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**No. S 633**

SUPREME COURT OF JUDICATURE ACT  
(CHAPTER 322)

RULES OF COURT (AMENDMENT NO. 3) RULES 2013

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. 3) Rules 2013 and shall come into operation on 15th October 2013.

**Amendment of Order 1**

2. Order 1 of the Rules of Court (R 5) (referred to in these Rules as the principal Rules) is amended —

- (a) by deleting the words “(except appeals to the Court of Appeal)” in item 4 of the Table under Rule 2(2);
- (b) by deleting the words “Order 63A and items 54 to 59” in item 4 of the Table under Rule 2(2) and substituting the words “Orders 55B, 55C, 55D, 57 and 63A and items 27 to 42, 54 to 60, 62”; and
- (c) by deleting the words “any appeals therefrom to the High Court or the Court of Appeal and” in the definition of “Family Court proceedings” in Rule 4(1).

**Amendment of Order 63A**

3. Order 63A, Rule 6 of the principal Rules is amended —

- (a) by deleting the words “paragraph (8)” in paragraph (1) and substituting the words “paragraphs (2), (2A) and (8)”; and

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(b) by deleting paragraph (2) and substituting the following paragraphs:

“(2) Paragraph (1) shall apply in the following contexts with the following modifications:

(a) where the registered user is the Attorney-General’s Chambers, a reference to an advocate and solicitor shall be read as a reference to a person who is the Attorney-General, the Solicitor-General or a State Counsel or Deputy Public Prosecutor;

(b) where the registered user is a department of the Government or a public authority, a reference to an advocate and solicitor shall be read as a reference to a person who —

(i) is employed or engaged by the registered user; and

(ii) has a right to appear before the court by virtue of any written law; and

(c) where the registered user is an entity that is registered solely for the purpose of using the electronic filing service to search the information referred to in Order 60, Rule 2, or to search for, inspect or take a copy of any document filed in the Registry, in accordance with Order 60, Rule 4, a reference to an advocate and solicitor shall be read as a reference to an authorised user designated by the registered user.

(2A) Where the registered user is an entity that is registered solely for the purpose of using the electronic filing service to make any application under section 25(1) of the Legal Profession Act (Cap. 161) for a practising certificate, no fee shall be payable by the registered user.”.

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### **Amendment of Order 70**

4. Order 70, Rule 9 of the principal Rules is amended by deleting paragraph (7) and substituting the following paragraph:

“(7) Within 7 days after the service of a warrant of arrest, a report of the arrest shall be made —

(a) in any case where the warrant of the arrest was executed by a solicitor or a solicitor’s clerk, by the solicitor or solicitor’s clerk (as the case may be) for the Sheriff; or

(b) in any other case, by the Sheriff.”.

### **Amendment of Appendix A**

5. Appendix A of the principal Rules is amended —

(a) by deleting Form 31 and substituting the following Form:

“31.

O. 22, r. 1

#### NOTICE OF PAYMENT INTO COURT

(Title as in action)

To the Registrar, the plaintiff and the other defendants.

Take notice that —

The defendant                      has paid \$            into Court.

The said \$            is in satisfaction of (the cause of action) (all the causes of action) in respect of which the plaintiff claims (and after taking into account and satisfying the abovenamed defendant’s cause of action for                      in respect of which he counterclaims).

or

The said \$            is in satisfaction of the following causes of action in respect of which the plaintiff claims, namely,                      (and after taking into account as above).

or

Of the said \$           , \$            is in satisfaction of the plaintiff’s cause(s) of action for                      (and after taking into account as above) and \$            is in satisfaction of the plaintiff’s cause(s) of action for                      (and after taking into account as above).

Dated this            day of                      20            .

