SINGAPORE ACADEMY OF LAW ACT (CHAPTER 294A, SECTION 27)

SINGAPORE ACADEMY OF LAW RULES

ARRANGEMENT OF RULES

Rule

1. Citation

- 2. Definitions
- 3. Annual subscriptions
- 4. Waiver of annual subscriptions
- 5. Executive Board
- 6. Audit Committee
- 7. [Deleted]
- 8. [Deleted]
- 9. [Deleted]
- 10. [Deleted]
- 11. Board of Commissioners for Oaths and Notaries Public
- 11A. Authentication of signature of notary public
- 12. [Deleted]
- 13. [Deleted]
- 13A. [Deleted]
- 13B. [Deleted]
- 13C. [Deleted]
- 14. LawNet fees

Rule

Informal Consolidation

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version in force from 2/6/2015

- 15. Quorum
- 15A. Non-voting members
- 16. Delegation of duties
- 17. [Deleted]
- 18. Resolutions in writing
- 19. [Deleted]
- 20. [Deleted]
- 21. Expulsion of members
- 22. Accounts, etc., need not be circulated to certain members
- 23. Conditions for circulation of summary financial statement
- 24. Contents of summary financial statement The Schedules

[19th January 1989]

Citation

1. These Rules may be cited as the Singapore Academy of Law Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

<u>p. 2</u>

[2002 Ed.

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"committee" means any committee or board appointed by the Senate under section 10 of the Act but does not include a sub-committee appointed under rule 16;

[S 345/2015 wef 02/06/2015]

"Faculty" means the Faculty of Law of the National University of Singapore;

"goods and services tax" means the prevailing goods and services tax payable under the Goods and Services Tax Act (Cap. 117A);

[S 493/2010 wef 02/09/2010]

"School" means the School of Law of the Singapore Management University;

"subscription year" means the calendar year or part thereof for which a member is liable to pay an annual subscription under rule 3.

[S 493/2010 wef 02/09/2010]

[S 472/2009 wef 09/10/2009]

Annual subscriptions

3.—(1) The annual subscriptions (inclusive of goods and services tax) payable to the Academy, by the categories of members set out in the Fourth Schedule, shall be as specified in that Schedule.

[S 493/2010 wef 02/09/2010]

(1A) For the purposes of paragraph (1), the category of a member is determined as at 1st January of each subscription year, or the date when the member first becomes a member, whichever is the later date.

[S 493/2010 wef 02/09/2010]

Singapore Academy of Law Rules

CAP. 294A,

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(2) The annual subscription of a person who is a Fellow of the Academy by virtue of section 12(c) or (d) of the Act shall be waived where he does not have in force a practising certificate and is not any of the following:

- (a) a member of the Senate;
- (b) a Legal Service Officer;
- (c) a teacher in law at any university or institution of higher learning; or
- (d) a person employed to perform legal work or the duties of a lawyer by the Government, a statutory body, a corporation or an unincorporated association.

(3) The annual subscription of every associate member who is a law student shall, unless otherwise directed by the Senate, be waived so long as the associate member remains a law student.

(4) Annual subscriptions shall be payable within 30 days of becoming a member and in respect of each subsequent calendar year thereafter shall be payable in advance on or before 1st January of that year.

(5) Where a member's annual subscription is in arrears for more than 30 days, the Executive Board may withdraw the privileges of the Academy from the member.

[S 345/2015 wef 02/06/2015

(6) The withdrawal of privileges from any member shall not prejudice the right of the Academy to recover the arrears of membership subscription due from the member.

(7) The Senate may, if it thinks fit, waive all or any part of the annual subscriptions.

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Waiver of annual subscriptions

4.—(1) Where any member will, for any period of not less than 6 months —

- (a) be continuously absent from Singapore;
- (b) not be ordinarily resident or domiciled in Singapore;
- (c) not be in the profession of law; or
- (d) not be gainfully employed,

the Executive Board may, on his application, waive the annual subscription or subscriptions payable in respect of such period as the Executive Board thinks fit.

