

## PART II: GENERAL MATTERS

### 8. Operating hours of the Supreme Court

(1) The Supreme Court operates from 8.30 a.m. to 6.00 p.m. from Monday to Friday. However, various offices and counters within the Supreme Court have different operating hours.

(2) The Legal Registry of the Supreme Court (Level 2) is open from 9.00 a.m. to 5.30 p.m. from Monday to Thursday. On Friday, it is open from 9.00 a.m. to 5.00 p.m.

~~(3) The Commissioner for Oaths office (Level 3M) is open from 8.30 a.m. to 5.30 p.m. from Monday to Thursday. On Friday, it is open from 8.30 a.m. to 5.00 p.m.~~

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

### **87. Filing of records of appeal, core bundles and written Cases for civil appeals under Order 57, Rules 9 and 9A of the Rules of Court**

(1) Under Order 57, Rule 9(1) of the Rules of Court, the appellant is required to file the record of appeal, the Appellant’s Case and the core bundle. Under Order 57, Rule 9A(2), the respondent has to file the Respondent’s Case and the supplemental core bundle (if any). Under Order 57, Rule 9A(5A), the appellant may file an Appellant’s Reply. The record of appeal, core bundle and supplemental core bundle are collectively referred to in this paragraph as “appeal bundles”. **In this paragraph, each Appellant’s Case, Respondent’s Case or Appellant’s Reply is referred to as a “Case” or collectively referred to as “Cases”.**

...

**(4B) Parties are to take note of the following when preparing their Cases:**

- (a) Parties should ensure that all documents which they refer to in their submissions (whether in their Cases or in the oral submissions) are contained in the core bundle or the supplemental core bundle. As a matter of practice, parties should not be making submissions based on documents contained solely in the record of appeal unless they are responding to questions from the coram; and**
- (b) Any document referred to in a Case should be suitably described in such a manner as to allow the court to identify the nature of the document. Parties’ attention is drawn to paragraph 89(5A) for illustrations of suitable descriptions.**

### **89. Preparation of appeal records in civil appeals to the Court of Appeal**

...

#### ***Index of core bundles and supplemental core bundles***

**(5A) The indexes of the core bundle and supplemental core bundle shall correspond with the indexes of documents found in the form of core bundle and form of supplemental core bundle filed under paragraph 87(2) of these Practice Directions. Any document listed in the indexes should be suitably described in such a manner as to allow the Court to identify the nature of the document. Examples of suitable descriptions are set out below for reference:**

- (a) Joint Venture Agreement between Party A and Party B dated 1 December 2017;**

- (b) Minutes of meeting held on 1 December 2017 between Party A and Party B;  
and
- (c) Email dated 1 December 2017 from Party A and Party B.

Parties should avoid the use of generic descriptions such as “extracts from the affidavit of Party A filed on 1 December 2017” or “exhibits from the affidavit of Party A filed on 1 December 2017”.

***Responsibility for good order and completeness of appeal records***

(6) The solicitor having the conduct of the appeal may delegate the preparation of the appeal records to an assistant or a suitably experienced law clerk or secretary, provided always that the solicitor shall personally satisfy himself as to the good order and completeness of every copy of the appeal records lodged in Court in accordance with ~~the above~~ these Practice Directions, paragraph 89B included, and shall personally bear responsibility for any errors or deficiencies.

***Superfluous, ~~and~~ irrelevant or duplicative documents***

(7) With regard to the inclusion of documents, the solicitor’s attention is drawn to the provisions of Order 57, Rules 9(2), (2A) and (3) as well as Order 57, Rules 9A(2A) and (5C). Only documents which are relevant to the subject matter of the appeal, or, in the case of core bundles and supplemental core bundles, will be referred to in the Cases, shall be included in the appeal records. ~~The Court of Appeal will have no hesitation in making a special order for costs in cases in which it is of the opinion that costs have been wasted by the inclusion of superfluous or irrelevant documents.~~

(8) Parties are reminded not to exhibit duplicate documents in their supplemental core bundle if such documents are already included in a core bundle or supplemental core bundle that has been filed earlier. Documents shall not appear more than once in the records, even if exhibited to different affidavits.

(9) The Court of Appeal will have no hesitation in making a special order for costs in cases in which it is of the opinion that costs have been wasted by the inclusion of superfluous, irrelevant or duplicative documents.

## **89B. Inclusion in appeal bundles of documents ordered to be sealed or redacted**

(1) This paragraph applies only where certain documents tendered before the court below have been ordered to be sealed or redacted.

