

**IN THE SUPREME COURT OF THE REPUBLIC OF SINGAPORE**

**SUPREME COURT PRACTICE DIRECTIONS**

**AMENDMENT NO. 5 OF 2021**

It is hereby notified that amendments have been made to Parts II, XI, XII, XV and XXV and Appendices A and G of the Supreme Court Practice Directions. The amendments are summarised below:

- (1) introduction of new paragraph 12A on Request for urgent hearing before Judge;
- (2) amendments to paragraph 20 on Interpreters and translation;
- (3) amendments to paragraph 90 on Skeletal arguments for appeals and matters before the General Division, Appellate Division, Court of Appeal and Court of 3 Judges;
- (4) amendments to paragraph 99A on Costs Scheduling;
- (5) amendments to paragraph 122 on Applications to use the Mobile Infocomm Technology Facilities;
- (6) introduction of new paragraph 161 on Affidavit in support of a Leave Application under section 394H of the Criminal Procedure Code;
- (7) introduction of new Form 1A (Request for Urgent Hearing before Judge) under Appendix A;
- (8) introduction of new Form 34 (Information Sheet to be exhibited in an Affidavit in support of a Leave Application under section 394H of the Criminal Procedure Code) under Appendix A; and
- (9) deletion and substitution of Appendix G (Guidelines for Party-and-Party Costs Awards in the Supreme Court of Singapore).

2 The amendments will take effect on 2 August 2021 and will be reflected at <https://epd.supremecourt.gov.sg/> from 2 August 2021. The amendments set out at sub-paragraph (9) of paragraph 1 will apply to all costs orders made on or after 2 August 2021. Appendix G of the Supreme Court Practice Directions as in force immediately before 2 August 2021 will continue to apply to all costs orders made before that date.

3 Please find attached a document reflecting the marked-up amendments to the Practice Directions.

Dated this 23<sup>rd</sup> day of July 2021.



TEH HWEE HWEE  
REGISTRAR  
SUPREME COURT

## Supreme Court Practice Directions (Amendment No. 5 of 2021)

### Part II: General Matters

#### 12A. Request for urgent hearing before Judge

(1) Before an applicant attends before the Duty Registrar to request an urgent hearing before a Judge of any application for any civil matter, the applicant should complete (as far as possible) and file Form 1A of Appendix A of these Practice Directions. A copy of Form 1A should be served on each respondent to the application at the time of filing, unless the application is an *ex parte* application and service of Form 1A would or might defeat the purpose of the application.

(2) The applicant should prepare skeletal submissions for the urgent hearing before the Judge, and file the skeletal submissions at the same time as Form 1A. A copy of the skeletal submissions should be served on each respondent to the application at the time of filing, unless the application is an *ex parte* application and service of the skeletal submissions would or might defeat the purpose of the application. If the skeletal submissions are not filed, the applicant should inform the Duty Registrar whether the skeletal submissions will be filed and served by the time of the urgent hearing before the Judge.

(3) If, due to urgency, the applicant is unable to file or serve Form 1A and/or the skeletal submissions before attending before the Duty Registrar, the applicant should provide a copy each of Form 1A and the skeletal submissions to each respondent to the application when the parties attend before the Duty Registrar. Each such copy of Form 1A or the skeletal submissions must be a hard copy, if the parties attend before the Duty Registrar physically, or in soft copy, if the parties attend before the Duty Registrar by live video or live television link. Thereafter, Form 1A and the skeletal submissions should be filed as soon as possible and, in any event, no later than the next working day after the attendance before the Duty Registrar, unless the Court directs otherwise. If any respondent does not attend before the Duty Registrar, Form 1A and the skeletal submissions should be served on that respondent as soon as possible after the hearing before the Duty Registrar, and, in any event, before the urgent hearing before the Judge, unless the Court directs otherwise.

(4) In cases of extreme urgency where the applicant is unable to comply with the requirement to file or provide a copy of the skeletal submissions by the time of the urgent hearing before the Judge, the applicant should inform the Duty Registrar of the applicant's intention to seek a dispensation of that requirement at the hearing before the Judge, and provide supporting reasons for the dispensation.

(5) The applicant's skeletal submissions should contain the following:

- (a) the relevant facts;
- (b) the applicable law;
- (c) the reason(s) for requesting an urgent hearing; and
- (d) a summary of arguments.

(6) The applicant's skeletal submissions should be in the following format:

- (a) all pages should be paginated;
- (b) the skeletal submissions should not exceed 10 pages (excluding the cover page and backing page);
- (c) the minimum font size to be used is Times New Roman 12 or its equivalent;
- (d) the print of every page must be double-spaced; and
- (e) every page must have a margin on all 4 sides, each of at least 35mm in width.

...

## **20. Interpreters and translation**

...

