



# inter se online



### in the news

Legal news headlines in November and December 2007.



### in the know

Information on Academy activities for members at work and at play!



### legislation update

Legislation passed or revised in November and December 2007.



### case law update

Catchword summaries of cases from the Supreme Court, organised by subject matter.



### calendar

Trainings and workshops calendar from January 2008.



# inter se online

in the news

## ► At Large

- [Headlines in The Straits Times](#)
- [Headlines in The Business Times](#)
- [Headlines in Today](#)

## ► At Play

- [SAL Evening at the Singapore Repertory Theatre](#)
- [SAL Christmas Charity Project 2007](#)

## Headlines in *The Straits Times*

Li Xueying, "On homosexuality, religious offences and marital rape", *The Straits Times* (9 November 2007)

Stephanie Yap, "Bookends" [Interview with lawyer and author Philip Jeyaretnam], *The Straits Times* (11 November 2007)

"Details of ASEAN Charter revealed in media reports", *The Straits Times* (12 November 2007)

K C Vijayan, "Leading S'pore lawyer wins global award", *The Straits Times* (14 November 2007)

Chong Chee Kin, "Runaway lawyer David Rasif struck off rolls", *The Straits Times* (15 November 2007)

Li Xueying, "JBJ's son and 'sex symbol', but..." [Interview with Law Society President Philip Jeyaretnam], *The Straits Times* (16 November 2007)

Chua Mui Hoong, "Rules of engagement for God and politics", *The Straits Times* (16 November 2007)

K C Vijayan, "A-G acts to end man's repeated appeals", *The Straits Times* (17 November 2007)

Rodolfo C Severino, "How Charter can be good for ASEAN", *The Straits Times* (17 November 2007)

"Royal commission to probe video clip" [Updates on Malaysia's judge-fixing allegation], *The Straits Times* (17 November 2007)



# inter se

in the news  
online

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

"Delegates' views" [ASEAN Business Summit], *The Straits Times* (18 November 2007)

Lynn Lee, "Three ways in which businesses can help create single market" [ASEAN Business Summit], *The Straits Times* (18 November 2007)

Shefali Rekhi, "Just a framework, not a Constitution" [On ASEAN Charter], *The Straits Times* (20 November 2007)

Leslie Lopez, "Panel probing judiciary 'needs wide powers'" [Updates on Malaysia's alleged judge-fixing case], *The Straits Times* (20 November 2007)

K C Vijayan, "Law Society wants more say for courts in mental health Bill", *The Straits Times* (21 November 2007)

"Signed, sealed... Now to deliver" [Summary of salient points in ASEAN Charter], *The Straits Times* (21 November 2007)

Chong Chee Kin, "HE LIED about address so daughter could get into desired school, HE LIED about stamp duties and overcharged clients" [Suspended lawyer's old lies uncovered during hearing of accounting irregularities breach], *The Straits Times* (23 November 2007)

K C Vijayan and Carolyn Quek, "Lawyer goes missing with couple's \$40,000", *The Straits Times* (23 November 2007)

Jeremy Au Yong, "Charter drafter: Sense of family the driving force", *The Straits Times* (24 November 2007)



# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

K C Vijayan and Chong Chee Kin, "Missing lawyer: More clients report losses", *The Straits Times* (24 November 2007)

Andy Ho, "UN moratorium on capital punishment", *The Straits Times* (24 November 2007)

"Kleptomaniacs and the law", *The Straits Times* (30 November 2007)

Elena Chong, "Lawyer jailed 11 months for forgery and lies", *The Straits Times* (30 November 2007)

Choo Zheng Xi, "Reconsider mandatory death penalty", *The Straits Times Forum* (30 November 2007)

K C Vijayan, "Missing lawyer may have fled with \$6m", *The Straits Times* (1 December 2007)

K C Vijayan, "Michael Hwang new Law Society chief", *The Straits Times* (3 December 2007)

"M'sian lawyers cancel human rights march: organisers", *The Straits Times* (4 December 2007)

