
First published in the *Government Gazette*, Electronic Edition, on 14th November 2014 at 5.00 pm.

No. S 753

SUPREME COURT OF JUDICATURE ACT
(CHAPTER 322)

RULES OF COURT (AMENDMENT NO. 5) RULES 2014

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. 5) Rules 2014 and shall come into operation on 15 November 2014.

New Order 109

2. The Rules of Court (R 5, 2014 Ed.) are amended by inserting, immediately after Order 108, the following Order:

“ORDER 109

PROTECTION FROM HARASSMENT ACT 2014

Interpretation (O. 109, r. 1)

- 1.—(1) In this Order, unless the context otherwise requires —
- “Act” means the Protection from Harassment Act 2014 (Act 17 of 2014), and any reference to a section shall be construed as a reference to a section in the Act;
 - “author” has the same meaning as in section 15(7);
 - “communication” has the same meaning as in section 2;
 - “Court” means a District Court;
 - “offending communication” has the same meaning as in section 2;

“protection order” includes an expedited protection order made under section 13;

“publish” has the same meaning as in section 2;

“respondent” has the same meaning as in section 2;

“section 15(2) order” means an order made under section 15(2);

“subject” has the same meaning as in section 15(1);

“victim” means a victim under section 3, 4, 5, 6 or 7 (as the case may be).

(2) In this Order, unless the context otherwise requires —

- (a) a reference to a person to whom a protection order applies or is to apply is a reference to a person who is to be prohibited by the protection order from publishing or continuing to publish an offending communication, whether or not that person was a party, or was identified by the Court as a person to whom the protection order is to apply, when the protection order was made;
- (b) a reference to a person to whom a section 15(2) order applies or is to apply is a reference to a person who is to be prohibited by the section 15(2) order from publishing or continuing to publish a statement complained of, whether or not that person was a party, or was identified by the Court as a person to whom the section 15(2) order is to apply, when the section 15(2) order was made; and
- (c) a person has editorial control over a publication on the Internet of an offending communication or a statement, if the person decides, before the person causes that publication, whether to publish that communication or statement.

**Application under section 12(1) for protection order
(O. 109, r. 2)**

2.—(1) An application under section 12(1) for a protection order must be made by ex parte originating summons in Form 235 and supported by an affidavit in Form 236.

(2) The Court may give such directions for the service of the application and supporting affidavit on the respondent, and any other person to whom the protection order is to apply, including directions for service out of jurisdiction, as the Court thinks fit.

(3) Where the Court has given directions for the service of the application and supporting affidavit on any person, the applicant must, within 8 days after the date on which the application and supporting affidavit are served on that person, file an affidavit of service.

(4) Each of the following persons may file an affidavit in reply in Form 237 within 14 days after being served with the application and supporting affidavit:

- (a) the respondent;
- (b) any other person to whom the protection order is to apply.

(5) Except with the leave of the Court, no other affidavit is to be filed or served for the purposes of the application.

(6) Order 28, Rule 8 shall not apply to any proceedings in the application.

(7) The Court may —

- (a) give such directions for the hearing of the application as the Court thinks fit;
- (b) conduct the hearing of the application in such manner as the Court thinks fit; and
- (c) where any party does not appear at the hearing of the application, proceed with the hearing of the application in the absence of that party.

(8) In any case where the Court thinks fit, the Court may under paragraph (7)(a) and (b) —

- (a) make an order referring the respondent or the victim or both to attend such counselling or mediation as the Court may direct;
- (b) give any direction necessary for and incidental to the proper carrying into effect of that order; and
- (c) stay all further proceedings in the application until the respondent or the victim or both (as the case may be) have attended the counselling or mediation (as the case may be).

(9) A protection order —

- (a) must be in Form 238;
- (b) must be served on the respondent (if the protection order applies to the respondent), and on every other person to whom the protection order applies —
 - (i) in such manner as the Court may direct; and
 - (ii) in the case of an expedited protection order, together with a copy each of the application for the order and the affidavit in support of the application; and
- (c) must contain, or be served with an order of the Court containing, the Court's directions referred to in sub-paragraph (b)(i).

(10) For the purposes of section 12(5)(a), any order under section 12(3)(b) or direction under section 12(3)(d) concerning a publication of an offending communication on the Internet shall take effect —

- (a) for any person who (before causing that publication) did not have any editorial control over that publication, in respect of that publication, from the date when that order or direction is served, together with a notification in Form 239 of the particulars of

the offending communication and of that publication, on that person in such manner as the Court may direct; or

- (b) for any person who (before causing that publication) had editorial control over that publication, from the date when that order or direction is served, together with a notification in Form 239 of the particulars of the offending communication and of any publication of the offending communication (whether or not on the Internet), on that person in such manner as the Court may direct.

(11) For the purposes of section 12(5)(a), any order under section 12(3)(b) or direction under section 12(3)(d) concerning an offending communication published other than on the Internet shall take effect, for any person to whom that order or direction applies, from the date when that order or direction is served, together with a notification in Form 239 of the particulars of the offending communication and of any publication of the offending communication (whether or not on the Internet), on that person in such manner as the Court may direct.

(12) Every notification in Form 239 must be filed before it is served pursuant to paragraph (10) or (11).

(13) The party in whose favour any order under section 12(3)(b) or direction under section 12(3)(d) is made may apply to the Court for leave to amend a notification in Form 239, and for directions for the service, on each person to whom the order under section 12(3)(b) or direction under section 12(3)(d) applies, of —

- (a) that order or direction and the amended notification, if that person is —
- (i) a person to whom paragraph (10)(a) applies; or
 - (ii) a person to whom paragraph (10)(b) or (11) applies and on whom that order or direction has not been served previously; or

(b) the amended notification, if that person is a person to whom paragraph (10)(b) or (11) applies and on whom that order or direction has been served previously.

