

SUPREME COURT OF JUDICATURE ACT

(CHAPTER 322), Rev. 1999 (9/1/1970)

Original Jurisdiction

Criminal jurisdiction

15. (1) The High Court shall have jurisdiction to try all offences committed

- (a) within Singapore;
- (b) on board any ship or aircraft registered in Singapore;
- (c) by any person who is a citizen of Singapore on the high seas or on any aircraft;
- (d) by any person on the high seas where the offence is piracy by the law of nations;
- (e) by any person within or outside Singapore where the offence is punishable under and by virtue of the provisions of the Hijacking of Aircraft and Protection of Aircraft and International Airports Act (Cap. 124); and
- (f) in any place or by any person if it is provided in any written law that the offence is triable in Singapore.

[0/78;16/93]

(2) The High Court may pass any sentence allowed by law.

Civil jurisdiction general

16. (1) The High Court shall have jurisdiction to hear and try any action in personam where

- (a) the defendant is served with a writ or other originating process
 - (i) in Singapore in the manner prescribed by Rules of Court; or
 - (ii) outside Singapore in the circumstances authorised by and in the manner prescribed by Rules of Court; or
- (b) the defendant submits to the jurisdiction of the High Court.

[6/93]

(2) Without prejudice to the generality of subsection (1), the High Court shall have such jurisdiction as is vested in it by any other written law.

[6/93]

Civil jurisdiction ¶ specific

17. Without prejudice to the generality of section 16, the civil jurisdiction of the High Court shall include ¶

- (a) jurisdiction under any written law relating to divorce and matrimonial causes;
- (b) jurisdiction under any written law relating to matters of admiralty;
- (c) jurisdiction under any written law relating to bankruptcy or to companies;
- (d) jurisdiction to appoint and control guardians of infants and generally over the persons and property of infants;
- (e) jurisdiction to appoint and control guardians and keepers of the persons and estates of idiots, mentally disordered persons and persons of unsound mind; and
- (f) jurisdiction to grant probates of wills and testaments, letters of administration of the estates of deceased persons and to alter or revoke such grants.

[6/93]

Civil jurisdiction ¶ concurrent jurisdiction with Syariah Court in certain matters

17A. ¶ (1) Notwithstanding sections 16 and 17, the High Court shall have no jurisdiction to hear and try any civil proceedings involving matters which come within the jurisdiction of the Syariah Court under section 35 (2) (a), (b) or (c) of the Administration of Muslim Law Act (Cap. 3) in which all the parties are Muslims or where the parties were married under the provisions of the Muslim law.

[0/99]

(2) Notwithstanding that such matters come within the jurisdiction of the Syariah Court under section 35 (2) (d) or (e), 51 or 52 (3) (c) or (d) of the Administration of Muslim Law Act (Cap. 3), the High Court shall have jurisdiction as is vested in it by any written law to hear and try any civil proceedings involving matters relating to ¶

- (a) maintenance for any wife or child;
- (b) custody of any child; and
- (c) disposition or division of property on divorce.

[0/99]

(3) Where civil proceedings involving any matter referred to in subsection (2) (b) or (c) and involving parties who are Muslims or were married under the provisions of the Muslim law are commenced in the High Court, the High Court shall stay the civil proceedings ¶

(a) involving any matter referred to in subsection (2) (b) or (c), if the civil proceedings are commenced on or after the commencement of proceedings for divorce in the Syariah Court or after the making of a decree or order for divorce by the Syariah Court or on or after the registration of any divorce under section 102 of the Administration of Muslim Law Act between the same parties, unless a Syariah Court commencement certificate in respect of the civil proceedings has been filed with the High Court;

(b) involving any matter referred to in subsection (2) (b), if proceedings for divorce are commenced in the Syariah Court or a decree or order for divorce is made by the Syariah Court or a divorce is registered under section 102 of the Administration of Muslim Law Act between the same parties after the commencement of the civil proceedings, unless a Syariah Court continuation certificate in respect of the civil proceedings has been filed with the High Court.

[0/99]

(4) For the purposes of subsection (3), where the proceedings in the Syariah Court are commenced on the same day as the civil proceedings in the High Court, the proceedings in the Syariah Court shall be deemed to have been commenced before the civil proceedings.

[0/99]

(5) Subsection (3) (a) shall not apply if the civil proceedings referred to therein are commenced in the High Court by the consent of the parties to the proceedings and the certificates of attendance of the parties issued under section 35A (7) of the Administration of Muslim Law Act (Cap. 3) have been filed in accordance with Rules of Court.

[0/99]

(6) Subsection (3) (b) shall not apply if the civil proceedings referred to therein are continued by the consent of the parties to the proceedings and the certificates of attendance of the parties issued under section 35A (7) of the Administration of Muslim Law Act have been filed in accordance with Rules of Court.

[0/99]

(7) For the avoidance of any doubt, the High Court, in exercising its jurisdiction or powers under subsection (2), shall apply the civil law.

[0/99]

(8) Notwithstanding section 3 (2) of the Women's Charter (Cap. 353), section 112 of that Act shall apply to the High Court in the exercise of its jurisdiction or powers under subsection (2) (c).

[0/99]

(9) In this section —

"Syariah Court" means the Syariah Court constituted under the Administration of Muslim Law Act;

"Syariah Court commencement certificate" means a commencement certificate issued by the Syariah Court under section 35A (4) of the Administration of Muslim Law Act;

"Syariah Court continuation certificate" means a continuation certificate issued by the Syariah Court under section 35A (4) of the Administration of Muslim Law Act.