Selina Lum, "Three lawyers suspended for touting after sting operation", *The Straits Times* (4 December 2007)

K C Vijayan, "Suspensions for touting", *The Straits Times* (5 December 2007)

Kumaralingam Amirthalingam, "The Penal Code", *The Straits Times* (5 December 2007)

Selina Lum, "Three lawyers suspended for touting" [Evidence obtained through entrapment admissible in Singapore], *The Straits Times* (5 December 2007)

Locknie Hsu, "ASEAN Charter", *The Straits Times* (6 December 2007)

Chong Chee Kin, "Law Society moves to tackle touting", *The Straits Times* (6 December 2007)





# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

K C Vijayan, "One-man tribunal to deal with errant lawyers" [Replacing current four-member committee], *The Straits Times* (6 December 2007)

Lydia Lim, "Changes ahead for grads, qualified lawyers", *The Straits Times* (7 December 2007)

"Foreign firms will get to practise S'pore law", *The Straits Times* (7 December 2007)

Selina Lum, "Foreign law firms to get more leeway in S'pore", *The Straits Times* (7 December 2007)

K C Vijayan, "Law Society welcomes report, but has concerns" [Law Society's concerns with proposed one-man tribunal in dealing with errant lawyers], *The Straits Times* (7 December 2007)

Lydia Lim, "Opening up step by step" [Liberalisation of the legal services sector], *The Straits Times* (7 December 2007)

"Steps to speed up action against errant lawyers", *The Straits Times* (7 December 2007)

"The message to errant lawyers", *The Straits Times* (7 December 2007)

"Three who were suspended" [Touting lawyers], *The Straits Times* (7 December 2007)

K C Vijayan, "Law schools cool to three-year course idea" [Recommendations to reform legal education], *The Straits Times* (8 December 2007)

"Caught in a legal trap" [On entrapment], *The Straits Times* (9 December 2007)

Keith Lin, "Petition for national human rights commission", *The Straits Times* (10 December 2007)

"Three lawyers petition for human rights panel", *The Straits Times* (11 December 2007)





# inter se online

in the news

## ► At Large

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- ***Headlines in The Business Times***
- *Headlines in Today*

## ► At Play

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- *SAL Christmas Charity Project 2007*

## Headlines in *The Business Times*

"Singapore Roundup" [A&G lawyer honoured at London awards], *The Business Times* (13 November 2007)

Wee Li-En, "Fugitive lawyer Rasif barred from practising", *The Business Times* (16 November 2007)

Chuang Peck Ming, "ASEAN Summit", *The Business Times* (17 November 2007)

Wee Li-En, "Three lawyers suspended for touting", *The Business Times* (5 December 2007)

Wee Li-En, "Continuing education may be compulsory for all lawyers", *The Business Times* (7 December 2007)

Wee Li-En, "Foreign law firms to get bigger slice of local pie", *The Business Times* (7 December 2007)

"Move to speed up action against errant lawyers", *The Business Times* (7 December 2007)



# inter se online

in the news

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- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

## Headlines in Today

Nazry Bahrawi, "Foreign activists, heed local impact" [Opposers of death penalty should consider "local impact" of their censure], *Today* (9 November 2007)

"ASEAN Charter: 'Paper tiger' or protector of human rights?" [Charter will not include punitive measures to deal with errant members], *Today* (10 November 2007)

Leong Wee Keat, "Lawyer and \$37,555 missing, claims client", *Today* (23 November 2007)

Teo Xuanwei, "Law Society probes firm's client account", *Today* (24 November 2007)

Teo Xuanwei, "Touting lawyers caught on camera", *Today* (5 December 2007)



# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

## SAL Evening at the Singapore Repertory Theatre

*By Daphne Lim, Corporate Communications Intern*

On 16 November 2007, 40 members of Singapore Academy of Law ("SAL") and their guests gathered at the Singapore Repertory Theatre ("SRT") to enjoy what many described as "a viciously funny psychological thriller" – *The Pillowman*. This was the first joint event SAL and SRT have organised for SAL members at the theatre. Response was overwhelming with ticket sales pitching a high of 90%.