(14) An application under paragraph (13) —

(a) may be made ex parte;

(b) despite Order 32, Rule 1, may be made orally; and

(c) must be supported by a copy of the notification in Form 239 setting out the proposed amendments.

(15) In paragraphs (10) to (14), a reference to a notification in Form 239 includes a reference to any such notification which is amended with the leave of the Court under paragraph (13).

Application under section 12(7) to vary, suspend or cancel protection order, etc. (O. 109, r. 3)

3.—(1) An application under section 12(7) to vary, suspend or cancel a protection order, or to extend the duration of a protection order, must be —

(a) made by summons in Form 240 in the originating summons in which the protection order was made; and

(b) supported by an affidavit in Form 241.

(2) The applicant must serve the application and supporting affidavit —

(a) if the applicant is the victim, on every person to whom the protection order applies; or

(b) if the applicant is any person to whom the protection order applies, on the victim and every other person to whom the protection order applies.

(3) The Court may —

(a) give such directions for the hearing of the application as the Court thinks fit;

(b) conduct the hearing of the application in such manner as the Court thinks fit; and

(c) where any party does not appear at the hearing of the application, proceed with the hearing of the application in the absence of that party.

(4) Any order made by the Court pursuant to the application must be served, by the party in whose favour the order is made, in such manner as the Court may direct, on —

(a) every other party to the application; and

(b) any other person whom the Court may direct.

**Application under section 15(1) for section 15(2) order
(O. 109, r. 4)**

4.—(1) An application under section 15(1) for a section 15(2) order must be made by ex parte originating summons in Form 242 and supported by an affidavit in Form 243.

(2) The Court may give such directions, for the service of the application and supporting affidavit on each person to whom the section 15(2) order is to apply, including directions for service out of jurisdiction, as the Court thinks fit.

(3) Where the Court has given directions for the service of the application and supporting affidavit on any person, the applicant must, within 8 days after the date on which the application and supporting affidavit are served on that person, file an affidavit of service.

(4) Each person to whom the section 15(2) order is to apply may file an affidavit in reply in Form 244 within 14 days after being served with the application and supporting affidavit.

(5) Except with the leave of the Court, no other affidavit is to be filed or served for the purposes of the application.

(6) Where the author is not a person to whom the section 15(2) order is to apply, unless the Court directs otherwise, the subject must give the author notice of the hearing of the application prior to the hearing.

(7) Order 28, Rule 8 shall not apply to any proceedings in the application.

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- (8) The Court may —
- (a) give such directions for the hearing of the application as the Court thinks fit;
 - (b) conduct the hearing of the application in such manner as the Court thinks fit; and
 - (c) where any party does not appear at the hearing of the application, proceed with the hearing of the application in the absence of that party.
- (9) In any case where the Court thinks fit, the Court may under paragraph (8)(a) and (b) —
- (a) make an order referring any person to whom the section 15(2) order is to apply or the subject or both to attend such counselling or mediation as the Court may direct;
 - (b) give any direction necessary for and incidental to the proper carrying into effect of the order made under sub-paragraph (a); and
 - (c) stay all further proceedings in the application until that person or the subject or both (as the case may be) have attended the counselling or mediation (as the case may be).
- (10) A section 15(2) order —
- (a) must be in Form 245;
 - (b) must be served on each person to whom the section 15(2) order applies, in such manner as the Court may direct; and
 - (c) must contain, or be served with an order of the Court containing, the Court's directions referred to in sub-paragraph (b).
- (11) For the purposes of section 15(5)(a), any section 15(2) order concerning a publication of a statement on the Internet shall take effect —

- (a) for any person who (before causing that publication) did not have any editorial control over that publication, in respect of that publication, from the date when that order is served, together with a notification in Form 246 of the particulars of the statement and of that publication, on that person in such manner as the Court may direct; or
- (b) for any person who (before causing that publication) had editorial control over that publication, from the date when that order is served, together with a notification in Form 246 of the particulars of the statement and of any publication of the statement (whether or not on the Internet), on that person in such manner as the Court may direct.

(12) For the purposes of section 15(5)(a), any section 15(2) order concerning a statement published other than on the Internet shall take effect, for any person to whom that order applies, from the date when that order is served, together with a notification in Form 246 of the particulars of the statement and of any publication of the statement (whether or not on the Internet), on that person in such manner as the Court may direct.

(13) Every notification in Form 246 must be filed before it is served pursuant to paragraph (11) or (12).

(14) The party in whose favour any section 15(2) order is made may apply to the Court for leave to amend a notification in Form 246, and for directions for the service, on each person to whom the section 15(2) order applies, of —

- (a) that order and the amended notification, if that person is —
 - (i) a person to whom paragraph (11)(a) applies; or
 - (ii) a person to whom paragraph (11)(b) or (12) applies and on whom that order has not been served previously; or

(b) the amended notification, if that person is a person to whom paragraph (11)(b) or (12) applies and on whom that order has been served previously.

(15) An application under paragraph (14) —

(a) may be made ex parte;

(b) despite Order 32, Rule 1, may be made orally; and

(c) must be supported by a copy of the notification in Form 246 setting out the proposed amendments.

(16) In paragraphs (11) to (15), a reference to a notification in Form 246 includes a reference to any such notification which is amended with the leave of the Court under paragraph (14).

Application under section 15(6) to vary, suspend or cancel section 15(2) order (O. 109, r. 5)

5.—(1) An application under section 15(6) to vary, suspend or cancel a section 15(2) order must be —

(a) made by summons in Form 247 in the originating summons in which the section 15(2) order was made; and

(b) supported by an affidavit in Form 248.

