following provision and substituting the words “the enforcement order for attachment of a debt”:

Part I of Third Schedule, second column of item 6.

### **Amendment of Bills of Sale Act**

**83.** The Bills of Sale Act is amended by deleting the words “execution has been levied” in the following provision and substituting the words “an enforcement order has been executed”:

5       Section 8(1)(e).

### **Amendment of Broadcasting Act**

**84.** The Broadcasting Act is amended by deleting the words “in execution” in the following provision and substituting the words “under or pursuant to an enforcement order”:

10       Section 61(1).

### **Amendment of Building and Construction Authority Act**

**85.** The Building and Construction Authority Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

15       Section 31C(4).

### **Amendment of Building and Construction Industry Security of Payment Act**

**86.** The Building and Construction Industry Security of Payment Act is amended —

20       (a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

          Section 21(1)(a)

          Section 27(1), (2) and (3); and

25       (b) by deleting the words “in execution under the order” in the following provision and substituting the words “under or pursuant to an enforcement order”:

          Section 28A(4).

## **Amendment of Building Maintenance and Strata Management Act**

**87.** The Building Maintenance and Strata Management Act is amended —

- (a) by deleting the words “a subpoena for production” in the following provision and substituting the words “an order to produce documents”:

Section 96(3);

- (b) by inserting, immediately after the words “stay of execution” in the following provision, the words “or enforcement”:

Section 98(3);

- (c) by deleting the word “leave” wherever it appears in the following provision and substituting in each case the word “permission”:

Section 120(1); and

- (d) by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

Section 124(1).

## **Amendment of Business Names Registration Act 2014**

**88.** The Business Names Registration Act 2014 is amended by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 34(1) and (3).

## **Amendment of Business Trusts Act**

**89.** The Business Trusts Act is amended —

- (a) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 4(2)(h);

(b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 41(3)

Section 42(1), (4) and (5);

5 (c) by deleting the words “execution was issued on” in the following provision and substituting the words “an enforcement order was issued to enforce”:

Section 46(2)(b); and

10 (d) by deleting the words “execution has been returned unsatisfied” in the following provision and substituting the words “enforcement order has been returned unsatisfied”:

Section 46(2)(b).

### **Amendment of CareShield Life and Long-Term Care Act 2019**

15 **90.** The CareShield Life and Long-Term Care Act 2019 is amended by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 27(1).

### **Amendment of Carriage by Air Act**

20 **91.** The Carriage by Air Act is amended by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 11(2).

### **Amendment of Casino Control Act**

25 **92.** The Casino Control Act is amended by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 148(1).



## Amendment of Central Provident Fund Act

**93.** The Central Provident Fund Act is amended —

- (a) by deleting the words “a writ of seizure and sale has been issued in execution of” in the following provision and substituting the words “an enforcement order for seizure and sale of property has been issued to enforce”:

Section 68(1)(a);

- (b) by deleting the words “in pursuance of the execution” in the following provision and substituting the words “pursuant to the enforcement”:

Section 68(1)(a);

- (c) by deleting the words “execution creditor” wherever they appear in the following provisions and substituting in each case the words “enforcement creditor”:

Section 68(1) and (3);

- (d) by deleting the words “execution of the writ” in the following provision and substituting the words “execution of the enforcement order”:

Section 68(1)(b);

- (e) by deleting the words “issuing the writ” in the following provision and substituting the words “issuing the enforcement order”:

Section 68(1);

- (f) by deleting the words “a garnishee order has been issued in execution of a judgment” in the following provision and substituting the words “an enforcement order for attachment of a debt has been issued to enforce a judgment”:

Section 68(3)(a);

- (g) by deleting paragraph (b) of section 68(3) and substituting the following paragraph:

“(b) prior to the payment of the amount due or accruing due to the judgment debtor from

the employer or member against whom the enforcement order for attachment of a debt is issued, notice has been given to that employer or member by the Board that any sum is due to the Fund,”;

(h) by deleting the words “garnishee order” wherever they appear in the following provision and substituting in each case the words “enforcement order for attachment of a debt”:

Section 68(3);

(i) by deleting the words “a garnishee order” in the following provision and substituting the words “an enforcement order for attachment of a debt”:

Section 68(5)(b); and

(j) by deleting the word “execution” in the following provision and substituting the word “enforcement”:

Section 68 (section heading).

### **Amendment of Central Sikh Gurdwara Board Act**

**94.** The Central Sikh Gurdwara Board Act is amended by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 17.

### **Amendment of Charities Act**

**95.** The Charities Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 27(3)

Section 31(5).

### **Amendment of Children and Young Persons Act**

**96.** The Children and Young Persons Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 49B(10)(b) and (11).

5

### **Amendment of Commodity Trading Act**

**97.** The Commodity Trading Act is amended —

(a) by deleting the words “a levy of execution” in the following provisions and substituting in each case the words “an enforcement order”:

10

Section 18(2)(b) and (3)(c);

(b) by deleting the words “in execution under the order” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 30(3)(b); and

15

(c) by deleting the words “in camera” in the following provision and substituting the words “in private”:

Section 51(2)(b).

### **Amendment of Community Disputes Resolution Act 2015**

**98.** The Community Disputes Resolution Act 2015 is amended —

20

(a) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 17(2) and (4)

Section 20(3);

25

(b) by deleting the words “execution on” in the following provision and substituting the words “enforcement of”:

Section 20(3);

(c) by deleting the words “in camera” in the following provision and substituting in each case the words “in private”:

Section 22(1) and section heading;

5 (d) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 26(2) and (3)

Section 29(3)(b); and

10 (e) by inserting, immediately after the words “stay of execution” in the following provisions, the words “or enforcement”:

Section 27(1) and (2) and section heading.

### **Amendment of Community Mediation Centres Act**

**99.** The Community Mediation Centres Act is amended —

15 (a) by deleting the words “a subpoena” in the following provision and substituting in each case the words “an order”:

Section 18(1)(a) and (b); and

20 (b) by deleting the word “Subpoena” in the following provision and substituting the words “Order to attend court or order to produce documents”:

Section 18 (section heading).

### **Amendment of Companies Act**

**100.** The Companies Act is amended —

25 (a) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 14(1)

Section 32(5)

30 Section 148(1), (3) and (4)

Section 149(13) and (15)

Section 154(3), (6) and (9)

Section 155(1) and (9)

Section 155A(3)

Section 155C(1) and (3)

Section 155D(1) and (3)

5

Section 210(10)

Section 216(4)

Section 216A(2), (5) and (6);

(b) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

10

Section 388(1); and

(c) by deleting the words “levying of any execution” in the following provision and substituting the words “execution of any enforcement order”:

Section 406(b).

15

### **Amendment of Competition Act**

**101.** The Competition Act is amended by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 86(8).

20

### **Amendment of Consumer Protection (Trade Descriptions and Safety Requirements) Act**

**102.** The Consumer Protection (Trade Descriptions and Safety Requirements) Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

25

Section 19(2).

**Amendment of Control of Plants Act**

103. The Control of Plants Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

5 Section 8(5).

**Amendment of Conveyancing and Law of Property Act**

104. The Conveyancing and Law of Property Act is amended —

10 (a) by deleting the words “originating summons” in the following provisions and substituting in each case the words “originating application”:

Section 4(1)

Section 73E(5)(a);

15 (b) by deleting the words “a writ of possession” in the following provision and substituting the words “an enforcement order for possession of property”:

Section 18A(9)(b);

(c) by deleting the words “the writ” wherever they appear in the following provision and substituting in each case the words “the enforcement order”:

20 Section 18A(9); and

(d) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 30(3).

**Amendment of Co-operative Societies Act**

25 105. The Co-operative Societies Act is amended —

(a) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 60(3)(b);

(b) by inserting, immediately after the words “to delay the execution” in the following provision, the words “or enforcement”:

Section 90(3); and

(c) by deleting the words “levying of any execution” in the following provision and substituting the words “execution of any enforcement order”:

Section 100C(1)(b).

### **Amendment of Copyright Act**

**106.** The Copyright Act is amended —

(a) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 118(2)

Section 119(2)(d), (3) and (5)(d)

Section 120(1)

Section 120A(1)(a), (2)(a) and (b) and (7)

Section 124

Section 126(a) and (b)

Section 129

Section 130(1)(b), (1A) and (1B)

Section 133(1)(b) and (2)(b)

Section 193DB(3)(a)

Section 193DDB(3)

Section 200(4)

Section 252CB(3)(a)

Section 252CDB(3)

Section 253(2)(d) and (3A)(d)

Section 261(1)(d), (4)(d) and (5)

Section 261F(1)(b)(ii), (2), (4)(d), (5) and (6);

(b) by deleting the word “plaintiffs” in the following provision and substituting the word “claimants”:

Section 126;

5 (c) by deleting the words “enters an appearance” in the following provision and substituting the words “files and serves a notice of intention to contest or not contest a claim”:

Section 129; and

10 (d) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 162(2).

### **Amendment of Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act**

15 **107.** The Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act is amended —

(a) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 13(4);

20 (b) by deleting the words “a garnishee order” in the following provision and substituting the words “an enforcement order for attachment of a debt”:

Section 14(5);

25 (c) by deleting the words “ex parte application” in the following provisions and substituting in each case the words “application without notice”:

Section 16(4)(b)

Section 17(3)(b);

(d) by deleting the words “in camera” in the following provision and substituting the words “in private”:

30 Section 31(6); and



- (e) by deleting the words “or in execution of a decree” in the following provisions and substituting in each case the words “, in execution of a decree or under or pursuant to an enforcement order”:

Second Schedule, items 28 and 29.

5

### **Amendment of Credit Bureau Act 2016**

**108.** The Credit Bureau Act 2016 is amended by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 46(5)(c).

10

### **Amendment of Criminal Law (Temporary Provisions) Act**

**109.** The Criminal Law (Temporary Provisions) Act is amended by deleting the words “in camera” in the following provision and substituting in each case the words “in private”:

Section 23 and section heading.

15

### **Amendment of Debtors Act**

**110.** The Debtors Act is amended —

- (a) by deleting the words “a writ of execution” in the following provision and substituting the words “an enforcement order”:

20

Section 3;

- (b) by deleting the word “execution” wherever it appears in the following provisions and substituting in each case the word “enforcement”:

Section 4(1)

25

Section 6(2)

Section 13(1) (including the proviso)

Section 17(1)(c);

(c) by deleting the words “order for committal” in the following provision and substituting the words “committal order”:

Section 8(1);

5 (d) by deleting the words “issue execution” in the following provision and substituting the words “issue an enforcement order”:

Section 12;

10 (e) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 13(1)

Section 17(1)

Section 21(1);

15 (f) by deleting the word “plaintiff’s” in the following provisions and substituting in each case the word “claimant’s”:

Section 13(1) (proviso)

Section 21(1);

20 (g) by deleting the words “a writ of summons” wherever they appear in the following provision and substituting in each case the words “an originating claim”:

Section 17(1);

25 (h) by deleting the words “seized in execution” in the following provision and substituting the words “seized under or pursuant to an enforcement order”:

Section 17(4);

30 (i) by deleting the words “be liable to execution” in the following provision and substituting the words “be liable to being taken under or pursuant to an enforcement order”:

Section 20;

- (j) by deleting the words “had issued execution” in the following provision and substituting the words “had obtained an enforcement order”:

Section 20;

- (k) by deleting the word “execution” in the following provision and substituting the words “being taken under or pursuant to enforcement order”:

Section 20 (section heading);

- (l) by deleting the words “writ of seizure and sale” in the following provision and substituting the words “enforcement order for seizure and sale of property”:

Section 23(1) (proviso);

- (m) by deleting the words “subpoena as a witness” in the following provision and substituting the words “issue an order to attend court against”:

Section 24(3);

- (n) by deleting the words “*Subpoena for witness*” in the following provision and substituting the words “*Order to attend court*”:

Section 24(3) (subsection heading); and

- (o) by deleting the words “ex parte” in the following provision and substituting the words “in the absence of the judgment debtor”:

Section 24(5)(b).

## **Amendment of Defamation Act**

### **111. The Defamation Act is amended —**

- (a) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 5

Section 6(1)(a) and (b)

Section 7(1)(b)

Section 8

Section 10(1) and (2)

Section 12(2)

Section 16 and section heading

5 Section 17(3) and (5)

Section 18

Section 19;

(b) by deleting the word “plaintiff’s” in the following provision and substituting the word “claimant’s”:

10 Section 8; and

(c) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 18.

