

## Supreme Court Practice Directions (Amendment No. 3 of 2016)

### Part VII: FIXING OF MATTERS FOR HEARING

#### 68. Adjournment or vacation of hearings other than trials

(1) Before solicitors make a Request through the Electronic Filing Service to the Court for an adjournment or vacation of any hearings other than trials, they should seek the consent of the other party or parties to the matter. Unilateral requests made without first seeking the consent or views of the other party or parties to the matter will not be entertained, except in the most exceptional circumstances.

(2) Subject to sub-paragraph (3) below, ~~t~~The Request electronic form should be filed through the Electronic Filing Service at least 2 working days before the hearing, setting out the reasons for the requested adjournment or vacation of hearings.

(3) Where an adjournment of any matter before the Court of Appeal is sought, the Request in electronic form should be filed through the Electronic Filing Service as soon as practicable after the sitting in which the matter is scheduled to be heard has been assigned and notified to the parties. Where there is a delay in the making of the request, the reason or reasons for the delay must be provided with the request. Any request for an adjournment on account of counsel's diaries will not readily be acceded to.

~~(34)~~ If the consent of all other parties to the matter is obtained, a letter stating that all parties have consented to the requested adjournment or vacation of hearings may be attached to the Request electronic form. However, this does not mean that the Request will be granted as a matter of course. The Court will still evaluate the merits of the Request before making its decision.

~~(45)~~ If the consent of one or more of the other parties is not obtained, the letter should set out the reasons for the other parties' objections, or explain why the consent of one or more of the other parties cannot be obtained. Any relevant correspondence between the parties should also be attached to the Request electronic form. The Court will then evaluate the contents of the Request and the relevant correspondence before deciding whether the requested adjournment or vacation of hearings should be allowed.

~~(56)~~ In any other case, solicitors on record for all parties must attend before the Court to make an application for an adjournment. See also paragraph 13 of these Practice Directions.

## **Part XI: APPEALS AND HEARINGS BEFORE COURT OF 3 JUDGES**

### **90. Skeletal arguments for appeals before the High Court, Court of Appeal and Court of 3 Judges**

- (1) For the avoidance of doubt, this paragraph applies to:
  - (a) civil and criminal appeals in the High Court, excluding appeals from the Registrar to a Judge in Chambers;
  - (b) civil appeals and any other civil matters, including interlocutory applications, before the Court of Appeal; and
  - (c) criminal appeals and other criminal matters before the Court of Appeal.
- (2) The term “skeletal arguments” includes “skeletal submissions”, “written submissions”, “written arguments” and all other variant terms by which such documents are known.
- (3) Counsel should submit skeletal arguments for the hearing of the appeal or matter and give a copy to counsel for the other parties. Hard copies of skeletal arguments may be printed on one side or both sides of each page.
- (4) Skeletal arguments are abbreviated notes of the arguments that will be presented. Skeletal arguments are not formal documents and do not bind parties. They are a valuable tool to the Judges and are meant to expedite the hearing of the appeal. These notes should comply with the following requirements:
  - (a) they should contain a numbered list of the points proposed to be argued, stated in no more than one or 2 sentences;
  - (b) each listed point should be accompanied by a full reference to the material to which counsel will be referring, i.e., the relevant pages or passages in authorities, the record of appeal, the bundles of documents, affidavits, transcripts and the judgment under appeal;
  - (c) all pages should be paginated, with the first page (not including any cover page) numbered as “Page 1”;
  - (d) the minimum font size to be used is Times New Roman 12 or its equivalent;
  - (e) the print of every page shall be double-spaced; and
  - (f) every page shall have a margin on all 4 sides, each of at least 35mm in width.

#### ***Skeletal arguments for civil matters before the Court of Appeal***

- (5) The need for parties to avoid prolixity in their “skeletal arguments” is emphasised. All skeletal arguments in civil matters before the Court of Appeal shall not exceed 20 pages. Any

skeletal arguments in breach of this requirement will be rejected. The cover page and backing page shall be excluded from any computation of the number of pages.

(6) Where the appeal or matter is before the Court of Appeal, the skeletal arguments must be filed by 4 p.m. on the Monday three weeks before the week of the Court of Appeal sitting (e.g., the skeletal arguments for the Court of Appeal sitting in the week of 8 April 2013 must be filed by 4 p.m. on 18 March 2013). The skeletal arguments should be filed by tendering 4 hard copies to the Legal Registry of the Supreme Court and filing one soft copy through the Electronic Filing Service. Skeletal arguments filed in breach of this timeline will be rejected. For the avoidance of doubt, this timeline applies regardless of the actual day on which the particular appeal is scheduled for hearing before the Court of Appeal.

(7) As with other non-compliance with timelines, costs may be imposed against the party in default or his counsel personally in the event of non-compliance with sub-paragraph (6) above. Unless approval for late filing has been granted, the party in default may not file or tender these skeletal arguments in Court.

(8) Parties whose skeletal arguments have been rejected for filing may re-file their skeletal arguments, provided they comply with sub-paragraphs (4) to (7) above.

**Further skeletal arguments for civil and criminal matters before the Court of Appeal**

(8A) Where the Court of Appeal orders further skeletal arguments to be filed for any civil or criminal matter, such skeletal arguments shall not exceed 10 pages unless otherwise directed by the Court of Appeal. Any skeletal arguments filed in breach of this requirement will be rejected. The cover page and backing page shall be excluded from any computation of the number of pages.

***Timelines for submission of skeletal arguments for appeal before the High Court***

(9) Where the appeal is a civil appeal before the High Court, the skeletal arguments should be sent to the Legal Registry at least 2 working days before the hearing of the appeal.

(10) Where the appeal is a criminal appeal before the High Court, the skeletal arguments should be sent to the Legal Registry at least 10 days before the hearing of the appeal. Skeletal arguments filed in breach of this timeline will be stamped “Late Submission”.

***Application of this paragraph to Court of 3 Judges***

(11) Sub-paragraphs (1) to (8A) also apply to disciplinary proceedings, or appeals therefrom, brought under any statute, including the Legal Profession Act (Cap. 161) and the Medical Registration Act (Cap. 174) which are heard by a Court of 3 Judges.