(10) Requests for translation of documents in Chinese, Malay or Tamil for use in Supreme Court proceedings ~~should be sent using the form available on the Supreme Court website~~ must be filed through the Electronic Filing Service at least 4 weeks before the date the translations are required, ~~unless there are exceptional reasons justifying non-compliance~~. Failure to comply with the directions set out in this sub-paragraph may result in the translations not being available or provided by the date they are required.

...

(12) Litigants in person may submit their requests for interpretation services or translation of documents for Supreme Court proceedings using the respective forms available on the website at <http://www.supremecourt.gov.sg>.

## Part XI: Appeals and Hearings before Court of 3 Judges

### 90. Skeletal arguments for appeals and matters before the General Division, Appellate Division, Court of Appeal and Court of 3 Judges

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(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 (or the supplemental record of appeal), the bundles of documents, affidavits, transcripts and the judgment under appeal;

(c) for civil appeals and any other civil matters before the Court of Appeal, and civil appeals and any other civil matters before the Appellate Division, the final paragraph(s) should contain the parties' submissions on costs, stating (with reasons) the appropriate costs order and the quantum (including the disbursements incurred) that should be awarded by the Court;

~~(e)~~(d) all pages should be paginated, with the first page (not including any cover page) numbered as "Page 1";

~~(d)~~(e) the minimum font size to be used is Times New Roman 12 or its equivalent;

~~(e)~~(f) the print of every page shall be double-spaced; and

~~(f)~~(g) every page shall have a margin on all 4 sides, each of at least 35mm in width.

...

## Part XII: Taxation Matters and Costs

### 99A. Costs Scheduling

(1) The directions contained in this paragraph shall apply to:

(a) trials in open court for all writ actions and originating summonses ordered to be continued as if the cause or matter had been begun by writ; **and**

(b) originating summonses involving cross-examination of any deponent; **and**.

~~(c) civil appeals before the Court of Appeal and civil appeals before the Appellate Division.~~

...

~~(5) The costs schedule for the proceedings described in sub-paragraph 1(c) shall be filed together with the parties' skeletal arguments.~~

## Part XV: Technology Facilities

### 122. Applications to use the Mobile Infocomm Technology Facilities

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(3) ~~The mobile audio-visual equipment is~~ MIT facilities are available for use in both open Court and in Chambers ~~while the mobile videoconferencing equipment is only for use in Chambers.~~

(4) Any applicant desiring to use ~~the mobile audio-visual equipment~~ MIT facilities is required to provide details of the type of evidence ~~presenting to be presented~~ and media format in the application form. The applicant must also be prepared to have the presentation material or media available for testing with the ~~audio-visual system~~ MIT facilities at least 5 working days before the first day fixed for the hearing. It is the responsibility of the applicant to provide presentation materials or media format that is compatible with the equipment provided by the Court.

## **Part XXV: Other Matters Specific to Criminal Proceedings**

### **161. Affidavit in support of a Leave Application under section 394H of the Criminal Procedure Code**

(1) Under section 394H(3) of the Criminal Procedure Code read with Rules 11(2) and (3) of the Criminal Procedure Rules 2018, the applicant in a leave application (as defined in section 394F(1) of the Criminal Procedure Code) must file an affidavit in support of the leave application at the same time as the filing of the leave application. This affidavit is to be made by the applicant's advocate (if the applicant is represented by an advocate when the affidavit is filed) or by the applicant (if the applicant is not represented by an advocate when the affidavit is filed).

(2) Every affidavit mentioned in sub-paragraph (1) must attach as an exhibit an information sheet in Form 34 of Appendix A of these Practice Directions. The information sheet must be completed and signed by the person who makes the affidavit.

## Appendix A

### 1A.

Para. 12A

#### Request for Urgent Hearing before Judge

Case Number(s) and Case Name(s)	
Sub-Case Number(s) (if applicable)	
Name(s) of Applicant(s)	
Details of Applicant(s)	(Plaintiff/ Defendant/ Third Party)
Counsel for Applicant(s) (if represented)	(Name(s) of counsel and Law Practice)
Contact Number(s) of Counsel for Applicant(s) (if represented) or of Applicant(s) (if unrepresented)	
Name(s) of Respondent(s)	
Counsel for Respondent(s) (if represented)	(Name(s) of counsel and Law Practice)
Contact Number(s) of Counsel for Respondent(s) (if represented) or of Respondent(s) (if unrepresented)	
Summary of relief sought	(E.g. Mareva injunction)

