

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO. 5 OF 2015

It is hereby notified for general information that, with effect from 1st May 2015, the State Courts Practice Directions will be amended as follows:

- (a) the existing Form 9I in Appendix B will be deleted and replaced by the following new Form:

New Form 9I of Appendix B

- (b) a new Form 9C(A) will be inserted immediately after the existing Form 9C in Appendix B:

New Form 9C(A) of Appendix B

2 The new Form 9I (which is the Form to be used when recording consent judgments and terms of settlement for Non-Injury Motor Accident (“NIMA”), Personal Injury Motor Accident (“PIMA”) and Personal Injury (“PI”) matters, incorporates certain changes to the following parts of the existing Form 9I:

- (a) Section [I] — for the recording of settlements for —
- (i) NIMA and PI matters; and
 - (ii) PIMA matters,
- where the “relevant amount” relating to damages for death or bodily injury does not exceed \$5,000.00;
- (b) Section [II] — for the recording of consent interlocutory judgments;
- (c) Section [III] — for the recording of consent final judgments for —
- (i) NIMA and PI matters; and
 - (ii) PIMA matters,
- where the “relevant amount” relating to damages for death or bodily injury exceeds \$5,000.00; and
- (d) the Usual Consequential Orders for PIMA cases where the “relevant amount” relating to damages for death or bodily injury exceeds \$5,000.00 in the following scenarios:
- (i) the Plaintiff or dependant is not a Specified Person as defined in the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap 189);

- (ii) the Plaintiff or dependant is a Specified Person as defined in the Motor Vehicles (Third-Party Risks and Compensation) Act as well as a Person Under Disability pursuant to Order 76 of the Rules of Court (Cap. 322, R 5);
- (iii) the Plaintiff or dependant is a Specified Person as defined in the Motor Vehicles (Third-Party Risks and Compensation) Act but is not a Person Under Disability pursuant to Order 76 of the Rules of Court.

3 The new Form 9C(A) must be used when taking directions under Order 37 of the Rules of Court after recording consent interlocutory judgment for any NIMA, PIMA or PI matter.

4 With the implementation of the Simplified Process of Proceedings in the Magistrates' Courts under Order 108 of the Rules of Court for writs filed on or after 1st November 2014, cases for which interlocutory judgment is entered will, unless otherwise directed by the Court, be fixed for a simplified Assessment of Damages. Pursuant to Order 108, Rule 5(3) of the Rules of Court, parties will have to appoint a single joint expert, failing which, the Court will appoint one on their behalf. The appointment of a single joint expert applies to all types of cases.

5 After recording consent interlocutory judgment using the new Form 9I, parties will proceed at the same time to obtain directions under Order 37 of the Rules of Court at the same time, using (as appropriate) either —

- (a) the new Form 9C(A), if it is a case to which Order 108 of the Rules of Court applies; or
- (b) the existing Form 9C, if it is a case to which Order 108 does not apply.

6 Where judgment in default of appearance or defence is obtained, the prayers sought in an application for directions pursuant to Order 37 of the Rules of Court shall be in line with the directions as stated in the new Form 9C(A) for cases to which Order 108 applies.

Dated this 27th day of April 2015.



JENNIFER MARIE
REGISTRAR
STATE COURTS

Form 9C(A)

Form may be downloaded from: <http://www.statecourts.gov.sg> under "Civil Justice Division – Court Dispute Resolution"

