
First published in the *Government Gazette*, Electronic Edition, on 28th May 2012 at 5.00 pm.

No. S 241

**SUPREME COURT OF JUDICATURE ACT
(CHAPTER 322)**

**RULES OF COURT
(AMENDMENT NO. 2)
RULES 2012**

In exercise of the powers conferred on us by section 80 of the Supreme Court of Judicature Act and all other powers enabling us under any written law, we, the Rules Committee, hereby make the following Rules:

Citation and commencement

1. These Rules may be cited as the Rules of Court (Amendment No. 2) Rules 2012 and shall come into operation on 1st June 2012.

Amendment of Order 55C

2. Order 55C, Rule 1 of the Rules of Court (R 5) (referred to in these Rules as the principal Rules) is amended by inserting, immediately after paragraph (5), the following paragraphs:

“(6) Where an application for further arguments has been made —

- (a) no notice of appeal shall be filed in respect of the judgment, order or decision until the Court —
 - (i) affirms, varies or sets aside the judgment, order or decision after hearing further arguments; or
 - (ii) certifies, or is deemed to have certified, that it requires no further arguments; and
- (b) the time for filing a notice of appeal in respect of the judgment, order or decision shall begin on the date the Court —
 - (i) affirms, varies or sets aside the judgment, order or decision after hearing further arguments; or
 - (ii) certifies, or is deemed to have certified, that it requires no further arguments.

(7) For the purposes of paragraph (6), unless the Registrar informs the party making the application within 14 days of the receipt of the application that the Court requires further arguments, the Court shall be deemed to have certified that it requires no further arguments.”.

Amendment of Order 59

3. Order 59, Rule 1(3) of the principal Rules is amended by deleting the words “arbitration proceedings” under the heading “*Effect*” relating to the item “Costs here and below” in the Table and substituting the words “arbitral proceedings”.

Amendment of Order 69

4. Order 69 of the principal Rules is amended —

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

“Interpretation (O. 69, r. 1)

1. In this Order —

“Act” means the Arbitration Act (Chapter 10);

“arbitral tribunal” has the same meaning as in the Act.”;

(b) by deleting the words “arbitration proceedings” in Rules 2(1)(d) and (2), 3(1)(c), 6(1) and 16(1) and substituting in each case the words “arbitral proceedings”;

(c) by inserting, immediately after the words “the arbitration agreement” in Rules 5(2)(a), 13(a) and 14(1)(a), the words “or any record of the content of the arbitration agreement”;

and

(d) by deleting the Order heading and substituting the following Order heading:

“ARBITRAL PROCEEDINGS”.

Amendment of Order 69A

5. Order 69A of the principal Rules is amended —

(a) by inserting, immediately after the definition of “Act” in Rule 1, the following definitions:

“ “arbitral tribunal” has the same meaning as in Part II of the Act;

“award” has the same meaning as in Part II of the Act;
 “foreign award” has the same meaning as in Part III of
 the Act;”;

- (b) by inserting, immediately after the words “to appeal against the ruling of the arbitral tribunal under” in Rule 2(1)(c), the words “section 10 of the Act or”;
- (c) by inserting, immediately after the words “the arbitration agreement” in Rules 2(4A)(b), 5(1)(a) and 6(1)(a), the words “or any record of the content of the arbitration agreement”;
- (d) by deleting the words “or a foreign award” in Rule 6(1);
- (e) by deleting the words “or agreement” in Rule 6(1)(a) and substituting the words “, agreement or record”;
- (f) by inserting, immediately after paragraph (1) of Rule 6, the following paragraph:

“(1A) An application for leave to enforce a foreign award may be made *ex parte* and must be supported by an affidavit —

- (a) exhibiting the arbitration agreement and the duly authenticated original award or, in either case, a duly certified copy thereof and where the award or agreement is in a language other than English, a translation of it in the English language, duly certified in English as a correct translation by a sworn translator or by an official or by a diplomatic or consular agent of the country in which the award was made;
 - (b) stating the name and the usual or last known place of abode or business of the applicant (referred to in this Rule as the creditor) and the person against whom it is sought to enforce the award (referred to in this Rule as the debtor) respectively; and
 - (c) as the case may require, stating either that the award has not been complied with or the extent to which it has not been complied with at the date of the application.”;
- (g) by deleting the rule heading of Rule 6 and substituting the following rule heading:

“**Enforcement of awards and foreign awards (O. 69A, r. 6)**”; and

(h) by deleting the words “arbitration proceedings” in Rule 8 and substituting the words “arbitral proceedings”.

Transitional provision

6. Rule 2 shall only apply to any application for further arguments, where a judgment, order or decision by a District Judge in Chambers or Magistrate in Chambers was made or given on or after 1st June 2012.

[G.N. Nos. S 637/2006; S 228/2007; S 648/2007; S 508/2008; S 49/2009; S 605/2009; S 32/2010; S 378/2010; S 504/2010; S 708/2010; S 75/2011; S 218/2011; S 224/2011; S 513/2011; S 75/2012]

Made this 18th day of May 2012.

CHAN SEK KEONG
Chief Justice.

SUNDARESH MENON SC
Attorney-General.

BELINDA ANG SAW EAN
Judge.

TAY YONG KWANG
Judge.

ANDREW ANG
Judge.

QUENTIN LOH
Judge.

STEVEN CHONG
Judge.

TAN SIONG THYE
Chief District Judge.

LESLIE CHEW KWEE HOE SC
District Judge.

LEE ENG BENG SC
Advocate and Solicitor.

GEORGE LIM TEONG JIN SC
Advocate and Solicitor.

[RSCS R7/7 Vol. 13; AG/LLRD/SL/322/2010/1 Vol. 3]

(To be presented to Parliament under section 80(6) of the Supreme Court of Judicature Act).