



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 39]

FRIDAY, NOVEMBER 9

[2018

First published in the *Government Gazette*, Electronic Edition, on 7 November 2018 at 5 pm.

The following Act was passed by Parliament on 20 October 2018 and assented to by the President on 31 October 2018:—

REPUBLIC OF SINGAPORE

No. 46 of 2018.

I assent.



HALIMAH YACOB,
President.
31 October 2018.

An Act to amend the Supreme Court of Judicature Act (Chapter 322 of the 2007 Revised Edition) and to make a related amendment to the State Courts Act (Chapter 321 of the 2007 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Supreme Court of Judicature (Amendment No. 2) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

New section 8A

2. The Supreme Court of Judicature Act (called in this Act the principal Act) is amended by inserting, immediately after section 8, the following section:

“Court may conduct hearing through electronic means of communication

8A.—(1) Without limiting section 8, the court may conduct the hearing of any matter or proceeding through a live video link, a live television link or any other electronic means of communication.

(2) Subsection (1) does not affect the operation of section 62A of the Evidence Act (Cap. 97) and section 281 of the Criminal Procedure Code (Cap. 68).”.

Amendment of section 21

3. Section 21(1) of the principal Act is amended by deleting “\$50,000” in paragraph (a) and substituting “\$60,000”.

Amendment of section 30

4. Section 30 of the principal Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) Despite subsection (1), the Court of Appeal in the exercise of its civil jurisdiction is duly constituted for the purpose of hearing and determining a matter specified in the Sixth Schedule, if it consists of the number of Judges of Appeal specified for that matter in that Schedule.”.

Amendment of section 34

5. Section 34 of the principal Act is amended —

- (a) by deleting subsections (1), (2) and (2A) and substituting the following subsections:

“(1) An appeal cannot be brought to the Court of Appeal in any case specified in paragraph 1 of the Fourth Schedule except where provided in that Schedule.

(2) An appeal may be brought to the Court of Appeal in any of the following cases only with the leave of the High Court or the Court of Appeal unless otherwise provided in the Fifth Schedule:

- (a) any case where the amount in dispute, or the value of the subject-matter, at the hearing before the High Court (excluding interest and costs) does not exceed \$250,000 or such other amount as may be specified by an order made under subsection (3);

- (b) any case specified in paragraph 1 of the Fifth Schedule.

(2A) In addition, an appeal may be brought to the Court of Appeal in any case set out in section 73A(9), 73B(5), 73C(6), 73D(6) or 74(2A) only with the leave of the High Court or the Court of Appeal.”; and

- (b) by deleting subsections (4) to (8) and substituting the following subsection:

“(4) An appeal may be brought to the Court of Appeal in any case specified in paragraph 2 of the Fifth Schedule only with the leave of a Judge of the Family Division of the High Court, or of the Court of Appeal unless otherwise provided in that Schedule.”.

Repeal and re-enactment of section 34A

6. Section 34A of the principal Act is repealed and the following section substituted therefor:

“Court of Appeal may decide certain matters without hearing oral arguments

34A.—(1) The Court of Appeal may, without hearing oral arguments, decide any application to that Court, whether under this Act or any other written law.

(2) The Court of Appeal may, with the consent of every party to an appeal from any judgment or order of the Singapore International Commercial Court, decide that appeal without hearing oral arguments.

(3) To avoid doubt, this section does not affect the power of the Court of Appeal to hear oral arguments before deciding —

- (a) any application mentioned in subsection (1); or
- (b) any appeal mentioned in subsection (2).”.

New section 34B

7. The principal Act is amended by inserting, immediately before section 35, the following section:

“Summary dismissal of certain matters

34B.—(1) The Court of Appeal may, on its own motion, summarily dismiss any appeal or application, or any part of an appeal or application.

(2) The Court of Appeal may exercise its power under subsection (1) only if it is satisfied of either or both of the following matters:

- (a) the Court of Appeal does not have jurisdiction to hear and determine the appeal, application or part of an appeal or application mentioned in subsection (1);
- (b) there is no merit in the appeal, application or part of an appeal or application mentioned in subsection (1), because every issue in that appeal, application or part

of an appeal or application has already been decided by the Court of Appeal, in an earlier matter in which the appellant or applicant was involved.

(3) The requirement under subsection (2) does not apply to any appeal or application, or any part of an appeal or application, that is prescribed by Rules of Court.

(4) Before summarily dismissing any appeal, application or part of an appeal or application under subsection (1), the Court of Appeal must —

(a) give the appellant or applicant a reasonable opportunity to show cause why that appeal, application or part of an appeal or application should not be dismissed; and

(b) consider the representations (if any) of the appellant or applicant.

(5) The Court of Appeal may exercise its powers under this section without hearing oral arguments.”.

Repeal and re-enactment of section 36

8. Section 36 of the principal Act is repealed and the following section substituted therefor:

“Incidental directions and interim orders

36.—(1) In any appeal or application pending before the Court of Appeal (called in this section the pending matter), the Court of Appeal may, on its own motion or on the application of any party, at any time make one or more of the following directions and orders:

(a) any direction incidental to the pending matter not involving the decision of the pending matter;

(b) any interim order to prevent prejudice to the claims of the parties pending the determination of the pending matter;