
First published in the Government *Gazette*, Electronic Edition, on 31 March 2020 at 5 pm.

No. S 220

SUPREME COURT OF JUDICATURE ACT (CHAPTER 322)

RULES OF COURT (AMENDMENT NO. 2) RULES 2020

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. 2) Rules 2020 and come into operation on 1 April 2020.

Amendment of Order 109

2. Order 109 of the Rules of Court (R 5) is amended —

(a) by deleting the definitions of “Act”, “author” and “communication” in Rule 1(1) and substituting the following definition:

““Act” means the Protection from Harassment Act (Cap. 256A);”;

(b) by deleting the definition of “offending communication” in Rule 1(1) and substituting the following definitions:

““false statement order” means a correction order, a disabling order, a general correction order, a stop publication order or a targeted correction order;

“interim false statement order” means an interim disabling order, an interim notification order, an interim stop publication order or a targeted interim notification order;

“proper address” has the meaning given by Order 62, Rule 6(2);”;

(c) by inserting, immediately after the words “section 13” in the definition of “protection order” in Rule 1(1), the words “of the Act”;

(d) by deleting the definitions of “publish”, “respondent”, “section 15(2) order” and “subject” in Rule 1(1) and substituting the following definition:

““respondent”, in relation to a protection order, means the individual or entity alleged to have contravened section 3, 4, 5, 6 or 7 of the Act in respect of the victim to whom the protection order relates;”;

(e) by inserting, immediately after the words “or 7” in the definition of “victim” in Rule 1(1), the words “of the Act”;

(f) by deleting sub-paragraph (b) of Rule 1(2);

(g) by deleting the full-stop at the end of sub-paragraph (c) of Rule 1(2) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(d) the following words have the same meanings as in section 2 of the Act:

“author”, “communication”, “correction order”, “disabling order”, “entity”, “general correction order”, “interim disabling order”, “interim notification order”, “interim stop publication order”, “internet intermediary”, “offending communication”, “Part 3 proceedings”, “publish”, “related person”, “relevant party”, “statement”, “stop publication order”, “targeted correction order” and “targeted interim notification order”.”;

(h) by deleting the words “under section 12(1)” in Rule 2(1);

- (i) by deleting the words “in the application” in Rule 2(6) and substituting the words “for a protection order”;
- (j) by deleting the words “section 12(5)(a), any order under section 12(3)(b) or direction under section 12(3)(d)” in Rule 2(10) and (11) and substituting in each case the words “section 12(5)(a) of the Act, any order under section 12(3)(b) of the Act or direction under section 12(3)(d) of the Act”;
- (k) by deleting the words “section 12(3)(b) or direction under section 12(3)(d)” wherever they appear in Rule 2(13) and substituting in each case the words “section 12(3)(b) of the Act or direction under section 12(3)(d) of the Act”;
- (l) by deleting the words “under section 12(1)” in the rule heading of Rule 2;
- (m) by deleting the words “under section 12(7)” in Rule 3(1);
- (n) by deleting the words “under section 12(7)” in the rule heading of Rule 3;
- (o) by deleting Rules 4 and 5 and substituting the following Rules:

**“Application for false statement order or
interim false statement order (O. 109, r. 4)**

4.—(1) An application for a false statement order must be made by ex parte originating summons in Form 242 and supported by an affidavit in Form 243.

(2) An applicant for a false statement order may apply for a corresponding interim false statement order —

- (a) by so indicating in the application for the false statement order; or
- (b) where the application for the false statement order has already been made, by summons in Form 242A in the originating summons for the false

statement order, supported by an affidavit in Form 243.

(3) The Court may give directions for notice of the application for an interim false statement order or the application for a false statement order (as the case may be) to be given by way of service of the application and supporting affidavit on the following persons, including directions for service out of jurisdiction, as the Court thinks fit:

- (a) the relevant party in relation to that order;
- (b) the author of the relevant statement to which that order relates;
- (c) an individual or entity that published the relevant statement to which that order relates.

(4) Where the Court has given directions for the service of the application and supporting affidavit on any person, the applicant must, within 8 days after the date on which the application and supporting affidavit are served on that person, file an affidavit of service.

(5) The Court may grant an interim stop publication order or an interim notification order despite any person not having notice of the application for that order.

(6) Each person mentioned in paragraph (3) may file an affidavit in reply in Form 244 within 14 days after being served with the application and supporting affidavit, and no further affidavit in reply is to be filed or served by that person except with the leave of the Court.

(7) Where an affidavit has been filed for an application for a false statement order or an interim false statement order (as the case may be), no further affidavit is to be filed or served in support of that application, except for an application under paragraph (2)(b) or with the leave of the Court.

(8) Order 28, Rule 8 does not apply to any proceedings for a false statement order or an interim false statement order.

(9) The Court may —

- (a) give directions for the hearing of the application for a false statement order or an interim false statement order as the Court thinks fit;
- (b) conduct the hearing of the application in any manner as the Court thinks fit; and
- (c) where any party does not appear at the hearing of the application, proceed with the hearing of the application in the absence of that party.

(10) A false statement order —

- (a) must be in Form 245;
- (b) must be served, in accordance with rule 8, on each person mentioned in paragraph (3) as directed by the Court; and
- (c) must contain, or be served with an order of the Court containing, the Court's directions mentioned in sub-paragraph (b).

(11) An interim false statement order —

- (a) must be in Form 245A;