Proposed hearing dates for the application(s)	(Please indicate the dates on which all parties are able to attend)
Estimated duration of the hearing	(E.g. 1 hour or less, Half-day, Full-day)
Summary of relevant facts: ( <i>Maximum 500 words</i> )	
Reason(s) for urgency: ( <i>Maximum 300 words</i> )	
Have all requisite Court papers been filed and are they in order?	
Is this an <i>ex parte</i> application?	
Does paragraph 41 of the Supreme Court Practice Directions on <i>ex parte</i> applications for injunctions apply?	(If yes, please state whether the directions set out in paragraph 41 have been complied with. If the directions under paragraph 41(2) on giving of notice of the application to the other concerned parties prior to the hearing have been complied with, please state the date, time and manner in which notice was given. If those directions have not been complied with, please state whether and when notice will be given and, if not, the reasons for not giving notice.)
Has/Have the Applicant(s) notified the Respondent(s) of the attendance before the Duty Registrar?	(If not, please state the reason(s) why.)
Has there been any previous request for an urgent hearing of the application(s)?	(If yes, please state the date and outcome of each previous request, and the reason(s) for making this request.)

Skeletal Submissions\* (please select the applicable option):

- I confirm that the skeletal submissions have been filed together with this Form.
- The skeletal submissions could not be filed together with this Form, but will be filed as soon as possible and, in any event, no later than the next working day after the attendance before the Duty Registrar, unless the Court directs otherwise.
- Due to the extreme urgency, the skeletal submissions cannot be filed or provided in hard copy by the time of the hearing before the Judge, and I intend to seek a dispensation of this requirement at the hearing before the Judge.

Signature of Counsel for Applicant or of Applicant:

Name:

Date:

*\* The skeletal submissions must comply with the requirements stated in paragraphs 12A(5) and (6) of the Supreme Court Practice Directions.*

Para. 161

**Information Sheet to be exhibited in an Affidavit in support of a Leave Application under section 394H of the Criminal Procedure Code**

Before an applicant can make an application to review an earlier decision of an appellate court (“review application”), the applicant must first apply for and obtain the leave (meaning permission) of the appellate court to make the review application.

To apply for leave to make a review application, the applicant must file a supporting affidavit together with the applicant’s written submissions, as required under section 394H(3) of the Criminal Procedure Code read with Rules 11(2)(a) and (b) of the Criminal Procedure Rules 2018. Please attach this information sheet as an exhibit in the supporting affidavit.

**A Please set out the background relating to the earlier decision of the appellate court.**

1 Was the appellate court the Court of Appeal, or the General Division of the High Court?

2 When was the decision made?

3 For each charge, did the appellate court convict, or uphold the conviction of, the accused? If the appellate court convicted, or upheld the conviction of, the accused on a particular charge, what was the accused convicted of and finally sentenced to?

4 Is the applicant seeking leave to review the decision on conviction, the decision on sentence, or both?

**B Please identify the material that the applicant wishes to rely on in the application to show that there was a miscarriage of justice in the earlier court decision.**

1 Is the material new evidence? If so, set out the new evidence.

2 Is the material a new legal argument? If so, set out the new legal argument.

**C If the material is new evidence:**

1 Has the evidence been canvassed at any stage of the proceedings in the criminal matter in respect of which the earlier court decision was made?

2 If the answer to question C1 is “No”, why was the evidence not canvassed in the earlier court proceedings?

3 What efforts did the applicant make to try to obtain the evidence for the earlier court proceedings?

4 Why does the applicant say that the evidence is compelling, meaning that it is reliable, substantial, powerfully probative and capable of showing almost conclusively that there has been a miscarriage of justice in the earlier court decision?

**D If the material is new legal argument:**

1 Has the legal argument been canvassed at any stage of the proceedings in the criminal matter in respect of which the earlier court decision was made?

2 If the answer to question D1 is “No”, why was the legal argument not made in the earlier court decision?

3 Why does the applicant say that the legal argument is compelling, meaning that it is reliable, substantial, powerfully probative and capable of showing almost conclusively that there has been a miscarriage of justice in the earlier court decision?

4 A change in the law must have arisen from any decision made by a court after the conclusion of all proceedings in respect of which the earlier court decision was made.

Please state the name(s) of the subsequent court decision(s) that the applicant says has/have changed the law. Please also explain what is the change in the law that the new legal argument is based on.

**E Why does the applicant say that the new evidence, the new legal argument or both show that there has been a miscarriage of justice?**

1 Is it because the earlier court decision is demonstrably wrong? Or

2 Is it because the earlier court decision is tainted by fraud or a breach of the rules of natural justice such that the integrity of the judicial process is compromised?

**F If the applicant says that the earlier court decision is demonstrably wrong:**

1 For review of conviction – why does the applicant say that it is apparent, based only on the new evidence and without any further inquiry, that there is a powerful probability that the earlier court decision is wrong?

2 For review of sentence – why does the applicant say that the earlier court decision was based on a fundamental misapprehension of the law or the facts, thereby resulting in a decision that is blatantly wrong on the face of the record?