15 **Amendment of Distress Act**

**112.** The Distress Act is amended —

(a) by deleting the words “ex parte” in the following provision and substituting the words “by way of an application without notice”:

20 Section 5(1);

(b) by deleting the words “a writ of execution” in the following provision and substituting the words “an enforcement order”:

Section 20(1);

25 (c) by deleting the words “the writ of execution” in the following provisions and substituting in each case the words “the enforcement order”:

Section 20(1) and (2);

(d) by deleting the words “execution creditor” in the following provisions and substituting in each case the words “enforcement creditor”:

Section 20(2) and (4);

(e) by deleting the words “execution debtor” in the following provisions and substituting in each case the words “enforcement debtor”:

Section 20(2), (3) and (4); and

(f) by deleting the words “by way of execution” in the following provision and substituting the words “under or pursuant to enforcement order”:

Section 20 (section heading).

### **Amendment of District Cooling Act**

**113.** The District Cooling Act is amended by deleting the words “in execution under process” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 30(b).

### **Amendment of Economic Development Board Act**

**114.** The Economic Development Board Act is amended by deleting the word “execution” in the following provision and substituting the word “enforcement”:

Section 21(12).

### **Amendment of Electricity Act**

**115.** The Electricity Act is amended —

(a) by deleting the words “execute or” in the following provision:

Section 29(7)(d);

(b) by deleting the words “in execution under process” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 38(b); and

(c) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 80(10)

Section 85(6).

5 **Amendment of Employment Act**

**116.** The Employment Act is amended —

(a) by deleting the word “plaintiffs” in the following provision and substituting the word “claimants”:

Section 125(4); and

10 (b) by deleting the word “leave” wherever it appears in the following provision and substituting in each case the word “permission”:

Section 126C(7).

**Amendment of Employment Claims Act 2016**

15 **117.** The Employment Claims Act 2016 is amended —

(a) by inserting, immediately after the word “execution” wherever it appears in the following provisions, the words “or enforcement”:

Section 7(3)(a)

20 Section 17(4)

Section 24(1) to (4) and section heading

Section 26(b)

Section 33(1)(a)(i)(G); and

25 (b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 23(2), (3) and (4)(a)

Section 24(4)(a)

Section 33(1)(a)(i)(F).

**Amendment of Endangered Species (Import and Export) Act**

**118.** The Endangered Species (Import and Export) Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 6(2).

5

**Amendment of Environmental Protection and Management Act**

**119.** The Environmental Protection and Management Act is amended by deleting the words “any process of execution” in the following provision and substituting the words “or pursuant to any enforcement order”:

10

Section 55(6).

**Amendment of Environmental Public Health Act**

**120.** The Environmental Public Health Act is amended —

(a) by deleting the words “execute or” in the following provision:

15

Section 31D(1)(d); and

(b) by inserting, immediately after the word “person” in the following provision, the words “, or under or pursuant to any enforcement order,”:

20

Section 31T.

**Amendment of Estate Duty Act**

**121.** The Estate Duty Act is amended —

(a) by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

25

Section 33(2);

(b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 47(3)

Section 56(2); and

5 (c) by deleting the words “execution may be levied” in the following provision and substituting the words “an enforcement order may be executed”:

Section 55(3).

### **Amendment of Exchange Control Act**

10 **122.** The Exchange Control Act is amended —

(a) by deleting the words “process of execution” in the following provision and substituting the words “enforcement order”:

Fourth Schedule, paragraph 3(1)(c);

15 (b) by deleting the words “proceeds of the execution” in the following provision and substituting the words “proceeds of the enforcement order”:

Fourth Schedule, paragraph 3(1)(c);

20 (c) by deleting the words “writ of execution” in the following provision and substituting the words “enforcement order”:

Fourth Schedule, paragraph 3(1)(c); and

(d) by deleting the words “such writ” in the following provision and substituting the words “such order”:

Fourth Schedule, paragraph 3(1)(c).

### **25 Amendment of Executive Condominium Housing Scheme Act**

**123.** The Executive Condominium Housing Scheme Act is amended by deleting the words “ex parte by originating summons” in the following provisions and substituting in each case the words “by an originating application without notice”:

30 Section 8(6)

Section 9(7).



### **Amendment of Finance Companies Act**

**124.** The Finance Companies Act is amended by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 47(1)(c).

5

### **Amendment of Financial Advisers Act**

**125.** The Financial Advisers Act is amended by deleting the word “execution” in the following provisions and substituting in each case the words “an enforcement order”:

Section 9(1)(h)

10

Section 23J(1)(d)

Section 57(1)(f).

### **Amendment of Financial Holding Companies Act 2013**

**126.** The Financial Holding Companies Act 2013 is amended by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

15

Section 62(1)(c).

### **Amendment of Fire Safety Act**

**127.** The Fire Safety Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

20

Section 36B(8)

Section 36C(3).

### **Amendment of Gas Act**

**128.** The Gas Act is amended —

25

(a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 32(9)

Section 32A(5);

(b) by deleting the words “execute or” in the following provision:

Section 34(6)(d);

(c) by deleting the words “in execution under process” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 43(b); and

(d) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 101(7).

### **Amendment of Geographical Indications Act 2014**

**129.** The Geographical Indications Act 2014 is amended —

(a) by deleting the word “plaintiff” in the following provisions and substituting in each case the word “claimant”:

Section 5

Section 6(1)

Section 7(2)(a) and (b)

Section 8(3) and (4);

(b) by deleting the word “taxation” in the following provision and substituting the word “assessment”:

Section 26(2);

(c) by deleting the word “taxed” in the following provision and substituting the word “assessed”:

Section 26(3);

(d) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 32(3); and

(e) by deleting the word “plaintiff” wherever it appears in the following provision and substituting in each case the word “claimant”.

Section 62(2).

**Amendment of Goods and Services Tax Act**

**130.** The Goods and Services Tax Act is amended —

(a) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

5

Section 56(1) and (3); and

(b) by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 78(1).

**Amendment of Government Proceedings Act**

10

**131.** The Government Proceedings Act is amended —

(a) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 9(3)

15

Section 27(1) (paragraph (b) of proviso)

Section 35(2)

Section 37(2)(a) and (b);

(b) by deleting the words “ex parte” in the following provision and substituting the words “without notice”:

20

Section 23(1);

(c) by deleting the words “entering an appearance” in the following provision and substituting the words “filing and serving a notice of intention to contest or not contest”:

Section 23(1);

25

(d) by deleting the word “taxation” in the following provisions and substituting in each case the word “assessment”:

Section 25(3)

Section 29(3);

(e) by inserting, immediately after the words “stay of execution” in the following provision, the words “or enforcement”:

Section 28 and section heading;

5 (f) by deleting the word “EXECUTION” in the following provision and substituting the word “ENFORCEMENT”:

Part IV (Part heading);

10 (g) by deleting the word “taxed” wherever it appears in the following provisions and substituting in each case the word “assessed”:

Section 29(3)

Section 31(1);

(h) by deleting the word “execution” in the following provision and substituting the words “enforcement order”:

15 Section 31(4);

(i) by deleting the word “Execution” in the following provision and substituting the word “Enforcement”:

Section 32 (section heading);

20 (j) by deleting the words “in execution” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 33(2);

25 (k) by deleting the words “default of appearance” in the following provision and substituting the words “default of a notice of intention to contest or not contest”:

Section 37(2)(b); and

(l) by deleting the word “leave” in the following provision and substituting in each case the word “permission”:

Section 37(2)(b), (c) and (e)(ii) and (iii).

### **Amendment of Guardianship of Infants Act**

**132.** The Guardianship of Infants Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 16(1)

5

Section 18(1).

### **Amendment of High Court (Admiralty Jurisdiction) Act**

**133.** The High Court (Admiralty Jurisdiction) Act is amended by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

10

Section 5(2) and (3).

### **Amendment of Hindu Endowments Act**

**134.** The Hindu Endowments Act is amended by deleting the words “application by originating summons” in the following provision and substituting the words “originating application”:

15

Section 32(1).

### **Amendment of Housing and Development Act**

**135.** The Housing and Development Act is amended —

- (a) by deleting the words “ex parte by originating summons” in the following provisions and substituting in each case the words “by an originating application without notice”:

20

Section 52(8)

Section 58(2A)

Section 59A(8); and

- (b) by deleting the words “writ of seizure and sale” in the following provision and substituting the words “enforcement order for seizure and sale of property”:

25

Section 65H(5).

**Amendment of Income Tax Act**

**136.** The Income Tax Act is amended —

(a) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

Section 83(1) and (3)

Section 105HA(6)

Section 105Q(6);

(b) by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 89(1);

(c) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 105HA(2) and (7)

Section 105Q(2) and (7); and

(d) by deleting the word “Leave” in the following provisions and substituting in each case the word “Permission”:

Section 105HA(3)

Section 105Q(3).

**Amendment of Industrial Relations Act**

**137.** The Industrial Relations Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 63(2)

Section 64(1)(b).

### **Amendment of Infrastructure Protection Act 2017**

**138.** The Infrastructure Protection Act 2017 is amended —

- (a) by deleting the words “in camera” in the following provision and substituting the words “in private”:

Section 77(3); and

5

- (b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 77(4) and (5).

### **Amendment of Inquiries Act**

**139.** The Inquiries Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

10

The Schedule, paragraph 10(2).

### **Amendment of Insolvency, Restructuring and Dissolution Act 2018**

**140.** The Insolvency, Restructuring and Dissolution Act 2018 is amended —

15

- (a) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 64(1)(c) to (f) and (8)(c) to (f)

20

Section 65(1)(c) to (f)

Section 70(2)

Section 72K(1)(c) to (f)

Section 72O(c) to (f)

Section 95(1)(b), (c) and (d)

25

Section 96(4)(c)(ii), (d)(ii), (e)(ii) and (f)(ii)

Section 104(1)(b)

Section 116(2)(a)

Section 117(d)(i)

Section 124(2)(a)

30

Section 133(1)(a)

Section 151(5)(d)

Section 158(2)(a) and (b)

Section 170(2)

5

Section 184

Section 223(2)

Section 239(5)(d)

Section 244(2)(c)

Section 248(2)

10

Section 260(1)

Section 274(1)(f)

Section 276(3)(a)(ii) and (b)(i) and (ii)

Section 293(1)

Section 323(1)

15

Section 324(2)

Section 327(1)(c)

Section 338(5)

Section 392(2)

Section 400(1)

20

Section 438(5)(a);

(b) by deleting the words “commencement, continuation or levying of any execution, distress or other legal process” in the following provisions and substituting in each case the words “issuance, continuation or execution of any enforcement order or other legal process, or the levying of any distress,”:

25

Section 64(1)(d)

Section 65(1)(d)

Section 72O(d);

30

(c) by deleting the words “no execution, distress or other legal process may be commenced, continued or levied” in the



following provisions and substituting in each case the words “no enforcement order or other legal process may be issued, continued or executed, and no distress may be levied,”:

Section 64(8)(d)

5

Section 72K(1)(d);

- (d) by deleting the words “no execution or other legal process, may be commenced or continued,” in the following provision and substituting the words “no enforcement order or other legal process may be issued, continued or executed,”:

10

Section 95(1)(d);

- (e) by deleting the words “no execution or other legal process may be commenced or continued,” in the following provision and substituting the words “no enforcement order or other legal process may be issued, continued or executed,”:

15

Section 96(4)(d);

- (f) by deleting the words “execution or other process issued on a judgment” in the following provisions and substituting in each case the words “an enforcement order or other process issued to enforce a judgment”;

20

Section 125(2)(b)

Section 246(2)(c);

- (g) by deleting the word “taxed” in the following provisions and substituting in each case the word “assessed”:

25

Section 127(2)

Section 296(1)(b)

Section 352(1)(b)

Section 421(2);

30

- (h) by deleting the word “execution” in the following provisions and substituting in each case the words “enforcement order”:

Section 130(2)

Section 170(1)

Section 206(2)(a) and (c) and section heading

Section 278(1) and (3)

5 Section 293(4)(a) and (c)

Section 325

Section 367(2)(a) and (c) and section heading

Section 368(2);

10 (i) by deleting the words “has issued execution” in the following provisions and substituting in each case the words “has obtained an enforcement order”:

Section 206(1)

Section 293(3)

Section 367(1);

15 (j) by deleting the words “benefit of the execution” in the following provisions and substituting in each case the words “benefit of the enforcement order”:

Section 206(1)

Section 293(3)

20 Section 367(1);

(k) by inserting, immediately after the words “completed the execution” in the following provisions, the words “of the enforcement order”:

Section 206(1)

25 Section 293(3)

Section 367(1);

(l) by deleting the words “in execution” in the following provisions and substituting in each case the words “under or pursuant to an enforcement order”:

30 Section 207(1)

Section 368(1);

