

SINGAPORE INTERNATIONAL COMMERCIAL COURT

新加坡国际商业法庭

**GLOSSARY OF LEGAL TERMS WITH CHINESE
TRANSLATIONS**

法律术语词汇表（附中文译文）

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Terms starting with A

Term	Chinese Translation	Definition	Chinese Translation
Abuse of process	濫用法庭程序	The improper use of a court process, for example to obtain an outcome that is unjust or beyond the purpose of the court process.	不正当地利用法庭程序，例如为了取得不公平或是超出法庭程序目的的结果。
Action	诉讼	A proceeding brought to seek legal redress or to enforce or protect a legal right.	为寻求法律补救或强制执行或保护法律权利而提起的程序。
Adjourn	展期	To postpone a hearing.	延期审讯。
Adjudication	裁决	The process of resolving a legal dispute in court; the process of judicially deciding a case.	在法庭上解决法律纠纷的过程；对案件进行司法裁决的过程。
Adjudication track	裁决途径	The procedural mode by which proceedings are to be brought in the Singapore International Commercial Court.	在新加坡国际商业法庭提起诉讼的程序方式。
Admiralty	海事	The system of jurisprudence that has developed out of the practice of courts exercising jurisdiction over maritime or maritime-related claims.	从法院对海事或海事相关的索偿行使管辖权的实践中发展而来的法学体系。

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Term	Chinese Translation	Definition	Chinese Translation
Admissibility (of evidence)	证据的可接纳性 证据的可采性	The quality, state, or condition of evidence being allowed to be entered in a hearing.	被允许接受作为在审讯中的证据的质量、状态或状况。
Admission (of fact)	(对事实的) 承认	An oral or a documentary statement by a person which suggests an inference as to the truth of any alleged fact.	表明一个人对任何指称事实的真实性所作的推论的口头或书面陈述。
Adverse inference	不利的推断	A detrimental conclusion drawn by the fact-finder from a party's failure to produce evidence that is within the party's control.	事实认定者因一方未能提供其所能控制的证据而得出的不利结论。
Advocate	讼务律师	A qualified member of the legal profession who assists, defends, pleads, or prosecutes on behalf of a party in legal proceedings.	在法律程序中代表一方提供协助、辩护、申辩或起诉的合格法律专业人员。
Affidavit	宣誓书	A voluntary declaration of facts in written form and sworn to by the person making the declaration, usually before an officer authorised to administer oaths and affirmations.	由宣誓人以书面形式自愿作出，通常在获授权监誓的官员面前宣誓的事实声明。

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Term	Chinese Translation	Definition	Chinese Translation
Affirmation	非宗教式宣誓	A solemn declaration equivalent to an oath but without reference to a supreme being or to swearing.	相当于宣誓但不提及上帝或以宗教形式宣誓的庄严声明。
Agent	代理人	A person who is authorised to act for or in place of another person.	获授权代表或代替他人行事的人。
Allegation	指称	A declaration or assertion of a factual matter as being true or provable.	声明或坚称某事实是真实或可以证明的。
Alternative dispute resolution	替代性纠纷解决	Any procedure for settling a dispute by means other than court litigation, such as by arbitration or mediation.	通过法庭诉讼以外的途径解决纠纷的任何程序，如仲裁或调解。
Amendment	修订	A formal revision or addition proposed or made to a legal document or instrument, such as a pleading, an affidavit or a witness statement.	对法律文件或文书，如诉状、宣誓书或证人陈述书提议或作出的正式修改或补充。
Amicus curiae / Independent counsel	法庭之友/独立律师	A person who is not a party to the action and, by invitation of the court, assists the court by furnishing an opinion	不是诉讼一方，但受法庭邀请就法律问题提供意见来协助法庭的人。

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Term	Chinese Translation	Definition	Chinese Translation
		regarding questions of law.	
Anti-suit injunction	反诉讼禁制令	An injunction prohibiting a litigant from instituting other, related litigation, usually between the same parties on the same issues.	禁止诉讼人就通常是相同诉讼方之间的相同问题提起其他相关诉讼的禁制令。
Anton Piller order	容许查察令	An order preventing a party from disposing of or destroying material or evidence, by permitting one or more authorised person to enter into the party's premises to search for, seize and retain documents or other items. Also otherwise known as a search order.	准许一名或多名获授权人士进入一方的处所搜查、没收和保留文件或其他物品以防止一方处置或销毁材料或证据的命令，也称为搜查令。
Appeal	上诉	A legal process seeking a higher court's review of a lower court's decision.	要求上级法庭复核下级法庭判决的法律程序。
Arbitral award	仲裁裁决	A decision issued by an arbitrator or an arbitral tribunal.	仲裁人或仲裁庭作出的裁决。
Arbitral tribunal	仲裁庭	A neutral body of arbitrators resolving disputes between parties,	由仲裁员所组成，通过正式仲裁解决

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		by way of formal arbitration.	双方之间的纠纷的中立机构。
Arbitration	仲裁	A private dispute resolution process adopted by agreement among the disputing parties in which one or more neutral arbitrators make a final and binding decision resolving the dispute.	争议各方协议采用的私人纠纷解决程序，由一名或多名中立仲裁员作出最终和具约束力的决定，以解决纠纷。
Arbitration agreement	仲裁协议	An agreement by which parties consent to resolve one or more disputes by arbitration.	各方同意通过仲裁解决一项或多项纠纷的协议。
Arbitrator	仲裁员	A neutral decision maker who is appointed directly or indirectly by the parties to an arbitration agreement to make a final and binding decision resolving the parties' dispute.	一名中立决策者，由仲裁协议各方直接或间接委任，以作出解决各方纠纷的最终和具约束力的决定。
Assessment (of damages)	(损害赔偿额)评估	Determination of the rate or quantum of something, such as loss or damages.	对某事物的比率或数额的评定，如损失或损害赔偿。
Assessor	审裁顾问	A person who sits with and advises the court about	在审讯时与法官共同坐在庭上并就科

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		scientific or technical matters during a trial.	学或技术事项向法官提供咨询建议的人。
Assistant Registrar (in relation to the Supreme Court)	(最高法院的) 助理主簿	A judicial officer of the Supreme Court who, among other things, manages cases and proceedings in the Supreme Court, including hearing and determining certain civil proceedings.	负责管理最高法院的案件和程序等事宜，包括审理和裁定某些民事程序的最高法院司法人员。

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Terms starting with B

Term	Chinese Translation	Definition	Chinese Translation
Bailiff	执达吏	A court officer who is empowered under the Sheriff's authority to execute and carry into effect enforcement orders.	在行政司法官授权下，有权执行强制执行命令及令之生效的法庭人员。
Balance of convenience	便利平衡	A balancing test that courts apply to decide whether to issue a temporary injunction restraining a party (usually a defendant) from committing certain acts, weighing the benefit to the applicant (usually a claimant) against the burden on the defendant.	法庭在决定是否发出临时禁制令限制一方（通常是被告）作出某些行为时用以衡量申请人（通常是申索人）的利益与被告的负担的平衡标准。
Bifurcate	二分法	To separate into two parts, especially for convenience. Multiple aspects of litigation, such as document production, claims, defences, issues and trial may be bifurcated to save time or achieve other benefits.	把诉讼分成两部分，特别是为了方便起见。为了节省时间或取得其他效益，诉讼的多个方面如文件的出示、索偿、抗辩、问题，和审讯都可能被分开。
Body corporate	法人团体	A person or group of persons established as or organised into an entity having a separate and	由个人或一群人成立或组织的具有独立与独特法人资格的实体。

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		distinct legal personality.	
Breach of trust	违反信托	Any act done by a trustee contrary to the terms of his trust, or in excess of his authority and to the detriment of the trust; or the wrongful omission by a trustee of any act required of him by the terms of the trust.	受托人作出违反信托条款，或超出其权限而损害信托的任何行为；或信托人不当地遗漏信托条款要求他必须作出的任何行为。
Burden of proof	举证责任	The duty to prove disputed facts. A claimant generally has the burden of proving his or her case.	对有争议的事实提出证明的责任。索赔人一般有责任证明其个案。

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Terms starting with C

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Case management conference	个案管理会议	A meeting between the parties and the court where various matters, including procedural directions and timelines, are discussed to facilitate the just, expeditious and economical disposal of the proceedings.	各方和法庭举行会议，讨论包括程序指示和时限等各事项，以促进对诉讼程序公正、迅速和经济的处置。
Cause of action	诉讼因由	The facts that entitle a person to sue, such as a wrongful act.	使人有权起诉他人的事实，如不当行为。
Caveat against arrest (of vessel)	针对扣押(船舶)的知会备忘	A notice to prevent the arrest of a vessel.	阻止扣押船舶的通知。
Caveat against release (of vessel)	针对释放(船舶)的知会备忘	A notice to prevent the release of a vessel from an arrest.	阻止释放被扣押船舶的通知。
Cestui que trust	信托受益人	A beneficiary under a trust.	信托下的受益人。
Chamber proceedings / Chamber hearings	内庭程序/内庭审讯	A hearing which takes place in either a Judge's or an Assistant Registrar's chambers, and which may not be open to members of the public depending on the circumstances.	在法官或助理主簿的内庭里进行的审讯，且依情况而定，可能不公开给公众旁听。

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Charterparty	租船合同	A written contract by which a person (the charterer) hires from a shipowner, in return for the payment of freight, the use of his ship or part of it, such as for the carriage of goods by sea.	一种书面合同，（承租）人根据合同支付运费向船东租用船只或部分船只，以进行如海上货物运输等目的。
Choice of court agreement	选择法院协议	An agreement in writing or other means of communication that designates the court or courts that will decide any dispute that arises or may arise in connection with a particular legal relationship.	指定由一个或多个法院来裁决因特定法律关系而产生或可能产生的任何纠纷的书面或以其他形式的通讯作出的协议。
Choice of law (in private international law)	(国际私法下的) 法律选择	An issue as to which jurisdiction's law is the parties' chosen governing law in a case.	关于哪一个司法管辖区的法律是案件各方选择的管辖法律的问题。
Chose in action	权利动产	A property right that can be enforced by legal action.	可通过法律行动执行的产权。
Chose in possession	占有动产	A tangible property capable of being actually possessed and enjoyed.	可实际占有和享有的有形财产。
Civil Procedure Convention	民事诉讼程序公约	A convention, treaty or agreement between different States relating to civil procedure in the court.	不同国家之间关于法院民事诉讼程序的公约、条约或协议。

