

Supreme Court of Judicature (Amendment) Bill

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Bill No: 12/1993

Read the first time: 26th February 1993

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Supreme Court of Judicature (Amendment) Bill

Bill No. 12/1993

Read the first time on 26th February 1993.

An Act to amend the Supreme Court of Judicature Act (Chapter 322 of the 1985 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 may be cited as the Supreme Court of Judicature (Amendment) Act 1993 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Supreme Court of Judicature Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the words “Supreme Court” in the definition of “Judge” and substituting the words “High Court”; and
- (b) by inserting, immediately after the definition of “Judge”, the following definition:

“ “Judge of Appeal” includes the Chief Justice and a Judge of the High Court sitting as a judge of the Court of Appeal under section 29(3);”.

Repeal and re-enactment of sections 3 and 4

3. Sections 3 and 4 of the principal Act are repealed and the following sections substituted therefor:

“Divisions and jurisdiction of Supreme Court

3. The Supreme Court shall be a superior court of record and shall consist of —
- (a) the High Court, which shall exercise original and appellate criminal and civil jurisdiction; and
 - (b) the Court of Appeal, which shall exercise appellate civil and criminal

jurisdiction.

Precedence

4. The Judges of the Supreme Court shall take precedence in the following order:

- (a) the Chief Justice;
- (b) the vice-presidents of the Court of Appeal who among themselves shall rank according to the priority of their respective appointments as vice-presidents;
- (c) the Judges of Appeal (other than vice-presidents), who among themselves shall rank according to the priority of their respective appointments;
- (d) the Judges of the High Court, who among themselves shall rank according to the priority of their respective appointments.”.

Repeal of section 7

4. Section 7 of the principal Act (including the sub-heading immediately above the section) is repealed.

New section 9A

5. The principal Act is amended by inserting, immediately above section 10 in Part III, the following section:

“Constitution of High Court

9A. The High Court shall consist of —

- (a) the Chief Justice; and
- (b) the Judges of the High Court.”.

Amendment of section 10

6. Section 10 of the principal Act is amended by inserting, immediately after subsection (2), the following subsection:

“(3) A Judge of Appeal may sit in the High Court and act as a Judge thereof whenever the business of the High Court so requires, in which case he shall have all the jurisdiction, powers and privileges of such a Judge.”.

New section 10A

7. The principal Act is amended by inserting, immediately after section 10, the following section:

“Assessors to assist High Court

10A.—(1) In any proceedings before the High Court, the Court may, if it thinks fit on the application of any party, or on its own motion, summon to its assistance, in such manner as may be prescribed by Rules of Court, one or more persons of skill and experience in the matter to which the proceedings relate who may be willing to sit with the Court and act as assessors.

(2) Subject to subsection (3), the remuneration of assessors for sitting under this section shall be at such rate as may be prescribed by Rules of Court and shall be costs in the proceedings unless otherwise ordered by the High Court.

(3) Where one or more assessors are summoned for the purposes of this section otherwise than on the application of a party to the proceedings, the remuneration of any such assessor shall be payable out of moneys provided by Parliament.

(4) Where any person is proposed to be summoned as an assessor, objection to him, either personally or in respect of his qualification, may be taken by any party in the prescribed manner.”.

Amendment of section 13

8. Section 13 of the principal Act is amended by deleting “\$500” at the end of paragraph (a) and substituting “\$1,000”.

Amendment of section 15

9. Section 15(1) of the principal Act is amended —

- (a) by deleting the words “on the high seas” in paragraph (b); and
- (b) by inserting, immediately after the word “Act” at the end of paragraph (e), the words “or any other written law”.

Repeal and re-enactment of section 16

10. Section 16 of the principal Act is repealed and the following section substituted therefor:

“Civil jurisdiction — general

16.—(1) The High Court shall have jurisdiction to hear and try any action in personam where —