**G If the applicant says that the earlier court decision is tainted by fraud or a breach of the rules of natural justice, such that the integrity of the judicial process is compromised:**

1 Please elaborate why the earlier court decision is tainted by fraud or a breach of the rules of natural justice, such that the integrity of the judicial process is compromised.

I declare that all the information contained in this information sheet is true and correct to the best of my knowledge and belief.

[Name]  
Applicant / Applicant's Advocate

## ~~APPENDIX G~~

~~Para. 99B(1)~~

### ~~GUIDELINES FOR PARTY-AND-PARTY COSTS AWARDS IN THE SUPREME COURT OF SINGAPORE~~

#### ~~I. Use of the Costs Guidelines~~

- ~~1. This Appendix provides guidelines for party and party costs in the Supreme Court (the “Costs Guidelines”).~~
  - ~~2. These Costs Guidelines have been approved for publication by the Judges of the Supreme Court. It is intended to provide a general indication on the quantum and methodology of party and party costs awards in specified types of proceedings in the Supreme Court, taking into account past awards made, internal practices and general feedback.~~
  - ~~3. The precise amount of costs awarded remains at the discretion of the judicial officer making the award, who may depart from the amounts set out in these Costs Guidelines depending on the particular circumstances of each case (see in particular Order 59, Appendix 1 of the Rules of Court). Nothing in these Costs Guidelines is intended to guide or influence the charging of solicitor and client costs.~~
  - ~~4. Litigants in person should take note of Order 59, Rule 18A of the Rules of Court, the application of which shall remain unaffected by these Costs Guidelines.~~
  - ~~5. It should further be noted that in the event of an appeal, costs awards made by the court of first instance may be supplemented or otherwise modified by the appellate court as appropriate.~~
  - ~~6. The Supreme Court may from time to time review these Costs Guidelines.~~
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## ~~H.— Costs Guidelines for Summonses~~

### ~~A.— General Guidelines~~

<del>Nature of Application-</del>	<del>Costs (\$) (excl- disbursements)-</del>
<del>Uncontested-</del>	<del>500—1,000-</del>
<del>Contested-</del> <ul style="list-style-type: none"><li><del>• Application on normal list lasting less than 45 mins</del></li><li><del>• Application on normal list lasting 45 mins or longer</del></li><li><del>• Complex or lengthy application fixed for special hearing (duration of 3 hrs)</del></li></ul>	<del>1,000—3,000— 2,000—6,000— 4,000—15,000-</del>

### ~~B.— Specific Summonses~~

<del>Nature of Application-</del>	<del>Costs (\$) (excl- disbursements)-</del>
<del>Adjournment-</del>	<del>350—500-</del>
<del>Amendments of pleadings-</del>	<del>1,000—6,000-</del>
<del>Further &amp; better particulars / discovery / interrogatories-</del>	<del>2,000—6,000-</del>
<del>Security for costs-</del>	<del>2,000—6,000-</del>
<del>Extension of time-</del>	<del>1,000—2,000-</del>
<del>Interim payment (O 29 of the Rules of Court)-</del>	<del>2,000—6,000-</del>
<del>Striking out (O 18 r 19 of the Rules of Court)-</del> <ul style="list-style-type: none"><li><del>• General guideline figure</del></li><li><del>• Whole suit / defence struck out</del></li></ul>	<del>2,000—8,000— 6,000—20,000-</del>
<del>Summary judgment (O 14 of the Rules of Court)-</del> <ul style="list-style-type: none"><li><del>• Judgment given</del></li><li><del>• Application dismissed</del></li></ul>	<del>4,000—20,000— 4,000—15,000-</del>
<del>Setting aside of judgment-</del> <ul style="list-style-type: none"><li><del>• Irregular judgment</del></li><li><del>• Regular judgment</del></li></ul>	<del>1,000- 4,000—15,000-</del>
<del>Stay of proceedings for arbitration or on grounds of <i>forum non- conveniens</i>-</del>	<del>5,000—16,000-</del>
<del>Stay of proceedings pending appeal-</del>	<del>2,000—6,000-</del>
<del>Examination of judgment debtor-</del>	<del>2,000—6,000-</del>
<del>Discharge of solicitor-</del>	<del>500—1,200-</del>

### III.— Costs Guidelines for Trials (excluding Assessments of Damages (“AD”))

#### A.— Section 1 Costs

(i) *Party and Party Costs for trials (except for matters which are settled before or during trial)*