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Claim	索偿/申索	A demand for a legal remedy or an assertion of a legal right.	要求法律补救或主张法律权利。
Claimant	索偿人/申索人	A person seeking relief against another person in a legal proceeding.	针对他人在法律程序中寻求济助的人。
Claimant's Statement	索偿人/申索人陈述书	A document that accompanies the Originating Application, and provides a summary of the facts giving rise to the claim, the harm suffered by the claimant, the cause or causes of action, and the relief or reliefs sought.	原诉申请附上的一份文件，当中简要阐明引起索偿/申索的事实、索偿人/申索人蒙受的伤害、诉讼因由以及所寻求的济助。
Commissioner for oaths	监誓官	A person with the authority to administer oaths or affirmations in respect of affidavits or statutory declarations.	获授权就宣誓书或法定声明书监誓宗教式或非宗教式宣誓的人。
Committal proceedings	拘押程序	Proceedings that are concerned with whether a person's act or failure to act amounts to contempt of court.	审理某人的作为或不作为是否构成藐视法庭的程序。
Common expert	共同专家	An expert witness agreed upon and appointed by the parties to an action.	诉讼各方约定并委任的专家证人。

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Company	公司	A type of body corporate that is formed, for example, on the principle of having the liability of its members limited by the amount of any unpaid shares respectively held by them (called a 'company limited by shares').	一种法人团体，例如，根据成员以各自持有的任何未缴足股份数量为限承担责任的原则组成的法人团体（称‘股份有限公司’）。
Compromise (as in the law of compromise)	（妥协法下的）妥协	An arrangement arrived at, either in court or out of court, for settling a dispute upon what appears to the parties to be equitable terms, having regard to the uncertainty they are in regarding the facts, or the law and the facts together.	各方在考虑到事实，或法律和事实方面存有不确定性的情况下，在法庭上或庭外以各方认为公平的条件为解决纠纷而达成的安排。
Concurrent evidence	同时作证	Evidence given in a trial whereby two or more witnesses testify at the same time in the presence of each other, and each witness is able to comment on the other witness' evidence contemporaneously. Typically applies for the giving of expert evidence, where appropriate.	在审讯时，两名或以上证人在彼此面前同时作证，证人也可即时对另一名证人的证供进行评论。在适当情况下，一般适用于专家证供。

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Confidentiality order	保密令	An order preventing public disclosure of information, which may include directing that a case file be sealed, that a case be heard privately, or that no person must reveal or publish any information or document relating to the case.	禁止公开披露信息的命令，可包括指示对案件档案进行密封、案件以非公开形式审理，或不得透露或发布与案件有关的任何信息或文件。
Consent order	同意令/经各方同意的庭令	An order the terms of which are settled and agreed to by the parties.	载有各方和解及协定条款的庭令。
Consideration (under law of contract)	(合同法下的) 对价	An act, forbearance, or promise by one party to a contract that constitutes the price for which he obtains the promise of the other party to the contract.	构成合同一方获得合同另一方承诺的价格的作为、不作为或承诺。
Consolidation (of proceedings)	(诉讼程序的) 合并	A procedure by which two or more actions are ordered to be heard and tried at the same time or one immediately after another.	命令两起或多起诉讼同时或一起紧接另一起地进行审理和审判的程序。
Conspiracy (under law of torts)	(侵权法下的) 合谋	An agreement or arrangement between two or more persons on a course of conduct to cause harm to another person,	两个或多于两个人之间协议或安排以合法或非法手段做出一连串行为，以对他造成伤害。

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		whether by lawful or unlawful means.	
Contempt of court	藐视法庭	Any conduct that may unduly interfere with the administration of justice in the court, including an intentional disobedience or breach of any judgment, order, direction or other process of a court, and an intentional breach of an undertaking given to a court.	可能不当干扰法院执行司法工作的任何行为，包括故意违抗或违反任何判决、判令、指示或其他法庭程序，以及故意违反给予法庭的承诺。
Contract	合同	A legally binding agreement.	具法律约束力的协议。
Contribution	分担	Payment made by each of two or more persons in respect of damage or loss for which they are jointly liable.	两个或两个以上的人对他们须共同负责的损害或损失各自支付的款项。
Contributory negligence	共同过失	A defence that may be raised by a defendant that the claimant's careless conduct contributed to the damage or loss suffered by the claimant.	被告可提出的抗辩理由，认为索偿人的粗心行为促成了其所蒙受的损害或损失。
Contumelious behaviour / Contumelious default	傲慢无礼的行为 / 傲慢无礼的失责行为	Deliberate conduct in disregard of an order or direction of the court or conduct amounting to an	无视法庭作出的庭令或指示的故意行为或相当于滥用法庭程序的行为。

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		abuse of process of the court.	
Conversion (of property)	侵占（财产）	The wrongful interference with another person's possession or use of his property.	非法妨碍他人占有或使用其财产。
Copyright	版权	An intellectual property law right in an original work of authorship fixed in any tangible medium of expression, giving the holder of the right the exclusive right to reproduce, adapt, distribute, perform and display the work.	负载于任何实体表达媒介的原创作品的知识产权，赋予权利持有人复制、改编、发行、表演和展示作品的专属权利。
Coram	主审法官/司法人员	The Judge or Judges, or the Judicial Officer, presiding over the proceedings.	主持程序的法官（一名或多名）或司法人员。
Corporation	法团	A type of body corporate, and includes a company.	一种法人团体，也包括公司。
Costs (in proceedings)	（法律程序中的）讼费	Expenses incurred by a party in legal proceedings, including fees, charges and disbursements.	一方在法律程序中所招致的开支，包括费用、收费和开销。
Costs in the cause	讼费归于讼案中	A form of costs order whereby the party who is entitled to be compensated	下令最终在根本的实质讼案或事宜审结时胜诉的一方才

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		for his costs is the party who ultimately succeeds in the underlying substantive cause or matter which has yet to be concluded.	有权获得讼费补偿的讼费命令。
Costs reserved	讼费保留待决	A form of costs order whereby any question relating to the entitlement to, and quantum of, compensation for any party's costs is deferred to be determined at a later stage.	下令将有关任何一方是否有权获得讼费补偿及讼费补偿数额的任何问题押后到稍后阶段裁定的讼费命令。
Costs to follow the event	讼费视诉讼结果而定	A form of costs order whereby the party who is entitled to be compensated for his costs is the party who has succeeded in a proceeding which has concluded.	下令有权获得讼费补偿的一方是在法律程序审结时胜诉的一方的讼费命令。
Counsel	律师	A lawyer or an advocate (including a solicitor).	律师或讼务律师（包括事务律师）。
Counterclaim	反诉	A claim asserted against an opposing party after an original claim has been made by that opposing party.	在对方提出本诉后，反过来对对方提出的请求。
Court expert	法庭专家	An independent expert appointed by the court to inquire and report upon any	法庭委任的独立专家，负责调查任何事实或意见的问题并据此提呈报告。

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Term	Chinese Translation	Definition	Chinese Translation
		question of fact or opinion.	
Court fees	法庭费用	All charges, commissions and fees levied and collected by the court, such as for the filing and processing of documents in court.	法庭征收及收取的所有收费、手续费和费用，如法庭的文件存档和处理费。
Court of competent jurisdiction	具司法管辖权的法院	The court which has the authority to hear a certain dispute or proceeding.	有权审理特定纠纷或诉讼程序的法院。
Creditor	债权人	A person to whom a debt is owed.	被拖欠债务的人。
Cross-appeal	交叉上诉	A separate but related appeal arising from a judgment in respect of which an appeal has already been filed; a cross-appeal is usually filed by a respondent to an existing appeal.	在已有一方针对判决提出上诉后再另外提出的相关的上诉；交叉上诉通常是由现有上诉的答辩人提出的。
Cross-examination	盘问	The questioning of a witness at a trial or hearing by the party opposed to the party in whose favour the witness is testifying.	在审讯或聆讯中，为一方作证的证人接受对方问话的过程。

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Terms starting with D

Term	Chinese Translation	Definition	Chinese Translation
Damages	损害赔偿	Money claimed by, or ordered to be paid to, a person as compensation for loss or injury.	某人索讨或被令支付的作为补偿损失或伤害的款项。
Debt	债务	An obligation or a liability to pay a specific sum of money to a person.	向某人支付一笔特定数额金钱的义务或责任。
Debtor	债务人	A person who owes a debt.	拖欠债务的人。
Declaratory judgment (or order)	确认判决（或庭令）	A judgment (or order) declaring the legal rights and obligations of parties to a proceeding.	确认诉讼各方的法律权利和义务的判决（或庭令）。
Default	违约/失责	(1) The omission or failure to perform a legal or contractual duty. (2) To fail to take a step required under the applicable procedural rules or as directed by the court.	(1) 不履行或未能履行法律义务或合同义务。 (2) 未能采取适用程序规则规定的步骤，或根据法庭的指示采取步骤。
Default judgment	缺席判决；因欠缺行动而作出的判决	(1) A judgment entered against a defendant who has failed to plead or otherwise defend against the claimant's claim. (2) A judgment entered as a	(1) 法庭因被告没有作出答辩或没有对索偿人的索偿提出抗辩而对其作出的判决。 (2) 法庭为惩罚不遵守庭令的一方而作出的判决。

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Term	Chinese Translation	Definition	Chinese Translation
		penalty against a party who does not comply with an order.	
Defence	抗辯理由	(1) A defendant's stated reason why the claimant has no valid case. (2) A defendant's method or strategy in opposing the claimant; a doctrine giving rise to such a method or strategy.	(1) 被告就为何索偿人论据不足所陈述的理由。 (2) 被告用于反对索偿人的方法或策略；产生这类方法或策略的原理。
Defence to Counterclaim	反诉抗辯	If there is a counterclaim by a defendant, the claimant may file a defence to that counterclaim.	若被告提出反诉，索偿人可对其反诉提交抗辯书。
Defendant	被告	A person sued in civil proceedings.	在民事程序中被起诉的人。
Defendant's Statement	被告陈述书	A document that states whether the defendant intends to contest the claim, and provides a summary of the facts relied on in the defence and the counterclaim (if any).	陈述被告是否有意对索偿提出异议以及简要阐明抗辯理由和反诉（若有）中所依据事实的文件。
Delay	拖延；延期	(1) The act of postponing or slowing. (2) An instance or the period during which something is	(1) 推延或拖慢的行为。 (2) 事情被推延或拖慢的情况或时间段。

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Term	Chinese Translation	Definition	Chinese Translation
		postponed or slowed.	
Denial	否认；否定	<p>(1) A statement that something is not true, especially after someone else has suggested that it is or might be true; a disaffirmation</p> <p>(2) A refusal or rejection; especially a court's refusal to grant a request.</p> <p>(3) A defendant's response controverting the facts that a claimant has alleged in a complaint.</p>	<p>(1) 称某事或某物不是真实的陈述，尤其在有人建议该事或该物是或可能是真实之后；不承认</p> <p>(2) 拒绝或否决；特别指法庭拒绝批准请求。</p> <p>(3) 被告回应索偿人在申诉中指称的事实所作出的辩驳。</p>
Deposition / deposition evidence	庭外供词/庭外供词证据	<p>A witness' out of court testimony that is reduced into writing for later use in court.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>证人在庭外所作的证供，记录成文字后供日后庭上使用。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>
Derivative action	派生诉讼	(1) A suit by a beneficiary of a fiduciary to enforce a right belonging to the fiduciary; especially a suit asserted by a shareholder on the corporation's behalf against a third party	(1) 受托人的受益人要求行使受托人权利的诉讼；特别是指当法团没有针对第三方采取某些行动时，股东出面代表法团对第三方提出的诉讼。