- (*m*) by inserting, immediately after the words “completion of the execution” in the following provisions, the words “of the enforcement order”:
- Section 207(1)  
Section 368(1);
- 5
- (*n*) by deleting the words “satisfaction of the execution” in the following provision and substituting the words “satisfaction of the enforcement order”:
- Section 207(1);
- (*o*) by inserting, immediately after the words “costs of the execution” in the following provisions, the words “of the enforcement order”:
- 10
- Section 207(1)(*d*) and (2)(*a*);
- (*p*) by deleting the words “execution creditor” in the following provisions and substituting in each case the words “enforcement creditor”:
- 15
- Section 207(2)(*b*)  
Section 250L(15)  
Section 368(4);
- (*q*) by deleting the words “in execution” in the following provisions and substituting in each case the words “under or pursuant to enforcement order”:
- 20
- Section 207 (section heading)  
Section 368 (section heading);
- (*r*) by deleting the words “execution or other legal process may be commenced or continued” in the following provision and substituting in each case the words “enforcement order or other legal process may be issued, continued or executed”:
- 25
- Section 276(3)(*a*)(ii) and (*b*)(ii);
- 30
- (*s*) by deleting the words “execution has been levied” in the following provisions and substituting in each case the words “enforcement order has been executed”:

Section 206(1)(b)

Section 293(3)(a)

Section 367(1)(a);

- 5 (t) by deleting the words “a writ of seizure and sale” in the following provisions and substituting in each case the words “an enforcement order for seizure and sale of property”:

Section 293(4)(c)

Section 367(2)(c)

10 Section 368(3)

Section 448(2)(j);

- 15 (u) by deleting the words “the writ of seizure and sale” in the following provisions and substituting in each case the words “the enforcement order for seizure and sale of property”:

Section 293(4)(c)

Section 367(2)(c)

Section 368(3)

Section 448(2)(j);

- 20 (v) by deleting the word “execution” in the following provisions and substituting in each case the words “an enforcement order”:

Section 311(1)(d)

Section 312(b)

25 Section 338(3);

- (w) by deleting the words “incidental to the execution” in the following provision and substituting the words “incidental to the execution of the enforcement order”:

Section 368(4);

- (x) by deleting the words “levying of any execution” in the following provision and substituting the words “execution of an enforcement order”:

Section 409(2);

- (y) by deleting the word “taxation” in the following provisions and substituting in each case the word “assessment”:

Section 421(3) and (4); and

- (z) by deleting the word “execution” in the following provision and substituting the word “enforcement”:

Section 448(2)(k).

### **Amendment of Insurance Act**

**141.** The Insurance Act is amended —

- (a) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 31A(1)(iii); and

- (b) by deleting the word “execution” in the following provision and substituting the words “enforcement order”:

Section 41E(1)(c).

### **Amendment of Internal Security Act**

**142.** The Internal Security Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 5(3)(a).

### **Amendment of International Child Abduction Act**

**143.** The International Child Abduction Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 8(4).

### **Amendment of Jewish Synagogue Ordinance**

**144.** The Jewish Synagogue Ordinance is amended by deleting the words “application made by originating summons” in the following provision and substituting the words “originating application made”:

5       Section 7(2).

### **Amendment of Land Acquisition Act**

**145.** The Land Acquisition Act is amended by deleting the words “ex parte” in the following provision and substituting the words “by way of an application without notice”:

10       Section 40(2).

### **Amendment of Land Revenue Collection Act**

**146.** The Land Revenue Collection Act is amended by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

15       Section 22(1).

### **Amendment of Land Titles Act**

**147.** The Land Titles Act is amended —

(a) by deleting the words “a writ of execution” in the following provisions and substituting in each case the words “an enforcement order”:

20

Section 42(2)(b)

Section 57(3)(b)(i) and (ii) and (c);

(b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

25

Section 121(7)

Section 153(2);

(c) by deleting the words “either ex parte” in the following provision and substituting the words “whether in the absence of the caveator”:

Section 127(1);

(d) by deleting the word “WRITS” in the following provision and substituting the words “ENFORCEMENT ORDERS”:

5

Part XIII (Part heading);

(e) by inserting, immediately before the definition of “order” in section 131, the following definition:

““enforcement order” means an enforcement order against land issued by a court having jurisdiction to issue such an order, and, where the context admits, includes renewal of an enforcement order and a second or subsequent enforcement order on the same judgment;”;

10

15

(f) by deleting the words “levy execution on land;” in the following provision and substituting the words “execute an enforcement order against land.”:

Section 131 (definition of “Sheriff”);

20

(g) by deleting the definition of “writ” in section 131;

(h) by deleting the words “A writ of execution” in the following provision and substituting the words “An enforcement order”:

Section 132(1);

25

(i) by deleting the words “the writ” wherever they appear in the following provisions and substituting in each case the words “the enforcement order”:

Section 132(1) and (3)

Section 133(1)

30

Section 134(1) and (4)

Section 135(1), (2) and (3)

Section 136(3);

(j) by deleting the words “a writ” wherever they appear in the following provisions and substituting in each case the words “an enforcement order”:

Section 132(4) and (6)

5 Section 133(1) and (2)

Section 134(1), (2), (4) and (5)

Section 135(1) and (3)

Section 136(2) and (3);

10 (k) by deleting the words “A writ” in the following provisions and substituting in each case the words “An enforcement order”:

Section 132(5)

Section 136(1);

15 (l) by deleting the words “that writ” in the following provisions and substituting in each case the words “that enforcement order”:

Section 132(6)

Section 136(1);

20 (m) by deleting the words “subsequent writ” in the following provisions and substituting in each case the words “subsequent enforcement order”:

Section 132(6)

Section 133(2)

Section 134(2);

25 (n) by deleting the word “Writs” in the following provision and substituting the words “Enforcement orders”:

Section 132 (section heading);

30 (o) by deleting the word “writs” wherever it appears in the following provisions and substituting in each case the words “enforcement orders”:



Section 134(3) and section heading

Section 135 (section heading)

Section 136 (section heading); and

(p) by deleting the word “plaintiff” in the following provisions and substituting in each case the word “claimant”:

5

Section 156(3) and (4).

### **Amendment of Land Titles (Strata) Act**

**148.** The Land Titles (Strata) Act is amended by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

10

Section 121(1).

### **Amendment of Layout-Designs of Integrated Circuits Act**

**149.** The Layout-Designs of Integrated Circuits Act is amended by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

15

Section 14(2)

Section 15(a)

Section 16(1)(a)

Section 21(1)(a).

### **Amendment of Limitation Act**

20

**150.** The Limitation Act is amended by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 24A(2) and (3)(b)

Section 29(1).

25

## Amendment of Limited Liability Partnerships Act

151. The Limited Liability Partnerships Act is amended —

(a) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 33(1) and (3)

Section 34(14)

Section 36(3) and (5)

Section 37(1) and (1A)

Fifth Schedule, paragraphs 9(3)(a), 10(1), 25(7), 34, 46(2), 59 and 86(1), (3) and (4);

(b) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Fifth Schedule, paragraph 3(2)(b);

(c) by deleting the word “execution” in the following provisions and substituting in each case the words “enforcement order”:

Fifth Schedule, paragraphs 8(2) and 46(1); and

(d) by deleting paragraphs 88 and 89 of the Fifth Schedule and substituting the following paragraphs:

**“Restriction of rights of creditor as to enforcement or attachment**

88.—(1) Where a creditor has obtained an enforcement order against the goods or land of a limited liability partnership or has attached any debt due to the limited liability partnership and the limited liability partnership is subsequently wound up, the creditor is not entitled to retain the benefit of the enforcement order or attachment against the liquidator unless the creditor has completed the enforcement order or attachment before the date of the commencement of the winding up, but —

(a) where any creditor has had notice of a meeting having been called at which a resolution for voluntary winding up is to be proposed, the date on which the creditor so had notice is for the purposes of this

paragraph substituted for the date of the commencement of the winding up;

- (b) a person who purchases in good faith under a sale by the bailiff any goods of a limited liability partnership on which an enforcement order has been executed in all cases acquires a good title to them against the liquidator; and 5
- (c) the rights conferred by this sub-paragraph on the liquidator may be set aside by the Court in favour of the creditor to the extent and subject to the terms that the Court thinks fit. 10

(2) For the purposes of this paragraph —

- (a) an enforcement order against goods is completed by seizure and sale;
- (b) an attachment of a debt is completed by receipt of the debt; and 15
- (c) an enforcement order against land is completed by sale or, in the case of an equitable interest, by the appointment of a receiver.

**Duties of bailiff as to goods taken under or pursuant to enforcement order** 20

89.—(1) Subject to sub-paragraph (3), where any goods of a limited liability partnership are taken under or pursuant to an enforcement order and, before the sale of the goods or the completion of the enforcement order by the receipt or recovery of the full amount of the levy, notice is served on the bailiff that — 25

- (a) a provisional liquidator has been appointed;
- (b) a winding up order has been made; or
- (c) a resolution for voluntary winding up has been passed, 30

the bailiff must, on being so required, deliver the goods and any money seized or received in part satisfaction of the enforcement order to the liquidator, but the costs of the enforcement order are a first charge on the goods or moneys so delivered, and the liquidator may sell the goods, or a sufficient part of the goods, for the purpose of satisfying that charge. 35

(2) Subject to sub-paragraph (3), where under an enforcement order in respect of a judgment for a sum exceeding \$100 the goods of a limited liability partnership are sold or money is paid in order to avoid sale, the bailiff must deduct the costs of the enforcement order from the proceeds of the sale or the money paid and retain the balance of 14 days; and if within that time notice is served on the bailiff of an application for the winding up of the limited liability partnership having been made or of a meeting having been called at which there is to be proposed a resolution for the voluntary winding up and an order is made or a resolution is passed for the winding up, the bailiff must pay the balance to the liquidator who is entitled to retain it as against the enforcement creditor.

(3) The rights conferred by this paragraph on the liquidator may be set aside by the Court in favour of the creditor to the extent and subject to the terms that the Court thinks fit.”.

### **Amendment of Limited Partnerships Act**

**152.** The Limited Partnerships Act is amended by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 29(1) and (3).

### **Amendment of Maintenance of Parents Act**

**153.** The Maintenance of Parents Act is amended —

(a) by deleting the word “leave” wherever it appears in the following provision and substituting in each case the word “permission”:

Section 18(5); and

(b) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

Section 19(1) and (3) and section heading.

### **Amendment of Maritime and Port Authority of Singapore Act**

**154.** The Maritime and Port Authority of Singapore Act is amended —

- (a) by deleting the words “in execution under process” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 108; and

- (b) by deleting the words “attachment of” in the following provision and substituting the words “enforcement against”:

Section 108 (section heading).

### **Amendment of Mediation Act 2017**

**155.** The Mediation Act 2017 is amended —

- (a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 9(3)

Section 10

Section 11(1) and (2); and

- (b) by deleting the word “Leave” in the following provision and substituting the word “Permission”:

Section 11 (section heading).

### **Amendment of Medical and Elderly Care Endowment Schemes Act**

**156.** The Medical and Elderly Care Endowment Schemes Act is amended by deleting the words “in execution under an order” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 12(1)(b).

### **Amendment of Medical Registration Act**

**157.** The Medical Registration Act is amended —

- (a) by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

Section 49(5);

(b) by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

Section 51(6);

5 (c) by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

Section 59A(6); and

10 (d) by deleting the words “ex parte originating summons” in the following provision and substituting the words “an originating application without notice”:

Section 59U(2).

### **Amendment of MediShield Life Scheme Act 2015**

15 **158.** The MediShield Life Scheme Act 2015 is amended by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

Section 15(1).

### **Amendment of Mental Health (Care and Treatment) Act**

20 **159.** The Mental Health (Care and Treatment) Act is amended by deleting the word “leave” wherever it appears in the following provision and substituting in each case the word “permission”:

Section 25(2).

### **Amendment of Merchant Shipping Act**

25 **160.** The Merchant Shipping Act is amended by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

Section 88(6).

### **Amendment of Merchant Shipping (Civil Liability and Compensation for Bunker Oil Pollution) Act**

30 **161.** The Merchant Shipping (Civil Liability and Compensation for Bunker Oil Pollution) Act is amended by deleting the word

“execution” in the following provision and substituting the words “an enforcement order”:

Section 17(4).

### **Amendment of Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act**

5

**162.** The Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act is amended —

(a) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

10

Section 18(4); and

(b) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 28(4)(a) and (b)

15

Section 29(5).

### **Amendment of Minors’ Contracts Act**

**163.** The Minors’ Contracts Act is amended by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

20

Section 3(1) and (2).

### **Amendment of Monetary Authority of Singapore Act**

**164.** The Monetary Authority of Singapore Act is amended —

(a) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

25

Section 40(1)(iii); and

(b) by deleting the word “execution” in the following provisions and substituting in each case the words “enforcement order”:

30

Section 53(2)(d)

Section 59(2)(b)

Section 67(13)(a) and (j)

Section 70(13)(d)

5 Section 77(1)(d).

### **Amendment of Moneylenders Act**

**165.** The Moneylenders Act is amended by deleting the words “in execution” in the following provision and substituting the words “under or pursuant to an enforcement order”:

10 Section 29(2).

### **Amendment of Motor Vehicles (Third-Party Risks and Compensation) Act**

**166.** The Motor Vehicles (Third-Party Risks and Compensation) Act is amended —

15 (a) by deleting the word “execution” in the following provision and substituting the word “enforcement”:

Section 9(3)(b);

(b) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

20 Section 9(5);

(c) by deleting the word “taxed” in the following provision and substituting the word “assessed”:

Section 18(3)(b); and

25 (d) by deleting the word “taxation” in the following provision and substituting the word “assessment”:

Section 18(3)(c).