*The Pillowman* is a critically acclaimed play that has received rave reviews in London and New York. Featuring top talents like Adrian Pang, Michael Corbridge, Daniel Jenkins and Shane Mardjuki, this powerful play marries comedy with psychological drama and has been described by the *New York Times* as "a spellbinding stunner of a play ... which dazzles with a brightness now largely absent from Broadway."

Members and their guests were treated to a short private reception before the play. An exclusive treat in the form of a meet-the-cast session was also arranged at Cornerstone Bar & Retail after the play. This was an opportunity for our members to interact with the cast and to exchange thoughts about the play.

*"We thoroughly enjoyed it. More of such events would be welcomed.*

*Charmaine Chow*

*"With good script and good cast, the pre-show cocktail reception and post-show drinks with the cast completed a totally enjoyable theatre-going experience for me. It's one of my best theatre-going experience so far."*

*Jocelyn Yong*







# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

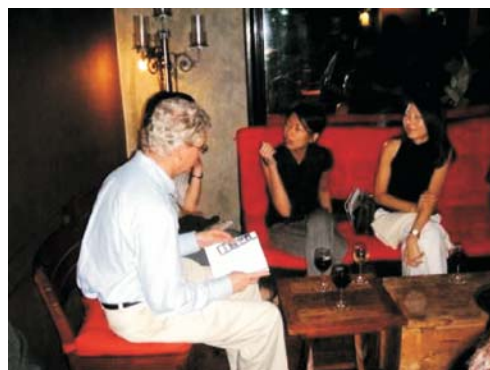
- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*



Adrian Pang with SAL members and guests.



Enjoying the reception.



Members chatting over drinks at CornerStone Retail & Bar.



Light bites at the private reception before the play.



# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

## SAL Christmas Charity Project 2007

By Mak Moo Theng



"Am I stingy?" asked Scrooge. "YES!" roared the children in glee. Not having been to children's theatre for some time, I had forgotten that it could be such a lively affair. Together with two SAL staff members and a lawyer, I was accompanying 33 children from the Melrose Home to catch *Scrooge – The Musical*, which played to a full house at the Singapore Repertory Theatre on 7 December 2007. We clapped, swayed and hummed along, and shouted back to the actors on

stage. Watching the children's happy faces and listening to how they answered Ebenezer Scrooge was half the fun.



I asked one of my charges, a 12-year-old girl, "How do you like the musical?" Patricia's (not her real name) eyes lit up, "Very nice. I like the dances and songs." It became clear later that Patricia herself was quite the performer. She led a group of six other



# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

children from the Home in an energetic hip-hop dance performance at the atrium of the Supreme Court Building, much to the delight of Justice Lai Siu Chiu, Santa Claus and lawyers waiting outside the Registrars' chambers.



The children from the Home had the privilege of meeting and taking pictures with the cast after the show. Although they were shy at first, they slowly warmed up to the friendly

actors. One of the boys asked Scrooge, "Are you a girl or a boy?" Another asked, "Can you take off your hair?", to which Scrooge provided such evasive answers that any judge would have to draw adverse inferences against him/her. Some of the children shook hands with the actors and thanked them for the performance.

The children from Melrose Home attend secondary school, primary school, or kindergarten. If their family situation allowed it, they were encouraged to stay with their parents and families during the weekends and the school and public holidays. When they are in the Home, the staff help them with their schoolwork, and supervise them in various recreational and enrichment activities in the Home, which is situated along Clementi Road.



# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*



After the musical, the children went to the Supreme Court Building, where they enjoyed lunch, as well as face-painting and games. We had an impromptu "Singapore's Got Talent" competition when some children showcased their breakdancing and singing skills, bringing lots of laughter to all.

One of the helpers from the Home hugged a boy, who appeared upset and refused to join in the games, speaking softly to him. A little while later, he was comforted and

became part of the group again. I was moved by her love for the child.