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Term	Chinese Translation	Definition	Chinese Translation
		because of the corporation's failure to take some action against the third party. (2) A lawsuit arising from an injury to another person.	(2) 因对另一人造成伤害而引起的诉讼。
Detinue	请求返还非法扣留物之诉	A common law action to recover personal property wrongfully taken or withheld by another person.	为追讨被他人以不当方式取得或扣留的个人财产而提起的普通法诉讼。
Direct examination	直接讯问	The questioning of a witness by the party who has called him to give evidence. Also known as examination in chief.	一方对自己传召的证人进行的讯问，也称为主问。
Directions	指示	Instructions given by the court, a judge or a judicial officer in relation to the conduct of a proceeding.	法庭、法官或司法人员就法律程序的进行作出的指示。
Disability (of mind)	(精神上)无能力	Mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.	对个人进行正常日常活动有显著和长期不利影响的精神损害。
Disbursements	开销	Expenses incurred by a lawyer while	律师代表当事人期间所招致的开支。

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Term	Chinese Translation	Definition	Chinese Translation
		acting on behalf of a client.	
Discharge	解除	Release from an obligation, debt, or liability.	义务、债务或法律责任的解除。
Disciplinary proceedings	纪律处分程序	An action brought to reprimand, suspend, or expel a licensed professional because of unprofessional, unethical, improper or illegal conduct.	对有不专业、不道德、不当或非法行为的持牌专业人士提起的诉讼，以对其做出谴责、吊销其牌照或将其除牌。
Discontinuance (of proceedings)	(程序) 中止	The termination of legal proceedings.	法律程序的终止。
Discovery (of documents)	(文件) 披露	A process by which the parties involved in a legal proceeding inform each other of, and make available to each other, documents that they have in their possession, custody or power and which relate to the matters in dispute between the parties.	涉及法律程序的各方通知并提供给彼此各自所拥有、保管或控制，且与各方争议事项有关的文件的程序。
Discretion (of power)	酌情权	The power of the court to take some step, grant a remedy, or make an order or direction as it thinks fit.	法庭采取一些其认为适当的步骤、批准其认为适当的补救或作出其任为适当的庭令或指示的权力。
Disgorgement of benefits	交出非法所得	The deprivation, under compulsion,	强制剥夺以不当方式获得的收益。

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Term	Chinese Translation	Definition	Chinese Translation
		of gains that had been wrongfully obtained.	
Dismissal	驳回	A judgment or order denying the relief or remedy sought in an action or application.	拒绝批准诉讼或申请所要求的济助或补救的判决或命令。
Distress for rent	为追讨欠租而作出的扣押	The taking of a personal property out of the possession of a party who owes rent into the custody of the party injured, to procure a satisfaction for non-payment of rent.	欠租一方的个人财产被受害一方带走，用以清偿未付租金。
Document disclosure	文件披露	The process by which a party in a legal proceeding discloses to the other parties documents that he has in his possession, custody or power and which relate to the matters in dispute between the parties.	法律诉讼程序中的一方将其拥有、保管或控制，且与各方争议事项有关的文件披露给其他方的程序。
Duress (under contract law)	(合同法下的) 胁迫	Pressure put on a person to act in a particular way, such as to enter into a contract.	为使某人做出特定行为，如签订合同，而向其施加的压力。

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Terms starting with E

Term	Chinese Translation	Definition	Chinese Translation
Election (of remedies)	(补救的) 选择	The liberty of choosing (or the act of choosing) one of several means afforded by law to redress an injury, or one of several available forms of action.	从法律赋予的数个补救伤害的方法中, 或从数个可选的行动方式中, 选择一个的自由(或行为)。
Electronic documents	电子文件	Documents generated, communicated or received by electronic, magnetic, optical or other means in an information system or transmitted from one information system to another.	在信息系统中以电子、磁、光学或其他方式生成、传达或接收的文件, 或由一个信息系统传送至另一个信息系统的文件。
Electronic filing (of documents)	电子入禀(文件)	The submission, transmission or uploading of electronic documents to an electronic system.	将电子文件提交、传送或上载至电子系统。
Electronic Filing Service	电子入禀服务	A system which facilitates court processes and case management electronically, such as allowing parties to file and serve documents electronically, scheduling of hearings and collection or deduction of fees.	以电子方式为法庭程序和案件管理带来便利的系统, 如让诉讼各方以电子方式提交和送达文件、安排审讯以及收取或扣除费用。

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Term	Chinese Translation	Definition	Chinese Translation
Electronically-stored documents	以电子方式储存的文件	Documents stored by electronic, magnetic, optical or other means in an information system.	以电子、磁、光学或其他方式储存在信息系统的文件。
Enforcement (of judgment or order)	执行/强制执行 (判决或命令)	The process by which the terms of a judgment or order is executed or caused to take effect, which may include the seizure and sale of the judgment debtor's property to satisfy a judgment debt.	使判决或命令的条款得以执行或生效的程序，可包括扣押及出售判定债务人的财产以清偿判定债务。
Enforcement order	强制执行命令	A legal instrument issued by the court for the purpose of directing and empowering the Sheriff to take certain steps to enforce a judgment or order. Those steps may include seizing and selling property belonging to the enforcement respondent, or seizing and delivering or giving possession of property in the possession or control of the enforcement respondent.	法庭发出的一种法律文书，目的在于指示和赋予行政司法官权力采取特定步骤来执行判决或命令，而这些步骤可包括查封与变卖被执行人的财产，或查封并交付或交出被执行人所拥有或控制的财产。
Enforcement order for attachment of a debt	扣押债务的强制执行命令	An order compelling a third	强制欠被执行人债项的第三方

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Term	Chinese Translation	Definition	Chinese Translation
		party (known as the non-party) who is indebted to the enforcement respondent to satisfy the judgment debt, using the money owed by the non-party to the enforcement respondent. Formerly known as a 'garnishee order'.	(称为非诉讼方) 以其欠被执行人的金钱来清偿判定债务的命令。原称为 'garnishee order (第三债务人命令)'。
Enforcement of judgment / order	执行/强制执行判决/命令	The act of carrying out or putting into effect a court judgment or order.	施行法庭判决或命令或使判决或命令生效的行为。
Enforcement respondent	被执行人	A party against whom an enforcement order is sought or made.	要求或作出的强制执行命令所针对的一方。
Equitable compensation	衡平法赔偿	An amount given or received as recompense for a loss recognised in equity.	为补偿衡平法承认的损失而给予或收取的款项。
Equitable interest / equitable rights	衡平法权益/衡平法权利	Beneficial interest or rights in an asset recognised in equity.	衡平法承认的财产的实益权益或权利。
Equity	衡平法	The part of English law that is distinct from the common law and which encompasses concepts traditionally not recognised in the	英国法的一部分, 与普通法相对, 包含传统上不受普通法承认的概念, 如信托, 以及不同于损害赔偿补救方

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Term	Chinese Translation	Definition	Chinese Translation
		common law, such as trusts, and equitable remedies distinct from the remedy of damages.	法的衡平法补救方法。
Estate	产业权	The interest which a person has in movable and immovable property, or in any other subject of property.	个人在动产和不动产或任何其他财产标的中的权益。
Estoppel	不容反悔/禁反言	A doctrine precluding a person from alleging or denying certain facts or state of facts, having regard to the previous conduct of the person, or in consequence of a determination of legal rights and obligations in a prior legal proceeding.	鉴于某人先前的行为，或由于先前法律程序已就法律权利和义务作出裁定，某人因而被禁止指称或否认某些事实或事实状况的原则。
Evidence	证据	A document, material or testimony that is presented in legal proceedings to prove a fact or state of facts.	在法律程序中为了证明事实或事实状况而提交的文件、材料或证供。
Ex debito justitiae rule	应有权利规则	A rule whereby a person is automatically entitled to a remedy and the	这一规则规定，某人获得补救的权利是自动拥有的，且法庭没有

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Term	Chinese Translation	Definition	Chinese Translation
		court has no discretion to refuse the grant of that remedy.	酌情权拒绝批准该补救。
Ex parte	单方面	Without notice to any other party in a legal proceeding. For example, the taking out of an ex parte application seeking urgent injunctive relief. The defined term is used only in relation to cases commenced before 1 April 2022.	无需通知法律程序中的任何其他方，如单方面作出紧急禁令救济申请。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
Exclusive choice of court agreement	排他性选择法院协议	A choice of court agreement that designates a court or courts to the exclusion of the jurisdiction of any other court.	指定一个或多个法院并排除任何其他法院管辖的选择法院协议。
Exclusive jurisdiction clause	专属管辖条款	A provision in an agreement stipulating the only court or courts that will have the authority and power to determine any dispute that arises or may arise in connection with a particular legal relationship.	协议中的规定：唯有定明的一个或多个法院获授权和有权力针对在特定法律关系中产生或可能产生的任何纠纷作出裁定。

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Term	Chinese Translation	Definition	Chinese Translation
Execution of judgment / order	执行判决/命令	The act of carrying out or putting into effect a court judgment or order. The defined term is used only in relation to cases commenced before 1 April 2022.	使法庭判决或命令得以施行或生效的行为。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
Exhibit	证物	A document, record or other tangible material introduced as evidence.	提出作为证据的文件、记录或其他有形材料。
Expedited appeal	加快上诉	An appeal where directions have been given for faster disposal.	受指示必须加快处置的上诉。
Expert evidence	专家证据	An opinion given by a person relating to a point of scientific, technical or other specialised knowledge based on his training, study or experience.	个人依据所受培训、学习或经验针对某一科学、技术或其他专业领域知识的论点所给予的意见。

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Terms starting with F

Term	Chinese Translation	Definition	Chinese Translation
Fiduciary	受托人	A person who is required to act for the benefit of another person on all matters within the scope of their relationship, and who owes that other person the duties of good faith, loyalty, due care and disclosure.	在彼此关系范围内的所有事情中行事必须以对方利益为重的那一人，且他对对方负有真诚、忠诚、谨慎和披露的责任。
Fixed charge	固定抵押	A security interest over specific assets of a company or corporation.	在公司或财团的特定资产上设定的担保权益。
Floating charge	浮动抵押	A security interest in the changing assets of a company or a corporation, and which can be crystallised into a fixed charge over specific assets upon the occurrence of certain events.	在公司或财团时刻变化的资产上设定的担保权益，在某些事件发生时亦可结晶为特定资产的固定抵押。
Foreign arbitral award	外国仲裁裁决	An arbitral award that is made in a state or territory different from the state or territory where enforcement of the award is sought.	在一国家或地区要求执行，但却是在另一个国家或地区作出的仲裁裁决。
Foreign judgment / order	外国判决/命令	A judgment or order that is made by a court in a state or	在一国家或地区要求执行，但却是由另一个国家或地区