*Solicitor for the*       ”;

- (b) by deleting the words “which is equivalent in Singapore Dollars to \$        for debt and \$        for costs (or as may be)” in Form 148;
- (c) by deleting the words “Upon the application of        the plaintiff in this action and upon reading the affidavit of filed on        and upon hearing        :” in Form 160;
- (d) by deleting the words “Upon the application of        the plaintiff in this action and upon reading the affidavit of filed on (date) and upon hearing        :” in Form 164;
- (e) by deleting Form 169; and
- (f) by deleting Form 170 and substituting the following Form:

“170.

O. 70, r. 22

COMMISSION FOR  
APPRAISEMENT AND SALE

(Title as in Form 159)

To the Sheriff,

Whereas in this action the Court has ordered (description of property giving name, if a ship) to be appraised and sold.

You are hereby authorised and directed to authorise and swear (name of each appraiser, valuer or surveyor) to appraise the said        according to the true value thereof, and such value having been certified in writing by (him or them), to cause the said        to be sold by (private treaty or public auction) for the highest price that can be obtained for it, but not for less than the appraised value unless the Court on an application allows it to be sold for less.

And you are further directed, immediately upon the sale being completed, to pay the proceeds thereof into Court and to ensure that the certificate of appraisement signed by you and the (appraiser or appraisers), and an account of the sale signed by you, are filed in the Court together with this commission.

Dated this        day of        20        .

# This form requires sealing by the Court and the signature of the Registrar.

Taken out by        (solicitors for) the        ”.

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**Amendment of Appendix B****6. Appendix B of the principal Rules is amended —**

- (a) by inserting, immediately after the words “On filing a” in item 8, the words “statement of claim,”
- (b) by deleting “152” in item 17(a) and substituting “150”;
- (c) by inserting, immediately after item 19 under the column relating to “*Items*”, the following paragraph:

“*Note*:—An urgent subpoena<sup>17</sup> is a subpoena that is issued less than 3 days before the trial of an action.”;

- (d) by deleting the words “Court and” in item 25 and substituting the words “Court, or”;
- (e) by deleting the words “On entering or sealing a judgment pursuant to an order or certificate made in Chambers” in item 35 and substituting the words “On filing a Respondent’s supplemental core bundle under Order 57, Rule 9A, for every page or part thereof in excess of 100 pages”;
- (f) by deleting the word “Requests” in item 55(1)(a) and substituting the words “Draft judgments, draft orders or draft certificates, and requests”;
- (g) by inserting, immediately after paragraph (2) of item 71 under the column relating to “*Items*”, the following paragraph:

“*Note*:—If the net estate passing under the Grant of Probate or Letters of Administration exceeds the District Court limit, the fees payable in the District Court shall be the same as those payable in the Supreme Court.”;

- (h) by inserting, immediately after item 78 under the column relating to “*Items*”, the following paragraph:

“*Note*:—In the case of a ship, the commission shall be calculated on —

- (a) the net registered tonnage of the ship at the time the commission becomes payable; or
- (b) if the net registered tonnage of the ship has not been ascertained, the gross tonnage of the ship at the time the commission becomes payable.”; and

(i) by deleting items 104 to 107.

[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;  
S 241/2012; S 337/2012; S 593/2012; S 600/2012;  
S 265/2013; S 589/2013]

Made this 26th day of September 2013.

SUNDARESH MENON  
*Chief Justice.*

STEVEN CHONG SC  
*Attorney-General.*

V K RAJAH  
*Judge of Appeal.*

BELINDA ANG SAW EAN  
*Judge.*

TAY YONG KWANG  
*Judge.*

ANDREW ANG  
*Judge.*

QUENTIN LOH  
*Judge.*

TAN SIONG THYE  
*Chief District Judge.*

LESLIE CHEW KWEE HOE  
*District Judge.*

LEE ENG BENG SC  
*Advocate and Solicitor.*

GEORGE LIM TEONG JIN SC  
*Advocate and Solicitor.*

[RSCS R7/7 Vol. 14; AG/LLRD/SL/322/2010/1 Vol. 7]

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