

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

ePRACTICE DIRECTION NO. 3 OF 2010

(I) SUBSTITUTED SERVICE

(II) USE OF ELECTRONIC AND OTHER DEVICES

1. It is hereby notified that an amended Paragraph 11 on “Substituted service” and a new Paragraph 138A on the “Use of electronic and other devices” have been inserted into the Subordinate Courts Practice Directions.
2. This Practice Direction will take effect on 15 June 2010.
3. The complete and updated version of *The Subordinate Courts Practice Directions (2006 Ed.)* may be downloaded in .PDF Adobe Acrobat format at the “Legislation and Directions” section of the Subordinate Courts website at <http://www.subcourts.gov.sg>.
4. For manual and loose-leaf updating, the specific new and amended paragraphs and the directions for amendments may also be downloaded at the “Legislation and Directions” section of the Subordinate Courts website at <http://www.subcourts.gov.sg>.

Dated this 9th day of June 2010.



HOO SHEAU PENG
REGISTRAR
SUBORDINATE COURTS

Directions for Amendments

- (1) The existing Part XV of the Table of Contents to be removed and the new amended Part XV of the Table of Contents substituted therefor.
- (2) The existing Appendix A to be removed and the new amended Appendix A substituted therefor.
- (3) The existing Paragraph 11 to be removed and the new amended Paragraph 11 substituted therefor.
- (4) The new Paragraph 138A should be inserted immediately after Paragraph 138.

PART XV

GENERAL MATTERS

134. Attendance of solicitors in Court
135. Absence from Court on medical grounds
136. Precedence and preaudience of Senior Counsel
137. Submissions and examination by leading and assisting counsel
138. Court dress
- 138A. Use of electronic and other devices
139. Correspondence
140. Duty Registrar and Duty Magistrate
141. Operating hours of the Subordinate Courts
142. Hours for the sittings of the Subordinate Courts
143. Information to be provided in cause papers and documents filed in the Subordinate Courts Registry
144. Request for court interpreters
145. File inspection and obtaining extracts or certified true copies of documents and conducting searches of information maintained by the Registry
146. Authorisation for collection of mail and Court documents
147. Filing directions to the Accountant-General for payment into and out of Court
148. Stamping of documents
149. Noting of appearances of advocates/prosecutors
150. Application for court records for civil matters
- 151A. Medical Negligence Claims
- 151B. The Expedited Writ Track
152. Use of Expert Witness (in cases other than Non-Injury Motor Accident Claims)
153. Benchmark rates for cost of rental and loss of use.

APPENDIX A

PRACTICE DIRECTIONS ISSUED TO AMEND THE SUBORDINATE COURTS PRACTICE DIRECTIONS (2006 ED.)

As at 8 June 2010

The following Practice Directions are issued to amend The Subordinate Courts Practice Directions (2006 Ed.):

1. ePD 1 of 2006 Change to Mode of Commencement of Matrimonial Proceedings
2. ePD 2 of 2006 Amendment of Originating Processes, Pleadings and Documents
3. ePD3 of 2006 (1) Amendments to the Rules of Court
(2) Pre-action Protocol for Medical Negligence Claims
4. ePD1 of 2007 Interest on Judgments, Costs and under Order 30, Rule 6(2)
5. ePD2 of 2007 Request for Digital Audio Recording and Transcription Service
6. ePD3 of 2007 Service, Adjournment/Vacation, Attendance before Duty Registrar & Affidavits for Ancillary Matters Hearing
7. ePD4 of 2007 Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings, and Proceedings Pursuant to Section 17A(2) of the Supreme Court of Judicature Act (Cap. 322) to the District Court

8. ePD1 of 2008 (1) FIDREC Pre-action Protocol for the Management and Resolution of Low-value Non-Injury Motor Accident Claims
(2) Expedited Writ Track
9. ePD2 of 2008 Applications for Grants of Probate or Letters of Administration in respect of Deaths occurring on or after 15 February 2008
10. ePD1 of 2009 Discovery and inspection of electronically stored documents
11. ePD2 of 2009 Removal of requirement to submit the original death certificate and inheritance certificate pursuant to the electronic filing of the originating summons; and removal of reference to the caveat book and substitution of term of reference in accordance with Order 71 rule 5(2A)
12. ePD3 of 2009 Uncontested Matrimonial Proceedings under Part X of the Women's Charter (Cap 353, 1997 Revised Edition) where Attendance of Counsel and Parties may be Dispensed With.
13. ePD1 of 2010 Transfer of Mental Capacity Proceedings to the District Court.
14. ePD2 of 2010 (1) Changes to Status Conference & Pre-Trial Conference Processes in Proceedings in the Family Court
(2) Alternative Dispute Resolution (ADR) Form for Summons for Directions Hearing Pursuant to Order 25
15. ePD3 of 2010 (1) Substituted Service
(2) Use of electronic and other devices

11. Substituted service

- (1) Two reasonable attempts at personal service should be made before an application for an order for substituted service is filed. In an application for substituted service, the applicant shall demonstrate by way of affidavit why he or she believes that the attempts at service made were reasonable.
- (2) An application for substituted service by posting at a residential address should contain evidence (for example, relevant search results from the Inland Revenue Authority of Singapore, the Singapore Land Authority, the Housing & Development Board or the Accounting and Corporate Regulatory Authority) that the person to be served is either the owner of or resident at the property. The applicant should persuade the Court that the proposed mode of substituted service will bring the document in question to the notice of the person to be served.

138A. Use of electronic and other devices

- (1) In order to maintain the dignity of Court proceedings in the Subordinate Courts, court users are strictly prohibited from making any video and/or image recording in all hearings and sessions in open Court or in chambers.
- (2) Additionally, all communications with external parties and audio recording during a hearing or session are strictly prohibited without prior approval of the Judge or Registrar hearing the matter or the person presiding over the session.
- (3) Court users are only permitted to use notebooks to take notes of evidence and for other purposes pertaining to the proceedings during hearings or sessions, provided that such use does not in any way disrupt or trivialise the proceedings.
- (4) This Paragraph shall apply to civil, criminal, family and juvenile proceedings in the Subordinate Courts (including proceedings in the Small Claims Tribunals).
- (5) For the avoidance of doubt, this Paragraph shall also apply to all alternative dispute resolution and counselling sessions conducted in the Subordinate Courts.
- (6) The attention of court users is also drawn to Order 38A, Rule 4, of the Rules of Court which states:

Prohibition on unauthorised audio recording (O. 38A, r. 4)

4. – (1) No person shall make any audio recording of any hearing without the approval of the Court.

(2) A person who contravenes paragraph (1) is guilty of contempt of Court.