

Rules of Court (Amendment) Rules 2001

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No. S 306

SUPREME COURT OF JUDICATURE ACT (CHAPTER 322)

RULES OF COURT (AMENDMENT) RULES 2001

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 other 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 2001 and shall come into operation on 18th June 2001.

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 the definition of “solicitor” in paragraph (1), the following definition:

““working day” means any day other than a Saturday, Sunday or public holiday;”.

Amendment of Order 3

3. Order 3 of the principal Rules is amended —

- (a) by deleting the words “a Saturday, Sunday or public holiday” in paragraph (5) of Rule 2 and substituting the words “a day other than a working day”; and
- (b) by deleting Rule 3 and substituting the following Rule:

“Time expires on a day other than a working day (O. 3, r. 3)

3. Where the time prescribed by these Rules, or by any judgment, order or direction, for doing any act expires on a day other than a working day, the act shall be in time if done on the next working day.”.

Amendment of Order 62

4. Order 62 of the principal Rules is amended —

- (a) by deleting the word “Supreme” in paragraph (1) of Rule 2;
- (b) by deleting the words “or on a Saturday before 12 noon” in the 2nd line of paragraph (4) of Rule 6;
- (c) by deleting paragraph (4A) of Rule 6; and
- (d) by deleting Rule 8 and substituting the following Rule:

“Effect of service after certain hours (O. 62, r. 8)

8. Where the service of any document (other than a writ of unmons or other originating process) is effected under Rule 3 or under Rule 6(1)(a) on a working day before 4 p.m., it shall, for the purpose of computing any period of time after service of that document, be deemed to have been served on that working day, and, in any other case, on the working day next following.”.

Amendment of Order 63A

5. Order 63A of the principal Rules is amended —

- (a) by inserting, immediately after paragraph (1) of Rule 8, the following paragraph:

“(1A) For the purpose of paragraph (1), any requirement for the filing, service, delivery or otherwise conveyance of a specified document is satisfied by the filing, service, delivery or otherwise conveyance of a single copy using the electronic filing service in accordance with this Order.”; and

- (b) by deleting Rule 12 and substituting the following Rule:

“Service of documents (O. 63A, r. 12)

12.—(1) If a specified document —

- (a) other than a document which is required by these Rules to be served personally; or
- (b) being a document which is required by these Rules to be served personally and which the party to be served has agreed may be served using the electronic filing service,

is required under any other provision of these Rules to be served, delivered or otherwise conveyed by a person to any other person and that person is a registered user or is represented by a solicitor who is a registered user (referred to in this Rule as the person on whom the document is served), such service, delivery or conveyance may be effected by using the electronic filing service by electronic transmission or via a service bureau.

(2) The document shall be deemed to be served, delivered or otherwise conveyed on the date and at the time that the first part of the transmission is received in the computer account of the network service provider unless evidence to the contrary is adduced.

(3) The person serving the document may produce a record of the service, delivery or conveyance to the person on whom the document is served which is issued by the network service provider or the service bureau as evidence of the service, delivery or conveyance, as well as the date and time of such service, delivery or conveyance.

(4) The person serving the document may file a Registrar's certificate of service issued through the network service provider or the service bureau in lieu of an affidavit of service and the certificate shall be regarded as prima facie evidence of such service, delivery or conveyance on the date and at the time as stated.

(5) Where a specified document has to be served, delivered or conveyed by the person serving the document to more than one person, he may effect such service, delivery or conveyance using the electronic filing service on such of those persons who are registered users, and paragraphs (1), (2), (3) and (4) of this Rule shall apply with such modifications as are necessary.”.

Amendment of Appendix A

6. Appendix A of the principal Rules is amended —

- (a) by inserting, immediately after the words “for you” in the 4th line of the 1st paragraph of Form 2, the words “using the electronic filing service”;
- (b) by inserting, immediately after the word “summons” in the 5th line of the 1st paragraph of Form 6, the symbol “*”;
 - “* The words “using the electronic filing service” are to be inserted here only if the Practice Directions require the summons to be filed using the electronic filing service.”;
- (c) by inserting at the end of Form 6, the following sentence:
- (d) by inserting, immediately after the words “the jurisdiction)” in the 4th line of the 1st paragraph of Form 19, the words “using the electronic filing service”;
- (e) by deleting the words “by handing in the appropriate forms, duly completed, at the Registry of the Supreme Court/Subordinate Courts” in the 2nd paragraph of Form 19 and substituting the words “at the Registry of the Supreme Court/Subordinate Courts using the electronic filing service”;
- (f) by inserting, immediately after the words “an appearance” in paragraph (3) of Form 21A, the words “using the electronic filing service”;
- (g) by inserting, immediately after the words “the jurisdiction)” in the 5th line

of the 3rd paragraph of Form 22, the words “using the electronic filing service”;

- (h) by deleting the words “by handing in the appropriate forms, duly completed, at the Registry of the Supreme Court/Subordinate Courts” in the last paragraph of Form 22 and substituting the words “at the Registry of the Supreme Court/Subordinate Courts using the electronic filing service”; and
- (i) by inserting, immediately after the words “the jurisdiction)” in the 5th line of the 2nd paragraph of Form 23, the words “using the electronic filing service”.

Amendment of Appendix B

7. Appendix B of the principal Rules is amended —

- (a) by inserting, immediately after item 70A, the following item:

<i>No.</i>	<i>Items</i>	<i>— Fees —</i>			<i>Document on which stamp is to be affixed and remarks</i>
		<i>Supreme Court</i>	<i>District Court</i>	<i>Magistrate’s Court</i>	
		\$	\$	\$	
	<i>“File inspection</i>				
70B.	On every application to inspect a document filed or lodged in Court	10	10	10	Praecipe.”;

- (b) by deleting the words “the court” in the 2nd line of item 71D(1) and substituting the words “the Court”;
- (c) by deleting the words “by a registered user by electronic transmission using the computer system provided to him for this purpose by the network service provider” in the 5th to 12th lines of item 71D(1) and substituting the words “by electronic transmission”;
- (d) by inserting, immediately after the words “bundles of authorities” in the 3rd and 4th lines of item 71D(1)(c)(i), the words “, list of authorities”;
- (e) by inserting, immediately after sub-paragraph (c) of item 71D(1), the following sub-paragraph:

<i>No.</i>	<i>Items</i>	<i>— Fees —</i>			<i>Document on which stamp is to be affixed</i>
		<i>Supreme Court</i>	<i>District Court</i>	<i>Magistrate’s Court</i>	