<b>Daily Tariff</b>				
<del>\$10,000-</del>	<del>\$15,000-</del>	<del>\$17,000-</del>	<del>\$20,000-</del>	<del>\$20,000—\$30,000</del>
<del>Motor- accident-</del>	<del>Simple tort, contract, corporate/company law disputes- (no novel issues of law or complex facts)-</del>	<del>Complex tort or contract-</del>	<del>Defamation-  Medical negligence-  Complex corporate/company law disputes-  Judicial review, public and administrative law-</del>	<del>Admiralty; Banking / letters- of credit / international finance-  Construction-  Equity &amp; trust-  Intellectual property-</del>
<b>Percentage of tariff to be applied for each hearing day—</b>				
<del>1st—5th day of trial-</del>			<del>100% of tariff-</del>	
<del>6th—10th day of trial-</del>			<del>80% of tariff-</del>	
<del>11th day onwards-</del>			<del>60% of tariff-</del>	
<b>Illustration:-</b>				
<i>Application of tariff to motor accident claim taking up 12 hearing days-</i>				
<del>Day 1 to Day 5:-</del>		<del>————— \$10,000 * 5 = ——— \$50,000</del>		
<del>Day 6 to Day 10:-</del>		<del>————— \$10,000 * 5 * 0.8 = ——— \$40,000</del>		
<del>Day 11 to Day 12:-</del>		<del>————— \$10,000 * 2 * 0.6 = ——— \$12,000</del>		
<b>Total Guideline amount:-</b>		<del>————— \$50,000 + \$40,000 + \$12,000 = ——— \$102,000</del>		

*Note: Where figures assessed by reference to the above are lower than those provided for matters in respect of which settlement has been reached, the awards made may have regard to the figures in section (ii) below.*

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***(ii) Party and Party Costs for matters which are settled before judgment***

<b>Stage of Proceedings-</b>	<b>Costs (\$)-</b>
<del>Settled at close of pleadings-</del>	<del>5,000—20,000-</del>
<del>Settled after discovery-</del>	<del>6,000—35,000-</del>
<del>Settled after exchange of Affidavits of Evidence In Chief (“AEICs”)-</del>	<del>25,000—50,000-</del>
<del>Settled after trial has commenced-</del>	<ul style="list-style-type: none"> <li>• <del>Costs for utilised hearing days shall be calculated in accordance with the tariff amounts set out above.</del></li> <li>• <del>In addition, costs for remaining unutilised hearing days to be calculated in accordance with the aforesaid weightage:</del> <ul style="list-style-type: none"> <li>○ <del>60% of tariff for each of first 5 unutilised hearing days;</del></li> <li>○ <del>40% of tariff for each unutilised hearing day from the 6<sup>th</sup> to 10<sup>th</sup> unutilised hearing days;</del></li> <li>○ <del>20% of tariff for each unutilised hearing day from the 11<sup>th</sup> to 20<sup>th</sup> unutilised hearing days;</del></li> <li>○ <del>10% of tariff for each unutilised hearing day from the 21<sup>st</sup> unutilised hearing day onwards.</del></li> </ul> </li> </ul>

<b>Illustration:-</b>	
<i>Application of tariff to motor accident claim fixed for 12 hearing days and settled on 1<sup>st</sup> day of hearing</i>	
<del>Day 1-</del>	<del><math>\\$10,000 * 1 =</math> \$10,000</del>
<del>Day 2 to Day 6- (1<sup>st</sup> 5 unutilised hearing days)-</del>	<del><math>\\$10,000 * 5 * 0.6 =</math> \$30,000</del>
<del>Day 7 to Day 11- (6<sup>th</sup> to 10<sup>th</sup> unutilised hearing days)-</del>	<del><math>\\$10,000 * 5 * 0.4 =</math> \$20,000</del>
<del>Day 12- (11<sup>th</sup> unutilised hearing day)-</del>	<del><math>\\$10,000 * 1 * 0.2 =</math> \$2,000</del>
<b>Total Guideline amount-</b>	<b><del><math>\\$10,000 + \\$30,000 + \\$20,000 + \\$2,000 =</math> \$62,000</del></b>

**~~(iii) Party and Party Costs for hearings other than trials (excluding AD)~~**

<b>Type of hearings</b>	<b>Costs (\$)</b>
<del>Contentious originating summons before General Division</del>	<ul style="list-style-type: none"> <li><del>• Without cross examination: 12,000 per day</del></li> <li><del>• Without cross examination (with Digital Transcription Service (“DTS”)): 15,000 per day</del></li> <li><del>• With cross examination: 15,000 per day</del></li> <li><del>• With cross examination (with DTS): 20,000 per day</del></li> </ul>
<del>Appeals before Judge sitting in General Division</del>	<ul style="list-style-type: none"> <li><del>• 10,000 per day</del></li> <li><del>• 15,000 per day (with DTS)</del></li> </ul>
<del>Appeals before Appellate Division and Court of Appeal</del>	<ul style="list-style-type: none"> <li><del>• Interlocutory applications: 15,000—25,000</del></li> <li><del>• Standard trials / OS (up to 10 days): 30,000—40,000</del></li> <li><del>• Standard trials / OS (&gt; 10 days): 40,000—60,000</del></li> <li><del>• Complex trials / OS: 60,000—100,000</del></li> </ul>