The climax of the day must have been the huge and beautifully wrapped presents distributed by Santa and Justice Lai to each child as his or her name was called and they made their way up the little stage. To the strains of, "We wish you a merry Christmas", led by the beautiful voices of the carollers (SAL staff and lawyers), everyone – volunteer lawyers and Supreme Court staff members – shook hands and chatted with the children.





# inter se online

in the news

## ► At Large

- *Headlines in The Straits Times*
- *Headlines in The Business Times*
- *Headlines in Today*

## ► At Play

- *SAL Evening at the Singapore Repertory Theatre*
- *SAL Christmas Charity Project 2007*

As I waved good-bye to the children on the bus just before they were driven off, and saw how eagerly they waved back, I was happy to have contributed a little to the hard and excellent work of SAL in organising the programme that brought Christmas cheer to the children and their three helpers.





# inter se online

## ► At Play

- [New Year Traditions Around the World](#)
- [SAL 20th Anniversary: Come Celebrate with Us!](#)

## ► At Work

- [Invitation for Law Reform Proposals and Suggestions](#)
- [Applications for Commissioners for Oaths and Notaries Public](#)
- [SAL Annual Subscription Fee for Year 2008](#)
- [Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution](#)
- [New Year's Resolutions for the Legal Community](#)

## New Year Traditions Around the World

*New Year's Day: (noun) January 1, the first day of the year in the modern Western calendar. New Year's Day is perhaps the oldest holiday in recorded history. Here's a look at the traditions and customs of New Year's Day, and how it is celebrated in other parts of the world.*



Austria



The suckling pig, served on a table decorated with miniature pigs made of marzipan, maple sugar, fudge, cookie dough or chocolate, is the symbol for good luck on New Year's Day in Austria. It is also served with green peppermint ice cream in the shape of a four-leaf clover, another lucky symbol.



Brazil

The lentil is believed to signify wealth in Brazil. Thus on New Year's Day, lentil soup or lentils and rice are served.



Denmark



In Denmark, it is a good sign to find a massive pile of broken dishes outside your door on New Year's Day. Old dishes are saved all year round so that they can be thrown at friends' homes on New Year's Eve. Many broken dishes would be a symbol that you have many friends.



England

The British place their fortunes for the coming year in the hands of their first guest. This first guest should be male and carrying a





# inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- *New Year's Resolutions for the Legal Community*

small piece of coal, money, bread and salt – the traditional symbols of wealth. English girls would drop egg whites into water and from the shape formed, try to tell the initial of the man they would marry.



Greece

A special New Year bread is baked with a coin buried in the dough. The first slice is for Saint Basil, the second for the father of the household and the subsequent slices for the rest of the family. Whoever finds the coin in their slice will be lucky for the coming year.



Hungary

In Hungary, effigies representing the evils and misfortunes of the past year are made. These effigies are known as "Jack Straw" and would be carried around the village before being burnt.



Japan

The Japanese laugh when the New Year begins because it is supposed to bring them good luck in the New Year. Paper lobsters symbolise longevity and are used as decorations in many Japanese houses on New Year's Day.



Korea

On New Year's Eve, the Koreans place straw scoopers, rakes or sieves on their doors and walls to protect their families from evil spirits in the coming year. Everyone would be dressed in new clothes on New Year's Day to symbolise a fresh beginning and a bowl



# inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- *New Year's Resolutions for the Legal Community*

of rice-cake soup, *Ttok-kuk*, is eaten to add an extra year of age and to wish for a year without illnesses.



**Spain**

When the clock strikes twelve, the Spanish eat 12 grapes, one with every toll, to bring good luck for the 12 months ahead. Theater productions and movies would be interrupted in order to carry out this custom.



**Peru**

The Peruvians eat 12 grapes at the strike of midnight like the Spanish. But in Peru, an extra grape must be eaten to ensure good luck.



**Wales**

In Wales, the back door is opened and then shut to release the old year at the first toll of midnight in order to lock out all of its bad luck. Then at the twelfth stroke of the clock, the front door is opened to welcome New Year's Day with all of its luck.