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Term	Chinese Translation	Definition	Chinese Translation
		territory different from the state or territory where enforcement of the judgment or order is sought.	的法院作出的判决或命令。
Foreign law	外国法	The law of another state or territory.	另一个国家或地区的法律。
Foreign lawyer	外国律师	An individual who is duly authorised or registered to practise law in a foreign state or territory.	正式获授权或经注册能在外国或外地从事法律执业的人。
Foreign limitation period	外国诉讼时效期	A limitation period the computation of which is determined by reference to foreign law.	使用依据外国法律确定的计算方式得出的诉讼时效期。
Forum non conveniens	法院不方便审理	A doctrine whereby a court of competent jurisdiction declines to assume jurisdiction over an action on the basis that the action should more appropriately be heard and disposed of in the court of another state or territory.	具司法管辖权的法院基于诉讼更适合由另一国家或地区的法院审理和处置而拒绝行使其司法管辖权的原则。
Fraud	欺诈	Conduct (which may include knowing misrepresentation or knowing concealment of a	诱使他人做出危害自身利益行为的作为（可包括故意不实陈述或故意隐瞒重要事实）。

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Term	Chinese Translation	Definition	Chinese Translation
		material fact) committed to induce a person to act to his own detriment.	
Frivolous (and vexatious) claim	琐碎无聊（和无理取闹）的索偿	A claim that is legally or factually unsustainable.	法律上或事实上站不住脚的索偿。
Further and better particulars	更详尽清楚的详情	Additional material facts sought from a party to supplement his pleadings in legal proceedings.	一方为了对法律程序的诉状内容进行补充而向对方要求的额外重要事实。
Further arguments	进一步论点	Additional arguments sought to be raised for the court's consideration in respect of a judgment or order that has been made by the court. After hearing further arguments, the court may affirm, vary or set aside the judgment or order that had been made.	在法庭作出判决或命令后，要求提出以供法庭考虑的额外论点。法庭在审理进一步论点后，可对该已作出的判决或命令予以确认、变更或搁置。

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Terms starting with G

Term	Chinese Translation	Definition	Chinese Translation
Gaming and wagering	博弈和打赌	The act of risking something of value, especially money, for a chance to win a prize or another thing of value.	冒着风险以有价值的事物，尤其是金钱，换取赢得奖品或其他有价值事物机会的行为。
Garnishee proceedings	第三债务人的法律程序	<p>A type of legal proceedings in which a judgment creditor seeks an order of court compelling a third party (known as the garnishee) who is indebted to or who holds property for the judgment debtor to satisfy the judgment debt, using the money owed by the garnishee to the judgment debtor or the property held by the garnishee for the judgment debtor.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>由判定债权人提起的法律程序，要求法庭下令强制欠判定债务人债项或为判定债务人代持财产的第三方（称为第三债务人）以第三债务人欠判定债务人的金钱或为判定债务人代持的财产来清偿该判定债务。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>
Grant of letters of administration	授予遗产管理书	The judicial procedure by which the estate of a person who has died without a will is managed and distributed to the	通过这一司法程序，对无遗嘱死者的遗产进行管理和分配给遗产受益人。

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Term	Chinese Translation	Definition	Chinese Translation
		beneficiaries of the estate.	
Grant of probate	授予遗嘱认证	The judicial procedure by which a testamentary document is established to be a valid will, and the executor is appointed to manage and settle the testator's estate.	通过这一司法程序，确认遗嘱文件为有效遗嘱，并委任遗产执行人管理和处理立遗嘱人的遗产。
Guarantee	担保	(1) (noun) The assurance that a contract or a legal act will be duly carried out. Something given or existing as security, such as to fulfil a future engagement or condition subsequent. (2) (verb) To assume a suretyship obligation, to agree to answer for a debt or default. To promise that a legal act or contract will be carried out.	(1) (名词) 合同或法律行为将妥当实现的保证。提供作为担保或现为担保的某物，如：履行未来约定或后续条件。 (2) (动词) 承担保证责任，同意就债务或失责行为负责。承诺会实现某项法律行为或合同。
Guarantor	担保人	Someone who provides a guarantee.	提供担保的人。

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Terms starting with H

Term	Chinese Translation	Definition	Chinese Translation
Hearing	审讯	A judicial session held for the purpose of deciding issues of fact or of law, sometimes with witnesses testifying.	为裁定事实问题或法律问题而进行的司法审讯，有时会有证人供证。。
Hearing fees	审讯费	Charges levied and collected by the court for the utilisation of hearing days.	法庭就审讯天数所征收和收取的费用。
Hearsay	传闻	Testimony given by a witness who relates not what he or she knows personally, but what others have said.	证人证供，所陈述内容是别人的说辞，并非证人亲身所知。
Hire-purchase agreement	租购协议	A rent-to-own purchase plan under which the hirer takes possession of the goods with the first payment and takes ownership with the final payment.	先租后买的计划，租用者于第一次付款后占有货品，于最后一次付清款项后拥有货品。

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Terms starting with I

Term	Chinese Translation	Definition	Chinese Translation
Immovable property	不动产	Property that cannot be moved, such as landed property.	不能移动的财产，如地产。
In camera hearing	非公开审讯	A hearing which takes place with the media and public excluded. The defined term is used only in relation to cases commenced before 1 April 2022.	媒体和公众不可旁听的审讯。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
In personam	对人的	Involving or determining the personal rights and obligations of the parties.	涉及或确定各方的个人权利和义务。
In private hearing	非公开/闭门审讯	A hearing which takes place with the media and public excluded. Formerly known as 'in camera hearing'.	媒体和公众不可旁听的审讯。原称为 'in camera hearing (非公开审讯)'。
In rem	对物的	Involving or determining the status of a thing, including the rights of persons with respect to that thing.	涉及或确定某物的状况，包括跟该物有关的个人权利。
Indemnity	赔偿责任	An obligation whereby one person has to satisfy the liabilities of another person.	某人得清偿他人债务的义务。
In-house counsel	内部律师	A lawyer employed by an organisation to work in that organisation on its legal matters.	机构聘请来处理自身法律事项的律师。

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Term	Chinese Translation	Definition	Chinese Translation
Injunction	禁制令	A court order that restrains a person from performing an act, or mandates a person to perform an act.	法庭所作出的命令，限制某人作出某行为或强制某人作出某行为。
Insolvency / insolvent	无偿债能力	(1) The state of a person or a body corporate being unable to pay his/its debts as they fall due. (2) The state where the liabilities of a person or a body corporate exceed his/its assets.	(1) 指某人或法人团体无法偿还到期债务的状况。 (2) 指某人或法人团体的债务超过资产的状况。
Inspection (of documents)	查阅（文件）	An examination of the documents of a party's opponent in an action for the purpose of preparing one's own case for hearing.	诉讼一方为了审讯的案情准备而审阅对方的文件。
Intellectual property	知识产权	Intangible property that includes patents, trade marks, copyright, and registered and unregistered design rights.	无形财产，包括专利权、商标、版权及注册和非注册的设计权。
Inter partes	各方之间	Between the parties; used in relation to court proceedings involving both sides. The defined term is used only in relation to cases commenced before 1 April 2022.	诉讼各方之间；使用于涉及双方的法庭诉讼程序。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
Interest	(1) 权益 (2) 利息	(1) A right, title, or share in a property.	(1) 就某财产的权利、所有权或份额。

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Term	Chinese Translation	Definition	Chinese Translation
		(2) Money that is charged on an existing debt amount.	(2) 在现有债务额上收取的款项。
Interested party (in relation to proceedings)	(就诉讼程序) 有利害关系的一方	Any person, other than the parties to legal proceedings, who is directly affected by the decision made or to be made in the proceedings.	指除法律程序各方外, 直接受已作出或有待作出诉讼裁决影响的任何人士。
Interim relief	临时济助	A temporary remedy, such as an interim injunction or interim payment, granted to a party pending the trial or final determination of legal proceedings.	尚未审理或法律程序未得到最终裁定时, 授予一方的临时性补救, 如临时禁制令或中期付款。
Interlocutory	非正审	During the course of proceedings.	诉讼过程中。
Interlocutory application	非正审申请	A request made to the court for the determination of a matter arising in the course of proceedings.	就诉讼过程中所产生的事项向法官提出的裁定要求。
Interlocutory judgment	非正审判决	A judgment given in the course of proceedings that does not finally determine the action, for example where the issue of liability is determined with damages to be assessed at a later stage.	在诉讼过程中作出, 但并非最终确定诉讼结果的判决, 例如事故责任裁定后于稍后阶段进行损害赔偿的评估。
Interpleader	相互诉讼; 互争权利诉讼	A procedure used to decide how two or more conflicting claims against a party under liability to pay or return any debt, money, goods or property should be dealt with.	一种法律程序, 用于裁定如何处理向有责任支付或归还任何债务、金额、货品或财产的一方所提出的两项或多项相互冲突的索偿。

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Term	Chinese Translation	Definition	Chinese Translation
Interrogatories	质询书	A series of formal written questions used in the examination of a party or a witness ahead of the trial proceedings.	在开庭审讯前，用以询问诉讼一方或证人时提出的一系列正式书面问题。
Intervening party	介入方	A party who does not have a direct interest in an action but has a determinable interest in the outcome of the action, and who has been granted permission to participate in the action.	在诉讼中没有直接利害关系但对诉讼结果具有可终止权益并已获准参与诉讼的一方。
Intestate succession	无遗嘱继承	A form of succession where a person has died without a will, or where his will has been revoked or annulled.	因某人在没有立遗嘱或遗嘱被撤销或废除的情况下过世而适用的一种继承方式。

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Terms starting with J

Term	Chinese Translation	Definition	Chinese Translation
Joinder (of parties)	合并(诉讼方)	Adding one or more parties to an action, either as an additional claimant or an additional defendant.	在诉讼中以额外索偿人或额外被告身份追加一位或多位诉讼方。
Joint and severable liability	共同和连带责任	A form of liability where a person may sue, claim or enforce against those persons who hold such liability either individually or collectively at his option.	一种责任，一方可选择对单独或集体承担该责任的另一方提出诉讼、索偿或执行。
Joint tenancy	联名拥有权	A form of proprietary interest in property where the title to the property is held in the names of two or more persons equally, with the interest in the property of each person passing to the other surviving persons upon his death.	产业所有权权益的一种，该产权以两人或多人名义同等持有，每人所持的产业权益可在他过世后转移至仍在世的其他人。
Judge	法官	An official with legal expertise who presides over court proceedings.	具有法律专业知识，主审法庭诉讼程序的官员。
Judgment	判决	A formal decision given by a court or a judge.	法庭或法官正式作出的裁定。