**~~B. Section 2: Costs for taxation~~**

~~\$1,500—\$5,000, excluding disbursements.~~

**~~IV. Costs Guidelines for AD~~**

**~~A. Section 1 Costs~~**

**~~(i) Party and Party Costs for ADs (except for matters which are settled before or during AD hearing)~~**

<b>Daily Tariff</b>	
<b><del>\$5,000-</del></b>	<b><del>\$8,000 to \$12,000-</del></b>
<b><del>Motor accident</del></b>	<b><del>Non-motor accident</del></b>
<b>Percentage of tariff to be applied for each hearing day</b>	
<del>1st—5th day of trial</del>	<del>100% of tariff</del>
<del>6th—10th day of trial</del>	<del>80% of tariff</del>
<del>11th day onwards</del>	<del>60% of tariff</del>

*Note: Where figures assessed by reference to the above are lower than those provided for matters in respect of which settlement has been reached, the awards made may have regard to the figures in section (ii) below.*

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~~(ii) Party and Party Costs for ADs which are settled before judgment~~

<del>Motor Accident Cases</del>	<del>Costs (\$) (excl disbursements)</del>
<del>AD settled after completion of discovery</del>	<del>3,000—5,000</del>
<del>AD settled after exchange of AEICs</del>	<del>5,000—10,000</del>
<del>Settled after AD has commenced</del>	<ul style="list-style-type: none"><li><del>• Costs for utilised hearing days shall be calculated in accordance with the tariff amounts for ADs set out above.</del></li><li><del>• In addition, costs for remaining unutilised hearing days to be calculated in accordance with the aforesaid weightage:</del><ul style="list-style-type: none"><li><del>○ 60% of AD tariff for each of first 5 unutilised hearing days;</del></li><li><del>○ 40% of AD tariff for each unutilised hearing day from the 6<sup>th</sup> to 10<sup>th</sup> unutilised hearing days;</del></li><li><del>○ 20% of AD tariff for each unutilised hearing day from the 11<sup>th</sup> to 20<sup>th</sup> unutilised hearing days;</del></li><li><del>○ 10% of AD tariff for each unutilised hearing day from the 21<sup>st</sup> unutilised hearing day onwards.</del></li></ul></li></ul>

~~(iii) Party and Party Costs for Appeals~~

<del>Type of hearings</del>	<del>Costs (\$)</del>
<del>Appeals before Judge sitting in General Division</del>	<ul style="list-style-type: none"><li><del>▲ 10,000 per day</del></li><li><del>▲ 15,000 per day (with DTS)</del></li></ul>
<del>Appeals before Appellate Division and Court of Appeal</del>	<ul style="list-style-type: none"><li><del>▲ Interlocutory applications: 15,000—25,000</del></li><li><del>▲ Standard trials / OS (up to 10 days): 30,000—40,000</del></li><li><del>▲ Standard trials / OS (&gt; 10 days): 40,000—60,000</del></li><li><del>▲ Complex trials / OS: 60,000—100,000</del></li></ul>

~~B. Section 2: Costs for taxation~~

~~\$1,500—\$5,000, excluding disbursements.~~

## APPENDIX G

Para. 99B(1)

### GUIDELINES FOR PARTY-AND-PARTY COSTS AWARDS IN THE SUPREME COURT OF SINGAPORE

#### I. Use of the Costs Guidelines

1. This Appendix provides guidelines for party-and-party costs in the Supreme Court (the “Costs Guidelines”).
2. The Costs Guidelines have been approved for publication by the Judges of the Supreme Court. They are intended to provide a general indication on the quantum and methodology of party-and-party costs awards in specified types of proceedings in the Supreme Court, taking into account past awards made, internal practices and general feedback.
3. The Costs Guidelines serve only as a guide for parties and counsel. The fundamental governing principle is that the precise amount of costs awarded remains at the discretion of the Court. The Court may depart from the Costs Guidelines depending on the particular circumstances of each case. See in particular paragraph 1(2) of Appendix 1 to Order 59 of the Rules of Court, which is reproduced below:

“(2) In exercising his discretion the Registrar shall have regard to the principle of proportionality and all the relevant circumstances and, in particular, to the following matters:

- (a) the complexity of the item or of the cause or matter in which it arises and the difficulty or novelty of the questions involved;
- (b) the skill, specialised knowledge and responsibility required of, and the time and labour expended by, the solicitor;
- (c) the number and importance of the documents (however brief) prepared or perused;
- (d) the place and circumstances in which the business involved is transacted;
- (e) the urgency and importance of the cause or matter to the client; and
- (f) where money or property is involved, its amount or value.”