# inter se online

## ► At Play

- *New Year Traditions Around the World*
- ***SAL 20th Anniversary: Come Celebrate with Us!***

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- *New Year's Resolutions for the Legal Community*

## SAL 20th Anniversary: Come Celebrate with Us!

The Singapore Academy of Law turns 20 in 2008 and we invite you to celebrate this milestone with us!



To kick-start the year, the Academy is presenting members with a limited edition Member's Diary. In it, you will find nuggets of legal heritage, photographs and useful contact information which we trust will make your work more convenient. Collection of the diaries can be made at the Academy's premises, whilst stocks last.

A legal heritage exhibition will also be set up later in the year to provide an opportunity for the legal community and the public to take a trip down memory lane to discover how the legal landscape has evolved over the years.

For more information on the history of the Academy, check out our special 20th anniversary online album at the SAL website [www.sal.org.sg](http://www.sal.org.sg). Flip through the pages of this e-album to re-live old memories and images of how the Academy came into being, and learn about our first services and activities!

### Share your memories with us

We would like to invite all members to share with us photographs and reflections of your experiences at the Academy. Please send your contributions to Audrey Chan (tel: (65) 6332 5371 or e-mail [audrey\\_chan@sal.org.sg](mailto:audrey_chan@sal.org.sg)).



# inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- *New Year's Resolutions for the Legal Community*

## Invitation for Law Reform Proposals and Suggestions

SAL's Law Reform Committee welcomes proposals and suggestions for reform in any area of law. If you would like to submit a proposal or suggestion for law reform, you can write to us at:

Law Reform Co-ordinator  
 Singapore Academy of Law  
 1 Supreme Court Lane, Level 6  
 Singapore 178879  
 Fax: (65) 6334 4940  
 E-mail: lawreform@sal.org.sg

In your submission, please provide a short description on the area of law that is of concern, why you feel there is a need for review or reform, as well as your suggestions, if any, for improving the law. Please also include your full name, e-mail address and telephone numbers.



# inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- ***Applications for Commissioners for Oaths and Notaries Public***
- *SAL Annual Subscription Fee for Year 2008*
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- *New Year's Resolutions for the Legal Community*

## **Applications for Commissioners for Oaths and Notaries Public**

**1 April 2008 to 31 Mar 2009**

The Singapore Academy of Law invites applications for the appointment/re-appointment as commissioners for oaths and/or notaries public for the period 1 April 2008 to 31 March 2009. Applications should be received by the Academy before 4.00pm, Thursday, 31 January 2008. Late applications will not be considered.

For more information on the appointment/re-appointment of commissioners for oaths and notaries public, please contact the Board of Commissioners for Oaths and Notaries Public office at tel: (65) 6332 4117/6. Application forms may be downloaded at <http://www.sal.org.sg/Lists/Important%20Notices/Attachments/11/Application%20Forms%20for%20CONP.pdf> or obtained from our office:

Singapore Academy of Law  
Board of Commissioners for Oaths and Notaries Public  
1 Supreme Court Lane Level 4  
Singapore 178879



# inter se online

in the know

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- ***SAL Annual Subscription Fee for Year 2008***
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- *New Year's Resolutions for the Legal Community*

## **SAL Annual Subscription Fee for Year 2008**

You can now pay your SAL annual subscription fee online via Visa or MasterCard credit card. To login, please go to [www.sal.org.sg](http://www.sal.org.sg) and key in your user name (which is your SAL member number) and password. To request for a new password, key in your SAL member number and NRIC, and the new password will be sent to your e-mail address. Please contact us at (65) 6332 4399 if you need any assistance.



# inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- ***Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution***
- *New Year's Resolutions for the Legal Community*

## **Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution**

*23–25 July 2008, NUS, Faculty of Law at Bukit Timah Campus*

NUS Law School will host a distinguished group of experts on the law of contract, tort, equity and restitution in a major international conference on the law of obligations at the National University of Singapore in July 2008. The Fourth Biennial Conference on the Law of Obligations will discuss current issues and new trends in contract, tort, equity and restitution, and will focus on the goals of private law. The conference will be co-hosted by the NUS Law School, the University of Melbourne and the Singapore Academy of Law. The convenors of this conference are Professor Andrew Robertson from University of Melbourne and Associate Professor Tang Hang Wu from NUS Law School.

The keynote speakers for the conference are Lord Hoffmann, Lord of Appeal in Ordinary; Professor Hanoch Dagan of the University of Tel Aviv and Professor Stephen Perry of the University of Pennsylvania.



**Lord Hoffmann** has been a member of the House of Lords for more than ten years. He was educated at Cape Town and Oxford Universities, and practised

at the bar in London for many years, specialising in corporate and commercial law. He was appointed a Lord Justice of Appeal in 1992 and a Lord of Appeal in Ordinary in 1995. He is particularly well known for his influential speeches on contract interpretation.



**Professor Dagan** is the Dean of the Faculty of Law at Tel Aviv University. He has published books on restitution, property, and private law theory as well

as many influential articles on these topics in leading law reviews in the United States. Professor Dagan is a member of the



# in the know inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- ***Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution***
- *New Year's Resolutions for the Legal Community*

American Law Institute and has been a visiting professor and an Affiliated Overseas Professor at the University of Michigan Law School.



**Professor Perry** is the John J O'Brien Professor of Law and Professor of Philosophy, and the Director of the Institute for Law and Philosophy, at the University

of Pennsylvania Law School. Professor Perry has taught at New York University Law School and McGill University, and is also a member of the American Law Institute. He has published widely in the general areas of torts, jurisprudence, political philosophy, and theoretical aspects of private law.

The three-day conference at NUS will feature many other outstanding speakers from around the common law world including:

- Professor Graham Virgo, Mr Richard Nolan, Dr DM Fox and Dr Jillaine Seymour (University of Cambridge)
- Professor Emily Sherwin (Cornell University)
- Professor David Campbell (University of Durham)

- Professor Lusina Ho (University of Hong Kong)
- Professors Mayo Moran and Peter Benson (University of Toronto)
- Professor Sarah Worthington (London School of Economics)
- Professors Stephen Smith and Lionel Smith (McGill University)
- Professors Tan Yock Lin, Alexander Loke Fay Hoong, Kumaralingam Amirthalingam, Tang Hang Wu (National University of Singapore)
- Professor Prue Vines (University of New South Wales)
- Ms Mindy Chen-Wishart, Dr James Edelman and Mr Donal Nolan (University of Oxford)
- Professor Charles Rickett (University of Queensland)

Please visit the conference website at <http://law.nus.edu.sg/conference/obligationsiv/index.html> for more details. For enquiries, please contact the Conference Secretariat at tel: (65) 6332 4149/5364 or e-mail us at [les@sal.org.sg](mailto:les@sal.org.sg).





# inter se online

## ► At Play

- *New Year Traditions Around the World*
- *SAL 20th Anniversary: Come Celebrate with Us!*

## ► At Work

- *Invitation for Law Reform Proposals and Suggestions*
- *Applications for Commissioners for Oaths and Notaries Public*
- *SAL Annual Subscription Fee for Year 2008*
- *Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution*
- ***New Year's Resolutions for the Legal Community***

## **New Year's Resolutions for the Legal Community**

*As people around the world draw up their resolutions for Year 2008, let us, as members of the Singapore Academy of Law, renew our pledge to uphold our Professional Principles this New Year and beyond.*

We, the members of the Singapore Academy of Law, affirm our belief in the supremacy of the Rule of Law in the Republic of Singapore and declare as follows:

1. We shall, at all times, carry ourselves with integrity, honesty, dignity and civility.
2. We respect the laws and legal institutions of the Republic of Singapore and shall encourage all persons to do the same.
3. We shall, in our practice of the law, maintain high standards of professional competence and integrity.
4. We shall ensure that our knowledge of the law is always sound, current and relevant.
5. We shall ensure that the impoverished and disadvantaged are not denied recourse to the Law.
6. We shall commit time and effort to promote the well-being and cohesiveness of the community and civil society generally in Singapore.
7. We shall, through personal example, encourage our fellow members to uphold these Principles.