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Term	Chinese Translation	Definition	Chinese Translation
Judgment creditor	判定债权人	A party in whose favour a judgment or order has been made in court proceedings.	在法庭程序中通过判决或庭令判定为胜诉的一方。
Judgment debtor	判定债务人	A party against whom a judgment or order has been made in court proceedings.	在法庭程序中通过判决或庭令判定为败诉的一方。
Jurisdiction	司法管辖权/司法管辖区	(1) The authority and power of a court to hear and decide a case or make a certain order. (2) The territorial limits within which the authority and power of a court may be exercised.	(1) 法院审理及裁定案件或作出某命令的权限与权力。 (2) 法院可行使权限和权力的地域限制。
Jurisdiction agreement	管辖权协议	An agreement whereby parties submit to the jurisdiction of a particular court or courts in the event of a dispute. Sometimes also known as a choice of court agreement.	协定各方在发生纠纷时接受一个或多个法院管辖的协议。有时亦称为选择法院协议。

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Terms starting with L

Term	Chinese Translation	Definition	Chinese Translation
Laches	懈怠	A doctrine in equity describing neglect and unreasonable delay in the observance of a duty or opportunity.	衡平法原则，描述在遵守义务或机遇时疏忽与无理的拖延。
Law expert	法律专家	A person who has specialised knowledge, based on training, study or experience, on matters of law.	根据本身的培训，学习或经验，在法律事项上有专属知识的人。
Leave (of the Court)	(法庭) 许可	Permission from the court.	法院给予的准许。
Leave to appeal	上诉许可	Permission to appeal against a court's judgment or order. The defined term is used only in relation to cases commenced before 1 April 2022.	法院给予准许就判决或庭令提出上诉。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
Leave to defend	抗辩许可	An order of court made on an application for summary judgment, directing that the action with respect to a claim, or part of a claim, proceed to be tried fully as opposed to being summarily dealt with. Leave to defend may be ordered either	法院在简易判决申请中作出的一种命令，指示与索偿或索偿的一部分有关的诉讼必须进行全面审判，不得以简易程序处理。判予的抗辩许可可能是无条件的，也可能是有条件的。例如，有条

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Term	Chinese Translation	Definition	Chinese Translation
		<p>unconditionally or conditionally. A conditional leave to defend may require, for example, the defendant to pay some or all of the money or damages claimed in the action into court, or provide some form of security, pending the trial of the action.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>件的抗辩许可可能会要求被告在诉讼审讯开庭前向法院缴存部分或全部在诉讼中被索讨的款项或损害赔偿，或提供某种保证金。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>
Legal professional privilege	法律专业特权	The legal right of a person to refuse to disclose or prevent any other person from disclosing confidential communications between him and his lawyer.	一个人拒绝透露或阻止任何他人透露他与律师之间机密沟通内容的法律权利。
Legislation	法规	Law that is enacted in written form according to a formal procedure by a branch of government constituted to perform this process.	按照有关政府机关的正规程序书面制定的法律，而有关政府机关是为了该立法过程而建立的。
Liability (in law)	(法律) 责任	The state of being responsible or answerable in law	法律上须负责的状况。

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Term	Chinese Translation	Definition	Chinese Translation
Lien	留置权	A legal right or interest that a person has in another person's property, lasting usually until a debt or duty owed by that other person to the first mentioned person is satisfied.	一人在另一人的财产中拥有的法律权利或权益，该法律权利或权益会持续至后者欠前者的债务已清偿或后者已尽完对前者的责任为止。
Limitation of actions	诉讼时效	A doctrine by which legal proceedings in respect of a dispute is barred from being commenced after a limitation period has expired.	禁止在诉讼时效期到期后就纠纷展开法律程序的原则。
Limitation period	诉讼时效期	The period of time prescribed by legislation before the expiration of which legal proceedings can be commenced against a party to a dispute.	法规规定的时效期，纠纷一方可在时效期未届满前对另一方展开法律程序。
Limited liability (in bodies corporate or partnerships)	(法人团体或合伙企业的) 有限责任	A concept by which the liability of a shareholder or partner is nothing more than the capital that they have invested in a body corporate or a partnership.	这一概念表明，股东或合伙人在一个法人团体或合伙企业的责任只是他们所投入的资本而已。
Liquidated damages	算定损害赔偿	A quantified amount of monetary compensation sought to be recovered by a party in legal proceedings.	经计算确定的、一方欲在法律程序中追讨的金钱赔偿。

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Term	Chinese Translation	Definition	Chinese Translation
Liquidation (of bodies corporate)	(法人团体) 清盘	The winding up or dissolution of a body corporate, usually to realise the proceeds of any available assets into cash to settle the debts of the body corporate.	法人团体的结业或解散，通常会变卖任何现有资产套现来偿还法人团体的债务。
Liquidator	清盘人	The officer appointed and charged with the responsibility to carry out the liquidation of a body corporate.	受委任负责法人团体清算工作的人员。
Lis pendens alibi	异地未决诉讼	A lawsuit pending elsewhere.	在其他地方未审结的诉讼案。
Litigant in person	无律师代表的诉讼人	A party in legal proceedings who is not represented by a lawyer.	在法律程序中没有律师代表的诉讼方。
Litigation representative	诉讼代表	A person authorised to act on behalf of a party in legal proceedings where the party is unable by virtue of a disability (whether legal or otherwise) to participate in the legal proceedings in his own capacity.	因诉讼方无行为能力（无论是法律上或其他方面）、无法亲身参与法律程序，从而获授权在法律程序中代其行事的人。

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Terms starting with M

Term	Chinese Translation	Definition	Chinese Translation
Malice	恶意	The desire to commit a wrongful act and cause injury to a person.	意欲对某人做出不当行为或造成伤害的想法。
Mareva injunction	资产冻结令	An injunction that prohibits a person from dissipating his assets in a way that could frustrate any judgment or order that may be made in legal proceedings. Also commonly known as a freezing order.	为了不使法律程序中可能作出的任何判决或命令受挫而作出的一种禁止某人耗散资产的禁制令。普遍上也称为冻结令。
Mediation	调解	A consensual and non-binding dispute resolution mechanism where parties attempt to reach a settlement of their dispute under the facilitation of a neutral third party (the mediator).	通过各方协商一致但不产生约束力的纠纷解决机制，即各方在中立的第三方（调解员）的协调下尝试就纠纷达成和解。
Memorial	提要	A document that may be tendered by a party in legal proceedings setting out the facts, legal grounds and arguments supporting his case, accompanied by copies of witness statements, expert reports (where applicable) and documentary evidence.	一方在法律程序中提交法院的一份文件，列明支持其案的事实、法律依据和论点，同时附上证人的证词、专家报告（如适用）以及书面证据。

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Term	Chinese Translation	Definition	Chinese Translation
Misjoinder (of a party or parties)	不当合并（一个或多个诉讼方）	The improper inclusion of a party or parties into an action.	不当地把一个或多个诉讼方加入诉讼。
Misrepresentation	不实陈述	The act or conduct of making a false or misleading statement of fact.	做出虚假或具误导性事实陈述的行为或行径。
Mistake (under law of contract)	（合同法下的）错误	The situation in which either (1) the parties to a contract did not intend the same thing, or (2) at least one party had a belief that did not correspond to the facts or law, resulting in the contract being voidable.	指（1）合同各方意指的事物不同的情形，或（2）至少一方所相信的某事物与事实或法律不符而导致合同可被致使无效的情形。
Mixed claims	混合索偿	<p>(1) Claims that seek both in personam reliefs and in rem reliefs.</p> <p>(2) Claims seeking a combination of two or more of the following reliefs: liquidated damages, unliquidated damages, detinue, possession of immovable property.</p> <p>The defined term is used only in relation to cases</p>	<p>（1）既寻求对人济助，也寻求对物济助的索偿。</p> <p>（2）要求结合下列两个或更多济助的索偿：算定损害赔偿、未经算定损害赔偿、请求返还非法扣押物、收回不动产管有权。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>

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Term	Chinese Translation	Definition	Chinese Translation
		commenced before 1 April 2022.	
Mortgage	按揭	The conveyance of a property owner's title to another person as security for the payment of a debt or performance of a duty owed by the property owner to that other person. The title will revert to the original property owner upon payment of the debt or performance of the duty, according to the stipulated contractual terms.	财产拥有人将其所有权转让给他人，作为拥有人对该人支付所欠债务或履行应尽责任的保证。按照订定的合同条款，在支付债务或履行责任后，所有权将复归财产原主。
Mortgagee	承按人	The person to whom property is mortgaged.	获得被按揭财产的人。
Mortgagor	按揭人	The person who mortgages property to the mortgagee.	将财产按揭给承按人的人。
Movable property	动产	Property that is not attached to land and can be moved or displaced.	非附着于土地、可移动或移置的财产。

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Terms starting with N

Term	Chinese Translation	Definition	Chinese Translation
Natural justice	自然正义	The fair and proper administration of laws; the duty to act fairly in all circumstances. Includes the rule against bias and the right to a fair hearing.	司法行政公正和正当；在所有情况下都公正行事的义务。包括不得偏私的规则和获得公平审讯的权利。
Negligence	疏忽/过失	The failure to exercise a duty of care to a standard that a reasonably prudent person would have exercised in a similar situation.	未能以一个合理审慎的人在类似情况下应有的谨慎责任的程度来谨慎行事。
Negotiable instrument	可流通票据	A written instrument that (1) is signed by the maker or drawer, (2) includes an unconditional promise or order to pay a specified sum of money, (3) is payable on demand or at a definite time, and (4) is payable to order or to bearer.	一种书面的文书，（1）由制票人或出票人签署；（2）载有支付特定金额款项的无条件承诺或命令；（3）按要求即时付款或在明确时间付款；以及（4）付款给指定收款人或持票人。
Neutral evaluation	中立评估	A dispute resolution procedure involving a neutral third party giving the parties a non-binding assessment of the dispute at an early stage on the basis of brief presentations	在这一纠纷解决程序中，中立的第三方在初期阶段依据各方的简要陈述为各方提供不具约束力的纠纷评估。中立评估的目的是针

