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## **No. S 504**

### **SUPREME COURT OF JUDICATURE ACT 1969**

#### **RULES OF COURT (AMENDMENT NO. 2) RULES 2024**

In exercise of the powers conferred by section 80 of the Supreme Court of Judicature Act 1969 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. 2) Rules 2024 and come into operation on 1 July 2024.

#### **New Order 46A**

2. In the Rules of Court 2021 (G.N. No. S 914/2021), after Order 46, insert —

#### **“ORDER 46A**

#### **EXPRESS TRACK FOR ACTIONS IN GENERAL DIVISION**

##### **Application of this Order (O. 46A, r. 1)**

1.—(1) This Order applies to any action in the General Division that is placed on the Express Track in accordance with paragraph (2).

(2) Where an action in the General Division is commenced by originating claim, the Court may, on a request made by all parties to the action by consent no later than 2 months after the filing of the last pleading, by order place the action on the Express Track.

(3) Where an action has been placed on the Express Track, the Court may, no later than 14 days before the commencement of the trial of the action, order the removal of the action from the Express Track, if the Court determines that it is no longer suitable for the action to remain on the Express Track.

(4) Where a Judge sitting in the General Division makes an order under paragraph (3), or declines to make an order under paragraph (2) despite a request under that paragraph, the decision of the Judge is final.

(5) Where an action is on the Express Track, paragraph 4(1) of the Fourth Schedule to, read with section 29(b) of, the Supreme Court of Judicature Act 1969 applies to the action, and an appeal cannot be brought against any decision of a Judge in the action except in the circumstances set out in that paragraph 4(1).

(6) Except as otherwise provided in this Order, all the other Orders in these Rules continue to apply to proceedings to which this Order applies.

(7) In this Order —

- (a) when a Court makes an order for an action to be placed on the Express Track, this Order applies to and in relation to the action on and after the making of the order;
- (b) when a Court makes an order for the removal of an action from the Express Track, this Order ceases to apply to and in relation to the action on and after the making of the order; and
- (c) references to the Express Track, or to an action being placed on or removed from the Express Track, are to be construed according to sub-paragraphs (a) and (b).

### **Production of documents (O. 46A, r. 2)**

2. Unless the Court otherwise orders, where an action is placed on the Express Track in accordance with Rule 1(2) —

- (a) every pleading served by a party on or after the action is placed on the Express Track must be accompanied by a list of and a copy of every document relied on by that party to prove any allegation contained in that pleading; and
- (b) where any party to the action has served a pleading before the action was placed on the Express Track,

that party must, within 14 days after the date on which the action is placed on the Express Track, serve on every other party a list of and a copy of every document relied on by that party to prove any allegation contained in that pleading.

**Affidavits of evidence-in-chief (O. 46A, r. 3)**

3.—(1) This Rule applies despite Order 9, Rule 8.

(2) Unless the Court otherwise orders, after pleadings have been filed and served, but before any exchange of documents, the Court must order every party to the action to file and serve, simultaneously or in a sequence specified by the Court —

(a) that party's list of witnesses; and

(b) the affidavits of evidence-in-chief of all of that party's witnesses, unless the Court dispenses with the affidavit of evidence-in-chief of any such witness.

(3) Unless the Court otherwise orders, the page limit for the affidavit of evidence-in-chief of each witness is limited to 30 pages (excluding exhibits).

(4) The Court may allow the page limit mentioned in paragraph (3) to be exceeded —

(a) in special circumstances; and

(b) unless the Court otherwise orders under paragraph (5), upon the payment of the fees prescribed for the filing of pages in excess of the page limit.

(5) The Court may upon application waive, refund, defer or apportion the payment of the fees mentioned in paragraph (4)(b).

**Interlocutory applications (O. 46A, r. 4)**

4.—(1) Except as otherwise provided in this Rule, Order 9, Rule 9 continues to apply to an action placed on the Express Track.

(2) Where a party notifies the Court at a case conference that the party wishes to make a single application pending trial mentioned in Order 9, Rule 9(2) or an application mentioned in Order 9, Rule 9(7)(a) to (o), the Court must —

- (a) direct that party to file and serve that party's application and supporting affidavit within 14 days after the date of the case conference;
- (b) direct every other party to file and serve any affidavit in reply within 28 days after the date of the case conference;
- (c) direct that no further affidavits are to be filed without the Court's approval; and
- (d) direct the parties to file and serve their written submissions and any bundle of authorities within 6 weeks after the date of the case conference.

(3) Without affecting Order 15, Rule 3(3), unless the Court otherwise orders, any interlocutory application brought in an action placed on the Express Track will be decided by the Court without hearing oral arguments.

#### **Trial (O. 46A, r. 5)**

**5.—**(1) The Court must give directions on the length of the trial of an action placed on the Express Track, which must not exceed 4 days (excluding any time spent on oral closing submissions).

(2) As far as possible, an action placed on the Express Track is to be fixed for trial within 9 months after the action is placed on the Express Track.

#### **Closing submissions (O. 46A, r. 6)**

**6.—**(1) Unless the Court otherwise orders, the parties are to make oral closing submissions at the end of the trial.

(2) If the Court orders the parties to submit written closing submissions, then, unless the Court otherwise orders —

- (a) there is to be only one round of written closing submissions; and
- (b) the written closing submissions are to be filed and exchanged within 3 weeks after the last day of the trial.”.

### **Amendment of Fourth Schedule**

#### **3. In the Rules of Court 2021, in the Fourth Schedule, in Part 1 —**

- (a) in item 44, after “On filing an affidavit”, insert “(other than an affidavit of evidence-in-chief to which item 44A applies)”; and
- (b) after item 44, insert —

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|                                                                                                                                                                                                                                                                                        |                                                           |                                                           |  |  |                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|--|--|----------------|
| 44A. On filing an affidavit of evidence-in-chief for a matter placed on the Express Track under Order 46A, Rule 1 —                                                                                                                                                                    |                                                           |                                                           |  |  | The filed copy |
| (a) for every page or part of a page (excluding any exhibit annexed to it or produced with it (whether filed or not)) within the page limit of 30 pages under Order 46A, Rule 3(3), and for any exhibit annexed to the affidavit or produced with the affidavit (whether filed or not) | \$2 per page subject to minimum fee of \$50 per affidavit | \$2 per page subject to minimum fee of \$50 per affidavit |  |  |                |
| (b) for every page or part of a page (excluding any exhibit annexed to it or produced with it (whether filed or not)) in excess of the page limit of 30 pages — fees under Order 46A, Rule 3(4)                                                                                        | \$10 per page                                             | \$10 per page                                             |  |  |                |

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Made on 30 May 2024.

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  
*Justice of the Court of Appeal.*

WOO BIH LI  
*Judge of the Appellate Division.*

AUDREY LIM  
*Judge.*

VINCENT HOONG SENG LEI  
*Presiding Judge of the State Courts.*

EDWIN SAN ONG KYAR  
*District Judge and Registrar of the  
State Courts.*

SIRAJ OMAR, SC  
*Advocate and Solicitor.*

CHAN TAI-HUI JASON, SC  
*Advocate and Solicitor.*

[SUPCT.RNJ.009.0200; AG/LEGIS/SL/322/2020/18]

(To be presented to Parliament under section 80(6) of the Supreme Court of Judicature Act 1969).