
First published in the Government *Gazette*, Electronic Edition, on 21 June 2021 at 5 pm.

No. S 382

SUPREME COURT OF JUDICATURE ACT (CHAPTER 322)

RULES OF COURT (AMENDMENT NO. 5) RULES 2021

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

Citation and commencement

1. These Rules are the Rules of Court (Amendment No. 5) Rules 2021 and come into operation on 28 June 2021.

Amendment of Order 110

2. Order 110 of the Rules of Court (R 5) is amended —

(a) by deleting the full-stop at the end of the definition of “restricted registration foreign lawyer” in Rule 1(1) and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““Third-Party Funder” means a Third-Party Funder (as defined in section 5B of the Civil Law Act (Cap. 43)) under a contract mentioned in the definition of “third-party funding contract”;

“third-party funding contract” means a third-party funding contract (as defined in section 5B of the Civil Law Act) entered into on or after 28 June 2021.”;

(b) by inserting, immediately after the words “order the plaintiff” in Rule 45(1B), the words “or a Third-Party

Funder with whom the plaintiff has a third-party funding contract in relation to the action or other proceedings”;

- (c) by inserting, immediately after the word “case” in Rule 45(1B)(b), the words “, including the existence, scope, extent and terms of any third-party funding contract in relation to the action or other proceedings”;
- (d) by inserting, immediately after the word “case” in Rule 46(3)(b), the words “and the existence, scope, extent and terms of any third-party funding contract”;
- (e) by inserting, immediately after the word “personally,” in Rule 46(3)(c), the words “by a Third-Party Funder,”;
- (f) by deleting the words “paragraph (5)” in Rule 46(4) and substituting the words “paragraphs (5) and (7)”;
- (g) by inserting, immediately after paragraph (6) of Rule 46, the following paragraph:

“(7) The costs of a third-party funding contract are not recoverable as part of the costs of, or costs that are incidental to —

- (a) any application or proceedings in the Court;
- (b) any application to the Court of Appeal; or
- (c) any appeal from the Court to the Court of Appeal.”.

[G.N. Nos. S 299/2014; S 390/2014; S 671/2014; S 714/2014; S 753/2014; S 850/2014; S 175/2015; S 278/2015; S 756/2015; S 235/2016; S 474/2016; S 105/2017; S 322/2017; S 543/2017; S 51/2018; S 183/2018; S 697/2018; S 850/2018; S 707/2019; S 773/2019; S 35/2020; S 220/2020; S 458/2020; S 636/2020; S 1043/2020; S 35/2021; S 71/2021; S 357/2021; S 363/2021]

Made on 24 May 2021.

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.*

FRANCIS XAVIER, SC
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[SUPCT.RNJ.009.0200; AG/LEGIS/SL/322/2020/1 Vol. 4]

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