[S 345/2015 wef 02/06/2015]

- (2) Any application for waiver under paragraph (1) shall
 - (*a*) be made in writing one month prior to or during the period to which the application relates, and in any case not later than 3 months after the expiry of each period of 6 months referred to in paragraph (1) unless the Executive Board agrees otherwise; and

[S 345/2015 wef 02/06/2015]

(b) set out the grounds and circumstances upon which the applicant is seeking the waiver of subscriptions.

(3) For the purposes of paragraph (1), a member shall be deemed not to be in the profession of law where he does not have in force a practising certificate and is not any of the following:

(a) a member of the Senate;

- IS 472/2009 wef 09/10/2009 2002 Ed.] (c) a teacher in law at any university or institution of higher learning: (d) a person employed to perform legal work or the duties of a lawyer by the Government, a statutory body. a corporation or an unincorporated association; or (e) such other person who, in the opinion of the Executive Board, is carrying on activities so closely Singapore Academy of Law Rules connected to the law or the profession of law as to be regarded as being in the profession of law. [S 345/2015 wef 02/06/2015] 5.—(1) An Executive Board comprising the following individuals is appointed under section 10 of the Act: (a) a chairperson who is the President of the Academy; (c) the President of the Law Society; CAP. (e) at least one and not more than 4 members of the Academy nominated by the President of the Academy. [S 345/2015 wef 02/06/2015] 294A, (2) [Deleted by S 345/2015 wef 02/06/2015] R
- Informal Consolidation version in force from 2/6/2015

Executive Board

(b) a Legal Service Officer;

(b) the Attorney-General;

(d) 5 members of the Senate;

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(3) The Senate may, from time to time, revoke, withdraw, alter or vary all or any such powers delegated to the Executive Board.

[S 345/2015 wef 02/06/2015]

- (4) [Deleted by S 345/2015 wef 02/06/2015]
- (5) [Deleted by S 498/2006 wef 22/08/2006]

[S 345/2015 wef 02/06/2015]

[S 345/2015 wef 02/06/2015

Audit Committee

- 6.—(1) An Audit Committee comprising the following individuals is appointed under section 10 of the Act:
 - (a) a chairperson who is a member of the Senate;
 - (b) at least one and not more than 4 other individuals who need not be members of the Academy.
- (2) The Audit Committee must
 - (*a*) evaluate and recommend to the Senate the suitability of a person to be appointed as the Academy's auditor under section 22 of the Act, having regard to the independence and objectivity of that person;
 - (b) review the adequacy of the Academy's internal control systems and internal audit functions, such as but not limited to the adequacy of the scope and results of any audit in respect of the Academy's operations; and
 - (c) carry out such other duties as the Senate may assign.
- 7. [Deleted by S 345/2015 wef 02/06/2015]

- 8. [Deleted by S 345/2015 wef 02/06/2015]
- **9.** [Deleted by S 605/2014 wef 01/09/2014]
- **10.** [Deleted by S 345/2015 wef 02/06/2015]

Board of Commissioners for Oaths and Notaries Public

11.—(1) A Board of Commissioners for Oaths and Notaries Public (called in this rule the Board) comprising the following individuals is appointed under section 10 of the Act:

- (a) a chairperson who is a member of the Senate;
- (b) at least one and not more than 4 other members of the Academy.

[S 345/2015 wef 02/06/2015

- (2) The Board shall have the power
 - (a) to appoint and reappoint commissioners for oaths and notaries public and to revoke or suspend existing appointments;
 - (b) to inquire into complaints against persons alleged to have acted in breach of the conditions of their appointments as commissioners for oaths or notaries public and where appropriate to revoke or suspend their appointments;
 - (*c*) to review the fees payable to commissioners for oaths and notaries public and, if the Board thinks fit, make recommendations to the Senate for amendments to such fees;

Singapore Academy of Law Rules

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2002 Ed.

p. 9

- (d) to make recommendations to the appropriate authority for the enactment of new legislation or the amendment of existing legislation in relation to all matters concerning commissioners for oaths and notaries public; and
- (e) to carry out such other duties as may be assigned by the Senate.
- (3) [Deleted by S 498/2006 wef 22/08/2006]

(4) For the purpose of conducting inquiries under paragraph (2)(b), the Board may establish its own practice and regulate its own procedure.