(2) Counsel should carefully consider whether it is necessary to include in the record of appeal, core bundle or supplemental core bundle (collectively known as “appeal bundles”) any document that has been ordered to be sealed or redacted, having regard to paragraph 89(7) of these Practice Directions.

### ***Inclusion of redacted documents in appeal bundles***

(3) Where it is necessary to include in the appeal bundles documents that have been ordered to be redacted, parties should do so by complying with the following directions:

(a) All documents subjected to a redaction order should not be included in the appeal bundles in their unredacted form. Instead, such documents should be included in the appeal bundles in their redacted form.

(b) In the margins against the redacted portions of the appeal bundles, the basis for the redaction should be stated (for example, “This information has been redacted pursuant to HC/ORC 1/2017 made on 2 January 2017”).

(c) When tendering the appeal bundles, the parties should also tender a separate bundle, consisting only of documents subjected to a redaction order. These documents should be included in this bundle in their unredacted form (the “Bundle of Documents Subjected to Redaction Order” or “BDSRO”).

(d) The BDSRO should be tendered in both hard copies and soft copies. Where hard copies are concerned, parties should tender the number of copies as provided in paragraph 88(1) of these Practice Directions. Where soft copies are concerned, the BDSRO may be included in the CD-ROM mentioned in paragraph 88(3) of these Practice Directions and should be named in the format provided in paragraph 88(4) of these Practice Directions.

(e) The BDSRO should contain a table of contents. The format of the table of

contents should comply with that provided in paragraph 89(3) of these Practice Directions.

(f) The pagination of the documents in the BDSRO should follow the pagination of the corresponding documents in the appeal bundles. Fresh pagination should not be assigned to the documents in the BDSRO.

(g) At the time when the parties tender the appeal bundles and the BDSRO, they should by way of a letter to the Legal Registry: (i) inform the Legal Registry that the BDSRO contains redacted information, (ii) specify the basis for the redaction; and (iii) request that the Legal Registry seal the BDSRO in the electronic case file and keep the hard copies from public inspection.

(4) Solicitors are reminded of their responsibility under paragraph 89(6) to personally satisfy themselves as to the good order of the appeal records. At the time the appeal bundles and BDSRO are tendered, the solicitor having conduct of the appeal shall provide an undertaking to the Court that he has satisfied himself that the appeal bundles do not contain any document ordered to be redacted in its unredacted form. The undertaking shall be in Form 30 of Appendix A to these Practice Directions.

***Inclusion of sealed documents in appeal bundles***

(5) Where it is necessary to include in the appeal bundles documents that have been ordered to be sealed, parties should do so by complying with the following directions:

(a) All documents subjected to a sealing order should not be included in the appeal bundles. Instead, each and every such document should be represented in the appeal bundles by a separate holding page.

(b) Each and every holding page should be blank save that: (i) the basis for the sealing should be stated across each holding page (for example, “The affidavit of Tan filed on 30 December 2016 has been sealed pursuant to HC/ORC 1/2017 made on 2 January 2017”); and (ii) the cross-references required under subparagraph 4(f) should be indicated (for example, “Reference: BDSSO – Pages 1-10”).

(c) When tendering the appeal bundles, the parties should also tender a separate

bundle, consisting only of documents subjected to a sealing order (the “Bundle of Documents Subjected to Sealing Order” or “BDSSO”).

(d) The BDSSO should be tendered both in hard copies and soft copies. Where hard copies are concerned, parties should tender the number of copies as is provided in paragraph 88(1) of these Practice Directions. Where soft copies are concerned, the BDSSO may be included in the CD-ROM mentioned in paragraph 88(3) of these Practice Directions and should be named in the format provided in paragraph 88(4) of these Practice Directions.

(e) The BDSSO should contain a table of contents. The format of the table of contents should comply with that provided in paragraph 89(3) of these Practice Directions.

(f) Given that each and every document subjected to a sealing order is represented only by a single holding page in the appeal bundles but is reproduced in full in the BDSSO, fresh pagination will have to be assigned to the pages in the BDSSO. Each holding page should contain cross-references to the pages of the BDSSO that the holding page represents (for example, “Reference: BDSSO – Pages 1-10”).

(h) At the time when the parties tender the appeal bundles and the BDSSO, they must by way of a letter to the Legal Registry: (i) inform the Legal Registry that the BDSSO contains documents ordered to be sealed, (ii) specify the basis for the sealing; and (iii) request that the Legal Registry seal the BDSSO in the electronic case file and keep the hard copies from public inspection.

