



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## CIVIL LAW ACT 1909

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# Civil Law Act 1909

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An Act to consolidate certain provisions of the civil law.

[23 July 1909]

**Short title**

1. This Act is the Civil Law Act 1909.

**Interpretation**

2. In this Act, unless the context otherwise requires —
  - “court” means the General Division of the High Court;
  - “executor” means the executor or administrator of a deceased person, and includes, as regards any obligation, any person who takes possession of or intermeddles with the property of a deceased person;
  - “will” includes a codicil.

[40/2019]

**Law and equity to be administered concurrently**

3. In every civil cause or matter commenced in the court, law and equity shall be administered by the court in its original jurisdiction and by the Appellate Division of the High Court or the Court of Appeal according to the rules following:

*Plaintiffs to have equitable relief in claims*

- (a) if any plaintiff claims to be entitled to any equitable estate or right, or to relief upon any equitable ground against any deed, instrument or contract, or against any right, title or claim whatsoever asserted by any defendant in such cause or matter, or to any relief founded upon a legal right, which before 1 January 1879 could only have been given by the court on its equity side, the court shall give to such plaintiff such and the same relief, as ought to have been given by the court, on its equity side, in a suit or proceeding for the same, or the like purpose, properly instituted before that date;

*Defendants the same in defences*

- (b) if any defendant claims to be entitled to any equitable estate or right, or to relief upon any equitable ground against any deed, instrument or contract, or against any right, title or claim asserted by any plaintiff in such cause or matter, or alleges any ground of equitable defence to any claim of the plaintiff in such cause or matter, the court shall give to every equitable estate, right or ground of relief so claimed, and to every equitable defence so alleged, such and the same effect, by way of defence against the claim of such plaintiff, as the court on its equity side ought to have given, if the same or the like matters had been relied on by way of defence, in any suit or proceeding instituted in the court on its equity side, for the same or the like purpose, before 1 January 1879;