Authentication of signature of notary public

11A.—(1) Every certificate for the authentication by the Academy of the signature of a notary public shall be signed by an officer of the Academy or an agent appointed by the Senate under section 24(4) of the Act.

(2) Every such certificate shall be sealed with the seal set out in the First Schedule.

(3) The fee (inclusive of goods and services tax) payable to the Academy for the authentication by the Academy of the signature of a notary public shall be specified in the Second Schedule.

[S 461/2008 wef 15/09/2008]

- **12.** [Deleted by S 345/2015 wef 02/06/2015]
- **13.** [Deleted by S 345/2015 wef 02/06/2015]
- **13A.** [Deleted by S 345/2015 wef 02/06/2015]
- 13B. [Deleted by S 345/2015 wef 02/06/2015]

Singapore Academy of Law Rules

[CAP. 294A,

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LawNet fees

14.—(1) The fees payable to the Academy by a LawNet content provider, LawNet service provider or LawNet network service operator shall be as set out in the Third Schedule.

(2) The Executive Board may waive the whole or any part of the fees payable by a LawNet content provider, LawNet service provider or LawNet network service operator under paragraph (1) in respect of any information, data or service provided under LawNet for any period as the Executive Board may in its discretion decide.

[S 345/2015 wef 02/06/2015]

(3) Notwithstanding paragraph (1), the Academy may enter into separate agreements with a LawNet content provider, LawNet service provider or LawNet network service operator for different fees for any of the information, filing, electronic or such other services as may be provided by the LawNet content provider, LawNet service provider or LawNet network service operator.

(4) For the purposes of this rule and the Third Schedule —

"LawNet content provider" means a provider of data or information content through LawNet;

"LawNet network service operator" means ----

- (*a*) a technical operator who provides content hosting services, gateway services, or network billing and account services; or
- (b) a service bureau operator providing a counter service by which LawNet information, filing and other electronic services are made available;

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"LawNet service provider" means a provider of information, data, filing or other electronic services through LawNet.

Quorum

15. The quorum for a meeting of any committee is the majority of members of that committee.

[S 345/2015 wef 02/06/2015]

Non-voting members

15A.—(1) The chairperson of any committee may co-opt any number of non-voting members, except that the number of non-voting members shall not exceed the number of voting members.

[S 345/2015 wef 02/06/2015]

- (2) For the purposes of paragraph (1)
 - (a) a member of any committee appointed by the Senate shall be a voting member; and
 - (b) a person co-opted by the chairperson of any committee shall be a non-voting member.

[S 498/2006 wef 22/08/2006]

[S 345/2015 wef 02/06/2015]

Delegation of duties

16. Any committee may at any time appoint a sub-committee consisting of —

- (a) at least one member from the committee;
- (b) any number of members of the Academy; and

(c) any number of persons who are not members of the Academy,

to perform or carry out such tasks as may be directed by the committee.

[S 13/2014 wef 03/12/2013] [S 345/2015 wef 02/06/2015]

17. [Deleted by S 435/2007 wef 21/08/2007]

Resolutions in writing

18.—(1) The President of the Academy or the member of the Executive Board nominated by the President may, if he thinks fit, propose any resolution for the consideration of the Executive Board without convening a meeting by giving a copy of the proposed resolution in writing to all members of the Executive Board.

[S 345/2015 wef 02/06/2015]

(2) The chairperson of any other committee may, if the chairperson thinks fit, propose any resolution for the consideration of the committee without convening a meeting by giving a copy of the proposed resolution in writing to all members of the committee.

[S 345/2015 wef 02/06/2015]

(3) Where a resolution proposed under paragraph (1) or (2) has been approved in writing by a majority of the members eligible to vote who have signified their decision in writing on the proposed resolution (including the proposer of the resolution) within such time as may be specified in the proposal, the resolution shall be as valid and effectual as if it had been passed at a meeting, duly convened and held, of the Executive Board or the committee concerned.

p. 12

[S 345/2015 wef 02/06/2015]

- (4) [Deleted by S 345/2015 wef 02/06/2015]
- **19.** [Deleted by S 435/2007 wef 21/08/2007]
- **20.** [Deleted by S 435/2007 wef 21/08/2007]

Expulsion of members

21.—(1) Where the Executive Board is of the opinion that a member of the Academy is guilty of conduct which renders him unfit to be a member or would bring the Academy into disrepute, the Executive Board may submit a report to the Senate with a recommendation that the membership of the member be terminated by the Senate.