(6) Solicitors are reminded of their responsibility under paragraph 89(6) to personally satisfy themselves as to the good order of the appeal records. At the time the appeal bundles and the BDSSO are tendered, the solicitor having conduct of the appeal shall provide an undertaking to the Court that he has satisfied himself that the appeal bundles do not contain any document ordered to be sealed. The undertaking shall be in Form 30 of Appendix A to these Practice Directions.

(7) For the avoidance of doubt, documents that have been ordered to be expunged should not in any event be tendered to the Court of Appeal in any form.

12.

Para. 87(3)

**Form of Record of Appeal**

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9(2) of the Rules of Court, deemed to be filed.

S/N.	Filing Date	Description of Document	Pages
1.		Notice of appeal	
2.		Certificate of payment of security for	
		Record of proceedings:-	
3.		(a) (to be itemised)	
4.		(b) (to be itemised)	
5.		(c) (to be itemised)	
6.		Affidavit of evidence in chief of X	
7.		Affidavit of evidence in chief of Y	
		Pleadings:-	
8.		(a) (to be itemised)	
9.		(b) (to be itemised)	
		Documents relevant to the matter decided and the nature of the appeal:-	
10.		(a) letter dated <del>xx/yy/zzzz</del> dd/mm/yyyy	
11.	(To state filing date of affidavit of Z)	(b) <del>the affidavit of Z</del> Agreement between Y and Z dated dd/mm/yyyy	(Eg pages 4 to 15* of affidavit of Z)
12.		Judgment or order appealed from	

*\* Specific pages must be stated if the party only intends to include in the form of record of appeal a portion of a document which is filed or is available in the electronic case file.*

The format of the separate table of contents under paragraph 87(5) is as follows:-

S/N.	Description of Document	Pages**

\*\* The solicitor's attention is drawn to the directions in paragraph 89(2) pertaining to pagination.

13.

Para. 87(3)

**Form of Core Bundle**

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9(2A) of the Rules of Court, deemed to be filed.

S/N.	Filing Date	Description of Document	Pages*
1.		Grounds of judgment or order	
2.		Judgment or order appealed from	
		Relevant documents as defined in O 57 r 9(2A)(b) of the Rules of Court:-	
3.	(To state the filing date of AEIC of Z)	(a) <del>(to be itemised)</del> Email correspondence between Y and Z dated dd/mm/yyyy	(Eg pages 4 to 15 of AEIC of Z)
4.		(b) (to be itemised)	

\* *Specific pages must be stated if the party only intends to include in the form of core bundle a portion of a document which is filed or is available in the electronic case file.*

See Form 12 for the format of the separate table of contents under paragraph 87(5).



14.

Para. 87(3)

**Form of Supplemental Core Bundle**

The documents itemised below are listed in accordance with paragraph 87(3) of these Practice Directions. Insofar as these documents have already been filed in the electronic case file in (to state the case no.) or are available in the electronic case file, they are, for the purpose of complying with Order 57, Rule 9A(2A)\*, deemed to be filed.

S/N.	Filing Date	Description of Document	Pages**
		Additional documents as defined in O 57 r 9A(2A)(a)* of the Rules of Court	
1.	(To state the filing date of AEIC of Z)	(a) <del>(to be itemised)</del> Email correspondence between Y and Z dated dd/mm/yyyy	(Eg pages 4 to 15 of AEIC of Z)
2.		(b) (to be itemised)	

*\* The references should be changed to Order 57, Rule 9A(5C) and O 57, R 9A(5C)(a) respectively in relation to any supplemental core bundle filed with an Appellant's Reply.*

*\*\* Specific pages must be stated if the party only intends to include in the form of supplemental core bundle a portion of a document which is filed or is available in the electronic case file.*

See Form 12 for the format of the separate table of contents under paragraph 87(5).

~~Para. 86A~~ ~~Appeals Information Sheet~~

~~Case Number:~~

~~Names of Lead Counsel:~~

**Subject Matter of the Appeal**

~~Please indicate the subject matter of the appeal (tick one or more boxes):~~

~~Arbitration~~

~~Building and Construction, Shipbuilding or Factually Complex matter~~

~~Company, Insolvency or Trusts~~

~~Employment~~

~~Finance, Securities, Banking, or Complex Commercial matter~~

~~Intellectual Property or Information Technology~~

~~Public Law and Judicial Review~~

~~Revenue Law~~

~~Shipping and Insurance~~

~~Tort Claims~~

~~Others (please specify the subject matter of the appeal):~~

**Questions of Law on Appeal**

~~Please specify the critical questions of law on appeal, including but not limited to any questions of law which may give rise to substantial consideration and/or potential distinguishing/overruling of existing precedent cases. Please include the relevant case citations with pinpoint citations if possible.~~