### **Amendment of Mutual Assistance in Criminal Matters Act**

**167.** The Mutual Assistance in Criminal Matters Act is amended —

- (a) by deleting the words “in camera” in the following provision and substituting the words “in private”:

Section 22(8);

5

- (b) by deleting the words “or in execution of a decree” in the following provisions and substituting in each case the words “, in execution of a decree or under or pursuant to an enforcement order”:

Second Schedule, items 167 and 168;

10

- (c) by deleting the words “ex parte application” in the following provisions and substituting in each case the words “application without notice”:

Third Schedule, paragraphs 7(4)(b), 8(3)(b) and 17(5)(b);  
and

15

- (d) by deleting the words “a garnishee order” in the following provision and substituting the words “an enforcement order for attachment of a debt”:

Third Schedule, paragraph 10(2).

### **Amendment of Mutual Benefit Organisations Act**

20

**168.** The Mutual Benefit Organisations Act is amended —

- (a) by deleting the word “execution” in the following provision and substituting the word “enforcement”:

Section 16(b);

- (b) by deleting the words “A writ of summons” in the following provision and substituting the words “An originating claim”:

25

Section 47(2); and

- (c) by deleting the word “executed” in the following provision and substituting the word “enforced”:

30

Section 47(3).

### **Amendment of Ngee Ann Kongsi (Incorporation) Ordinance**

**169.** The Ngee Ann Kongsi (Incorporation) Ordinance is amended —

5 (a) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 20(1) and (2); and

10 (b) by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

Section 20(2).

### **Amendment of Organised Crime Act 2015**

**170.** The Organised Crime Act 2015 is amended —

15 (a) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 39(6); and

(b) by deleting the words “ex parte application” in the following provisions and substituting in each case the words “application without notice”:

20 Section 56(b)

Section 59(2)(b).

### **Amendment of Parliament (Privileges, Immunities and Powers) Act**

25 **171.** The Parliament (Privileges, Immunities and Powers) Act is amended by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 7(1).

### **Amendment of Parliamentary Elections Act**

**172.** The Parliamentary Elections Act is amended by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 66(9) and (10)

5

Section 97(4).

### **Amendment of Partnership Act**

**173.** The Partnership Act is amended by deleting the words “A writ of execution” in the following provision and substituting the words “An enforcement order”:

10

Section 23(1).

### **Amendment of Patents Act**

**174.** The Patents Act is amended —

(a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

15

Section 39(3)

Section 82(7)

Section 90(3);

(b) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

20

Section 51(2)

Section 67(4)(b)

Section 70(2)

Section 77(2) and (3)(c);

25

(c) by deleting the words “enters an appearance” in the following provisions and substituting in each case the words “files and serves a notice of intention to contest or not contest”:

Section 53(7)

Section 58(7)

Section 73(2)

Section 74(3);

- 5 (d) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 67(3); and

- 10 (e) by deleting the word “execution” in the following provision and substituting the words “an enforcement order”:

Section 96(2).

### **Amendment of Payment Services Act 2019**

**175.** The Payment Services Act 2019 is amended —

- 15 (a) by deleting the words “in execution under an order” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 23(7)(b); and

- 20 (b) by deleting the word “execution” in the following provisions and substituting in each case the words “an enforcement order”:

Section 34(6)(c)

Section 35(2)(c)

Section 65(6)(c)

Section 66(2)(c).

### **25 Amendment of Penal Code**

**176.** The Penal Code is amended —

- (a) by inserting, immediately after the word “subpoenas,” in the following provision, the words “orders to attend court,”:

30 Section 21(1)(g)(v);

- (b) by deleting the words “in execution in order to satisfy a decree” in the following provision and substituting the words “under or pursuant to an enforcement order, or in execution in order to satisfy a decree,”:

Section 166, *illustration*;

5

- (c) by deleting the words “a subpoena” in the following provision and substituting the words “an order to attend court”:

Section 174, *illustration (a)*;

- (d) by deleting the words “in execution of a decree or an order” in the following provisions and substituting in each case the words “in execution of a decree or an order, or under or pursuant to an enforcement order,”:

10

Section 206

Section 207;

15

- (e) by deleting the words “or in execution of a decree” in the following provisions and substituting in each case the words “, in execution of a decree or under or pursuant to an enforcement order”:

Section 206 (section heading)

20

Section 207 (section heading);

- (f) by inserting, immediately after the word “executed” in the following provisions, the words “or enforced”:

Section 208

Section 210; and

25

- (g) by inserting, immediately after the word “execution” in the following provision, the words “, or under or pursuant to an enforcement order,”:

Section 425, *illustration (d)*.

### **Amendment of Personal Data Protection Act 2012**

177. The Personal Data Protection Act 2012 is amended by deleting the word “plaintiff” in the following provisions and substituting in each case the word “claimant”:

5       Section 48O(3)

Section 66.

### **Amendment of Planning Act**

178. The Planning Act is amended by deleting the words “process of execution” in the following provision and substituting the words  
10 “enforcement order”:

Section 42(6).

### **Amendment of Plant Varieties Protection Act**

179. The Plant Varieties Protection Act is amended —

15       (a) by deleting the word “taxation” in the following provision and substituting the word “assessment”:

Section 12(2);

(b) by deleting the word “taxed” in the following provision and substituting the word “assessed”:

Section 12(3);

20       (c) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 30(4); and

(d) by deleting the word “leave” in the following provision and substituting the word “permission”:

25       Section 48(3).

### **Amendment of Police Force Act**

**180.** The Police Force Act is amended by inserting, immediately after the word “subpoenas,” in the following provision, the words “orders to attend court,”:

Section 4(2)(i).

5

### **Amendment of Portuguese Missions Ordinance**

**181.** The Portuguese Missions Ordinance is amended by deleting the words “writs of summons” in the following provision and substituting the words “originating claims”:

Section 5(2).

10

### **Amendment of Postal Services Act**

**182.** The Postal Services Act is amended —

(a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 29(6)

15

Section 39C(7); and

(b) by deleting the words “in execution under any process” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 58(1).

20

### **Amendment of Presidential Elections Act**

**183.** The Presidential Elections Act is amended by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 47(9) and (10)

25

Section 77(4).

### **Amendment of Prevention of Human Trafficking Act 2014**

**184.** The Prevention of Human Trafficking Act 2014 is amended by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

5       Section 18(1)(a) and (b) and (3).

### **Amendment of Private Lotteries Act**

**185.** The Private Lotteries Act is amended by deleting the words “a writ of summons” in the following provision and substituting the words “an originating claim”:

10       Section 22(1).

### **Amendment of Property Tax Act**

**186.** The Property Tax Act is amended —

(a) by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

15               Section 38A(1); and

(b) by deleting the words “process of execution” in the following provision and substituting the words “enforcement order”:

                  Section 39(6).

### **Amendment of Protection from Harassment Act**

**187.** The Protection from Harassment Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

                  Section 13(3B)

25       Section 16I(2) and (3).



**Amendment of Public Trustee Act**

**188.** The Public Trustee Act is amended —

- (a) by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

Section 5(1); and

- (b) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 22(2).

5

**Amendment of Public Utilities Act**

10

**189.** The Public Utilities Act is amended —

- (a) by deleting the words “in execution” in the following provisions and substituting in each case the words “under or pursuant to an enforcement order”:

Section 29

Section 30;

- (b) by deleting the words “in execution” in the following provisions and substituting in each case the words “under or pursuant to enforcement order”:

Section 29 (section heading)

Section 30 (section heading); and

- (c) by deleting the words “execute or” in the following provision:

Section 44I(1)(h).

15

20

**Amendment of Railways Act**

25

**190.** The Railways Act is amended —

- (a) by inserting, immediately after the word “taken” wherever it appears in the following provision, the words “under or pursuant to an enforcement order or”:

Section 33(1);

30

(b) by inserting, immediately after the word “execution” in the following provision, the words “or enforcement”:

Section 33(2) and section heading; and

(c) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 43(1).

### **Amendment of Reciprocal Enforcement of Commonwealth Judgments Act**

**191.** The Reciprocal Enforcement of Commonwealth Judgments Act is amended —

(a) by deleting the word “execution” in the following provisions and substituting in each case the word “enforcement”:

Section 3(3)(b) and (4)(c); and

(b) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 3(5).

### **Amendment of Reciprocal Enforcement of Foreign Judgments Act**

**192.** The Reciprocal Enforcement of Foreign Judgments Act is amended —

(a) by deleting the word “execution” in the following provisions and substituting in each case the word “enforcement”:

Section 2(1) (definition of “appeal”)

Section 4(4)(a) and (d)

Section 13(2);

(b) by deleting the words “by execution” wherever they appear in the following provisions:

Section 4(3)(b)

Section 6(2)

Section 8(1)(e)

Section 11(2)(a)(iii);

- (c) by deleting the words “Execution shall not issue on the judgment” in the following provision and substituting the words “An enforcement order must not be issued to enforce a judgment”:

5

Section 4(5); and

- (d) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 5(2)(a)(ii).

10

### **Amendment of Registered Designs Act**

**193.** The Registered Designs Act is amended —

- (a) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

15

Section 40(1)

Section 41(2)(a) and (b)

Section 44(2);

- (b) by deleting the word “taxation” in the following provision and substituting the word “assessment”:

20

Section 56(2);

- (c) by deleting the word “taxed” in the following provision and substituting the word “assessed”:

Section 56(3);

- (d) by deleting the words “in camera” in the following provision and substituting the words “in private”:

25

Section 62(2);

- (e) by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 62(2A); and

30

(f) by deleting the word “plaintiff” wherever it appears in the following provision and substituting in each case the word “claimant”:

Section 68M(2).

5 **Amendment of Registration of Deeds Act**

**194.** The Registration of Deeds Act is amended by deleting the words “writ of execution or sequestration” in the following provision and substituting the words “enforcement order, writ of sequestration”:

10 Section 2(1) (definition of “order of court”).

**Amendment of Residential Property Act**

**195.** The Residential Property Act is amended by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

15 Section 24(8).

**Amendment of Road Traffic Act**

**196.** The Road Traffic Act is amended —

(a) by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

20 Section 18(1); and

(b) by deleting the word “leave” wherever it appears in the following provision and substituting in each case the word “permission”:

Section 110A(6).

25 **Amendment of Sale of Goods Act**

**197.** The Sale of Goods Act is amended —

(a) by deleting the word “plaintiff’s” in the following provisions and substituting in each case the word “claimant’s”:

30 Section 52(1) and (2);

(b) by inserting, immediately after the definition of “buyer” in section 61(1), the following definition:

““claimant” includes a defendant counterclaiming;” and

(c) by deleting the definition of “plaintiff” in section 61(1).

5

**Amendment of Salvation Army Ordinance**

**198.** The Salvation Army Ordinance is amended by deleting the words “Writs of Summons” in the following provision and substituting the words “originating claims”:

Section 7.

10

**Amendment of Securities and Futures Act**

**199.** The Securities and Futures Act is amended —

(a) by deleting the word “execution” in the following provisions and substituting in each case the words “an enforcement order”:

15

Section 9(8)(d)

Section 43(1)(e)

Section 46E(9)(d)

Section 46Z(1)(e)

Section 51(8)(d)

20

Section 81P(1)(e)

Section 81ZJ(1)(e)

Section 86(4)(c)

Section 97(1)(iii)

Section 99M(1)(d)

25

Section 123F(6)(d)

Section 123Y(1)(iii)

Section 123ZE(5)(d)

Section 123ZU(1)(iii)

Section 292A(1)(iii);

30

(b) by deleting the word “execution” in the following provision and substituting the words “enforcement order”:

Section 81K(1);

5 (c) by deleting the words “in execution under an order” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 104A(b);

10 (d) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Section 189(3)

Section 235(1) and (2)

Section 236J(1) and (3)

Section 295C(3);

15 (e) by deleting the word “Leave” in the following provisions and substituting in each case the word “Permission”:

Section 235(3)

Section 236J(2) and (4); and

20 (f) by deleting the word “plaintiff” in the following provisions and substituting in each case the word “claimant”:

Section 218(4) and (4A)

Section 220(1) and (2).

### **Amendment of Sedition Act**

**200.** The Sedition Act is amended —

25 (a) by deleting the words “ex parte” in the following provision and substituting the words “without notice”:

Section 10(2); and

(b) by deleting the words “originating summons” in the following provision and substituting the words “originating application”:

30 Section 10(7).

### **Amendment of Settled Estates Act**

**201.** The Settled Estates Act is amended by deleting the word “leave” in the following provision and substituting the word “permission”:

Section 15(2).