[S 345/2015 wef 02/06/2015]

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Singapore Academy of Law Rules

[2002 Ed

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(2) The Senate may, if it thinks fit, convene a disciplinary board consisting of a chairperson who is a member of the Senate and 2 members of the Academy to inquire into the matter and report to the Senate.

[S 345/2015 wef 02/06/2015]

(3) A member of the Academy whose conduct is inquired into by a disciplinary board shall be given an opportunity in writing to justify or explain his conduct.

[S 345/2015 wef 02/06/2015]

Accounts, etc., need not be circulated to certain members

22. Copies of the documents referred to in section 21(2) of the Act need not be circulated to the following classes of members:

(a) members whose memberships have been suspended under section 16(3) of the Act;

Singapore Academy of Law Rules

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(c) members who cannot be located.

Conditions for circulation of summary financial statement

23. The Academy may circulate to members copies of the summary financial statement, the auditor's report on the financial statements and statement by the auditor as to whether the summary financial statement is consistent with the financial statements and the auditor's report thereon, referred to in section 21 (2) (b) of the Act, if —

- (a) the summary financial statement has been approved by the Senate;
- (b) the original statement has been signed by a member of the Senate on behalf of the Senate;
- (c) the summary financial statement bears the name of that member; and
- (d) the summary financial statement includes the following statement in a prominent position:

"This summary financial statement is derived from the Academy's financial statements and auditors' report thereon, which are available for inspection by all members of the Academy at the premises of the Academy during the Academy's office hours. Any member who wishes to have copies of the financial statements and auditor's report may notify the Academy; and the Academy shall furnish these free of charge to that member within 21 days of its receipt of the member's notification.".

Contents of summary financial statement

24. The summary financial statement referred to in section 21 of the Act shall contain the following information:

p. 15

- (b) a consolidated profit and loss accounts of the Academy, as audited and laid before the Senate, comprising
 - (i) total income;
 - (ii) total expenditure;
 - (iii) surplus or deficit before taxation;
 - (iv) amount payable in tax;
 - (v) surplus or deficit after taxation;
 - (vi) amount transferred to grants and other funds;
 - (vii) net surplus or deficit for the year;
- (c) a consolidated balance sheet, as audited and laid before the Senate, comprising
 - (i) fixed assets;
 - (ii) deferred expenditure and tax assets;
 - (iii) funds with fund managers;
 - (iv) current assets;
 - (v) current liabilities;
 - (vi) grants;

	(vii) other funds;	
	(viii) accumulated funds;	
(<i>d</i>)	material changes to the structure of Academy;	
(<i>e</i>)	a summary of significant related party dealings;	
(f)	statistics regarding composition of members.	
	FIRST SCHEDULE	
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CERTIFICATION SEAL

Singapore Academy of Law Rules

[CAP. 294A, R 1

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FIRST SCHEDULE - continued

[S 461/2008 wef 15/09/2008]

SECOND SCHEDULE

FEES FOR AUTHENTICATION OF SIGNATURE OF NOTARY PUBLIC Rule 11A(3)

The fees (inclusive of goods and services tax) payable to the Academy for the

authentication by the Academy of the signature of a notary public shall be as

- follows:

- (a) \$26.75, where the authentication certificate is to be collected after 2 p.m.

- of the next working day from the date of the request for authentication;
- 6 \$80.25, where the authentication certificate is to be collected on the same
 - [S 493/2010 wef 02/09/2010]
- working day as the date of the request for authentication.