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Term	Chinese Translation	Definition	Chinese Translation
		made by the parties. The aim of neutral evaluation is to provide a without prejudice evaluation of the strengths and weaknesses of the parties' cases in their dispute.	对纠纷中各方论据的有力点和弱点提供没有偏见的评估。
No case to answer	无须答辩	A submission by the defendant, after the close of the claimant's case at trial and before the defendant calls any evidence, that the claimant has not presented sufficient evidence to make out the claim. In civil proceedings, such a submission by the defendant usually means that the defendant will not be allowed to call any evidence of his own if the submission fails.	被告的一种陈词，即在审讯时，当索偿人结束其案后，被告在传召任何证人之前陈词表示索偿人没有提呈足够证据证明其索偿。在民事程序中，当被告作出这一陈词，通常意味着如果这一陈词不成功，被告接下来将不被允许传召任何被告的证人。
Non est factum	否认订立契据	A plea that the terms of a contract or a document signed by a person are fundamentally different from what he believed them to mean.	称所签署的合同或文件的条款与其所信的条款意义根本不同的一种申辩。
Non-admission (of fact)	(对事实的) 不承认	The opposite of an admission, and includes a denial of a fact.	与承认相反，包括对事实的否认。

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Term	Chinese Translation	Definition	Chinese Translation
Nonjoinder (of a party or parties)	未合并（一个或多个诉讼方）	A plea alleging that the claimant has failed to join all necessary parties to an action.	称索偿人未将所有必须参与诉讼的各方加入诉讼的申辩。
Non-party	非诉讼方	A person who is not named as a party in an action.	未被列为诉讼一方的人。
Norwich Pharmacal order	第三方披露令	An order directing a person innocently mixed up in a wrongdoing to disclose information or documents to a potential claimant, typically to enable the potential claimant to identify the actual wrongdoer against whom legal proceedings may be commenced.	指示无辜与某犯错行为扯上关系的人向可能提出索偿的人披露信息或文件的命令，一般上是为了让可能提出索偿的人确定实际犯错的人并对其展开法律诉讼程序。
Notice	通知书	A formal document to apprise a person of matters affecting his substantive legal rights (e.g. a notice of termination pursuant to a contractual clause) or of proceedings in which his interests are involved (e.g. a notice of arbitration, a notice of appeal, a notice of hearing).	一份正式文件，通知某人有关影响其实质法律权利的事项（如根据合同条款的终止通知书），或有关涉及其权益的诉讼程序（如仲裁通知书、上诉通知书、审讯通知书）。
Notice of appeal	上诉通知书	A document submitted to an appellate court by a party indicating his	一方提交给上诉庭的文件，表明有意针对下级法

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Term	Chinese Translation	Definition	Chinese Translation
		intention to appeal against a lower court's judgment or order. This is the mode of commencing appeal proceedings in court.	院的判决或命令提出上诉。这是在法院展开上诉程序的方式。

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Terms starting with O

Term	Chinese Translation	Definition	Chinese Translation
Oath	宣誓	A form of attestation by which a person signifies that he is bound in conscience to perform an act faithfully and truthfully (e.g. testify before the court).	见证一个人表示自己受良心约束、会忠诚真实作出某一行为（如在法庭上供证）的一种形式。
Offer of amicable resolution	友好解决的建议	An offer to settle the whole or a part of an action or appeal, or to resolve the whole or a part of a dispute other than by litigation.	对法律行动或上诉的全部或部分进行和解，或通过诉讼以外的方式解决全部或部分纠纷的建议。
Offer to settle	和解建议	An offer made by one party to another party in an attempt to resolve a dispute without the need for adjudication by the court.	一方向另一方提出在无须法庭审判的情况下解决纠纷的建议。
Official record of hearing	审讯的正式记录	An authorised audio recording of a hearing, or in its absence, the notes of the hearing taken down by a judge, judicial officer or court officer, whether by hand or through the use of a computer or electronic device.	审讯的经授权录音，或在没有录音的情况下，法官、司法人员或法庭人员通过手写或电脑或电子设备记录的审讯记录。
Offshore case (in relation to proceedings in the Singapore	（与新加坡国际商业法庭程序有关的）离岸案件	An action which has no substantial connection with Singapore.	与新加坡无实质关联的诉讼。

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Term	Chinese Translation	Definition	Chinese Translation
International Commercial Court)			
Open court hearing	公开审讯	A hearing in court that is open to the public and media.	公开给公众和媒体的法庭审讯。
Opening statement	开案陈述	A statement given at the beginning of a trial outlining the matters that a party seeks to prove in the course of the trial.	在审讯开始时所作的陈述，概述诉讼方在审讯过程中要证明的事项。
Order	命令	A formal direction given by a court or a judge.	法庭或法官作出的正式指示。
Order to attend court or produce documents	出庭或出示文件令	An order to compel a witness to appear before a court to give testimony or to produce evidence at a specified time in a trial. Formerly known as 'subpoena'.	强制证人在审讯的特定时间出庭作证或提呈证据的命令。原称为‘subpoena（传召出庭令）’。
Ordinary service	普通送达	The service of a document on a person by leaving the document at his proper address, by post, by facsimile, in a manner as may be agreed between the party serving and the party to be served, as directed by the court, or as provided for in legislation.	通过把文件交到正确地址、邮寄或传真的方式，或按照送达方和被送达方之间的约定、法庭的指示或法规规定的方式，向某人送达文件。

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Term	Chinese Translation	Definition	Chinese Translation
Originating Application	原诉申请	The process by which a civil action is commenced in court.	在法院展开民事诉讼的程序。
Originating process	原诉程序	<p>The process by which a civil action is commenced in court, either by writ of summons or originating summons.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>通过传讯令状或原诉传票在法院展开民事诉讼的程序。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>

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Terms starting with P

Term	Chinese Translation	Definition	Chinese Translation
Particulars of pleading	诉状详情	The material facts in support of a claim or defence in an action.	支持诉讼索偿或抗辩的重要事实。
Partnership	合伙	A legal relationship which subsists between persons carrying on a business in common, without involving the setting up of a company or corporation.	共同经营业务但没有成立公司或法团的人之间所存在的法律关系。
Passing-off actions	假冒诉讼	Lawsuits against persons alleged to have engaged in the illegal act of selling a product that is similar to one which is legally protected by a trademark.	针对被指从事非法贩售与另一受商标法律保护的产品相似的产品的人的诉讼。
Patent actions	专利诉讼	Lawsuits brought against persons who have allegedly infringed a patent.	对被指侵犯专利的人提起的诉讼。
Payment into and out of court	缴存法院的款项及从缴存法院的款项中支付的付款	The payment in and out of money held in an account maintained by the court in respect of an action, in satisfaction of an order or direction of the court. An example of money held in the account maintained by the court is security for costs furnished by a	在诉讼中，为了履行法庭命令或指示而缴存于法院所设账户的金钱款项，以及从该账户中支付的付款。一方在诉讼裁定前提供的讼费保证金就是存于法院账户的款项的一个例子。

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Term	Chinese Translation	Definition	Chinese Translation
		party pending the determination of an action.	
Penal notice	罚则通知	A notice endorsed on a judgment or order of court, cautioning that the party against whom the judgment or order is made may be guilty of contempt of court if he fails to comply with the terms of the judgment or order.	加注在法庭判决或命令的通知，告诫判决或命令针对的一方若不遵守判决或命令的条款将可能触犯藐视法庭罪。
Permission	许可	Save for certain circumstances, this is formerly known as 'leave of court'.	除特定情况外，该词汇原称 'leave of court (法庭许可)' 。
Permission to defend	抗辩许可	An order of court made on an application for summary judgment, directing that the action with respect to a claim, or part of a claim, proceed to be tried fully as opposed to being summarily dealt with. Permission to defend may be ordered either unconditionally or conditionally. A conditional permission to defend may require, for example, the defendant to pay	法院在简易判决申请中作出的一种命令，指示与索偿或索偿的一部分有关的诉讼必须进行全案审判，不得以简易程序处理。判予的抗辩许可可能是无条件的，也可能是有条件的。例如，有条件的抗辩许可可能会要求被告在诉讼审讯开庭前向法院缴存部分或全部在诉讼中被索讨的款项或损害赔偿，或提

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		some or all of the money or damages claimed in the action into court, or provide some form of security, pending the trial of the action. Formerly known as 'leave to defend'.	供某种保证金。原称为 'leave to defend (抗辩许可)' 。
Personal property	非土地财产	Property that does not comprise land.	不包括土地的财产。
Personal representatives	遗产代理人	Persons whose duty is to gather in the assets of the estate of a deceased person, to pay any liabilities and to distribute the residue to the beneficiaries of the estate.	负责集合死者遗产的资产来支付任何负债和分发剩余遗产给受益人的人。
Personal service	当面送达	The service of a document on a person by leaving with the person the document or in such other manner as may be agreed between the party serving and the party to be served, as directed by the court, or as provided for in legislation.	通过把文件交到某人手上的方式，或按照送达方和被送达方之间的约定、法庭的指示或法规规定的其他方式，向某人送达文件。
Pleadings	诉状	The formal documents setting out the material facts relied on by the parties in support of their claims and	列出各方在诉讼中赖以支持其索偿和抗辩理由的重要事实的正式文件。

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Term	Chinese Translation	Definition	Chinese Translation
		defences in an action.	
Power of attorney	授权书	An instrument authorising a person to act on one's behalf in relation to legally binding transactions or matters.	授权某人就具法律约束力的交易或事情代为行事的文书。
Pre-action production of documents	诉讼前的文件出示	The disclosure or making available of documents by a party or parties before the commencement of legal proceedings.	一方或各方在法律程序展开前披露或提供文件。
Preliminary issues	先决问题	Issues that are to be heard and determined before the trial or the substantive hearing in an action.	必须在开庭审讯或诉讼的实质审讯前审理或裁定的问题。
Prerogative order	特权令	An order granting remedies available in administrative law, and includes a mandatory order, a quashing order, a prohibiting order and an order for review of detention.	批予行政法下可用补救的命令，包括强制令、撤销令、禁止令和审查扣留令。
Pre-trial examination	审前讯问	A question and answer session under oath, which may be conducted out of court in advance of a trial as part of the discovery process.	可在审讯前先于庭外进行的经宣誓问答，是披露程序一部分。

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Term	Chinese Translation	Definition	Chinese Translation
Pre-trial examination evidence	审前证言	Testimony of a witness in or out of Singapore before a trial that is reduced into writing for later use in court.	证人在审前于新加坡境内或境外所作的证供，记录成文字后供日后庭上使用。
Principal (in agency)	（代理关系中的）委托人	A person who authorises another person to act on his behalf as an agent.	授权另一人以代理人身份代其行事的人。
Priority of claim (in insolvency)	（无偿债能力情况下的）索偿优先权	A creditor's legal right to have his claim on a debt paid before other creditors of the same debtor are paid.	债权人索偿债务时能够在债务人的其他债权人之前优先获得偿还的法律权利。
Privileged documents	享有特权的文件	Documents in relation to which a specified person has the legal right to refuse to disclose or prevent any other person from disclosing in legal proceedings.	特定人士有法律权利在法律程序中拒绝披露或阻止任何其他人士披露的文件。
Probate and administration	遗嘱认证与遗产管理	The area of law relating to the management and distribution of a person's estate to his beneficiaries upon his death. See also 'grant of letters of administration' and 'grant of probate'.	有关管理一个人死后的遗产以及将其遗产分配给其受益人的法律领域。另见‘授予遗产管理书’和‘授予遗嘱认证’。