APPLICATION FOR DIRECTIONS UNDER ORDER 37 OF THE RULES OF COURT FOR MAGISTRATE'S COURT CASES FIXED FOR SIMPLIFIED AD PURSUANT TO ORDER 108					
<i>Note: Additional prayers (if any) may be listed in a separate sheet of paper to be attached to this form.</i>					
Case number: MC _____ of _____ Nature of Claim: PI / NIMA/Others _____ Date (dd/mm/yy) : ___ / ___ / ___	In Chambers before me:- Deputy Registrar				
Directions Sought By The Plaintiff:- (To be completed by the Plaintiff's Counsel (PC))	Proposal by Defendant's Counsel (to be completed by Defendant's Counsel (DC))		Court Orders: OIT as per		
	Consent (√)	Proposed Alternative timelines	PC's proposal	DC's proposal	Dates below
<input type="checkbox"/> Supplementary List of documents, if any, to be filed and served within 3 / _____ week(s) i.e. by _____.		_____ weeks i.e. by _____ _____			
<input type="checkbox"/> Inspection to be done within 4 / _____ week(s) i.e. by _____.		_____ weeks i.e. by _____ _____			
<input type="checkbox"/> (For Personal Injury cases) AEICs of single joint expert (medical) shall be dispensed with. The medical report(s) shall be disclosed within 4/ _____ weeks i.e. by _____.		_____ weeks i.e. by _____ _____			
<input type="checkbox"/> Parties to exchange AEICs of all witnesses within 8 / _____ weeks i.e. by _____. <i>(Note: AEICs should be filed and served for cases involving litigants-in-person)</i>		_____ weeks i.e. by _____ _____			
<input type="checkbox"/> Parties to file and serve Notice of Objections to AEICs within 9 / _____ weeks i.e. by _____.		_____ weeks i.e. by _____ _____			
<input type="checkbox"/> Plaintiff to file and serve Notice of Appointment for Assessment of Damages for _____ days of hearing within 12 / _____ weeks i.e. by _____.		_____ weeks i.e. by _____ _____			
<input type="checkbox"/> Order of Court with the names of the witnesses to be extracted within 4/ _____ weeks from the date of the Order i.e. by _____.		_____ weeks i.e. by _____ _____			
Directions Sought By The Parties:-	Court Orders:			Consent (√)	
<input type="checkbox"/> Plaintiff's witnesses of fact limited to _____ witness(es).					
<input type="checkbox"/> Defendant's witnesses of fact limited to _____ witness(es).					
<input type="checkbox"/> _____ Single Joint Expert (SJE) appointed by parties pursuant to O. 108 r. 5(3)(a) as follows: (a) _____ (Area of expertise : _____) (state name) (b) _____ (Area of expertise : _____) (state name)					
<input type="checkbox"/> Where parties are unable to agree on expert to be appointed, the Court shall pursuant to O. 108 r. 5(3)(b) appoint the SJE and fix the amount of remuneration payable to the SJE.					
<input type="checkbox"/> SJE report is to be released by _____					
<input type="checkbox"/> Costs reserved to the Registrar.					

Form 9I#

RECORDING SETTLEMENT / ENTERING JUDGMENT BY CONSENT (NIMA/PI/PIMA)

Case Number: DC/MC _____ of _____ Date : _____

Plaintiff's Law Firm / Solicitor: _____

Defendant's Law Firm / Solicitor : _____

Other party's Law Firm(s) / Solicitor(s): _____

(I) Settlement
(a)NIMA / PI
AND
(b)PIMA
matters where
the "relevant
amount"
relating to
damages for
death / bodily
injury does not
exceed \$5,000

Terms of Settlement:
 By consent, and in full & final settlement of the Plaintiff's claim, the _____ shall pay the following to the Plaintiff / _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.

\$ _____ as costs.* / Costs to be taxed if not agreed*.

\$ _____ as disbursements.* / Disbursements to be taxed if not agreed*.

\$ _____ as interest from _____

Payment is to be made within _____ weeks from the date this settlement is recorded.

In default of payment, the Plaintiff is at liberty to extract the Order of Court for enforcement.

The Plaintiff / _____ shall file the Notice of Discontinuance within _____ days of receiving final payment from the _____.

This is a tentative settlement and the parties will write in to Court within _____ weeks, i.e. by _____, if they are unable to proceed with the settlement. If not, this tentative settlement recorded shall be deemed to be a final settlement.

Person Under Disability

As the Plaintiff/dependant is a person under disability pursuant to Order 76 of the Rules of Court (Cap. 322, R 5), this settlement agreed upon by parties is hereby approved by the Court.

As the Plaintiff/dependant is a person under disability pursuant to Order 76 of the Rules of Court, payment is to be made to the litigation representative on trust for the Plaintiff for his/her maintenance or otherwise for his/her benefit.

(Insert any other terms not provided for above) _____

(II) Interlocutory Judgment

Consent Interlocutory Judgment:

By consent, interlocutory judgment is entered for the Plaintiff against the _____ for [_____% of the]* damages to be assessed and costs reserved to the Registrar assessing the damages.

