

Rules of Court (Amendment) Rules 2009

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No. S 49

SUPREME COURT OF JUDICATURE ACT (CHAPTER 322)

RULES OF COURT (AMENDMENT) RULES 2009

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

Citation and commencement

1. These Rules may be cited as the Rules of Court (Amendment) Rules 2009 and shall come into operation on 1st March 2009.

Amendment of Order 1

2. Order 1, Rule 4 of the Rules of Court (R 5) (referred to in these Rules as the principal Rules) is amended by inserting, immediately after paragraph (2), the following paragraph:

“(3) For the purposes of these Rules, a person who has attained the age of 18 years but who is below the age of 21 years, and who is not otherwise under any legal disability, shall not be considered to be a minor or a person under disability in relation to any legal proceeding or action which, by virtue of section 36 of the Civil Law Act (Cap. 43), he may, in his own name and without a litigation representative³, bring, defend, conduct or intervene in as if he were of full age.”.

Amendment of Order 59

3. Order 59 of the principal Rules is amended —

(a) by deleting the words “an infant” in the following Rules and substituting in each case the words “a minor”:

Rules 28(3)(b) and 29(1)(a) and (b) (last line), (3)(b) and (6)(a) and (b); and

(b) by deleting the word “infant” in the rule heading of Rule 29 and substituting the word “minor”.

Amendment of Order 76

4. Order 76 of the principal Rules is amended —

(a) by deleting the definition of “person under disability” in Rule 1 and substituting the following definition:

“ “person under disability” means, subject to Order 1, Rule 4(3), a person who is a minor or a patient.”;

(b) by deleting the words “an infant” in the following Rules and substituting in each case the words “a minor”:

Rules 3(7)(c)(i), 4(3), (4) and (5), 5(2) and 14(2)(a);

(c) by deleting the words “the infant” wherever they appear in the following Rules and substituting in each case the words “the minor”:

Rules 4(3), (4) and (5) and 5(2)(a) and (b); and