Nothing in these Costs Guidelines is intended to guide or influence the charging of solicitor-and-client costs.

4. The relationship / interaction between Parts IIA and IIB of Appendix G is as follows:
  - (a) If the contested summons is not listed in Part IIB, reference should be made to the costs range for contested applications set out in Part IIA.
  - (b) If the contested summons is listed in Part IIB, reference should be made to the

costs range therein. However:

- (i) If the said summons is one that is simple, and the lower end of the costs range set out in Part IIB is higher than the lower end of the costs range set out in Part IIA, reference *may* be made to the Part IIA costs range.
  - (ii) If the said summons is one that is complex, and the upper end of the costs range set out in Part IIB is lower than the upper end of the costs range set out in Part IIA, reference *may* be made to the Part IIA costs range.
5. There is no presumption that a higher amount of costs is to be awarded in respect of a summons that is heard before a Judge (as opposed to a Registrar) at first instance.
  6. Parties should take note of the requirement to file a costs schedule under paragraph 99A of the Practice Directions in respect of the following types of proceedings: (i) trials in open court for all writ actions and originating summonses ordered to be continued as if the cause or matter had been begun by writ; and (ii) originating summons involving cross-examination of any deponent.
  7. Litigants in person should take note of Order 59, Rule 18A of the Rules of Court, the application of which shall remain unaffected by these Costs Guidelines.
  8. It should further be noted that in the event of an appeal, costs awards made by the Court of first instance may be supplemented or otherwise modified by the appellate court as appropriate.
  9. The Supreme Court may from time to time review these Costs Guidelines.

## II. Costs Guidelines for Summonses

### A. General

	Nature of Application	Costs (\$) (excl. disbursements)
1.	Uncontested	1,000 – 5,000
2.	Contested <ul style="list-style-type: none"> <li>▪ Application on normal list lasting less than 45 mins</li> <li>▪ Application on normal list lasting 45 mins or longer</li> <li>▪ Complex or lengthy application fixed for special hearing (duration of 3hrs)</li> </ul>	2,000 – 5,000  4,000 – 11,000  9,000 – 22,000

### B. Specific

	Nature of Application	Costs (\$) (excl. disbursements)
1.	Adjournment	500 – 2,000
2.	Extension of time	1,000 – 4,000
3.	Amendment of pleadings <i>[*The costs range for amendment of pleadings stipulated in Appendix G relates only to the application itself. Separate costs for the amendments (eg, for costs thrown away as a result of the amendment) may be sought]</i>	1,000 – 7,000
4.	Further and better particulars	2,000 – 9,000
5.	Discovery	3,000 – 11,000
6.	Interrogatories	2,000 – 11,000
7.	Security for costs	2,000 – 10,000
8.	Interim payment (O 29)	2,000 – 10,000
9.	Striking out (O 18 r 19)	
	striking out of part(s) of pleadings / affidavit	3,000 – 12,000
	striking out of whole suit / defence*	6,000 – 20,000

	<b>Nature of Application</b>	<b>Costs (\$) (excl. disbursements)</b>
	<p><i>[*The costs range for striking out of whole suit / defence stipulated in Appendix G relates only to the application itself.</i></p> <p><i>If the applicant is successful in striking out the whole suit / defence, separate costs for the action (based on the pre-trial range, if appropriate) may be sought]</i></p>	
10.	<p><b>Summary judgment (O 14)*</b></p> <p><i>[*Part II(c) of Appendix 2, Order 59 of the Rules of Court provides for the scale of fixed costs for O 14 applications. The Court may depart from the said scale and order otherwise: see O 59 r 31(2) of the Rules of Court.</i></p> <p><i>The costs range for an O 14 application stipulated in Appendix G relates only to the application itself. If the plaintiff is successful in obtaining judgment for the whole action, separate costs for the action (based on the pre-trial range, if appropriate) may be sought]</i></p>	
	O 14 judgment given	6,000 – 20,000
	O 14 dismissed	6,000 – 20,000
11.	Setting aside of judgment	2,000 – 19,000
12.	Stay of proceedings	
	for arbitration	5,000 – 23,000
	on <i>forum non conveniens</i>	6,000 – 21,000
	pending appeal	3,000 – 11,000
13.	Examination of Judgment Debtor	3,000 – 10,000
14.	Discharge of solicitor	1,000 – 4,000
15.	Setting aside of service	3,000 – 14,000
16.	Leave to appeal to the Appellate Division or to the Court of Appeal	4,000 – 15,000
17.	Bifurcation of liability and quantification stages	3,000 – 12,000
18.	Injunction / Anton Piller order	10,000 – 35,000
19.	Application for committal order	4,000 – 16,000
20.	Application for unless order	2,000 – 10,000