(2) The applicant must serve the application and supporting affidavit —

(a) if the applicant is the subject, on every person to whom the section 15(2) order applies; or

(b) if the applicant is the author or any person to whom the section 15(2) order applies, on the subject and every other person to whom the section 15(2) order applies.

(3) The Court may —

(a) give such directions for the hearing of the application as the Court thinks fit;

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- (b) conduct the hearing of the application in such manner as the Court thinks fit; and
 - (c) where any party does not appear at the hearing of the application, proceed with the hearing of the application in the absence of that party.
- (4) Any order made by the Court pursuant to the application must be served, by the party in whose favour the order is made, in such manner as the Court may direct, on —
- (a) every other party to the application; and
 - (b) any other person whom the Court may direct.

Directions for and conduct of hearing (O. 109, r. 6)

6.—(1) Despite Rules 2(1) and (6), 3(1), 4(1) and (7) and 5(1), the directions which the Court may give under Rule 2(7)(a), 3(3)(a), 4(8)(a) or 5(3)(a) include directions on one or more of the following matters:

- (a) the giving of evidence orally or by affidavit;
- (b) the time limited for giving oral testimony;
- (c) the calling of a witness to give evidence with a view to assisting in the resolution or disposal of the application, whether or not any party will be calling that witness to give evidence for that party;
- (d) the time limited for oral arguments;
- (e) the length of any written submissions;
- (f) subject to section 62A of the Evidence Act (Cap. 97), the giving of evidence through a live video or live television link;
- (g) subject to any written law or rule of law restricting the disclosure, or relating to the confidentiality, of any document or information —
 - (i) the disclosure of any document or information;

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- (ii) whether any document or information should be treated as confidential; and
 - (iii) whether any party to the proceedings may inspect any document;
- (h) the restriction or prohibition of one or more of the following:
- (i) the publication of any document or information disclosed, or any evidence given, for the purposes of the application;
 - (ii) the publication of the name of any party or witness;
 - (iii) access to any document or information disclosed, or any evidence given, for the purposes of the application.

(2) Despite Rules 2(1) and (6), 3(1), 4(1) and (7) and 5(1), where the Court considers it necessary for the just, expeditious or economical disposal of the application, the Court may, under Rule 2(7)(a) and (b), 3(3)(a) and (b), 4(8)(a) and (b) or 5(3)(a) and (b) —

- (a) order that a person specified by the Court be called as a witness;
- (b) give directions for —
 - (i) the filing of an affidavit by the specified person; and
 - (ii) the examination and cross-examination of the specified person; and
- (c) determine —
 - (i) the sum to be paid to the specified person for each day during which that person is required to be present in Court;
 - (ii) who is to pay that sum; and

(iii) if the Court orders 2 or more persons to pay that sum, how that sum is to be apportioned between those persons.

(3) Without prejudice to Rules 2(7)(c), 3(3)(c), 4(8)(c) and 5(3)(c), the Court may under Rule 2(7)(a) and (b), 3(3)(a) and (b), 4(8)(a) and (b) or 5(3)(a) and (b) —

(a) with the consent of all of the parties, give a judgment, or make an order, a decision or a determination, on any matter in the application —

(i) without hearing oral arguments; and

(ii) without the attendance of any party; and

(b) before giving a judgment, or making an order, a decision or a determination, under sub-paragraph (a) —

(i) invite the parties to make further submissions on the matter, in such manner and within such time as the Court thinks fit; and

(ii) give such other directions as may be necessary to enable the Court to give a judgment, or make an order, a decision or a determination, under that sub-paragraph.

Identification of party whose name is unknown (O. 109, r. 7)

7. For the purposes of any application under section 12(1) or (7) or 15(1) or (6), where the name of any person to whom a protection order, an expedited protection order or a section 15(2) order is intended to apply is unknown, that person may be identified by —

(a) an Internet location address or a website associated with that person; or

(b) a username or account, an electronic mail address or any other unique identifier used by or associated with that person.

Service of documents (O. 109, r. 8)

8.—(1) Without prejudice to anything in these Rules permitting the service of a document in any other manner, any document filed in an originating summons by which an application under section 12(1) or 15(1) is begun may be served in such manner prescribed under this Rule as the Court may direct.

(2) Where the proper address of the person to be served is known, the Court shall direct that the document be served —

- (a) by leaving with that person a copy of that document; or
- (b) by posting a copy of that document on the front door of the proper address of that person.

(3) Where the proper address of the person to be served is not known —

- (a) if that person has an email address, then the Court may direct that the document be served by sending an electronic communication of that document to that email address;
- (b) if that person has an account on any social media or social networking website, and that social media or social networking website provides a mechanism for that person to receive electronic communications in that account, then the Court may direct that the document be served by sending an electronic communication of that document to that account; or
- (c) if that person has an Internet website, a blog or a page on any social media or social networking website, and that Internet website, blog or social media or social networking website provides a mechanism for the posting of comments on that Internet website, blog or page of that social media or social networking website, then the Court may direct that the document be served by posting an electronic communication of

that document on that Internet website, blog or page on that social media or social networking website.

(4) Where there is no known proper address of the person to be served, and paragraph (3) does not apply to that person, the Court may direct that the document be served by causing a notice containing the following information to be posted on such Internet website or other website as the Court may specify:

- (a) a statement identifying that document;
- (b) a statement that the person to be served may obtain that document from —
 - (i) the person serving that document; or
 - (ii) if the person serving that document is represented by a solicitor, the solicitor; and
- (c) the email address, or such contact details as the Court may specify, of the person serving that document or solicitor (as the case may be).