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Term	Chinese Translation	Definition	Chinese Translation
Proceeding(s)	(诉讼) 程序	An action, including the orderly progression of an action beginning from the time of commencement of the action.	诉讼, 包括从诉讼展开起的一切有序进展。
Process server	法律程序文件送达人	A person authorised by law or by a court to formally deliver court documents to a party in legal proceedings.	获法律或法院授权将法庭文件正式送交法律程序一方的人。
Production (of documents)	(文件) 出示	A process by which the parties involved in a legal proceeding inform each other of, and make available to each other, documents that they have in their possession, custody or power and which relate to the matters in dispute between the parties.	涉及法律程序的各方通知并提供给彼此各自所拥有、保管或控制, 且与各方争议事项有关的文件的程序。
Proprietary estoppel	财产禁反言	A form of estoppel relating to ownership interests in property.	财产所有权权益的禁反言。

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Terms starting with Q

Term	Chinese Translation	Definition	Chinese Translation
Quantum meruit	按服务计值	A doctrine under contract law recognising the reasonable value of services rendered by one person to another person in a quasi-contractual relationship, which ought to be compensated.	合同法下的一个原则，认可在准合同关系中一人向另一人提供服务应获补偿合理价值。

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Terms starting with R

Term	Chinese Translation	Definition	Chinese Translation
Receiver	接管人	A person appointed by the court or pursuant to a legal instrument to act as custodian of a company's or corporation's business, finances and assets. A receiver may be appointed when a company or corporation faces insolvency, and the receiver may enforce any security (such as a floating charge) for the benefit of certain creditors of the company or corporation.	由法院委任或依据法律文书受委任担任公司或法团业务、财务和资产托管人的人。接管人可受委接管无偿债能力的公司或法团，并可为了公司或法团的特定债权人的利益而强制执行任何抵押品（如浮动抵押等）。
Re-examination	复问	An examination of a witness after a cross-examination, upon matters arising out of such cross-examination.	在证人接受盘问后，依据盘问时出现的事项对证人进行讯问。
Reciprocal enforcement of judgments	相互执行判决	A doctrine whereby a judgment made by a court from one country or territory can be enforced in the court of a foreign country or territory as a result of mutual understanding or cooperation between the authorities of those	基于两国或两地主管机关之间的相互理解或合作，一个国家或地区的法院作出的判决可在另一个国家或地区的法院获得执行的原则。

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Term	Chinese Translation	Definition	Chinese Translation
		two countries or territories.	
Registered foreign lawyer (in the Singapore International Commercial Court)	(新加坡国际商业法庭) 注册外国律师	A foreign lawyer who is authorised to plead, represent, and appear on behalf of a party in legal proceedings before the Singapore International Commercial Court.	在新加坡国际商业法庭的法律程序中获授权代表一方申辩、陈述和出庭的外国律师。
Registered law expert (in the Singapore International Commercial Court)	(新加坡国际商业法庭) 注册法律专家	A law expert who is authorised to make submissions on questions of foreign law on behalf of a party in legal proceedings before the Singapore International Commercial Court.	在新加坡国际商业法庭的法律程序中获授权代表一方就外国法的问题作出陈词的法律专家。
Registrar of the Supreme Court	最高法院主簿	The highest-ranking judicial officer of the Supreme Court. The Registrar is assisted by the Deputy Registrar, Senior Assistant Registrars and Assistant Registrars of the Supreme Court.	最高法院位阶最高的司法人员，由最高法院副主簿、高级助理主簿和助理主簿从旁协助。
Registry of the Supreme Court	最高法院注册处	The court department that is headed by the Registrar of the Supreme Court. The Registry of the Supreme Court comprises the Divisional Registry	最高法院主簿领导的法院部门，由上诉庭与高等法庭上诉审判庭注册处、高等法庭普通审判庭注册处和新加坡国

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Term	Chinese Translation	Definition	Chinese Translation
		for the Court of Appeal and the Appellate Division of the High Court, the Divisional Registry for the General Division of the High Court, and the Divisional Registry for the Singapore International Commercial Court.	际商业法庭注册处组成。
Relief or remedy	济助或补救	The means by which a right is enforced or a wrong is redressed.	行使权利或纠正错误的途径。
Reply	答复书	A claimant's response to a Defence.	索偿人针对抗辩书作出的答复。
Reply to Defence to Counterclaim	对反诉抗辩书的答复	A defendant's response to a Defence to Counterclaim.	被告针对反诉抗辩书作出的答复。
Representative proceedings	代表人程序	Proceedings where numerous persons have a common interest and sue or are sued as a group with one or more of them representing the group.	多个有共同利益的人集体起诉或被诉的程序，当中的一人或多人作为全部人的代表人。
Request to produce	出示要求	A request served in writing by one party on another party in a legal proceeding, seeking disclosure of specified documents that are relevant and	法律程序的一方向另一方送达的书面要求，要求对方披露与要求方的案件相关和重要的特定文件。

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Term	Chinese Translation	Definition	Chinese Translation
		material to the requesting party's case.	
Res judicata	既判力	A doctrine generally barring a party from re-litigating or re-arguing a same issue in dispute that had been decided by the court previously.	一般禁止一方就法院先前已裁定的同一争议事项再次提起诉讼或作争辩的原则。
Rescission (of contract)	撤销（合同）	A party's unilateral unmaking of a contract for a legally sufficient reason, such as the other party's material breach, or a judgment rescinding the contract.	一方因法律上充分的理由而单方面取消合同，例如因另一方有严重的违反情况，或因合同遭判定撤销。
Restitutory claims	返还性索偿	A body of substantive law in which liability is not based on tort or contract law but on the defendant's unjust enrichment. The measure of recovery is usually based not on the claimant's loss but on the defendant's gain.	属实体法的一部分：责任是根据被告的不当得利而产生，而不是根据侵权或合同法产生。通常根据被告的得益而不是索偿人的损失来进行追讨。
Restricted registration foreign lawyer (in the Singapore International Commercial Court)	（新加坡国际商业法庭）有限制注册外国律师	A foreign lawyer who can appear in any relevant proceedings solely for the purposes of making submissions on matters of foreign law as permitted by	在新加坡国际商业法庭或上诉庭准许的范围内可出席任何程序，但仅能就外国法作出陈词，以及为了陈词目的可

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Term	Chinese Translation	Definition	Chinese Translation
		the Singapore International Commercial Court or the Court of Appeal, and give advice and prepare documents for that purpose.	提供意见和准备文件的外国律师。
Restructuring	重组	The practice or an instance of changing the way in which a government, business entity or system is organised. Usually used to refer to corporate action taken that involves significantly modifying the debt, operations or structure of a company as a way of limiting financial harm and improving the business.	改变政府、企业实体或体系的组织方式的做法或情况。通常指为了减少财务损害和提升业务而采取的大幅度改变公司债务、运作或结构的企业行为。
Right of audience	出庭发言权	The right to appear and be heard in court.	出庭和在庭上发言的权利。
Rules of Court	法庭规则	A body of procedural rules that govern court proceedings.	规管各种法庭程序的一套程序规则。

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Terms starting with S

Term	Chinese Translation	Definition	Chinese Translation
Search order	搜查令	Same meaning as an 'Anton Piller order'.	与‘容许查察令’同义。
Security for costs	讼费保证金	An interim measure which requires a party in legal proceedings (usually the claimant) to set aside a sum of money to satisfy any eventual costs order that may be made against him in the proceedings.	一种临时措施，要求法律程序的一方（通常是索偿人）预留一笔金钱，用以偿付程序中可能针对其作出的最终讼费命令。
Service	送达	The formal act of delivering to or leaving with a person a document that is to be used in legal proceedings.	将法律程序所需使用的文件正式递送或交给某人的行为。
Set-off	抵消	A counter demand by a defendant against the claimant that could result in the defendant paying the claimant an amount that is less than what is due, after taking into account any liability that the claimant may owe to the defendant.	被告向索偿人提出的反要求，而结果是在考虑了索偿人可能对被告负有的任何责任后，被告须支付索偿人的数额将比原本应付的数额少。
Setting aside	撤销/搁置	To cancel, annul or revoke a judgment, order or award.	撤销、废止或推翻判决、命令或裁决。
Settlement	和解	An agreement reached by parties that resolves a dispute without the need for adjudication by a court or tribunal.	双方无需经过法院或仲裁庭的审判就达致的纠纷解决协议。

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Term	Chinese Translation	Definition	Chinese Translation
Sheriff	行政司法官	The enforcement officer of the Supreme Court. The Sheriff has the authority to execute and carry into effect all writs of execution, court orders and enforcement orders.	最高人民法院的执法人员。行政司法官有权执行所有执行令状、法庭命令和强制执行命令及令它们生效。
Specific performance	强制履行	A relief or remedy compelling a party's performance of a contract in accordance with the precise terms agreed upon.	强制一方按照合同约定的确切条款履行合同的一种济助或补偿。
Standard of proof	举证标准	The degree of proof required to establish, on the evidence, any fact in issue in legal proceedings.	要确立法律程序中任何争议事实而必须达到的证明程度。
State immunity	国家豁免	An international law principle by which a sovereign state cannot, without its consent, be sued before the courts of another sovereign state.	一种国际法原则，在没有主权国家的同意下，不得在另一主权国家的法院对主权国家提起诉讼。
Statement of Claim	索偿陈述书	A formal statement by the claimant in an action, setting out the material facts on which he relies to support his claim against the defendant, and the reliefs or remedies which he seeks.	索偿人在诉讼中的正式陈述书，阐明其赖以支持其针对被告的索偿的重要事实以及其所寻求的济助或补偿。
Statement of truth	属实陈述	A statement that the party putting forward a document, or the maker of a witness statement, believes that the facts	提供文件或作出证人陈述书的一方所作的陈述，表明自己确信有

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Term	Chinese Translation	Definition	Chinese Translation
		stated in the document are true.	关文件所述事实准确无讹。
Stay of enforcement	搁置执行	The temporary suspension of the enforcement of a judgment or order, by direction or order of the court.	根据法院指示或命令暂时中止执行判决或命令。
Stay of execution	搁置执行	The temporary suspension of the execution of a judgment or order, by direction or order of the court. The defined term is used only in relation to cases commenced before 1 April 2022.	根据法院指示或命令暂时中止执行判决或命令。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
Stay of proceedings	搁置程序/中止程序	The temporary suspension of legal proceedings, by direction or order of the court.	根据法院指示或命令暂时中止法律程序。
Striking out	删除；剔除	An order of the court: (1) ordering the deletion of matters or points stated in pleadings, witness statements or any other document filed in court, so that those matters or points may no longer be relied on in the legal proceedings; or (2) ordering the summary dismissal of a claim or part of a claim.	一种法庭命令： (1) 命令删除诉状、证人陈述书或任何提交法院的文件中所述的事项或论点，并且不可再在法律程序中依赖这些事项或论点；或 (2) 命令即决驳回索偿或部分索偿。