### III. Costs Guidelines for Trials (including Assessments of Damages)

#### A. Section 1 Costs

##### (i) Party-and-Party Costs for trials (except for matters which are settled before trial)

	Nature of claim	Costs <sup>1</sup>		
		Pre-trial <sup>2</sup>	Trial (daily tariff)	Post-trial Work <sup>3</sup>
1.	Motor accident	\$15,000 – \$45,000	\$6,000 – \$12,000	Up to \$15,000
2.	Simple Torts			
3.	Torts <sup>4</sup>	\$25,000 – \$70,000	\$6,000 – \$16,000	Up to \$30,000
4.	Commercial <sup>5</sup>			
5.	Equity and trusts	\$25,000 – \$90,000	\$6,000 – \$16,000	Up to \$35,000
6.	Construction	\$30,000 – \$90,000	\$6,000 – \$18,000	Up to \$35,000
7.	Intellectual property and information technology			
8.	Admiralty			
9.	Medical and Professional negligence			

<sup>1</sup> The costs guidelines do not cater for matters where a certificate of more than two counsel has been issued as these are matters that are recognised as being particularly complex, and the Court has the discretion to determine the appropriate amount of costs in such a situation.

<sup>2</sup> Pre-trial Work includes Pleadings, Discovery, and Affidavits of Evidence-in-Chief.

<sup>3</sup> Post-trial Work does not include work carried out after judgment is obtained (eg, enforcement proceedings).

<sup>4</sup> Includes Defamation.

<sup>5</sup> Includes Corporation/Company law disputes and Insolvency, Contract, and Banking and Finance disputes.

***(ii) Party-and-Party Costs for matters which are settled before trial***

	Nature of claim	Costs for Work Done <sup>6</sup>		
		Pleadings	Discovery	AEICs
1.	Motor accident	\$3,000 – \$9,000	\$6,000 – \$18,000	\$6,000 – \$18,000
2.	Simple Torts			
3.	Torts <sup>7</sup>	\$5,000 – \$14,000	\$10,000 – \$28,000	\$10,000 – \$28,000
4.	Commercial <sup>8</sup>			
5.	Equity and trusts	\$5,000 – \$18,000	\$10,000 – \$35,000	\$10,000 – \$35,000
6.	Construction	\$6,000 – \$18,000	\$12,000 – \$35,000	\$12,000 – \$35,000
7.	Intellectual property and information technology			
8.	Admiralty			
9.	Medical and Professional negligence			

<sup>6</sup> The Court retains a discretion to consider whether additional costs for getting up for trial should be provided for in the appropriate case.

<sup>7</sup> Includes Defamation.

<sup>8</sup> Includes Corporation/Company law disputes and Insolvency, Contract, and Banking and Finance disputes.

**B. Section 2: Costs for taxation**

\$1,500 – \$5,000, excluding disbursements.

#### **IV. Costs Guidelines for Originating Summonses**

##### **A. General Guidelines**

<b>Nature of originating summons</b>	<b>Costs*</b>
Uncontested	\$5,000 – \$13,000
Contested	\$12,000 – \$30,000 per day

##### **B. Specific Originating Summonses**

<b>Nature of originating summons</b>	<b>Costs* (daily tariff)</b>
Arbitration	\$13,000 – \$40,000
Insolvency and Restructuring	\$12,000 – \$35,000
Judicial review, public and administrative law	\$14,000 – \$35,000
Mortgage action	\$5,000 – \$15,000
Originating summons commenced under O 5 r 4	\$12,000 – \$30,000
Originating summons commenced under the Building and Construction Industry Security of Payment Act	\$6,000 – \$20,000

*\* The costs ranges under Parts IV.A and IV.B are inclusive of costs for any pre-hearing and post-hearing work carried out for the matter, and do not include costs for work carried out after judgment is obtained (eg, enforcement proceedings).*

## V. Costs Guidelines for Appeals

<b>Nature of Appeal / Application</b>	<b>Costs (per appeal/application basis)</b>
Appeals before a Judge in the General Division (including appeals from the State Courts)	\$5,000 – \$35,000
Appeals before the Appellate Division or Court of Appeal* against a judgment or order obtained in an interlocutory application <i>[*Where leave is granted for a further appeal to be brought from the Appellate Division to the Court of Appeal, the Court of Appeal may consider adjusting the costs payable]</i>	\$15,000 – \$40,000
Appeals before the Appellate Division or Court of Appeal* against a judgment or order obtained following a trial / OS hearing <i>[*Where leave is granted for a further appeal to be brought from the Appellate Division to the Court of Appeal, the Court of Appeal may consider adjusting the costs payable]</i>	\$30,000 – \$150,000
Applications determined by the Appellate Division or Court of Appeal without oral hearing	\$6,000 – \$20,000
Applications determined by the Appellate Division or Court of Appeal after an oral hearing	\$9,000 – \$35,000