(5) Despite Order 11 —

- (a) where a document is filed in an originating summons by which an application under section 12(1) or 15(1) is begun, and the Court directs that the document be served in a manner prescribed under paragraph (2), (3) or (4), the Court may also grant leave for the document to be served out of Singapore, if the Court is satisfied that —
 - (i) the person to be served is not in Singapore; and
 - (ii) the case is a proper one for the service of the document out of Singapore;
- (b) the Court may grant such leave without an application under Order 11, Rule 2 or 8 or an affidavit in Form 7; and
- (c) the Court may be satisfied of the matters referred to in sub-paragraph (a)(i) and (ii) by any information

contained in any document filed in the originating summons.

(6) Despite Order 45, Rule 7, any protection order or section 15(2) order, any order or direction referred to in Rule 2(8) or 4(9), and any order made pursuant to an application under section 12(7) or 15(6), may be enforced under Order 45, Rule 5, if a copy of the order or direction is served in such manner prescribed under this Rule as the Court may direct.

Redaction of particulars of parties (O. 109, r. 9)

9. Where any party to an application under section 12(1) or (7) or 15(1) or (6) is below the age of 16 years, the Court may, if the Court thinks fit, order that the name and other personal information of that party, and the name and other personal information of such other party to the application as the Court may direct in any particular case, be removed or sufficiently redacted from any court document filed or made for the purposes of the application.

Fees for application under section 12(1) or (7) or 15(1) or (6), etc. (O. 109, r. 10)

10. The scale of fees and percentages in Appendix B to these Rules which applies to any document filed in an originating summons by which an application under section 12(1) or 15(1) is begun is the scale applicable to a Magistrate's Court —

- (a) even though the application is made to a District Court; and
- (b) despite anything in Order 91 and that Appendix.”.

Amendment of Appendix A

3. Appendix A to the Rules of Court is amended by inserting, immediately after Form 234, the following Forms:

236.

O. 109, r. 2(1)

AFFIDAVIT IN SUPPORT OF
APPLICATION UNDER SECTION 12(1) OF
PROTECTION FROM HARASSMENT ACT 2014

IN THE STATE COURTS
OF THE REPUBLIC OF SINGAPORE

O.S. No.)

of 20 .)

In the matter of an application under section 12(1) of the Protection
from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of victim).

Applicant.

AFFIDAVIT

I, (name of applicant), the applicant, do make oath (or affirm) and say
that the statements contained in the document exhibited and marked "A" are
true.

Sworn (or affirmed) as in Form 78.

EXHIBIT "A"

INFORMATION IN SUPPORT OF APPLICATION

Part A – Applicant's Particulars

1. My particulars are as follows:

- (a) Name:
- (b) NRIC No. (for Singapore citizen) or No., type and country of issue
of foreign identification document (for foreign citizen):
- (c) Citizenship:
- (d) Gender:
- (e) Date of birth:
- (f) Address:
- (g) Telephone No.:
- (h) Email address:
- (i) Language(s) spoken:

Part B – Expedited Protection Order

2. I am/am not* applying for an expedited protection order under section 13 of the Protection from Harassment Act 2014.

Part C – Background Information

3. To the best of my knowledge, information and belief, the Respondent's particulars are as follows:
- (a) Name or, if the name is unknown, Unique Identifier (e.g. Internet location address, website, username or account or email address):
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Other electronic means of contacting the Respondent:
 - (j) Relationship to me:
4. To the best of my knowledge, information and belief, the Respondent has the following presence on the Internet:
- (a) Internet website address(es):
 - (b) Blog (or weblog) address(es):
 - (c) Account(s) on social media or social networking website(s):
 - (d) Page(s) on social media or social networking website(s):
5. I believe that the Respondent is/is not* in Singapore. The grounds for my belief are as follows:
6. The Respondent has contravened the following provision(s) of the Protection from Harassment Act 2014:
- (a) section 3*
 - (b) section 4*
 - (c) section 5*
 - (d) section 6*
 - (e) section 7*
7. The Respondent contravened the provision(s) of the Protection from Harassment Act 2014 mentioned in paragraph 6 by doing the following things:

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8. The Respondent has thereby caused me/(name of victim)/(name of related person)* the following harm:
 9. I attach the following evidence in support of my statements at paragraphs 7 and 8:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):
 10. I have/have not* approached the Respondent to remove the offending communication mentioned in paragraph 7.*
 - (a) The Respondent's response to my approach was as follows:*
 - (b) I did not approach the Respondent for the following reasons:*
 11. I believe that the Respondent —
 - (a) is likely to continue contravening the provision(s) of the Protection from Harassment Act 2014 mentioned in paragraph 6.*
 - (b) is likely to commit a new contravention of the following provision(s) of the Protection from Harassment Act 2014:.*
 - (i) section 3*
 - (ii) section 4*
 - (iii) section 5*
 - (iv) section 6*
 - (v) section 7*
 12. I attach the following evidence in support of my statement(s) at paragraph 11:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):
 13. I believe that the Respondent is likely to commit the new contravention mentioned in paragraph 11 imminently.#
 14. I believe that the contravention of the provision(s) of the Protection from Harassment Act 2014 mentioned in paragraph 6 (if continued)/the new contravention mentioned in paragraph 11 (if committed)* is likely to have a substantial adverse effect on me/(name of victim)/(name of related person)* or my day-to-day activities/the day-to-day activities of (name of victim)/(name of related person)*.#

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15. I attach the following evidence in support of my statement(s) at paragraphs 13 and 14/paragraph 14*:#
 16. I have lodged a police report on [date] at [time]/have not lodged a police report* in respect of the Respondent's contravention of the provision(s) of the Protection from Harassment Act 2014 mentioned in paragraph 6.
 17. Medical attention has/has not* been sought in respect of the harm mentioned in paragraph 8. The particulars of the medical attention sought are as follows:*
 - (a) Date and time:
 - (b) Receipt No. or Registration No.:
 - (c) Diagnosis or Treatment:

Part D – Order under section 12(3)(a) of Protection from Harassment Act 2014⁺

18. I am applying for an order under section 12(3)(a) of the Protection from Harassment Act 2014 against the following Respondent.