5

### **Amendment of Sewerage and Drainage Act**

**202.** The Sewerage and Drainage Act is amended by deleting the words “process of execution” in the following provision and substituting the words “enforcement order”:

Section 52(6).

10

### **Amendment of Singapore Armed Forces Act**

**203.** The Singapore Armed Forces Act is amended —

(a) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

15

Section 104(1) and section heading

Section 105(1);

(b) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

20

Section 129(8)

Section 157(3);

(c) by inserting, immediately after the words “stay of execution” in the following provisions, the words “or enforcement”:

25

Section 129(9)

Section 155(3)

Section 156(1) and section heading; and

(d) by inserting, immediately after the words “stay execution” in the following provision, the words “or enforcement”:

30

Section 156(2).

### **Amendment of Singapore Convention on Mediation Act 2020**

**204.** The Singapore Convention on Mediation Act 2020 is amended by deleting the word “leave” in the following provision and substituting in each case the word “permission”:

5 Section 5(1) and section heading.

### **Amendment of Singapore Tourism (Cess Collection) Act**

**205.** The Singapore Tourism (Cess Collection) Act is amended by deleting the words “writ of summons” in the following provision and substituting the words “originating claim”:

10 Section 14(1).

### **Amendment of Small Claims Tribunals Act**

**206.** The Small Claims Tribunals Act is amended —

(a) by inserting, immediately after the word “execution” in the following provision, the words “or enforcement”:

15 Section 10(3);

(b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 27(4) and (5)

Section 38(1A) and (2)

20 Section 42(3)(a); and

(c) by inserting, immediately after the words “stay of execution” wherever they appear in the following provisions, the words “or enforcement”:

Section 42(1) to (4) and section heading.

### **Amendment of Societies Act**

**207.** The Societies Act is amended —

(a) by deleting the words “a writ of summons” in the following provision and substituting the words “an originating claim”:

30 Section 35(1)(c); and



- (b) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 36(1).

### **Amendment of Spam Control Act**

**208.** The Spam Control Act is amended by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

5

Section 14(3) and (4)(b)

Section 15.

### **Amendment of Stamp Duties Act**

10

**209.** The Stamp Duties Act is amended by deleting the words “writ of summons” in the following provisions and substituting in each case the words “originating claim”:

Section 50(1)

Section 70(2).

15

### **Amendment of State Immunity Act**

**210.** The State Immunity Act is amended —

- (a) by deleting the words “entry of appearance and judgments in default of appearance” in the following provision and substituting the words “filing and service of a notice of intention to contest or not contest (formerly known as entry of appearance) and judgments in default of a notice of intention to contest or not contest (formerly known as judgments in default of appearance)”:

20

Section 2(2)(b);

25

- (b) by deleting the word “appear” in the following provision and substituting the words “file and serve a notice of intention to contest or not contest”:

Section 3(2);

(c) by deleting the words “entering an appearance” in the following provisions and substituting in each case the words “filing and serving a notice of intention to contest or not contest”:

5           Section 14(2) and (4);

(d) by deleting the word “appears” in the following provision and substituting the words “files and serves a notice of intention to contest or not contest”:

          Section 14(3);

10          (e) by deleting the words “default of appearance” in the following provisions and substituting in each case the words “default of a notice of intention to contest or not contest”:

          Section 14(4) and (5);

15          (f) by deleting the word “leave” in the following provision and substituting the word “permission”:

          Section 14(7); and

          (g) by deleting the words “default of appearance” in the following provision and substituting the words “default of notice of intention to contest or not contest”:

20

          Section 14 (section heading).

### **Amendment of Status of Children (Assisted Reproduction Technology) Act**

25          **211.** The Status of Children (Assisted Reproduction Technology) Act is amended by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

          Section 10(2)(d) and (3).

### **Amendment of Telecommunications Act**

**212.** The Telecommunications Act is amended —

- (a) by deleting the words “in execution” in the following provision and substituting the words “under or pursuant to an enforcement order”:

Section 25(1);

- (b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 29(8)

Section 33(7)

Section 47(5)

Section 49(5); and

- (c) by deleting the words “execute or” in the following provision:

Section 32L(1)(e).

### **Amendment of Terrorism (Suppression of Financing) Act**

**213.** The Terrorism (Suppression of Financing) Act is amended by deleting the words “ex parte application” in the following provision and substituting the words “application without notice”:

Section 11(1).

### **Amendment of Town Councils Act**

**214.** The Town Councils Act is amended by deleting the words “writ of seizure and sale” in the following provisions and substituting in each case the words “enforcement order for seizure and sale of property”:

Section 24F(7)

Section 44(5).

## **Amendment of Trade Marks Act**

**215.** The Trade Marks Act is amended —

(a) by deleting the word “plaintiff” wherever it appears in the following provisions and substituting in each case the word “claimant”:

Section 31(5) and (6)(b)

Section 32(3)(a)

Section 33(1)

Section 34(2)(a) and (b) and (3)(a)

Section 35(3) and (4)

Section 37(5)

Section 44(5) and (9)

Section 45(5)(a)

First Schedule, paragraph 12(4) and (7)

Second Schedule, paragraph 14;

(b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 37(5)

Section 44(5)

Section 75(4)

First Schedule, paragraph 12(4);

(c) by deleting the word “taxation” in the following provision and substituting the word “assessment”:

Section 69(2); and

(d) by deleting the word “taxed” in the following provision and substituting the word “assessed”:

Section 69(3).

## **Amendment of Trade Unions Act**

**216.** The Trade Unions Act is amended —

- (a) by deleting the word “Execution” in the following provision and substituting the words “An enforcement order”:

5

Section 26(4); and

- (b) by deleting the words “ex parte application by originating summons” in the following provision and substituting the words “originating application without notice”:

Section 45.

10

## **Amendment of Trust Companies Act**

**217.** The Trust Companies Act is amended —

- (a) by deleting the word “execution” in the following provisions and substituting in each case the words “an enforcement order”:

15

Section 5(3)(d)

Section 14(1)(e);

- (b) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

20

Section 49(3)(a)

Part I of Third Schedule, third column of items 3 and 4;

- (c) by deleting the words “a garnishee order” in the following provision and substituting the words “an enforcement order for attachment of a debt”:

25

Part I of Third Schedule, first column of item 6; and

- (d) by deleting the words “the garnishee order” in the following provision and substituting the words “the enforcement order for attachment of a debt”:

Part I of Third Schedule, second column of item 6.

30

## **Amendment of Trustees Act**

**218.** The Trustees Act is amended —

(a) by deleting the word “leave” in the following provision and substituting the word “permission”:

5           Section 37(10);

(b) by deleting the words “entered an appearance” in the following provision and substituting the words “filed and served a notice of intention to contest or not contest”:

          Section 58; and

10          (c) by deleting the words “originating summons” in the following provisions and substituting in each case the words “originating application”:

          Section 63(4)

          Section 79(1).

## 15       **Amendment of Variable Capital Companies Act 2018**

**219.** The Variable Capital Companies Act 2018 is amended —

(a) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

20           Section 56(13)

          Section 58(3) and (6)

          Section 60(3)

          Section 61(2) and (3)

          Section 129(1)

25           Section 130(14)

          First Schedule, paragraph 20;

(b) by deleting the words “levying of any execution” in the following provision and substituting the words “execution of any enforcement order”:

30           Section 144(2)(b);

- (c) by deleting the word “plaintiff” in the following provision and substituting the word “claimant”:

Section 151(3); and

- (d) by deleting the word “leave” wherever it appears in the following provision and substituting in each case the word “permission”:

First Schedule, paragraph 32.

### **Amendment of Wholesome Meat and Fish Act**

**220.** The Wholesome Meat and Fish Act is amended by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 6(6)

Section 20(4)

Section 23(4).

### **Amendment of Women’s Charter**

**221.** The Women’s Charter is amended —

- (a) by deleting the words “a garnishee order” in the following provisions and substituting in each case the words “an enforcement order for attachment of a debt”:

Section 71(1)(c)

Section 83(3)(c);

- (b) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Section 94(2) and (3)

Section 121C(a) and (b)

Section 121D(1), (2) and (3)

Section 121E(1) and (2)

Section 126(3)

Section 131(1);

(c) by deleting the word “Leave” in the following provision and substituting in each case the word “Permission”:

Section 121D(4) and section heading; and

(d) by deleting the words “in camera” in the following provisions and substituting in each case the words “in private”:

Section 153(1) and (3) and section heading.

### **Amendment of Supreme Court of Judicature (Amendment) Act 2019**

**222.** Section 32 of the Supreme Court of Judicature (Amendment) Act 2019 is amended —

(a) by deleting the words “item 52” in subsection (3) and substituting the words “item 51”;

(b) by deleting the words “item 57” in subsection (4) and substituting the words “item 56”;

(c) by deleting the words “item 78” in subsection (5) and substituting the words “item 77”; and

(d) by deleting the words “item 113” in subsection (6) and substituting the words “item 112”.

### **Amendments to references to subpoenas issued in connection with civil action in General Division of High Court**

**223.—**(1) The Accountants Act is amended by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

Section 51(9).

(2) The Allied Health Professions Act is amended by deleting the words “it is a subpoena issued” in the following provision and substituting the words “it were an order to attend court or an order to produce documents issued”:

Section 51(6).



(3) The Architects Act is amended by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

Section 31F(4).

(4) The Dental Registration Act is amended by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

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Section 38(6).

(5) The Pharmacists Registration Act is amended by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

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Section 43(6).

(6) The Professional Engineers Act is amended by deleting the words “subpoenas issued” in the following provision and substituting the words “orders to attend court or orders to produce documents issued”:

15

Section 31F(4).

PART 15

SAVING AND TRANSITIONAL PROVISIONS AND  
POWER TO MAKE CONSEQUENTIAL AND  
RELATED AMENDMENTS

20

**Saving**

**224.**—(1) As from the date of commencement of section 3(1) (called in this section the relevant date), despite any provision of this Act that replaces any of the expressions in the second column in any written law, a reference in any written law to a matter mentioned in the first column in relation to any proceedings mentioned in subsection (2) is to be construed as a reference to the corresponding expression in the second column, and any such proceedings are to continue in accordance with the provisions of the relevant written law and the practice and procedure as were in force

25

30

and applicable in relation to those proceedings immediately before the relevant date:

|    | <i>First column</i>  | <i>Second column</i>                                 |
|----|--|--|
|    | <i>New expression</i>  | <i>Old expression</i>                                |
| 5  | (a) Originating claim  | Writ of summons                                      |
|    | (b) Originating application  | Originating summons                                  |
|    | (c) Order to attend court  | Subpoena   |
|    | (d) Enforcement order  | Writ of execution                                    |
| 10 | (e) Enforcement order for seizure and sale of property   | Writ of seizure and sale                             |
|    | (f) Enforcement order for possession of property   | Writ of possession                                   |
|    | (g) Enforcement order for attachment of a debt   | Garnishee order                                      |
| 15 | (h) Notice of intention to contest or not contest  | Memorandum of appearance                             |
|    | (i) Filing and service of a notice of intention to contest or not contest  | Entry of appearance in relation to a writ of summons |
| 20 | (j) Permission of court  | Leave of court                                       |
|    | (k) Claimant   | Plaintiff  |
|    | (l) Application without notice   | Ex parte application.                                |
|    | (2) Subsection (1) applies to the following proceedings:   |  |
| 25 | (a) any proceedings in the General Division of the High Court (including the Family Division of the High Court and the Singapore International Commercial Court), a District Court, a Magistrate's Court, a Family Court or a Youth Court that commenced before the relevant date; |  |
| 30 | (b) any appeal or application before the Court of Appeal or the Appellate Division of the High Court that was filed in the   |  |

Court of Appeal or the Appellate Division of the High Court before the relevant date.

(3) Despite subsection (1) and section 226, Rules of Court made under section 80 of the Supreme Court of Judicature Act in relation to the Singapore International Commercial Court may provide that the relevant written law and the practice and procedure as in force on or after the relevant date are to apply to proceedings in the Singapore International Commercial Court commenced before the relevant date, and to any appeal or application arising from those proceedings, if the parties to those proceedings so agree.

