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No. S 196

INSOLVENCY, RESTRUCTURING AND DISSOLUTION ACT 2018

INSOLVENCY, RESTRUCTURING AND DISSOLUTION (PERSONAL INSOLVENCY) (AMENDMENT) RULES 2022

In exercise of the powers conferred by section 448 of the Insolvency, Restructuring and Dissolution Act 2018, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Insolvency, Restructuring and Dissolution (Personal Insolvency) (Amendment) Rules 2022 and come into operation on 1 April 2022.

Amendment of rule 2

2. Rule 2(1) of the Insolvency, Restructuring and Dissolution (Personal Insolvency) Rules 2020 (G.N. No. S 585/2020) is amended by deleting the definition of “Rules of Court” and substituting the following definition:

““Rules of Court” means the Rules of Court 2021 (G.N. No. S 914/2021) for the time being in force;”.

Miscellaneous amendments

3. The Insolvency, Restructuring and Dissolution (Personal Insolvency) Rules 2020 are amended —

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

Rule 11(1)

Rule 12(1)

Rule 13 (including the rule heading)

Rule 14(1)

Rule 19

Rule 61(*b*)

Rule 66(3)(*d*)

Rule 67(1)

Rule 172;

- (*b*) by deleting the words “ex parte” in the following provisions and substituting in each case the words “in the absence of any person other than the applicant”:

Rule 14(6)

Rule 22(2);

- (*c*) by deleting the words “ex parte” in the following provision and substituting the words “in his or her absence”:

Rule 14(7);

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

Rule 13(1)(*a*)

Rule 16

Rule 20(4)

Rule 22(1)

Rule 28(4)(*b*)

Rule 42(1)(*b*)

Rule 43(*d*)(i) and (ii)

Rule 88(3)

Rule 92(1)(*b*)

Rule 136(2);

- (*e*) by deleting the word “Subpoenas” in the following provision and substituting the words “Orders to attend court”:

Rule 25 (rule heading);

(f) by deleting the words “a subpoena” in the following provisions and substituting in each case the words “an order to attend court”:

Rule 25(1)

Rule 26(1)

Rule 27(1);

(g) by deleting the word “subpoena” wherever it appears in the following provisions and substituting in each case the words “order to attend court”:

Rule 25(2)

Rule 26(1)(b), (2), (3), (4), (5) and rule heading;

(h) by deleting the words “A subpoena” in the following provision and substituting the words “An order to attend court”:

Rule 26(6);

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

Rule 52(2)(b)

Rule 74(1)(b), (c) and (d) and (2);

(j) by deleting the words “an order of committal” in the following provision and substituting the words “a committal order”:

Rule 35;

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

Rule 35;

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

Rule 69(2)(a);

(*m*) by deleting the word “TAXATION” in the following provision and substituting the word “ASSESSMENT”:

Part 11 (Part heading);

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

Rule 147

Rule 151(2)

Rule 152(1) and (2)

Rule 163(1)

Rule 164(1) and (2) (last line) and rule heading

Rule 165

Rule 166

Rule 168(1) and (3) and rule heading

Rule 169;

(*o*) by deleting the words “a taxation” in the following provisions and substituting in each case the words “an assessment”:

Rule 164(2)

Rule 168(2);

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

Rule 148(1)(*a*) and (*b*) and (2)

Rule 151(1)

Rule 152(1) and (2)

Rule 156

Rule 157

Rule 158(1) and (2)

Rule 159

Rule 164(1)

Rule 167

Rule 168(1)

Rule 178 and rule heading

Rule 183(1)(f);

- (q) by deleting the word “Taxation” in the rule heading of the following provisions and substituting in each case the word “Assessment”:

Rule 152

Rule 156;

- (r) by deleting the word “tax” in the following provision and substituting in each case the word “assess”:

Rule 159 (including the rule heading);

- (s) by deleting the word “taxing” in the following provision and substituting the word “assessing”:

Rule 160;

- (t) by deleting the words “ORIGINATING SUMMONS” in the following provision and substituting the words “ORIGINATING APPLICATION”:

First Schedule (Form PIR-1);

- (u) by deleting the word “O.S.” in the following provisions and substituting in each case the word “O.A.”:

First Schedule (Form PIR-3, Form PIR-9 and Form PIR-24);

- (v) by deleting the word “Plaintiff” in the following provisions and substituting in each case the word “Claimant”:

First Schedule (Form PIR-3 and Form PIR-24);

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

First Schedule (Form PIR-3, Form PIR-4, Form PIR-7, Form PIR-8, Form PIR-11 (below items 2.1.6 and 2.2.4 of Part 2), Form PIR-13, Form PIR-24 and Form PIR-26);

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

First Schedule (Form PIR-3, Form PIR-8, Form PIR-13, Form PIR-24 and Form PIR-26);

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

First Schedule (Form PIR-4 and Form PIR-25);

- (z) by deleting the word “PLAINTIFF” in the following provision and substituting the word “CLAIMANT”:

First Schedule (Form PIR-8);

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

Second Schedule (Items 2(c) and 4); and

- (zb) by deleting the words “a subpoena or summons” in the following provision and substituting the words “an order to attend court, an order to produce documents or a summons”:

Third Schedule (Item 4).

[G.N. No. S 1039/2020]

Made on 8 March 2022.

SUNDARESH MENON
Chief Justice.

LUCIEN WONG
Attorney-General.

TAY YONG KWANG
Justice of the Court of Appeal.

STEVEN CHONG
Justice of the Court of Appeal.

BELINDA ANG SAW EAN
Judge of the Appellate Division.

QUENTIN LOH
Judge of the Appellate Division.

VINODH COOMARASWAMY
Judge.

VINCENT HOONG SENG LEI
Presiding Judge of the State Courts.

CHRISTOPHER TAN PHENG WEE
*District Judge and Registrar of the
State Courts.*

SIRAJ OMAR, SC
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CHAN TAI-HUI JASON, SC
Advocate and Solicitor.

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(To be presented to Parliament under section 448(3) of the
Insolvency, Restructuring and Dissolution Act 2018).