

# Supreme Court of Judicature (Amendment) Bill

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**Bill No. 47/2017.**

*Read the first time on 6 November 2017.*

A BILL

*intituled*

An Act to amend the Supreme Court of Judicature Act (Chapter 322 of the 2007 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

## Short title and commencement

1. This Act is the Supreme Court of Judicature (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

### 5 Amendment of section 18D

2. The Supreme Court of Judicature Act (called in this Act the principal Act) is amended by renumbering section 18D as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

10           “(2) Without limiting subsection (1), the Singapore International Commercial Court (being a division of the High Court) has jurisdiction to hear any proceedings relating to international commercial arbitration that the High Court may hear and that satisfy such conditions as the Rules of Court may  
15           prescribe.”.

### Repeal of section 18E

3. Section 18E of the principal Act is repealed.

### Amendment of section 80

4. Section 80(2A) of the principal Act is amended —

20           (a) by deleting the words “section 18D” in paragraph (b) and substituting the words “section 18D(1)”;

(b) by deleting paragraph (c) and substituting the following paragraph:

25                           “(c) to prescribe, for the purposes of section 18D(2), what constitutes an international commercial arbitration, and any conditions that any proceedings must satisfy before that Court may hear those proceedings;” and

30           (c) by deleting the words “an action” in paragraph (d) and substituting the words “a case”.

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## EXPLANATORY STATEMENT

This Bill seeks to amend the Supreme Court of Judicature Act (Cap. 322) —

- (a) to provide for clarity that the Singapore International Commercial Court has jurisdiction to hear any proceedings relating to international commercial arbitration that the High Court may hear; and
- (b) to abolish the pre-action certification procedure for applications to the Singapore International Commercial Court.

Clause 1 relates to the short title and commencement.

Clause 2 amends section 18D to provide, without limiting subsection (1), that the Singapore International Commercial Court has jurisdiction to hear any proceedings relating to international commercial arbitration that the High Court may hear and that satisfy such conditions as the Rules of Court may prescribe.

Clause 3 repeals section 18E to abolish the pre-action certification procedure for applications to the Singapore International Commercial Court.

Clause 4 makes amendments to section 80(2A) that are consequential to the amendment of section 18D and the repeal of section 18E. In particular, section 80(2A)(c) is replaced to allow the Rules of Court to prescribe, for the purposes of section 18D(2), what constitutes an international commercial arbitration, and any conditions that any proceedings relating to international commercial arbitration must satisfy before the Singapore International Commercial Court may hear those proceedings.

## EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.

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