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**SUPREME COURT OF JUDICATURE ACT
(CHAPTER 322)**

**RULES OF COURT
(AMENDMENT NO. 3) RULES 2018**

In exercise of the powers conferred by section 80 of the Supreme Court of Judicature Act and all other powers enabling us under any written law, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Rules of Court (Amendment No. 3) Rules 2018 and come into operation on 1 November 2018.

Amendment of Order 110

2. Order 110 of the Rules of Court (R 5) is amended —

(a) by inserting, immediately before the definition of “chosen court” in Rule 1(1), the following definition:

““action” means an action mentioned in section 18D(1) of the Act and, where the context requires, includes any proceedings mentioned in section 18D(2) of the Act;”;

(b) by deleting paragraph (c) of the definition of “counsel” in Rule 1(1) and substituting the following paragraph:

“(c) a registered foreign lawyer who is granted full registration under section 36P of the Legal Profession Act;”;

(c) by deleting the definition of “offshore case” in Rule 1(1) and substituting the following definition:

““offshore case” means an action that has no substantial connection with Singapore, but does not include any of the following:

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- (a) any proceedings under the International Arbitration Act (Cap. 143A) that are commenced by way of any originating process;
 - (b) an action in rem (against a ship or any other property) under the High Court (Admiralty Jurisdiction) Act (Cap. 123);”;
 - (d) by deleting the definition of “pre-action certificate” in Rule 1(1);
 - (e) by deleting the full-stop at the end of the definition of “registered foreign lawyer” in Rule 1(1) and substituting a semi-colon, and by inserting immediately thereafter the following definitions:
 - ““registered law expert” means a law expert registered under section 36PA of the Legal Profession Act;
 - “restricted registration foreign lawyer” means a registered foreign lawyer who is granted restricted registration under section 36P of the Legal Profession Act.”;
 - (f) by inserting, immediately after the words “these Rules” in Rule 1(4), the words “(other than the excluded provisions)”;
 - (g) by inserting, immediately after paragraph (4) of Rule 1, the following paragraphs:
 - “(5) For the purposes of paragraph (4), the excluded provisions are as follows:
 - (a) Order 22, Rule 10;
 - (b) Order 31;
 - (c) Order 39, Rule 3(6);
 - (d) Order 47, Rule 5(b);
 - (e) Order 50, Rule 4(2);

- (f) Order 55D;
- (g) Order 57, Rules 3(3)(b) and 16(5)(b);
- (h) Order 59;
- (i) Order 63A, Rule 6(1) and (2);
- (j) Order 64, Rule 5(4) and (5);
- (k) Order 67, Rule 7(3)(b);
- (l) Orders 70, 72, 73, 81, 83 and 88;
- (m) Order 90, Rule 13;
- (n) Orders 93, 94, 97 and 103;
- (o) Order 105, Rule 7(3)(b);
- (p) Order 109.

(6) Paragraph (4) does not apply to any reference in Order 57, Rules 9(4A), 11(2) and (3) and 16(8) and (9) to a solicitor's undertaking.

(7) In relation to proceedings in the Court or to an appeal from the Court —

- (a) any reference in Order 6, Rule 2(1)(e), Order 12, Rule 2(3)(b) and Order 18, Rule 6(4)(b) to a business address of a solicitor acting for a person is to be construed, if the counsel acting for the person is not an advocate and solicitor, as a reference to either of the following:
 - (i) the business address (whether in Singapore or elsewhere) and the email address, collectively, of the counsel;
 - (ii) the address in Singapore of an advocate and solicitor who has been instructed to accept service on behalf of the person;

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- (b) any reference in Order 6, Rule 2(2)(a) and Order 62, Rule 6(2)(a) to a business address of a solicitor acting for a person is to be construed, if the counsel acting for the person is not an advocate and solicitor, as a reference to any of the following:
 - (i) the business address (whether in Singapore or elsewhere) of the counsel;
 - (ii) the email address of the counsel;
 - (iii) the address in Singapore of an advocate and solicitor who has been instructed to accept service on behalf of the person; and
 - (c) any reference in Order 64, Rule 4(1) to a solicitor who acted for a party, and who has been struck off the roll of solicitors or has been suspended from practising, is to be construed as a reference to a counsel who acted for the party, and —
 - (i) if the counsel is a person admitted to practise as an advocate and solicitor under section 15 of the Legal Profession Act — against whom an order under section 83(2A)(a) or (b) of that Act has been made; or
 - (ii) if the counsel is a registered foreign lawyer — whose registration under section 36P of the Legal Profession Act has been cancelled or suspended.”;
 - (h) by deleting the words “Rules 47 and 48” in Rule 2 and substituting the words “Rules 47, 48 and 56”;
 - (i) by deleting the word “to —” in Rule 2 and substituting the words “to the following proceedings.”;

- (j) by inserting, immediately after the words “Rule 12” in Rule 2(b), the words “or 58”;
- (k) by deleting the word “and” at the end of Rule 2(c);
- (l) by inserting, immediately after the word “Application” in the Rule heading of Rule 2, the words “of Order”;
- (m) by deleting Rule 3 and substituting the following Rule:

“Application of Rules of Court (O. 110, r. 3)

3.—(1) Subject to this Order, the provisions of these Rules apply to all proceedings in the Court and all appeals from the Court.

(2) Despite any provision of these Rules but subject to paragraph (3), the Court may, if it considers that doing so is necessary or desirable for the just, expeditious and economical disposal of any proceedings in the Court —

(a) make such order as the Court considers just and appropriate; or

(b) set aside, amend or supplement any of the following:

(i) any order made under sub-paragraph (a);

(ii) any order amended under this sub-paragraph;

(iii) any supplementary order made under this sub-paragraph.

(3) Where any provision of these Rules makes the exercise of a power by the Court conditional on a party agreeing or consenting to the exercise of that power by the Court, paragraph (2) does not authorise the Court to exercise that power without the agreement or consent of that party.”;

- (n) by deleting sub-paragraph (a) of Rule 4(5);