### **Further saving provision in relation to Family Justice Courts**

**225.** As from the date of commencement of section 29 (called in this section the relevant date), despite section 29, a reference in any written law to a matter mentioned in the first column in relation to any proceedings commenced in the Family Division of the High Court, a Family Court or a Youth Court before the relevant date, is to be construed as a reference to the corresponding expression in the second column, and any such proceedings are to continue in accordance with the provisions of the relevant written law and the practice and procedure as were in force and applicable in relation to those proceedings immediately before the relevant date:

| <i>First column</i>                                    | <i>Second column</i>     |    |
|--|--------------------------|----|
| <i>New expression</i>                                  | <i>Old expression</i>    |    |
| (a) Order to attend court                              | Subpoena                 |    |
| (b) Enforcement order                                  | Writ of execution        | 25 |
| (c) Enforcement order for seizure and sale of property | Writ of seizure and sale |    |
| (d) Enforcement order for possession of property       | Writ of possession       |    |
| (e) Enforcement order for attachment of a debt         | Garnishee order          | 30 |
| (f) Permission of court                                | Leave of court.          |    |

### **Saving for referential provision**

5 **226.** Despite sections 41D(1) and 41E of the Interpretation Act, as from the date of commencement of section 3(1), a reference in any written law to any of the following matters in relation to any proceedings mentioned in section 224(2) is not to be construed as a reference to an expression in the second column of the table in section 41D(1) or 41E of the Interpretation Act, and any such proceedings are to continue in accordance with the provisions of the relevant written law and the practice and procedure as were in force and applicable in relation to those proceedings immediately before that date:

- (a) writ of summons;
- (b) originating summons;
- (c) subpoena;
- 15 (d) writ of execution;
- (e) writ of seizure and sale;
- (f) writ of possession;
- (g) garnishee order;
- (h) memorandum of appearance;
- 20 (i) entry of appearance in relation to a writ of summons;
- (j) leave of court;
- (k) plaintiff;
- (l) ex parte application.

### **Further saving for referential provision in relation to Family Justice Courts**

25 **227.** Despite section 41D(1) of the Interpretation Act, as from the date of commencement of section 29 (called in this section the relevant date), a reference in any written law to any of the following matters in relation to any proceedings commenced in the Family Division of the High Court, a Family Court or a Youth Court before the relevant date, is not to be construed as a reference to any expression in the second column of the table in section 41D(1) of the

Interpretation Act, and any such proceedings are to continue in accordance with the provisions of the relevant written law and the practice and procedure as were in force and applicable in relation to those proceedings immediately before the relevant date:

- (a) subpoena; 5
- (b) writ of execution;
- (c) writ of seizure and sale;
- (d) writ of possession;
- (e) garnishee order;
- (f) leave of court. 10

### **Power to make consequential and related amendments**

**228.**—(1) The Minister may, by order in the *Gazette*, make amendments to any Act that are consequential or related to the enactment of any provision of this Act, including amendments to any reference to any of the following expressions: 15

- (a) writ of summons;
- (b) originating summons;
- (c) subpoena;
- (d) writ of execution;
- (e) writ of seizure and sale; 20
- (f) writ of possession;
- (g) garnishee order;
- (h) memorandum of appearance;
- (i) entry of appearance in relation to a writ of summons;
- (j) leave of court; 25
- (k) plaintiff;
- (l) ex parte application.

(2) The Minister may, by an order made under subsection (1), prescribe provisions of a saving or transitional nature consequent to any amendment made by that order.

(3) An order under subsection (1) —

- 5           (a) may be made at any time within the period of 2 years after the date of commencement of this section; and
- (b) must be presented to Parliament as soon as possible after publication in the *Gazette*.

### **Power to prescribe saving and transitional provisions**

- 10       **229.** For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient.

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## **EXPLANATORY STATEMENT**

This Bill seeks to amend the Interpretation Act, the Administration of Justice (Protection) Act 2016, the Arbitration Act, the Attorney-General (Additional Functions) Act, the Civil Law Act, the Criminal Procedure Code, the Evidence Act, the Family Justice Act 2014, the International Arbitration Act, the Legal Profession Act, the Prisons Act, the State Courts Act, the Supreme Court of Judicature Act and certain other Acts —

- (a) to provide that the courts may —
- (i) conduct the hearing of any matter or proceeding (other than certain exceptions and any matter or proceeding prescribed by the Rules of Court, the Criminal Procedure Rules or the Family Justice Rules, as the case may be) 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; and
- (ii) decide any matter without hearing oral arguments (other than certain exceptions and any matter prescribed by the Rules of Court, the Criminal Procedure Rules or the Family Justice Rules, as the case may be);

- (b) to provide that the unauthorised recording of court proceedings, or any part of court proceedings, conducted through any electronic means of communication, constitutes contempt of court;
- (c) to confer jurisdiction and power on the General Division of the High Court to grant interim relief in aid of proceedings in any civil or commercial matter (excluding proceedings arising out of any fiscal, monetary or revenue law or measure) which have been or are to be commenced outside Singapore, even if the interim relief is not ancillary to a substantive cause of action before the Singapore courts;
- (d) to provide the Chief Justice with the discretion to convene a coram of 3 or any greater uneven number of Judges to hear any criminal or civil matter in the General Division of the High Court;
- (e) to provide a statutory framework for the Attorney-General to intervene in court proceedings (other than criminal proceedings or proceedings to which the Attorney-General is a party or representing a party) if the Attorney-General is of the opinion that a question of public interest has arisen in those proceedings and the intervention is necessary in the public interest to place any information or evidence or make any representations or submissions before the court in those proceedings;
- (f) to repeal and re-enact in the State Courts Act and the Family Justice Act 2014, and to enact in the Supreme Court of Judicature Act, provisions pursuant to which parties to a civil matter may, by agreement in writing, restrict their right of appeal to an appellate court;
- (g) to provide that the courts have the power to order any party to any civil proceedings to attempt to resolve any dispute by amicable resolution;
- (h) to provide for a new process for applications for permission to adduce further evidence in a civil appeal before the Appellate Division of the High Court and the Court of Appeal;
- (i) to clarify that a foreign lawyer with full registration under the Legal Profession Act may act in any proceedings that are preliminary to any relevant proceedings in the Singapore International Commercial Court, or act in any proceedings that are preliminary to a relevant appeal in an appellate court;
- (j) to clarify and provide that the Singapore International Commercial Court has jurisdiction to hear certain proceedings;
- (k) to provide that proceedings under the Arbitration Act and International Arbitration Act in any court be heard in private by default, with the possibility of such proceedings being heard in open court if the court, on its own motion or upon the application of any person (including a person who is not a party to the proceedings), so orders;

- (l) to empower a single Judge of the General Division of the High Court or the Court of Appeal to deal with certain matters under the Criminal Procedure Code;
- (m) to provide that applications for in camera hearings in court (now called hearings in private) are to be heard in private by default, to provide that a court has the power to order redaction of information that may be prejudicial to national interest or national security from court documents, and to provide that a court has the power to order that no person may publish information relating to proceedings before the court that may be prejudicial to national interest or national security;
- (n) to provide that the Registrar, the Deputy Registrar or an Assistant Registrar of the Supreme Court, 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; and
- (o) to reform, modernise, update and enhance the administration of justice as a whole.

The Bill also implements changes that are related to the recommendations in the Civil Justice Commission Report, and the Report of the Civil Justice Review Committee, both of which were released for public consultation on 26 October 2018. These changes will, among other things, enhance judicial control over the litigation process and modernise terminology for certain expressions used in connection with court proceedings.

Clause 1 relates to the short title and commencement.

## PART 1

### AMENDMENT OF INTERPRETATION ACT

Part 1 (clauses 2 and 3) amends the Interpretation Act.

Clause 2 amends section 41A to provide for a saving provision relating to any application made to a court before the date of commencement of the clause and which is pending on or after that date.

Clause 3(1) inserts new sections 41D and 41E.

The new section 41D provides that from the date of commencement of section 3(1) of the Courts (Civil and Criminal Justice) Reform Act 2021, references to certain expressions in any existing written law are to be construed as references to the corresponding expressions set out therein. The new section 41E provides for different expressions relating to proceedings before the Singapore International Commercial Court, and the new section 41D(2) and (3) retains certain expressions relating to proceedings before the Family Justice Courts.



## PART 2

AMENDMENT OF ADMINISTRATION OF  
JUSTICE (PROTECTION) ACT 2016

Part 2 (clauses 4 to 7) amends the Administration of Justice (Protection) Act 2016.

Clause 4 amends section 5 to provide that it is a contempt of court to make, publish, or transmit, without the permission of the Court, or to use in contravention of any conditions of permission granted by the Court, an audio or a visual recording or both of court proceedings, or any recording derived directly or indirectly from it. The reference to “court proceedings” includes court proceedings, or any part of court proceedings, conducted through any electronic means of communication. The reference to an audio or a visual recording of a court proceeding includes a recording of a person participating in a court proceeding, or a person viewing or listening to a court proceeding (including an audio or a visual recording of a court proceeding). A “recording” includes any recording of a temporary nature, including a recording for the purposes of contemporaneous or instantaneous publication or transmission.

Clause 5 inserts a new section 21A to provide that a person is not guilty of contempt of court if the court proceeding was conducted through an electronic means of communication, and the person did not know and could not reasonably have known that he or she was making, publishing, transmitting or using a recording of a court proceeding. For example, a person who takes a photograph of another person participating in a court proceeding conducted through an electronic means of communication, and who did not know and could not reasonably have known that that other person was participating in a court proceeding, is not guilty of contempt of court.

Clause 6 inserts a new section 26A which sets out the procedure for a person to give evidence remotely in proceedings for contempt of court. The Court may grant permission for a witness (not being the person against whom the proceedings are brought) to give evidence through a live video or live television link in Singapore or from overseas, if certain conditions are satisfied. The Court may also grant permission for a person against whom proceedings for contempt of court are brought to give evidence or appear (other than to give evidence) through a live video or live television link in Singapore (but not from overseas), if certain conditions are satisfied.

Clause 7 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 3

## AMENDMENT OF ARBITRATION ACT

Part 3 (clauses 8 and 9) amends the Arbitration Act.

Clause 8 repeals and re-enacts section 56. The new section 56 provides that proceedings under the Arbitration Act are to be heard in private by default, unless the court orders that the proceedings be heard in open court.

Clause 9 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 4

AMENDMENT OF ATTORNEY-GENERAL  
(ADDITIONAL FUNCTIONS) ACT

Part 4 (clause 10) amends the Attorney-General (Additional Functions) Act.

Clause 10 inserts new sections 4A and 4B to provide a statutory framework for the Attorney-General to intervene in court proceedings to fulfil the Attorney-General's duty as guardian of the public interest. This replaces the process for the application to intervene in the recent cases of *ARW v Comptroller of Income Tax and another* [2018] SGCA 85 and *Deepak Sharma v Law Society of Singapore* [2017] SGCA 43.

The new section 4A(1) provides that the Attorney-General may, with the permission of court, apply to intervene in any court proceeding (other than criminal proceedings, over which the Attorney-General as Public Prosecutor already has control and oversight, or proceedings to which the Attorney-General is a party or representing a party), where the Attorney-General is of the opinion that a question of public interest has arisen in those proceedings, and the intervention is necessary in the public interest to place any information or evidence or make any representations or submissions before the court in those proceedings.

The new section 4A(2) provides that the Attorney-General may apply for the court's permission to intervene in court proceedings, by an application without notice supported by an affidavit as to the requisite matters.

The new section 4A(4) sets out a non-exhaustive list of proceedings which the Attorney-General may apply to intervene in.

In considering whether to grant permission to intervene, the court need only be satisfied that the grounds for the intervention are adequately set out in the affidavit; the court is not to examine the merits of those grounds.

Any party to the proceedings may apply to set aside the order granting permission to intervene, by making an application within the time limit set out in the new section 4A(7). A court may set aside the order, if it is satisfied that it

would be in the interests of justice to set aside the permission for the intervention. The court will consider matters such as prejudice to the parties or the stage which the proceedings have reached, again without examining the merits of the grounds for the Attorney-General's opinion as to the public interest.

Upon an order granting permission for the Attorney-General to intervene, the Attorney-General is deemed a party to the proceedings and has the same right of appeal as a party to the proceedings. The court may, in the proceedings, make any order, including an order as to costs for or against the Government, that the court thinks fit.

The Attorney-General continues to be deemed a party to the proceedings, despite any application for setting aside of the order granting permission to intervene, or any appeal against the decision in a setting aside application, until the order granting permission to intervene is finally set aside.

The new section 4A(11) makes clear that the statutory framework under the Attorney-General (Additional Functions) Act does not affect any right of the Attorney-General to appear in any court, or to intervene in any proceedings that exists under any other written law.

The new section 4B(1) provides for the procedures that apply to an appeal. The Attorney-General may appeal as of right against a decision refusing permission to intervene, or a decision to set aside the order granting permission to intervene. Any party (other than the Attorney-General) may appeal against a refusal to set aside the order granting permission to intervene, with the permission of court.

The new section 4B also sets out how the appeals and permission to appeal are to be dealt with.

The Rules of Court and the Family Justice Rules may provide for the manner in which and the time within which an application for permission to intervene, the setting aside of the order granting permission to the Attorney-General to intervene, application for permission to appeal or an appeal may be made.

## PART 5

### AMENDMENT OF CIVIL LAW ACT

Part 5 (clauses 11 and 12) amends the Civil Law Act.