Part E – Order under section 12(3)(b) of Protection from Harassment Act 2014⁺

19. I am applying for an order under section 12(3)(b) of the Protection from Harassment Act 2014 against the following Respondent/person* .
20. To the best of my knowledge, information and belief, the Respondent's/person's* particulars are as follows:
 - (a) Name or, if the name is unknown, Unique Identifier (e.g. Internet location address, website, username or account or email address):
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Other electronic means of contacting the Respondent/person* :
 - (j) Relationship to me:

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21. To the best of my knowledge, information and belief, the Respondent/person* has the following presence on the Internet:
 - (a) Internet website address(es):
 - (b) Blog (or weblog) address(es):
 - (c) Account(s) on social media or social networking website(s):
 - (d) Page(s) on social media or social networking website(s):
 22. I believe that the Respondent/person* is/is not* in Singapore. The grounds for my belief are as follows:
 23. The particulars of the offending communication are as follows:
 24. The particulars of each publication by the Respondent/person* of the offending communication (including the Internet location address of each publication on the Internet, if any) are as follows:
 25. I attach the following evidence in support of my statements at paragraphs 23 and 24:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):
 26. I have/have not* approached the Respondent/person* to remove the offending communication mentioned in paragraphs 23 and 24.*
 - (a) The Respondent's/person's* response to my approach was as follows:
 - (b) I did not approach the Respondent/person* for the following reasons:
 27. I believe that the Respondent/person* is likely to publish, or to continue to publish, the offending communication mentioned in paragraphs 23 and 24.
 28. I have lodged a police report on [date] at [time]/have not lodged a police report* in respect of the Respondent's/person's* publication of the offending communication mentioned in paragraph 24.
 29. The Respondent/person* has, by the publication of the offending communication mentioned in paragraph 24, caused me/(name of victim)* the following harm:*

30. Medical attention has/has not* been sought in respect of the harm mentioned in paragraph 29. The particulars of the medical attention sought are as follows:*

- (a) Date and time:
- (b) Receipt No. or Registration No.:
- (c) Diagnosis or Treatment:

Part F – Confirmation of Contents

31. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of Applicant]

Name of Applicant:

Date:

*Delete whichever is inapplicable.

+Delete this Part if it is not required. Repeat this Part if there is more than one Respondent/person to whom the protection order is to apply.

#Delete this paragraph unless the application is for an expedited protection order.

237.

O. 109, r. 2(4) AFFIDAVIT IN REPLY IN RESPONSE
 TO APPLICATION UNDER
 SECTION 12(1) OF PROTECTION
 FROM HARASSMENT ACT 2014

 IN THE STATE COURTS
 OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 12(1) of the Protection from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of victim).

Applicant.

AFFIDAVIT

I, (name), do make oath (or affirm) and say that the statements contained in the document exhibited and marked "A" are true.

Sworn (or affirmed) as in Form 78.

EXHIBIT "A"
RESPONSE

Part A – Particulars of Respondent/Person to whom protection order is to apply*

1. My particulars are as follows:
 - (a) Name:
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Language(s) spoken:

Part B – Response against Application for Order under section 12(3)(a) of Protection from Harassment Act 2014⁺

2. I am opposing the Applicant's application for an order under section 12(3)(a) of the Protection from Harassment Act 2014 against me.
3. An order under section 12(3)(a) of the Protection from Harassment Act 2014 should not be made against me for the following reasons:
4. I attach the following evidence in support of my statements at paragraph 3:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):

Part C – Response against Application for Order under section 12(3)(b) of Protection from Harassment Act 2014⁺

5. I am opposing the Applicant's application for an order under section 12(3)(b) of the Protection from Harassment Act 2014 against me.
6. An order under section 12(3)(b) of the Protection from Harassment Act 2014 should not be made against me for the following reasons:
7. I attach the following evidence in support of my statements at paragraph 6:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):

Part D – Confirmation of Contents

8. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of Respondent/person to whom protection order is to apply*]

Name of Respondent/person to whom protection order is to apply*:

Date:

*Delete whichever is inapplicable.

⁺Delete this Part if it is not required.

-
-
4. (Name of respondent) is/(Names of respondent and victim) are* referred to counselling/mediation* provided by (name of body providing counselling or mediation) .
 5. This order is subject to the following exception(s):⁺
 - (a) This order does not apply to the following person(s):
 - (b) [Specify any other exception(s) to this order].
 6. This order is subject to the following condition(s):
 - (a) If this order is subsequently varied, suspended or cancelled, and the Court finds that this order has caused loss to any person, the Court may order the applicant to compensate that person for that loss.
 - (b) If this order is an expedited protection order, this order must be accompanied by a copy each of the application for this order and the affidavit in support of the application.⁺
 - (c) [Specify any other condition(s) to which this order is subject].
 7. [Specify any other direction(s) given by the Court].⁺
 8. This order shall cease to have effect after (date of the last day on which this order has effect).

Dated this day of 20 .

Registrar.

Important Message:

1. This order prohibits you from doing certain things. In particular, if this order prohibits a person from publishing or continuing to publish an offending communication, you must, if you have published the offending communication on the Internet, take down the publication. You must read the terms of this order very carefully.
2. If you disobey this order, you/you (a director or an officer of [specify name of body corporate])* will be liable to process of execution for the purpose of compelling you/[specify name of body corporate]* to obey this order. In addition, you may be guilty of an offence under section 10 of the Protection from Harassment Act 2014, or of contempt of court. An offence under section 10 of the Protection from Harassment Act 2014 is punishable with a fine not exceeding \$5,000 or imprisonment for a term not exceeding 6 months or both.
3. You have a right to ask the Court to vary, suspend or cancel this order.