[S 493/2010 wef 02/09/2010] [S 461/2008 wef 15/09/2008]

Informal Consolidation – version in force from 2/6/2015

	First column
column	Second
column	Third
column	Fourth
column	Fifth
column	Sixth
column	Seventh

subscription year. second to seventh columns shall be as specified in the applicable column for that members specified in the first column for a subscription year specified in the The annual subscription payable by a member belonging to a category of

ANNUAL SUBSCRIPTIONS FROM 1992 TO 2003

ANNUAL SUBSCRIPTIONS PART I

Rule 3(1)

paragraph 1.

(b)

paragraph 2 on such amount,

the LawNet network service operator is liable to pay a fee under

then such amount shall be deducted in computing the amount of fees payable under

FOURTH SCHEDULE

THIRD SCHEDULE

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Singapore Academy of Law Rules

[CAP. 294A, R 1

Rule 14

LawNet Fees

service provider. received in respect of LawNet services by the LawNet content provider or LawNet fees or charges (exclusive of goods and services tax, if any is payable thereon) LawNet content provider or LawNet service provider shall be 5.35% of the total 1. The fees (inclusive of goods and services tax) payable to the Academy by a

codes. registration fees for LawNet account identification names and authentication LawNet network service operator in respect of LawNet services, excluding (exclusive of goods and services tax, if any is payable thereon) received by the LawNet network service operator shall be 5.35% of the total fees or charges The fees (inclusive of goods and services tax) payable to the Academy by a

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Notwithstanding paragraph 1, where

[S 493/2010 wef 02/09/2010]

(a) a LawNet content provider or LawNet service provider pays any amount

of fees or charges to the LawNet network service operator in respect of the LawNet services provided by the LawNet content or service provider; and

[S 493/2010 wef 02/09/2010]

rule $3(4)$ —	with	payable in	tion is	subscrip	the time the	where, at	Officers,	Service	or Legal	solicitors	and	advocates	who are	members	2. Ordinary						of the Act	c) and (d)	section 12(in	mentioned	those	other than	persons	I. Fellows				members	Category of		CAP. 294A, R 1]	
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rule 3(4) —

FOURTH SCHEDULE — continued

(b)			<i>(a)</i>
not less than 7 year s but not not than 12	cer, which ever is the ear lier date	as an advo cate and solici tor or appoi ntme nt as a Legal Ser vice Offi	more than 12yea rs have elaps ed from the date of sion
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\$270.00			\$350.00
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\$278.10			\$360.50
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	First column
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members specified in the first column for a subscription year specified in the second to seventh columns shall be as specified in the applicable column for that subscription year. The annual subscription payable by a member belonging to a category of

ANNUAL SUBSCRIPTIONS FROM 2004 TO 2010

PART II

[S 493/2010 wef 02/09/2010] [S 245/2011 wef 03/05/2011]

3. Associate members who are persons other than law students	ear lier date	cer, which ever is the	nt as a Legal Ser vice Offi	and solici tor or appoi ntme	sion as an advo cate
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\$200.00					
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\$206.00					
\$208.00					

FOURTH SCHEDULE — continued

Singapore Academy of Law Rules

[CAP. 294A, R 1

<u>p. 22</u>

2002 Ed.]

2. Ordinary members who are advocates and solicitors or Legal Service Officers, where, at the time the subscrip tion is	\$1,050.00 \$1,060.00	\$1,050.00	<i>Caregory of members</i> <i>Category of members</i> 1. Fellows \$ who are persons other than those mentioned in section 12(<i>c</i>) and (<i>d</i>) of the Act
			F F 200 1200 11,04
\$1,070.00			Singapore Academy of Law Rules FOURTH SCHEDULE — continue 004 2004 2005 2007 paid (if paid on and (if paid fore or after 2006 before Janu Ist Janu Ist July rry ary 2004) 04) 2004) 40.00 \$1,050.00
			<u>emy of La</u> 2005 2006
			aw Kules 2007 (if paid before 1st July 2007)
			2007 2 (if paid to or after 1st July 2007)
			Ed. p. 23 2008 to 2010