Clause 11 amends section 4 to confer jurisdiction and power on the General Division of the High Court to grant interim relief in aid of proceedings in any civil or commercial matter (excluding proceedings arising out of any fiscal, monetary or revenue law or measure) which have been or are to be commenced outside Singapore, if it appears to the court to be just and convenient that such order should be made. The District Court or Magistrate's Court has no jurisdiction to grant such interim relief in aid of foreign proceedings.

The interim relief that the General Division of the High Court may grant under the new section 4(10A) is interim relief of any kind which the court has power to grant in proceedings relating to matters within its jurisdiction, and excludes a warrant for the arrest of property (including a warrant for the arrest of vessels, aircraft, cargo or freight) and provision for obtaining evidence.

The new section 4(10C) provides that the court may refuse to grant interim relief if the fact that the court has no jurisdiction apart from the new section 4(10A) in relation to the subject matter of the proceedings makes it inappropriate for the court to make the order, or if the proceedings concerned are not capable of giving rise to a judgment which may be enforced in Singapore.

Clause 12 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 6

### AMENDMENT OF CRIMINAL PROCEDURE CODE

Part 6 (clauses 13 to 17) amends the Criminal Procedure Code.

Clause 13 inserts a new section 238A to provide that a court may decide any criminal matter without hearing oral arguments, subject to exclusions prescribed by the Criminal Procedure Rules. The new section 238A(1) does not extend to other aspects of the proceedings preceding those arguments or decisions, for example, the tendering of charges or reading of charges to an accused person. However, the new section 238A(1) does not allow any part of a proceeding where oral evidence is given to be conducted without an oral hearing. The court may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The court must not hear a matter in an asynchronous manner, if to do so would be inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clause 14 amends section 281 to provide that —

- (a) a court may, if satisfied that it is in the interests of justice and that sufficient administrative and technical facilities and arrangements are made at the place from which an accused is to make an appearance or give evidence, allow an accused person to give evidence or to appear in court proceedings remotely by means of a live video or live television link. Accused persons must do so from a court, a prison, an approved centre or an approved institution, or from any other place in Singapore in proceedings where all parties consent or in proceedings prescribed by the Minister in consultation with the Chief Justice; and
- (b) a court may allow an expert witness or a witness of fact (not being the accused) to give evidence from outside Singapore by means of a live

video or live television link, if the specified conditions are satisfied. The court must be satisfied that allowing the witness to give evidence from a place outside Singapore by means of a live video or live television link would be in the interests of justice.

Clause 15 amends section 378 to empower a single Judge of the General Division of the High Court or of the Court of Appeal to summarily give permission to withdraw an appeal without the appeal being set down for hearing. This applies only if every party to the appeal consents to the withdrawal of the appeal.

Clause 16 amends section 408A to empower a single Judge of the relevant court to summarily give permission to withdraw a criminal motion without the motion being set down for hearing. This applies only if every party to the proceedings consents to the withdrawal of the motion.

Clause 17 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 7

### AMENDMENT OF EVIDENCE ACT

Part 7 (clauses 18 and 19) amends the Evidence Act.

Clause 18 amends section 62A to provide that a court is to have regard to matters prescribed by rules made under subsection (9), in considering whether to make an order under section 62A, for example, to grant permission under subsection (1) for a witness to give evidence through a live video or live television link in any proceedings (other than proceedings in a criminal matter). Section 62A is also amended to provide for evidence by a live audio link under certain circumstances.

Clause 19 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 8

### AMENDMENT OF FAMILY JUSTICE ACT 2014

Part 8 (clauses 20 to 29) amends the Family Justice Act 2014.

Clause 20 repeals section 6 regarding the appointment of court houses.

Clause 21 amends section 9(3) to provide that the Family Courts and Youth Courts are to sit at such times and at such places as the Chief Justice may from time to time appoint.

Clause 22 amends section 10 to provide that a Family Justice Court may order the removal or redaction of information contained in any court document or

intended to be produced before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore. A Family Justice Court may also order that no person is to publish any information relating to any matter or proceedings before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore.

Clause 23 inserts a new section 11 to provide that a Family Justice Court may conduct the hearing of any matter or proceeding (other than a matter or proceeding prescribed by the Family Justice 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. There must be an accompanying live video or live television link for such part of the hearing in a criminal proceeding or quasi-criminal proceeding where oral evidence is given. There must also be an accompanying live video or live television link for such part of the hearing in a civil proceeding where oral evidence is given unless all parties consent to the hearing of the matter through a live audio link only. A Family Justice Court must not conduct a hearing through electronic means of communication if it would be inconsistent with the court's duty to ensure that the hearing is conducted fairly to all parties. The new section 11(6) further provides that a Family Court or Youth Court is deemed to be sitting at an appointed place when it conducts a hearing of a matter or proceeding through electronic means, whether any judicial officer of the court is situated in Singapore or outside Singapore.

Clause 24 amends section 18 to provide for the engagement of any auxiliary police officer, any security agency, a provider of transport and of warehousing, a valuer, an estate agent, a broker, a solicitor or any other appropriate person for the purpose of assisting the bailiff in the discharge of his or her duties.

Clauses 25 and 27 insert new sections 29A and 35A, respectively. The new section 29A provides that a Family Court may decide any matter in its civil or quasi-criminal jurisdiction without hearing oral arguments, subject to exclusions prescribed by the Family Justice Rules. The new section 35A provides that a Youth Court may decide any matter in its jurisdiction without hearing oral arguments, subject to exclusions prescribed by the Criminal Procedure Rules or the Family Justice Rules. The Family Court or Youth Court may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The court must not hear a matter in an asynchronous manner, if to do so would be inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clause 25 also inserts a new section 29B which empowers a District Judge sitting in a Family Court to summarily dismiss any appeal made against a decision of the Registrar relating to civil or quasi-criminal proceedings, if the District Judge is satisfied that there is no merit in that appeal (because every issue in that appeal has already been decided in an earlier matter in which the appellant was involved).

Before exercising its powers of summary dismissal, the District Judge must give the appellant a reasonable opportunity to show cause, and consider the representations (if any) of the appellant.

Clause 26 repeals and re-enacts section 33 to provide that a decision of the Family Court exercising civil jurisdiction is not appealable if parties have agreed that the decision is final, unless the party seeking to appeal proves that the decision is affected by fraud or illegality, or there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision. An agreement not to appeal may be made before or after the decision is made, and it may relate to part of the decision only. Such agreement must be in writing and signed by or on behalf of each party.

Clause 28 provides that Family Justice Rules may be made for the purpose of prescribing anything required or permitted under the Family Justice Act 2014 to be prescribed by the Family Justice Rules.

Clause 29 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 9

### AMENDMENT OF INTERNATIONAL ARBITRATION ACT

Part 9 (clauses 30 and 31) amends the International Arbitration Act.

Clause 30 repeals and re-enacts section 22. The new section 22 provides that proceedings under the International Arbitration Act are to be heard in private by default, unless the court orders that the proceedings be heard in open court.

Clause 31 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 10

### AMENDMENT OF LEGAL PROFESSION ACT

Part 10 (clauses 32 to 38) amends the Legal Profession Act.

Clauses 32 and 33 amend sections 29(2) and 34(1), respectively, to provide that the court may appoint independent counsel (formerly known as *amicus curiae*). The role of the independent counsel is to assist the court in any matter on specific issues of law. An independent counsel may be a solicitor, an academic involved in the teaching of law at present or in the past, or a person who has special knowledge or experience in any area of law.

Clause 34 amends section 36P(1) to put beyond doubt that a foreign lawyer who is registered under that provision may, if granted full registration under that provision, do the following:

- (a) appear and plead in any relevant proceedings, or in any proceedings that are preliminary to any relevant proceedings;
- (b) appear and plead in the appellate court in any relevant appeal, or in any proceedings that are preliminary to a relevant appeal;
- (c) represent any party to any relevant proceedings or relevant appeal in any matter concerning those proceedings or that appeal (as the case may be), or any proceedings that are preliminary to any relevant proceedings or relevant appeal in any matter concerning those preliminary proceedings;
- (d) give advice, prepare documents and provide any other assistance in relation to or arising out of any relevant proceedings or relevant appeal, or any proceedings that are preliminary to any relevant proceedings or relevant appeal.

Clause 35 repeals section 98(10), and clause 37 inserts a new section 193, to consolidate the rule-making powers pertaining to the procedure and practice for proceedings before the court of 3 Supreme Court Judges under the Legal Profession Act, including the fees and deposits payable for such matters.

Clause 36 makes a consequential amendment to section 100 to restate the rule-making power for that section (which is repealed by clause 35).

Clause 37 also inserts a new section 192. The new section 192 provides that any interlocutory applications before the court of 3 Supreme Court Judges under the Legal Profession Act may be decided without hearing oral arguments.

Clause 38 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 11

### AMENDMENT OF PRISONS ACT

Part 11 (clause 39) amends the Prisons Act.

Clause 39 inserts a new section 38(5) to empower the Registrar of the Supreme Court, the registrar of the Family Justice Courts and the registrar of the State Courts to issue an order in writing addressed to the Superintendent, requiring the production before the court in civil proceedings, of a person in proper custody at the time and place named in the order.

## PART 12

### AMENDMENT OF STATE COURTS ACT

Part 12 (clauses 40 to 50) amends the State Courts Act.



Clauses 40 and 41 amend sections 4 and 6A, respectively, to remove the requirement to appoint court houses and to provide that every State Court is to sit at such times and at such places as the Chief Justice may from time to time appoint.

Clause 42 amends section 7 to provide that —

- (a) any application for a matter or proceeding to be held in private is to be heard in private by default, if the application is made on the grounds that it is expedient in the national interest or national security of Singapore;
- (b) the court may order the removal or redaction of information contained in any court document or intended to be produced before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore; and
- (c) the court may also order that no person is to publish any information relating to any matter or proceedings before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore.

Clause 43 amends section 8 to provide that a State Court may conduct the hearing of any matter or proceeding (other than a matter or proceeding prescribed by the Rules of Court 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. There must be an accompanying live video or live television link for such part of the hearing in a criminal proceeding where oral evidence is given. There must also be an accompanying live video or live television link for such part of the hearing in a civil proceeding where oral evidence is given unless all parties consent to the hearing of the matter through a live audio link only. A State Court must not conduct a hearing through electronic means of communication if it would be inconsistent with the court's duty to ensure that the hearing is conducted fairly to all parties. The new section 8(6) provides that a State Court is deemed to be sitting at an appointed place when it conducts a hearing of a matter or proceeding through electronic means, whether any judicial officer of the court is situated in Singapore or outside Singapore.

Clause 44 amends section 15 to provide for the engagement of any auxiliary police officer, any security agency, a provider of transport and of warehousing, a valuer, an estate agent, a broker, a solicitor or any other appropriate person for the purpose of assisting the bailiff in the discharge of his or her duties.

Clause 45 repeals and re-enacts section 48, and clause 48 inserts a new section 54AA, to provide that a decision of a District Court or Magistrate's Court, exercising civil jurisdiction is not appealable if parties have agreed that the decision is final, unless the party seeking to appeal proves that the decision is

affected by fraud or illegality, or there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision. An agreement not to appeal may be made before or after the decision is made, and it may relate to part of the decision only. Such agreement must be in writing and signed by or on behalf of each party.

Clause 46 inserts a new section 49A. The new section 49A provides that a District Court may decide any matter in its civil jurisdiction without hearing oral arguments, subject to exclusions prescribed by the Rules of Court. The District Court may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The court must not hear a matter in an asynchronous manner, if to do so would be inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clause 46 also inserts a new section 49B which empowers a District Judge sitting in a District Court to summarily dismiss any appeal made against a decision of the Registrar relating to civil proceedings, if the District Judge is satisfied that there is no merit in that appeal (because every issue in that appeal has already been decided in an earlier matter in which the appellant was involved), or if such conditions as may be prescribed by the Rules of Court are met. Before exercising its powers of summary dismissal, the District Judge must give the appellant a reasonable opportunity to show cause, and consider the representations (if any) of the appellant.

Clause 47 amends section 52 to make clear that a Magistrate's Court has, in any proceedings within its civil jurisdiction, the powers conferred on a District Court by the new section 49A.

Clause 49 amends section 69 to provide that the Rules of Court may, instead of providing directly for any matter, refer to any provision made or to be made for that matter by practice directions issued by the registrar.

Clause 50 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 13

### AMENDMENT OF SUPREME COURT OF JUDICATURE ACT

Part 13 (clauses 51 to 79) amends the Supreme Court of Judicature Act.

Clause 51 amends section 8 to provide that —

- (a) any application for a matter or proceeding to be held in private is to be heard in private by default, if the application is made on the grounds that it is expedient in the national interest or national security of Singapore for the matter or proceeding to be heard in private;

- (b) the court may order the removal or redaction of information contained in any court document or intended to be produced before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore; and
- (c) the court may also order that no person is to 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.