[0/99]

Powers of High Court

18. (1) The High Court shall have such powers as are vested in it by any written law for the time being in force in Singapore.

[6/93]

(2) Without prejudice to the generality of subsection (1), the High Court shall have the powers set out in the First Schedule.

[6/93]

(3) The powers referred to in subsection (2) shall be exercised in accordance with any written law or Rules of Court relating to them.

[6/93]

Appellate Jurisdiction of the High Court

Appellate criminal jurisdiction

19. The appellate criminal jurisdiction of the High Court shall consist of —

(a) the hearing of appeals from District Courts or Magistrates' Courts before one or more Judges according to the provisions of the law for the time being in force relating to criminal procedure; and

(b) the hearing of points of law reserved by special cases submitted by a District Court or Magistrates' Court before one or more Judges according to the provisions of the law for the time being in force relating to criminal procedure.

Appellate civil jurisdiction

20. The appellate civil jurisdiction of the High Court shall consist of

- (a) the hearing of appeals from District Courts;
- (b) the hearing of appeals from District Courts and Magistrates' Courts when exercising jurisdiction of a quasi-criminal or civil nature; and
- (c) the hearing of appeals from other tribunals as may from time to time be prescribed by any written law.

Appeals from District and Magistrates' Courts

21. (1) Subject to the provisions of this Act or any other written law, an appeal shall lie to the High Court from a decision of a District Court or Magistrates' Court in any suit or action for the recovery of immovable property or in any civil cause or matter where the amount in dispute or the value of the subject-matter exceeds \$50,000 or such other amount as may be specified by an order made under subsection (3) or with the leave of a District Court, a Magistrates' Court or the High Court if under that amount.

[/86;16/93;43/98]

(2) Such appeals may be heard before one Judge provided that the Judge, if he thinks fit, may reserve any appeal for the decision of a court consisting of 3 Judges, and in such case the appeal shall be decided in accordance with the opinion of the majority of the Judges composing the High Court.

(3) The President may, after consulting the Chief Justice, by order published in the *Gazette* vary the amount mentioned in subsection (1).

[3/98]

Powers of rehearing

22. (1) All appeals to the High Court in the exercise of its appellate civil jurisdiction shall be by way of rehearing.

(2) The High Court shall have the like powers and jurisdiction on the hearing of such appeals as the Court of Appeal has on the hearing of appeals from the High Court.

Revision of criminal proceedings of subordinate courts

23. The High Court may exercise powers of revision in respect of criminal proceedings and matters in subordinate courts in accordance with the provisions of any written law for the time being in force relating to criminal procedure.

Power of High Court to call for records of civil proceedings in subordinate courts

24. The High Court may call for and examine the record of any civil proceedings before any subordinate court for the purpose of satisfying itself as to the correctness, legality or propriety of any decision recorded or passed, and as to the regularity of any proceedings of any such subordinate court.

Powers of High Court on revision of civil proceedings

25. In the case of any civil proceedings in a subordinate court the record of which has been called for, or which otherwise comes to its knowledge, the High Court may give such orders thereon, either by directing a new trial or otherwise, as seem necessary to secure that substantial justice is done.

No revision at instance of party who could have appealed

26. Where an appeal lies from any decision in any civil matter, and no appeal is brought, no proceeding by way of revision shall be entertained at the instance of a party who could have appealed.

General supervisory and revisionary jurisdiction of High Court

27. (1) In addition to the powers conferred on the High Court by this Act or any other written law, the High Court shall have general supervisory and revisionary jurisdiction over all subordinate courts.

(2) The High Court may in particular, but without prejudice to the generality of subsection (1), if it appears desirable in the interests of justice, either of its own motion or at the instance of any party or person interested, at any stage in any matter or proceeding, whether civil or criminal, in any subordinate court, call for the record thereof, and may remove the matter or proceeding into the High Court or may give to the subordinate court such directions as to the further conduct of the matter or proceeding as justice may require.

(3) Upon the High Court calling for any record under subsection (2), all proceedings in the subordinate court in the matter or proceeding in question shall be stayed pending further order of the High Court.

Discretion of High Court as to hearing parties

28. (1) Subject to the provisions of any written law for the time being in force, no party shall have any right to be heard before the High Court when exercising its powers of revision and supervision.

(2) No final order shall be made to the prejudice of any person unless that person has had an opportunity of being so heard.

Allocation of proceedings to District Court

28A. (1) The Chief Justice may, where he considers it necessary or expedient to improve efficiency in the administration of justice and to provide for more speedy disposal of proceedings commenced in the High Court, by order direct such class or classes or description of proceedings as may be specified in the order to be heard and determined by the District Court.

[6/93]

(2) Notwithstanding any other written law, any order under subsection (1)

(a) may confer jurisdiction on a District Court to hear and determine

(i) any proceedings specified in the order which, but for the order, the District Court would not have jurisdiction to hear and determine by reason only of the fact that the amount involved exceeds the monetary limit of its jurisdiction; or

(ii) any proceedings relating to any of the matters referred to in section 17 (a) to (e);
and

(b) may make such incidental provision for the transfer of the proceedings to the District Court (including matters relating to procedure and costs) as the Chief Justice thinks fit.

[6/93]