(b) not less	lier date	ear	hever	whic	cer,	Offi	vice	Ser	Legal	а	nt as	ntme	appoi	tor or	solici	and	cate	advo	as an	sion	admis	of	date	the	from	ed	elaps	have	ars	12 ye	than	(a) more	payable in accordance with rule 3(4)—
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\$283.50																																\$367.50	
\$283.50																																\$367.50	
\$286.20																																\$371.00	
\$288.90																																\$374.50	

FOURTH SCHEDULE — continued

Singapore Academy of Law Rules

[CAP. 294A, R 1

(c) less than 7 year s	ear lier date	is the	whic	cer,	Offi	Ser	Legal	a	nt as	ntme	appoi	tor or	solici	and	cate	advo	as an	sion	admis	of	date	the	from	ed	elans	have	Vears	12	than	more	not	s but	7 year	than	
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FOURTH SCHEDULE — continued

Singapore Academy of Law Rules

CAP. 294A, R 1]

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[S 245/2011 wef 03/05/2011] [S 493/2010 wef 02/09/2010]

3. Associate members who are persons other than law students	ear lier date	hever is the	cer,	Vice	Legal Ser	a	nt as	ntme	tor or appoi	solici	cate and	advo	as an	sion	admis	of	date	the	from	ed	elaps	have	
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FOURTH SCHEDULE — continued

Singapore Academy of Law Rules

[CAP. 294A, R 1

<u>p. 26</u>

2002 Ed.]

<u>p. 27</u>

FOURTH SCHEDULE — continued

PART III

ANNUAL SUBSCRIPTIONS FROM 2011 ONWARDS

The annual subscription payable by a member belonging to a category of members specified in the first column for the subscription year 2011 and for every subsequent subscription year shall be as specified in the second column.

Second column

 section 12(c) and (d) of the Act Ordinary members who are advocates and solicitors or Legal Service Officers, where, at the time the subscription is payable in accordance with rule 3(4) (a) more than 12 years have elapsed from the date of admission as an advocate and solicitor or appointment as a Legal Service Officer, whichever is the earlier date (b) not less than 7 years but not more than 12 years have elapsed from the date of admission as an advocate and solicitor or appointment as a Legal Service Officer, whichever is the earlier date (c) less than 7 years have elapsed from the date of admission as an advocate and solicitor or appointment as a Legal Service Officer, whichever is the earlier date 3. Ordinary members who are foreign lawyers that are registered by the Attorney-General under section 1301 of the Legal Profession Act (Cap. 161) or granted the approval of the Attorney-General under section 130L of that Act, or that are both 4. Associate members who are persons other than law students 	ζ Fellows who are section $12(c)$ an	
rs or f) = - f) = -	<i>Errst column</i> <i>Category of member</i> 1. Fellows who are persons other than those mentioned in section 12(<i>c</i>) and (<i>d</i>) of the Act	Elant onlymm
\$374.50 \$288.90 \$128.40 \$374.50 \$214.00.	2011 onwards \$1,070.00	Second column

[S 245/2011 wef 03/05/2011]

LEGISLATIVE HISTORY SINGAPORE ACADEMY OF LAW RULES (CHAPTER 294A, R 1)

This Legislative History is provided for the convenience of users of the Singapore

10. Academy of Law Rules. It is not part of these Rules. 9 ç .-9 Ņ 4 ŝ 2 . G. N. No. S 25/1998 -G. N. No. S 281/1997 -G. N. No. S 476/1996 G. N. No. S 168/1991 -G. N. No. S 317/1993 1990 Revised Edition -G. N. No. S 12/1992 G. N. No. S 563/1995 G. N. No. S 317/1992 G. N. No. S 569/1991 Date of commencement Date of commencement Date of commencement Date of operation Date of commencement Singapore Academy of Law (Amendment) Singapore Academy of Law Rules 1991 Rules 1998 Singapore Academy of Law (Amendment) Singapore Academy of Law Rules Singapore Academy of Law (Amendment) Rules 1997 Rules 1996 •• •• •• •• •• •• •• •• ••• 9 January 1998 1 July 1997 Date not available Date not available 1 November 1996 Date not available Date not available 25 March 1992 Date not available Date not available

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1998 Revised Edition -

- Singapore Academy of Law Rules

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1 March 1998

Date of operation

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