**Appeal Hearing**

How long do you estimate the appeal hearing will take? \_\_\_\_\_ days \_\_\_\_\_ hours \_\_\_\_\_ minutes

Are there any days when you will not be able to attend court for the appeal hearing?  
\_\_\_\_\_  Yes  No

If "Yes", please provide details

Date(s) unavailable	Reason(s)

**Applications**

Do you have any applications (ie CA Summonses) to make in this appeal?  
\_\_\_\_\_  Yes  No

If "Yes", state the nature of the application (eg, application to strike out the appeal, application to adduce new evidence, application for judge(s) to be recused, etc).

Application	Brief Description of Application	Number of Judges required <sup>†</sup>

**Possible Alternative Dispute Resolution**

<sup>†</sup> See sections 30 and 36 of the Supreme Court of Judicature Act (Cap 322)

~~Would some form of Alternative Dispute Resolution assist to resolve or narrow the disputes on appeal? Has this been considered between the party/parties and its legal representatives and/or explored with other party/parties to the appeal?~~

**Costs**

~~What do you estimate your costs of the appeal incurred to date to be?~~

~~What do you estimate your overall costs of the appeal to be?~~

**Any Other Matters or Comments**

~~-----End of Form-----~~

Para. 86A

**Appeals Information Sheet**

<b>Case Number(s)</b>	
<b>Name(s) of Party / Parties</b>	
<b>Name(s) of Lead Counsel</b>	

**Important or Significant Questions of Law on Appeal**

Please specify any question of law on appeal that is of public importance or jurisprudential significance. This includes, but is not limited to, any questions of law that (a) is novel or highly complex; (b) may lead to a significant development in the law; (c) involves potentially distinguishing or overruling of existing precedent cases; and (d) is of significant public importance. Please include the relevant case citations with pinpoint references if possible.

**Related Matters**

Please state any proceedings (pending or concluded) in the High Court or the Court of Appeal which are related to this appeal.

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**Availability Dates**

Are there any days, within the sitting for which this appeal is fixed, that you will not be able to attend court for the appeal hearing?

Yes       No

If “Yes”, please provide details.

<b>Date(s) Unavailable</b>	<b>Reason(s)</b>

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### Applications

Do you have any applications (*ie* Court of Appeal summonses) to make in this appeal?

Yes       No

If “Yes”, please state the nature of the application (*eg* application to strike out the appeal, application to adduce fresh evidence, application for judge(s) to be recused, *etc*).

Application	Brief Description of Application	Number of Judges required <sup>2</sup>

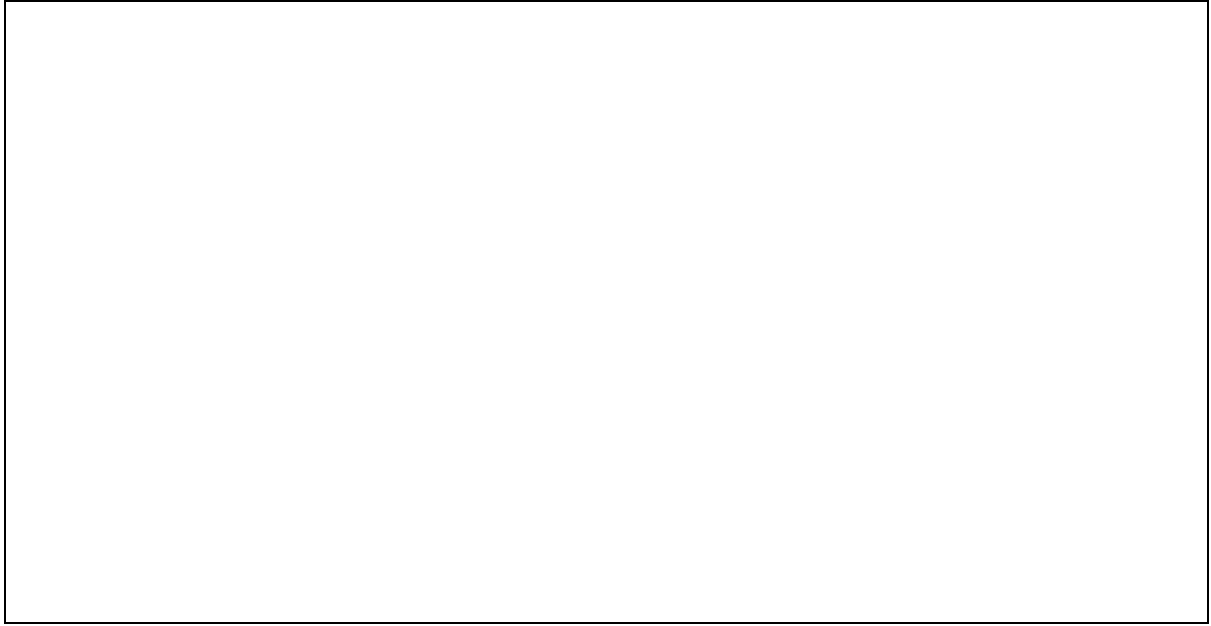
### Possible Alternative Dispute Resolution