Clause 52 amends section 8A to provide that a 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. There must be an accompanying live video or live television link for such part of the hearing in a criminal proceeding where oral evidence is given. There must also be an accompanying live video or live television link for such part of the hearing in a civil proceeding where oral evidence is given unless all parties consent to the hearing of the matter through a live audio link only. A court must not conduct a hearing through electronic means of communication if it would be inconsistent with the court's duty to ensure that the hearing is conducted fairly to all parties. The new section 8A(6) provides that a court is deemed to be sitting at an appointed place when it conducts a hearing of a matter or proceeding through electronic means, whether any Judge or Registrar sitting in the court is situated in Singapore or outside Singapore.

Clause 53 inserts new section 10(1A) and (1B) to empower the Chief Justice to direct that any particular proceeding in the General Division of the High Court be heard before a court consisting of 3 or any greater uneven number of Judges.

Clause 54 amends section 13 to rename "a writ of seizure and sale" to "an enforcement order for seizure and sale of property".

Clause 55 inserts a new section 17B. The new section 17B provides that the General Division of the High Court may decide any matter in its original civil jurisdiction without hearing oral arguments, subject to exclusions prescribed by the Rules of Court or the Family Justice Rules. The General Division of the High Court may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The court must not hear a matter in an asynchronous manner, if to do so would be inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clause 55 also inserts a new section 17C which empowers a Judge sitting in the General Division of the High Court to summarily dismiss any appeal made against a decision of the Registrar relating to civil proceedings, if the Judge is satisfied

that there is no merit in that appeal (because every issue in that appeal has already been decided by the General Division of the High Court, the Appellate Division of the High Court or the Court of Appeal in an earlier matter in which the appellant was involved). Before exercising its powers of summary dismissal, the Judge must give the appellant a reasonable opportunity to show cause, and consider the representations (if any) of the appellant.

Clause 56(1) amends section 18D(2) to make clear that the Singapore International Commercial Court has jurisdiction to hear any application that seeks relief for the purposes of proceedings in the Singapore International Commercial Court that is made before the commencement of such proceedings and that satisfy such conditions as the Rules of Court may prescribe. Such jurisdiction includes the jurisdiction to hear an application for pre-action discovery for the purposes of proceedings in the Singapore International Commercial Court.

Clause 56(1) further inserts new section 18D(3) and (4) to make clear that where the Singapore International Commercial Court has jurisdiction in respect of an action, it retains such jurisdiction upon the joinder of any additional party, and also has jurisdiction to try a counterclaim, third party proceedings and subsequent party proceedings, even if the claim by or against the joined party, the counterclaim, the third party proceedings or the subsequent party proceedings are not international or commercial in nature.

Clause 56(2) amends section 18D(2) to make clear that the Singapore International Commercial Court has jurisdiction to hear proceedings relating to corporate insolvency, restructuring or dissolution that are international and commercial in nature and that satisfy such conditions as the Rules of Court may prescribe.

Clause 57 repeals section 21(2). A Judge sitting in the General Division of the High Court hearing an appeal from a decision of a District Court or a Magistrate's Court may no longer reserve an appeal for the decision of a court consisting of 3 Judges.

Clause 58 amends section 22 to provide that the General Division of the High Court may receive further evidence in such manner as the court may allow. In general, further evidence will be allowed on appeal only with the permission of the court, and on special grounds. However, further evidence may be given without permission if the evidence relates to matters occurring after the date of the decision appealed against.

Clause 59 inserts a new section 22A. The new section 22A provides that the General Division of the High Court may decide any matter in its appellate civil jurisdiction without hearing oral arguments, subject to exclusions prescribed by the Rules of Court. The General Division of the High Court may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The

court must not hear a matter in an asynchronous manner, if to do so would be inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clause 59 also inserts a new section 22B which empowers the General Division of the High Court to summarily dismiss any appeal to the General Division of the High Court in the exercise of its appellate civil jurisdiction, if it is satisfied that it does not have the jurisdiction to hear and determine the appeal, or every issue in that appeal has already been decided by the General Division or Appellate Division of the High Court or the Court of Appeal in an earlier matter in which the appellant was involved, or such conditions prescribed by the Rules of Court or the Family Justice Rules are met. Before exercising its powers of summary dismissal, the General Division of the High Court must give the appellant a reasonable opportunity to show cause, and consider the representations (if any) of the appellant.

Clause 60 amends section 29A to include a reference to the new paragraph 5(1) of the Fifth Schedule, inserted by clause 73.

Clause 61 makes a grammatical amendment to section 29B(2).

Clause 62 repeals and re-enacts section 37 to provide that the Appellate Division of the High Court may decide any matter without hearing oral arguments, subject to exclusions prescribed by the Rules of Court. The Appellate Division of the High Court may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The court must not hear a matter in an asynchronous manner, if to do so would be inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clauses 63 and 65 amend sections 41 and 59, respectively, to provide a new procedure for an application for permission to adduce further evidence in an appeal before the Appellate Division of the High Court or the Court of Appeal. Where such application for permission is heard and decided by a single Judge or 2 Judges in the Appellate Division of the High Court or the Court of Appeal, any party may request for a rehearing of arguments by the full panel of the Appellate Division of the High Court or the Court of Appeal hearing the appeal, as the case may be, subject to the new sections 41(9) and 59(9). The full panel of the Appellate Division of the High Court or the Court of Appeal may affirm, vary or set aside the decision on the application for permission to adduce further evidence.

Clause 64 repeals and re-enacts section 55 to provide that the Court of Appeal may decide any matter without hearing oral arguments, subject to exclusions prescribed by the Rules of Court. The Court of Appeal may also direct that the matter be heard in an asynchronous manner by exchange of written correspondence, using means of communication specified by the court. The court must not hear a matter in an asynchronous manner, if to do so would be

inconsistent with its duty to ensure that the proceedings are conducted fairly to all parties.

Clause 66 amends section 60E to provide that cases in the new Tenth Schedule that are before the Court of Appeal can be heard and determined by a single Judge.

Clause 67 amends section 64 to provide that the Sheriff may engage any auxiliary police officer, any security agency, a provider of transport and of warehousing, a valuer, an estate agent, a broker, a solicitor or any other appropriate person for the purpose of assisting the Sheriff in the discharge of his or her duties.

Clause 68 amends section 79 to provide that 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 was done in good faith and did not involve any fraud or wilful misconduct on his or her part.

Clause 69 amends section 80 to provide that the Rules of Court may prescribe the fees and deposits payable for proceedings in the General Division of the High Court, the Appellate Division of the High Court and the Court of Appeal. The Rules of Court may also prescribe matters or conditions relating to certain proceedings in the Singapore International Commercial Court. The new section 80(2B) provides that the Rules of Court may, instead of providing directly for any matter, refer to any provision made or to be made for that matter by practice directions issued by the Registrar.

Clause 70 amends section 83 to delete references to the Eighth Schedule, which is repealed by clause 76.

Clause 71 amends the First Schedule to provide that the General Division of the High Court has the power to order any party to any proceedings to attempt to resolve any dispute by amicable resolution.

Clauses 72, 73 and 77 amend the Fourth, Fifth and Ninth Schedules, respectively, to provide that a decision of the General Division of the High Court or Appellate Division of the High Court made in the exercise of its original or appellate civil jurisdiction (as the case may be) is not appealable if parties have agreed that the decision is final. This is unless the party seeking to appeal proves, upon an application for permission of the appellate court to appeal, that the decision is affected by fraud or illegality, or there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision. An agreement not to appeal may be made before or after the decision is made, and it may relate to part of the decision only. Such agreement must be in writing and signed by or on behalf of each party.

Clause 74 amends the Sixth Schedule to provide for a new category of appeals under the Attorney-General (Additional Functions) Act that are to be made to the Court of Appeal.

Clause 75 amends the Seventh Schedule to provide that the Court of Appeal or the Appellate Division of the High Court consisting of a single Judge or 2 Judges may hear and decide an application by the Attorney-General for permission to intervene under section 4A(1) of the Attorney-General (Additional Functions) Act, or an application to set aside the order granting permission to the Attorney-General to intervene made under section 4A(7) of the Attorney-General (Additional Functions) Act.

Clause 76 repeals the Eighth Schedule. The repeal is a consequence of the new sections 37 and 55, as repealed and re-enacted by clauses 62 and 64, respectively, which provide that the Appellate Division of the High Court and Court of Appeal may generally decide matters without hearing oral arguments.

Clause 78 inserts a new Tenth Schedule that provides for the cases where the criminal jurisdiction of the Court of Appeal may be exercised by a single Judge. The Tenth Schedule can only be amended by an Act of Parliament.

Clause 79 makes miscellaneous amendments to modernise certain expressions used in connection with court proceedings.

## PART 14

### AMENDMENTS TO OTHER ACTS

Clauses 80 to 221 make consequential and related amendments to other Acts to modernise certain expressions used in connection with court proceedings. Generally, the following expressions have been updated across the statute book:

- (a) “plaintiff” is substituted with “claimant”;
- (b) “originating summons” is substituted with “originating application”, and “writ of summons” is substituted with “originating claim”. The above changes are not applicable to the Singapore International Commercial Court, as there is to be a single mode of commencement of claims, namely an “originating application” for the Singapore International Commercial Court;
- (c) “ex parte originating summons” is substituted with “originating application without notice” and “ex parte summons” is substituted with “summons without notice”. Further, “ex parte” is substituted with “without notice”, or “in the absence of”, as appropriate in the circumstances;
- (d) “in camera” is substituted with “in private”;

- (e) “memorandum of appearance”, and “entry of appearance” or “entering an appearance”, are substituted with “notice of intention to contest or not contest”, and “filing and serving a notice of intention to contest or not contest”, as appropriate in the circumstances. However, in the Singapore International Commercial Court, “memorandum of appearance” and “entry of appearance” are substituted with “defendant’s statement” and “filing and serving a defendant’s statement”, as appropriate in the circumstances;
- (f) “writ of execution” is substituted with “enforcement order”; “writ of seizure and sale” is substituted with “enforcement order for seizure and sale of property”; “writ of possession” is substituted with “enforcement order for possession of property”; and “garnishee order” is substituted with “enforcement order for attachment of a debt”. Additionally, references to “execution” (or its derivatives) of a judgment is substituted with “enforcement” (or its derivatives). To avoid doubt, references to “execution” (or its derivatives) that do not refer to the enforcement of a court judgment or court order are not amended;
- (g) “taxation” (of costs) in court proceedings is substituted with “assessment” (of costs);
- (h) “leave” (of court) is substituted with “permission” (of court);
- (i) “subpoena” is substituted with “order to attend court”, as appropriate in the circumstances;
- (j) “order of committal” is substituted with “committal order”.

To avoid doubt, the updates to terminology relating to court proceedings in the statute book are not, in themselves, intended to change the meaning of the affected provisions.

Clause 222 corrects certain references in the Supreme Court of Judicature (Amendment) Act 2019.

Clause 223 amends references to subpoenas issued in connection with a civil action in the General Division of the High Court.

## PART 15

### SAVING AND TRANSITIONAL PROVISIONS AND POWER TO MAKE CONSEQUENTIAL AND RELATED AMENDMENTS

Part 15 (clauses 224 to 229) contains saving and transitional provisions.



Clause 224 provides that, despite amendments made by the Bill to expressions used in relation to court proceedings, references to amended expressions are to be construed as references to the existing expressions, where used in relation to proceedings in the General Division of the High Court (including the Family Division of the High Court and the Singapore International Commercial Court), a District Court, a Magistrate’s Court, a Family Court or a Youth Court that commenced before the date of commencement of those amendments (called the relevant date), and appeals or applications before the Court of Appeal or the Appellate Division of the High Court that were filed in the Court of Appeal or the Appellate Division of the High Court before the relevant date (collectively, “saved proceedings”).

Clause 225 provides that references to expressions amended by clause 29 (which may be brought into operation at a later date than the rest of the Bill) are to be construed as references to the existing expressions, where used in relation to proceedings commenced in the Family Division of the High Court, a Family Court or a Youth Court before the date of commencement of clause 29.

Clause 226 provides that references to existing expressions in relation to saved proceedings are to be construed as such, and not as references to new expressions, despite section 41D(1) or 41E of the Interpretation Act inserted by clause 3(1).

Clause 227 provides that references to existing expressions in relation to proceedings commenced in the Family Division of the High Court, a Family Court or a Youth Court before the date of commencement of clause 29 that are not amended by clause 29 are to be construed as such, and not as references to new expressions, despite section 41D(1) of the Interpretation Act inserted by clause 3(1).

Clause 228 provides that the Minister may make certain consequential and related amendments to Acts by order in the *Gazette*.

Clause 229 provides that the Minister may make saving and transitional provisions for 2 years after the date of commencement of any provision of the Courts (Civil and Criminal Justice) Reform Act 2021.

## EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.

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