By consent, the Third Party is to indemnify the Defendant for [_____% of the]* damages, costs, reasonable disbursements and interests payable to the Plaintiff.

By consent, interlocutory judgment is entered for the Plaintiff against the _____ on the following terms: _____

(III) Final Judgment
(a)NIMA /
PI AND
(b)PIMA
matters where
the "relevant
amount"
relating to
damages for
death / bodily
injury exceeds
\$5,000

Consent Final Judgment:
 By consent, final judgment is entered for the Plaintiff against the _____ whereby the _____ shall pay the following to the _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.

\$ _____ as general damages, \$ _____ as injury related special damages and \$ _____ as non-injury related special damages (inclusive of interest)*.

The claim being a fatal accident claim, general damages comprises \$ _____ for bereavement for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____] and \$ _____ for loss of dependency for the benefit of [_____].

\$ _____ in special damages (excluding the sum for funeral expenses) to [_____] and \$ _____ for funeral expenses to [_____].

\$ _____ as interest from _____.

\$ _____ as costs* / Costs to be taxed if not agreed*.

		<input type="checkbox"/> \$_____ as disbursements* / Disbursements to be taxed if not agreed*. <input type="checkbox"/> (Insert any other terms not provided for above)_____
Usual Consequential Orders ONLY For PIMA cases where the "relevant amount" relating to damages for death / bodily injury exceeds \$5,000	<input type="checkbox"/>	Usual Consequential Orders when entering Final Judgment for PIMA Cases <input type="checkbox"/> <u>Usual Consequential Orders (Where Plaintiff is NOT a Specified Person)</u> <p>“....And it is ordered that —</p> <ol style="list-style-type: none"> the Plaintiff’s costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189) and be deducted from the judgment sums and paid by the Defendant to the Plaintiff’s solicitor; and the balance of the judgment sums due to the Plaintiff shall be paid by the Defendant to the Plaintiff. <input type="checkbox"/> <u>Usual Consequential Orders where Plaintiff / dependant is a Specified Person AND a Person Under Disability</u> <p>“....And it is ordered that —</p> <ol style="list-style-type: none"> the Plaintiff’s costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189) and be deducted from the judgment sums and paid by the Defendant to the Plaintiff’s solicitor; and as the Plaintiff / dependant is a person under disability pursuant to Order 76 of the Rules of Court, the balance of the judgment sums shall be paid by the Defendant to: <ul style="list-style-type: none"> <input type="checkbox"/> the litigation representative of the Plaintiff / dependant; OR <input type="checkbox"/> the Public Trustee as trustee on trust for the Plaintiff / dependant for his/her maintenance or otherwise for his/her benefit.” <input type="checkbox"/> <u>Usual Consequential Orders where Plaintiff is a Specified Person BUT NOT a Person Under Disability</u> <p>“...And it is ordered that —</p> <ol style="list-style-type: none"> the Plaintiff’s costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act and be deducted from the judgment sums and paid by the Defendant to the Plaintiff’s solicitor; and as the Plaintiff is <i>not represented by a public officer or an advocate and solicitor / isolated in a hospital or other place under section 15(1) or (2) of the Infectious Diseases Act (Cap. 137) / a person under legal custody or in a place of detention</i>, the balance of the judgment sums shall be paid by the Defendant to: <ul style="list-style-type: none"> <input type="checkbox"/> the Public Trustee as trustee on trust for the Plaintiff OR; <input type="checkbox"/> the Plaintiff in the following manner: _____ <input type="checkbox"/> (Insert any other terms of payment not provided for above)_____
Public Trustee’s Fee		<input type="checkbox"/> The Plaintiff’s disbursements shall include \$ _____ as the Public Trustee’s fee*/ (where payment is to be made to Public Trustee on trust) the Public Trustee’s fee to be determined by the Public Trustee in accordance with the rules for the time being in force*.
Costs	<input type="checkbox"/>	Indication on costs: Plaintiff’s Counsel: \$ _____; Defendant’s Counsel: \$ _____; _____ Counsel: \$ _____
Judge’s Orders / Directions	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Settlement is recorded / Judgment is entered as per terms stated in Section A. Costs indicated at \$ _____ / plus reasonable disbursements* / plus GST*. Other directions _____
		Judge’s Signature & Stamp

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*delete where appropriate