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Submissions	陈词	Arguments made to the court, either orally or in writing, setting out a party's legal and factual bases in support of his case in the action.	向法院作出的口头或书面论述，阐明一方在诉讼中用以支持其案的法律和事实依据。
Subpoena	传召出庭令	A process to compel a witness to appear before a court to give testimony or to produce evidence at a specified time in a trial. A subpoena may likewise be referred to as an 'order to attend or produce documents'. The defined term is used only in relation to cases commenced before 1 April 2022.	强制证人在审讯的特定时间出庭作证或提呈证据的程序文件。传召出庭令也可称为‘出庭或出示文件令’。 所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。
Subsequent party	之后加入的诉讼方	A person who is added as a party to an action after the action has been commenced.	在诉讼展开后才被加入成为诉讼一方的人。
Substituted service	替代送达	A form of service of documents permitted to be carried out in lieu of personal service. Substituted service may be carried out in a number of ways, such as for example service by mail or service by publication in a newspaper.	获准用来取代当面送达的一种文件送达方式。替代送达可以通过多种方式进行，例如邮寄送达或在报纸上公告送达。
Summary dismissal	即决驳回	A decision by a court denying the relief or remedy sought in an appeal or application, without the need for a hearing or submissions, after giving the appellant or	法庭给予上诉人或申请人合理机会提出上诉或申请不应作出如此决定的因由后，确信该上诉或申

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Term	Chinese Translation	Definition	Chinese Translation
		applicant a reasonable opportunity to show cause why the appeal or application should not be decided in this manner, and upon being satisfied that the appeal or application is bound to fail.	请必定会失败，而在无需开庭审讯或陈词的情况下作出的拒绝该上诉或申请所寻求的济助或补救的裁定。
Summary judgment	简易判决	A judgment granted by the court upon being satisfied, without the need for a trial, that the defendant's defence against the claimant's action is bound to fail.	法院在确信被告针对索偿人的诉讼所提出的抗辩必定会失败后，在无需开庭审讯的情况下作出的判决。
Summons	传票	The mode and form in which an interlocutory application should be taken out.	提出非正审申请的方法和形式。
Summons without notice	未经通知传票	An application to the court in relation to an action or appeal which does not need to be served on any other party or non-party.	就诉讼或上诉向法院作出但无需送达至任何其他诉讼方或非诉讼方的申请。

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Terms starting with T

Term	Chinese Translation	Definition	Chinese Translation
Tenancy in common	分权拥有权	A form of proprietary interest in property where the title to the property is held in the names of two or more persons in accordance with the extent of their constituent shares in the property.	产业所有权权益的一种，两人或多人根据各别在产业中的份额以他们的名义持有该产权。
Testimony	证供	Evidence given by a witness under oath or affirmation.	证人经宣誓或非宗教式宣誓后所给出的证言。
Third party and third-party proceedings	第三方和第三程序	A third party is a person who is not initially a party to an action but is sued by a defendant seeking a contribution or indemnity against any damages that the court may order the defendant to pay to the claimant in the action. Third party proceedings are commenced for the purpose of determining whether the third party is required to indemnify the defendant or provide contribution against any damages awarded against the defendant.	第三方是指，起初不是诉讼一方，但后来遭被告起诉的人。被告会要求其分担或补偿法庭可能在诉讼中命令被告支付索偿人的任何损害赔偿。第三程序是指，为了裁定第三方是否需要就判定被告须支付的任何损害赔偿补偿被告或进行分担而展开的程序。

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Term	Chinese Translation	Definition	Chinese Translation
Third-party funding contract	第三方资助合同	A contract whereby a third party funder provides funds to any party for the purpose of funding all or part of the costs of that party in dispute resolution proceedings, in return for a share or other interest in the proceeds or potential proceeds of the proceedings to which the party may become entitled.	在这一合同下，第三方资助者为任何一方提供资金，以资助其在纠纷解决程序中的所有或部分费用，而作为回报，能从该方可能有权在程序中获得收益或潜在收益中得到一个份额或其他权益。
Third-Party Funder	第三方资助者	A person who carries on the business of funding all or part of the costs of dispute resolution proceedings to which the person is not a party.	在本身并不是一方的纠纷解决程序中进行资助所有或部分费用业务的人。
Third-party notice	第三方通知书	A notice served on a third party by a defendant, where the defendant seeks to claim contribution, indemnity, any relief or remedy relating to or connected with the subject matter of the case, adding the third party to the existing proceedings.	被告送达至第三方的通知书，当中被告将第三方加入现有程序，以求向其索讨与案件标的事项有关或相关连的法律责任分担、补偿或任何济助或补救。

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Term	Chinese Translation	Definition	Chinese Translation
Title (to property)	(财产)所有权	The right which a person has to the ownership and/or possession of property.	个人对财产的所有权及/或拥有权。
Tort	侵权	A private or civil wrong or injury.	个人或民事过错或伤害。
Transfer of proceedings	程序移交	The process by which a case is transferred from one court to another court within the same judicial system.	将案件从一个法院移交到同一司法体制中另一个法院的程序。
Trial	审讯	The hearing of a case before a court where testimonies and evidence are given and adduced, and parties carry out direct examination and cross-examination of witnesses.	法官审理案件的过程，当中会有证人作证和证据的提呈，各方也会对证人进行直接讯问和盘问。
Trustee	受托人	The person appointed, or required by law, to execute a trust for the benefit or to the use of a beneficiary or beneficiaries.	受委任或法律规定负责执行为了位或多位受益人的利益或供一位或多位受益人使用的信托的人。
Trust (in common law)	(普通法下的) 信托	A property interest held by a person for the benefit of another person.	一人为了另一人的利益而持有的财产权益。

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Terms starting with U

Term	Chinese Translation	Definition	Chinese Translation
Undertaking	承诺	A promise given by a party or counsel to the court or another party in the course of legal proceedings, generally as a condition to obtaining some concession from the court or that other party.	一方或律师在法律程序中向法庭或另一方作出的允诺，一般作为向法庭或另一方获得某些特别许可的条件。
Undue influence	不当影响	The improper use of power or control in a way that compromises a person's free will in performing an act.	不当使用权力或控制权，致使他人非自愿作出某行为。
"Unless" order	“除非”命令	An order compelling a party to perform an act or obligation, usually within a time frame, failing which adverse specified consequences will follow (for example, the striking out of a claimant's action if he fails to comply with an "unless" order requiring him to file an overdue court document in the action by a specified deadline).	强制一方作出某行为或履行某义务的命令，一般必须在一定时限内完成，否则将产生不利的特定后果（例如，若索偿人未能遵从“除非”命令的规定，在特定期限内提交已逾期提交的诉讼的法庭文件，其诉讼将会被剔除）。
Unliquidated damages	未经算定的损害赔偿	An unquantified or as yet quantified amount of monetary compensation sought to be	没有计算或尚未计算确定的、一方欲在法律程序中追讨的金钱赔偿。

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Term	Chinese Translation	Definition	Chinese Translation
		recovered by a party in legal proceedings.	

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Terms starting with V

Term	Chinese Translation	Definition	Chinese Translation
Vexatious litigant	缠讼诉讼人	A litigant who habitually, persistently and without any reasonable ground institutes frivolous and unmeritorious legal proceedings in court, whether against the same person or against different persons.	习惯性持续在毫无合理理由情况下到法院针对同一人或不同人提起琐碎无聊和缺乏理据的法律程序的诉讼人。

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Terms starting with W

Term	Chinese Translation	Definition	Chinese Translation
Waiver	弃权	The relinquishment or abandonment of a legal right or advantage.	放弃或抛弃法律权利或利益。
Want of prosecution	缺少行动	The failure of a litigant to actively pursue or progress his case in legal proceedings that had been instituted.	在法律程序提起后，诉讼方没有积极继续或推动其案件进展。
Warrant to act	律师授权书	The written authority given by a client to his counsel to represent him and appear on his behalf in legal proceedings.	当事人给予律师的书面授权，授权律师在法律程序中代表他和代其出庭。
Winding up	结业	A procedure by which a body corporate is dissolved or liquidated.	法人团体解散或清盘的程序。
Without notice	未经通知	Without notice to any other party in a legal proceeding. Formerly known as 'ex parte'.	未通知法律程序中的任何其他方的。原称为‘ex parte (单方面的)’。
Without prejudice communications	不损害利益的通讯	Communications carried out between parties to negotiate a settlement of their	各方在协商和解纠纷时所进行的通讯，当中并不暗示承认任何责

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Term	Chinese Translation	Definition	Chinese Translation
		dispute without implying any admission of liability. Such communications cannot be adduced as evidence in any action without the consent of all the parties involved.	任。未经所有有关方的同意，不得在任何诉讼中提呈这类通讯作为证据。
Witness statement	证人陈述书	A written statement recording the testimony and evidence that is given by a person in his capacity as a witness.	记录某人以证人身份所提供的证供和证据的书面陈述。
Writ of delivery	交付令状	<p>A writ of execution directing the Sheriff to recover movable property in the possession of a judgment debtor, and deliver it or its assessed value to the judgment creditor in satisfaction of a judgment or order.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>一种执行令状，指示法院的行政司法官向判定债务人追讨其管有的动产，并将该动产或动产的经评估价值交付判定债权人来履行判决或命令。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>

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Term	Chinese Translation	Definition	Chinese Translation
Writ of execution	执行令状	<p>A legal instrument issued by the court for the purpose of enforcing a judgment or order. This includes a writ of delivery, a writ of possession, and a writ of seizure and sale.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>法庭为了执行判决或命令的目的而发出的法律文书，包括交付令状、管有令状及查封与变卖令状。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>
Writ of possession	管有令状	<p>A writ of execution directing the Sheriff to enter upon immovable property to give vacant possession of the immovable property to a judgment creditor in satisfaction of a judgment or order.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>一种执行令状，指示法院的行政司法官进入不动产，并把该不动产的空置管有权交给判定债权人来履行判决或命令。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>
Writ of seizure and sale of property	财产查封与变卖令状	A writ of execution directing the	一种执行令状，指示法院的行政

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Term	Chinese Translation	Definition	Chinese Translation
		<p>Sheriff to seize and sell movable property belonging to a judgment debtor in order to pay the judgment debt.</p> <p>The defined term is used only in relation to cases commenced before 1 April 2022.</p>	<p>司法官扣押和出售属于判定债务人的动产以支付其判定债务。</p> <p>所定义的词汇仅用于在 2022 年 4 月 1 日之前展开的案件。</p>
Written law	成文法	Same meaning as 'legislation'.	与‘法规’同义。

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Acknowledgments

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