-
-
4. The Court may, on your application or on the application of the applicant or any other person to whom this order applies, vary, suspend or cancel this order, or extend the duration of this order.
 5. Except as provided under paragraph 6 of this message, this order applies to you with effect from the date when this order was served on you/(date when service of this order is dispensed with by District Judge)/(later date specified by District Judge)*.
 6. Where this order concerns a publication of an offending communication on the Internet —
 - (a) if you do not have any editorial control over that particular publication, this order applies to you in respect of that particular publication with effect from the date when this order was served on you together with a notification of the particulars of the offending communication and of that particular publication; or
 - (b) if you have editorial control over that particular publication, this order applies to you with effect from the date when this order was served on you together with a notification of the particulars of the offending communication and of any such publication of the offending communication on the Internet.
 7. In this order and this message, “publish”, in relation to a communication, means to make the communication available, or to cause the communication to be made available, in any form such that the communication is or can be heard, seen or otherwise perceived by the public in Singapore or any section of the public in Singapore.

*Delete whichever is inapplicable.

†Delete if not applicable.

239.

O. 109, r. 2(10)
to (15)

NOTIFICATION OF PARTICULARS OF
OFFENDING COMMUNICATION AND
OF PUBLICATION OF OFFENDING
COMMUNICATION FOR PURPOSES
OF SECTION 12(5)(a) OF PROTECTION
FROM HARASSMENT ACT 2014

IN THE STATE COURTS
OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 12(1) of the Protection
from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of victim).

Applicant.

NOTIFICATION OF PARTICULARS
OF OFFENDING COMMUNICATION AND
OF PUBLICATION OF OFFENDING COMMUNICATION

Part A – Brief Particulars

1. Particulars of offending communication:
2. Particulars of publication of offending communication:

Part B – Details⁺

3. To the best of my knowledge, information and belief, the particulars of the Respondent/person against whom an order under section 12(3)(b) of the Protection from Harassment Act 2014 is sought* are as follows:
 - (a) Name or, if the name is unknown, Unique Identifier (e.g. Internet location address, website, username or account or email address):
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Other electronic means of contacting the Respondent/person*:
 - (j) Relationship to me:

-
-
4. To the best of my knowledge, information and belief, the Respondent/person* has the following presence on the Internet:
 - (a) Internet website address(es):
 - (b) Blog (or weblog) address(es):
 - (c) Account(s) on social media or social networking website(s):
 - (d) Page(s) on social media or social networking website(s):
 5. I believe that the Respondent/person* is/is not* in Singapore. The grounds for my belief are as follows:
 6. The details of the offending communication are as follows:
 7. The details of each publication by the Respondent/person* of the offending communication (including the Internet location address of each publication on the Internet, if any) are as follows:
 8. I attach the following evidence in support of my statements at paragraphs 6 and 7:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):
 9. I have/have not* approached the Respondent/person* to remove the offending communication mentioned in paragraphs 6 and 7.
 - (a) The Respondent's/person's* response to my approach was as follows:
 - (b) I did not approach the Respondent/person* for the following reasons:
 10. I believe that the Respondent/person* is likely to publish, or to continue to publish, the offending communication mentioned in paragraphs 6 and 7.
 11. I have lodged a police report on [date] at [time]/have not lodged a police report* in respect of the Respondent's/person's* publication of the offending communication mentioned in paragraph 7.
 12. The Respondent/person* has, by the publication of the offending communication mentioned in paragraph 7, caused me/(name of victim)* the following harm:

13. Medical attention has/has not* been sought in respect of the harm mentioned in paragraph 12. The particulars of the medical attention sought are as follows:*

- (a) Date and time:
- (b) Receipt No. or Registration No.:
- (c) Diagnosis or Treatment:

Part C – Confirmation of Contents

14. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of Applicant]

Name of Applicant:

Date:

*Delete whichever is inapplicable.

+Repeat this Part if there is more than one Respondent/person to whom the protection order is to apply.

240.

O. 109, r. 3(1) APPLICATION UNDER SECTION 12(7)
 OF PROTECTION FROM
 HARASSMENT ACT 2014

 IN THE STATE COURTS
 OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 12(1) of the Protection from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of victim).

Applicant.

SUMMONS

Let all parties concerned attend before the District Judge on (date/time), on the hearing of an application by (name of person making application) for an order that:

1. The protection order/expedited protection order* made on (date) be varied as follows:*

[specify how the order is to be varied]

1. The protection order/expedited protection order* made on (date) be suspended/extended* for a period of beginning on (date)/cancelled*.*

2. The Court give such other direction(s) as the Court thinks fit.

Dated this day of 20 .

Registrar.

This summons is taken out by (name of person making application or solicitor for that person) whose address is .

*Delete whichever is inapplicable.

241.

O. 109, r. 3(1)

AFFIDAVIT IN SUPPORT OF
APPLICATION UNDER SECTION 12(7)
OF PROTECTION FROM
HARASSMENT ACT 2014
IN THE STATE COURTS
OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 12(1) of the Protection from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of victim).

Applicant.

AFFIDAVIT

I, (name of person making application), do make oath (or affirm) and say that the statements contained in the document exhibited and marked "A" are true.

Sworn (or affirmed) as in Form 78.