Would some form of Alternative Dispute Resolution assist to resolve or narrow the disputes on appeal? Has this been considered between the party / parties and its legal representatives and / or explored with the other party / parties to the appeal?

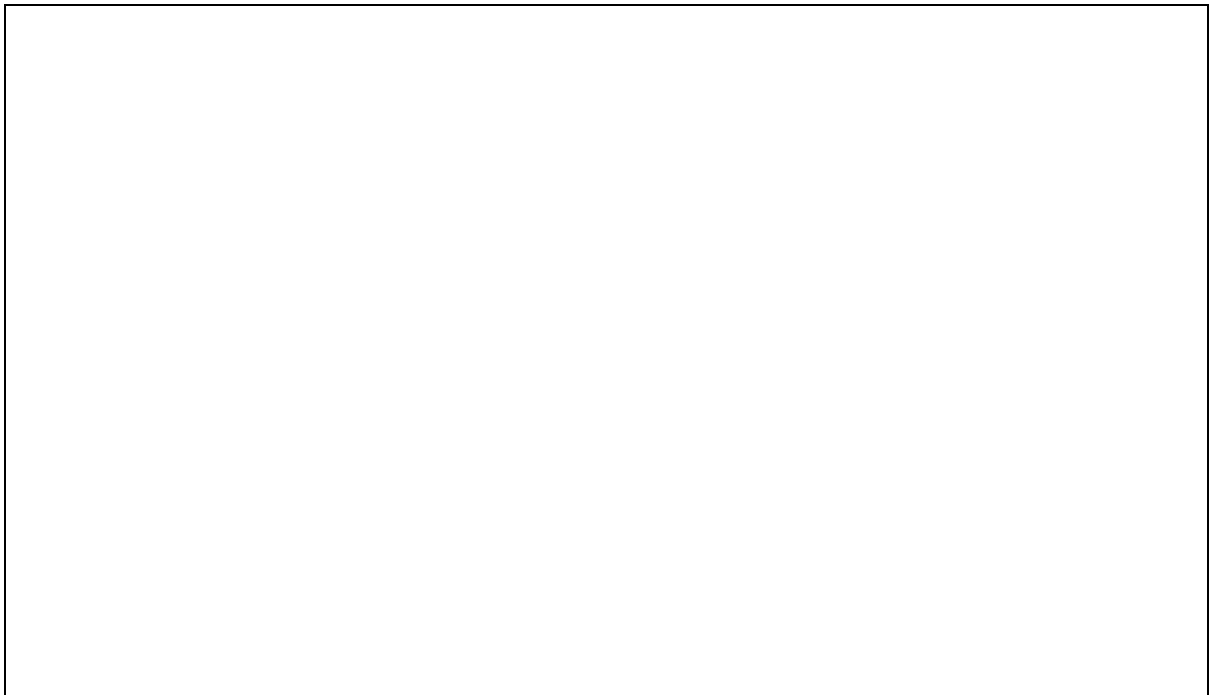
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<sup>2</sup> See sections 30 and 36 of the Supreme Court of Judicature Act (Cap 322).

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**Any Other Matters or Comments**

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Para. 89B

**Undertaking that Appeal Bundles Do Not Contain  
Sealed or Unredacted Documents**

(Title as in cause or matter)

I, ..... , solicitor for the ..... , provide an undertaking to the Court that the Record of Appeal/ Core Bundle/ Respondent's Supplemental Core Bundle/ Appellant's Supplemental Core Bundle\* are in good order and that it/they\* does/do\* not contain any document subjected to a sealing order or any document ordered to be redacted in its unredacted form.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

\* Delete as appropriate.