

FOURTEENTH PARLIAMENT OF SINGAPORE

FIRST SESSION

ORDER PAPER SUPPLEMENT

Sup. No. 6

TUESDAY, 14 SEPTEMBER 2021

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NOTICE OF AMENDMENTS TO BILL

IN COMMITTEE

1. COURTS (CIVIL AND CRIMINAL JUSTICE) REFORM BILL

[Bill No. 18/2021]

Clause 13:

Minister for Law:

(1) In page 22: to leave out “.” at the end of line 23.

(2) In page 22: after line 23, to insert —

“Summary dismissal of applications

238B.—(1) Any application may, without being set down for hearing, be summarily dismissed by a written order of the court, certifying that the court, having perused the application and any accompanying material, is satisfied that the application has been brought without any sufficient ground.

(2) Before summarily dismissing an application, the court —

(a) must consider the applicant’s written submissions (if any); and

(b) may, but is not required to, consider the respondent’s written submissions (if any).

(3) Where the court comprises more than one Judge, the decision of the court to dismiss the application summarily under subsection (1) can only be made by a unanimous decision of all the Judges sitting in the court.

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| (4) Notice of the dismissal must be served on the applicant. | 16 |
| (5) If, within 14 days after the service on the applicant of a notice of the dismissal of an application by the General Division of the High Court in the exercise of its appellate or revisionary jurisdiction or the Court of Appeal under subsection (1), the applicant gives to the Registrar of the Supreme Court — | 18 |
| (a) notice of an application for permission to amend the application so as to raise a question of law; and | 20 |
| (b) a certificate signed by an advocate specifying the question to be raised and undertaking to argue it, | 22 |
| the Chief Justice (in the case where the application is made to the Court of Appeal) or any Judge sitting in the General Division of the High Court (in the case where the application is made to the General Division of the High Court) may grant permission to the applicant to amend the application accordingly and restore the application for hearing. | 24 |
| (6) In this section — | 26 |
| “application” means any application under this Code and includes a criminal motion and an application under section 400 or 404, but does not include — | 28 |
| (a) an appeal, an application for permission under section 394H(1), a review application or an application under section 397(1); or | 30 |
| (b) an application under section 417(1) for an order for review of detention; | 32 |
| “review application” has the meaning given by section 394F(1).”. | 34 |
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Clause 25:

Minister for Law:

In page 35: to leave out line 27 to the end of line 13 in page 36, and insert —

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- “**29B.**—(1) A District Judge sitting in a Family Court may, on his or her own motion, summarily dismiss any appeal made against a decision of the Registrar relating to civil or quasi-criminal proceedings, if the District Judge is satisfied of any of the following:
- (a) every issue in the appeal has already been decided by a Family Court or a higher court in an earlier matter in which the appellant was involved, and the appeal therefore has no merit;
 - (b) such conditions as may be prescribed by the Family Justice Rules are met.
- (2) Before summarily dismissing any appeal under subsection (1), a District Judge sitting in a Family Court must —
- (a) give the appellant a reasonable opportunity to show cause why the appeal should not be summarily dismissed; and
 - (b) consider any representations of the appellant.
- (3) In this section, “appeal” includes part of an appeal.”.

Consequential amendments:

- (1) **In page 22, line 3:** to leave out “**section 238A**”, and insert “**sections 238A and 238B**”.
 - (2) **In page 22, line 5:** to leave out “**section:**”, and insert “**sections:**”.
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