EXHIBIT "A"

INFORMATION IN SUPPORT OF APPLICATION

Part A – Particulars of person making application

1. My particulars are as follows:
 - (a) Name:
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Language(s) spoken:

Part B – Information in support of application

2. I am applying for an order that the protection order/expedited protection order* made on (date) be varied as follows:*
2. I am applying for an order that the protection order/expedited protection order* made on (date) be suspended/extended* for a period of beginning on (date)/cancelled*.*
3. The reasons for my application are as follows:

Part C – Confirmation of Contents

4. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of person making application]

Name of person making application:

Date:

*Delete whichever is inapplicable.

243.

O. 109, r. 4(1)

AFFIDAVIT IN SUPPORT OF
APPLICATION UNDER SECTION 15(1)
OF PROTECTION FROM
HARASSMENT ACT 2014
IN THE STATE COURTS
OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 15(1) of the Protection from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of subject).

Applicant.

AFFIDAVIT

I, (name of applicant), the applicant, do make oath (or affirm) and say that the statements contained in the document exhibited and marked "A" are true.

Sworn (or affirmed) as in Form 78.

EXHIBIT "A"

INFORMATION IN SUPPORT OF APPLICATION

Part A – Applicant’s Particulars

1. My particulars are as follows:

- (a) Name:
- (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
- (c) Citizenship:
- (d) Gender:
- (e) Date of birth:
- (f) Address:
- (g) Telephone No.:
- (h) Email address:
- (i) Language(s) spoken:

Part B – Background Information⁺

2. I am applying for an order under section 15(2) of the Protection from Harassment Act 2014 against the following person.
3. To the best of my knowledge, information and belief, the person's particulars are as follows:
 - (a) Name or, if the name is unknown, Unique Identifier (e.g. Internet location address, website, username or account or email address):
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Other electronic means of contacting the person:
 - (j) Relationship to me:
4. To the best of my knowledge, information and belief, the person has the following presence on the Internet:
 - (a) Internet website address(es):
 - (b) Blog (or weblog) address(es):
 - (c) Account(s) on social media or social networking website(s):
 - (d) Page(s) on social media or social networking website(s):
5. I believe that the person is/is not* in Singapore. The grounds for my belief are as follows:
6. The particulars of the statement complained of are as follows:
7. The statement complained of is about me/the following subject* :
8. The originator of the statement complained of (the author) is the following person:
9. The statement complained of is a statement of fact about me/the subject* which is false in the following particular(s) about me/the subject*:
10. The particulars of each publication by the person of the statement complained of (including the Internet location address of each publication on the Internet, if any) are as follows:

-
-
11. I attach the following evidence in support of my statements at paragraphs 6 to 10:
- (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):
12. Where the author of the statement complained of is not the person, I have/have not^{*} approached the author to remove or correct the statement complained of.
- (a) The author's response to my approach was as follows:^{*}
 - (b) I did not approach the author for the following reasons:^{*}
13. I have/have not^{*} approached the person to remove or correct the statement complained of.
- (a) The person's response to my approach was as follows:^{*}
 - (b) I did not approach the person for the following reasons:^{*}
14. The following notification must be published together with the statement complained of, in order to bring attention to the falsehood in that statement and the true facts:
15. I ask the Court to order that no person shall publish, or continue to publish, the statement complained of, unless the person publishes, together with that statement, the notification mentioned in paragraph 14.

Part C – Confirmation of Contents

16. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of Applicant]

Name of Applicant:

Date:

^{*}Delete whichever is inapplicable.

[†]Repeat this Part if there is more than one person to whom the order under section 15(2) of the Protection from Harassment Act 2014 is to apply.

244.

O. 109, r. 4(4) AFFIDAVIT IN REPLY IN RESPONSE
 TO APPLICATION UNDER
 SECTION 15(1) OF PROTECTION
 FROM HARASSMENT ACT 2014

 IN THE STATE COURTS
 OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 15(1) of the Protection from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of subject).

Applicant.

AFFIDAVIT

I, (name), do make oath (or affirm) and say that the statements contained in the document exhibited and marked "A" are true.

Sworn (or affirmed) as in Form 78.

EXHIBIT "A"
RESPONSE

Part A – Particulars of Person Responding

1. My particulars are as follows:
 - (a) Name:
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Language(s) spoken:

Part B – Response

2. I am opposing the application for an order under section 15(2) of the Protection from Harassment Act 2014 against me.
3. An order under section 15(2) of the Protection from Harassment Act 2014 should not be made against me for the following reasons:
4. The statement complained of is true in the following particular(s) about the subject:*
5. I admit that the statement complained of is false in the following particular(s) about the subject:*
6. The Applicant has/has not* approached me to remove or correct the statement complained of.
7. The Applicant made the following request to me as regards the statement complained of:†
8. My response to the Applicant was as follows:†
9. The reason(s) for my response to the Applicant are as follows:†
10. I attach the following evidence in support of my statements above:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):

Part C – Confirmation of Contents

11. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of Person Responding]

Name of Person Responding:

Date:

*Delete whichever is inapplicable.

†Delete if not applicable.

5. [Specify any other direction(s) given by the Court].⁺

Dated this day of 20 .

Registrar.

Important Message:

1. You must read the terms of this order very carefully.
2. If you disobey this order, you/you (a director or an officer of [specify name of body corporate])^{*} will be liable to process of execution for the purpose of compelling you/[specify name of body corporate]^{*} to obey this order. In addition, you may be guilty of contempt of court.
3. You have a right to ask the Court to vary, suspend or cancel this order.
4. The Court may, on your application or on the application of the subject, the author of the statement complained of or any other person to whom this order applies, vary, suspend or cancel this order.
5. Except as provided under paragraph 6 of this message, this order applies to you with effect from the date when this order was served on you/(date when service of this order is dispensed with by District Judge)/(later date specified by District Judge)^{*}.
6. Where this order concerns a publication of the statement complained of on the Internet —
 - (a) if you do not have any editorial control over that particular publication, this order applies to you in respect of that particular publication with effect from the date when this order was served on you together with a notification of the particulars of the statement complained of and of that particular publication; or
 - (b) if you have editorial control over that particular publication, this order applies to you with effect from the date when this order was served on you together with a notification of the particulars of the statement complained of and of any such publication of the statement complained of on the Internet.
7. In this order and this message, “publish”, in relation to a statement, means to make the statement available, or to cause the statement to be made available, in any form such that the statement is or can be heard, seen or otherwise perceived by the public in Singapore or any section of the public in Singapore.

