

## TYPICAL PROCEDURE OF AN SICC ACTION COMMENCED BY ORIGINATING APPLICATION\*

### **Claimant files Originating Application (“OA”)**

The OA must be in Form 5 and must be accompanied by a copy of the written jurisdiction agreement to which the claimant and defendant are party. The OA must also be accompanied by a Claimant’s Statement in Form 6. The claimant may, when filing the OA, file an offshore case declaration. (SICC Rules O 4, r 1(1)–(4), r 4).



### **Claimant serves the OA on the defendant**

Service to be effected in accordance with SICC Rules O 5, r 1.



### **Defendant files the Defendant’s Statement**

The Defendant’s Statement must be in Form 7 and filed within 28 days from the service of both the Originating Application and Claimant’s Statement on the defendant (SICC Rules O 4, r 5(1)).



### **Defendant may apply to dispute jurisdiction of the SICC or to dispute service**

Application may be taken out under SICC Rules O 2, rr 3(4)(b) or 6.



**Action continues if challenge is not made or is unsuccessful**



**Action terminates if challenge is successful**



### **Filing of Case Management Bundle**

To be filed at least 7 working days before the first Case Management Conference, and to contain the following: (a) the Claimant’s Statement and each Defendant’s Statement; (b) any pleadings, memorials and witness statements which have been filed; (c) a Case Management Plan; (d) a Pre-Hearing / Pre-Trial Timetable; and (e) a List of Issues (SICC Rules O 9, rr 3 and 4).



### **First Case Management Conference**

Directions for the progress of the matter, including trial or hearings dates for the action, to be given.



### **Adjudication tracks**

The SICC will order that a contested claim or counterclaim be decided by one of the following adjudication tracks: (a) pleadings; (b) statements; or (c) memorials. (SICC Rules O 4, r 6(1)).



### **Matter to progress**

The matter will progress in accordance with the directions given at the first case management conference.



**Trial / Hearing**

\* Excluding proceedings under the International Arbitration Act (Cap 143A)