^{*}Delete whichever is inapplicable.

⁺Delete if not applicable.

246.

O. 109, r. 4(11)
to (16)

NOTIFICATION OF PARTICULARS OF
STATEMENT COMPLAINED OF AND
OF PUBLICATION OF THAT
STATEMENT FOR PURPOSES OF
SECTION 15(5)(a) OF PROTECTION
FROM HARASSMENT ACT 2014

IN THE STATE COURTS
OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 15(1) of the Protection
from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of subject).

Applicant.

NOTIFICATION OF PARTICULARS
OF STATEMENT COMPLAINED OF AND
OF PUBLICATION OF THAT STATEMENT

Part A – Brief Particulars

1. Particulars of statement complained of:
2. Particulars of publication of statement complained of:

Part B – Details⁺

3. To the best of my knowledge, information and belief, the particulars of the person against whom an order under section 15(2) of the Protection from Harassment Act 2014 is sought are as follows:
 - (a) Name or, if the name is unknown, Unique Identifier (e.g. Internet location address, website, username or account or email address):
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Other electronic means of contacting the person:
 - (j) Relationship to me:

-
-
4. To the best of my knowledge, information and belief, the person has the following presence on the Internet:
 - (a) Internet website address(es):
 - (b) Blog (or weblog) address(es):
 - (c) Account(s) on social media or social networking website(s):
 - (d) Page(s) on social media or social networking website(s):
 5. I believe that the person is/is not* in Singapore. The grounds for my belief are as follows:
 6. The particulars of the statement complained of are as follows:
 7. The statement complained of is about me/the following subject* :
 8. The originator of the statement complained of (the author) is the following person:
 9. The statement complained of is a statement of fact about me/the subject* which is false in the following particular(s) about me/the subject* :
 10. The particulars of each publication by the person of the statement complained of (including the Internet location address of each publication on the Internet, if any) are as follows:
 11. I attach the following evidence in support of my statements at paragraphs 6 to 10:
 - (a) Document(s):
 - (b) Photograph(s):
 - (c) Other evidence (including electronic documents or records):
 12. Where the author of the statement complained of is not the person, I have/have not* approached the author to remove or correct the statement complained of.*
 - (a) The author's response to my approach was as follows:*
 - (b) I did not approach the author for the following reasons:*

-
-
13. I have/have not* approached the person to remove or correct the statement complained of.
- (a) The person's response to my approach was as follows:*
- (b) I did not approach the person for the following reasons:*

Part C – Confirmation of Contents

14. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of Applicant]

Name of Applicant:

Date:

*Delete whichever is inapplicable.

†Repeat this Part if there is more than one person to whom the order under section 15(2) of the Protection from Harassment Act 2014 is to apply.

248.

O. 109, r. 5(1)

AFFIDAVIT IN SUPPORT OF
APPLICATION UNDER SECTION 15(6)
OF PROTECTION FROM
HARASSMENT ACT 2014
IN THE STATE COURTS
OF THE REPUBLIC OF SINGAPORE

O.S. No.)
of 20 .)

In the matter of an application under section 15(1) of the Protection from Harassment Act 2014 (Act 17 of 2014).

And in the matter of (name of subject).

Applicant.

AFFIDAVIT

I, (name of person making application), do make oath (or affirm) and say that the statements contained in the document exhibited and marked "A" are true.

Sworn (or affirmed) as in Form 78.

EXHIBIT "A"

INFORMATION IN SUPPORT OF APPLICATION

Part A – Particulars of person making application

1. My particulars are as follows:
 - (a) Name:
 - (b) NRIC No. (for Singapore citizen) or No., type and country of issue of foreign identification document (for foreign citizen):
 - (c) Citizenship:
 - (d) Gender:
 - (e) Date of birth:
 - (f) Address:
 - (g) Telephone No.:
 - (h) Email address:
 - (i) Language(s) spoken:

Part B – Information in support of application

2. I am applying for an order that the order under section 15(2) of the Protection from Harassment Act 2014 made on (date) be varied as follows:*
2. I am applying for an order that the order under section 15(2) of the Protection from Harassment Act 2014 made on (date) be suspended for a period of beginning on (date)/cancelled*.*
3. The reasons for my application are as follows:

Part C – Confirmation of Contents

4. I confirm that to the best of my knowledge, information and belief, the information contained in this document is true.

[Signature of person making application]

Name of person making application:

Date:

*Delete whichever is inapplicable.

_____”
[G.N. Nos. S 299/2014; S 390/2014; S 671/2014;
S 714/2014]

Made on 10 November 2014.

SUNDARESH MENON
Chief Justice.

V K RAJAH SC
Attorney-General.

BELINDA ANG SAW EAN
Judge.

TAY YONG KWANG
Judge.

QUENTIN LOH
Judge.

STEVEN CHONG
Judge.

VINODH COOMARASWAMY
Judge.

SEE KEE OON
Presiding Judge of the State Courts.

FOO TUAT YIEN
District Judge.

CAVINDER BULL SC
Advocate and Solicitor.

ANG CHENG HOCK SC
Advocate and Solicitor.

[RSCS R7/7 Vol. 15; AG/LLRD/SL/322/2010/1 Vol. 12]

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