*Adopted at the 17th Annual Meeting of the Senate, Singapore Academy of Law, on 4 August 2005.*



# legislation update inter se online

## ► Bills Introduced in Parliament in November 2007

---

## ► Subsidiary Legislation Published in November and December 2007

---

## ► Acts Brought into Operation in November and December 2007

---

## Bills Introduced in Parliament in November 2007

The **Housing and Development (Amendment) Bill** (No 46/2007) seeks to amend the Housing and Development Act (Cap 129) principally to enable the Housing and Development Board (“HDB”) to carry out upgrading works for flats in its housing estates as part of the Home Improvement Programme announced by the Prime Minister at the 2007 National Day Rally Speech. These upgrading works may proceed only if 75% or more of the total value in votes of owners of all flats in each building on a poll are cast in favour of the carrying out of such works. To this end, the Bill —

- (a) introduces a new definition of “flat upgrading works”, being upgrading works within a flat comprised in a building, or upgrading works to common property in a building for the provision of water, sewerage, drainage, gas, electricity, garbage or conditioned air,

or other services relating to telephone, radio, television or any other means of telecommunication, that are necessary for or in connection with the enjoyment of any flat comprised in such a building; and

- (b) provides for the HDB to recover from the owners of the flats and the Town Councils the costs incurred by the HDB in carrying out such upgrading works.

## The **Human Organ Transplant**

**(Amendment) Bill** (No 47/2007) seeks to amend the Human Organ Transplant Act (Cap 131A) for the following main purposes:

- (a) to allow a designated officer of a hospital to remove any kidney, liver, heart or cornea from the body of a person who is a Muslim and who has died in the hospital for the purpose of transplanting

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# legislation update inter se online

## ► **Bills Introduced in Parliament in November 2007**

---

## ► **Subsidiary Legislation Published in November and December 2007**

---

## ► **Acts Brought into Operation in November and December 2007**

---

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General's Chambers*

- the organ to the body of a living person, unless the person who has died —
- (i) had registered an objection to such removal during his lifetime;
  - (ii) was neither a citizen nor a permanent resident of Singapore;
  - (iii) was below 21 years of age;
  - (iv) was above 60 years of age; or
  - (v) was not of sound mind;
- (b) to provide that in the selection of a proposed recipient of an organ removed under s 5 of the Act for transplantation, a person who is a Muslim will not need to make a gift of an organ under the Medical (Therapy, Education and Research) Act (Cap 175) within a particular timeframe in order to have priority over a person who has registered an objection under s 9(1) of the Act to organ removal;
- (c) to provide for the appointment of inspectors for the enforcement of the Act and to set out the powers that may

- be exercised by an inspector when investigating into the commission of any offence under the Act; and
- (d) to permit the disclosure of information that may identify an organ donor or recipient for the purpose of administering and enforcing the Act and for the purpose of referring any complaint or information concerning any registered medical practitioner under the Medical Registration Act (Cap 174).

The Bill also makes a related amendment to the Private Hospitals and Medical Clinics Act (Cap 248) to allow the Director of Medical Services or an authorised officer to disclose information which is contained in the medical record, or which relates to the condition, treatment or diagnosis, of any person if the disclosure is made for the purpose of administering and enforcing the Human Organ Transplant Act (Cap 131A) (amongst certain other Acts).



# legislation update inter se online

## ► Bills Introduced in Parliament in November 2007

## ► Subsidiary Legislation Published in November and December 2007

## ► Acts Brought into Operation in November and December 2007

The **Customs (Amendment) Bill** (No 48/2007) seeks to amend the Customs Act (Cap 70) for the following main purposes:

- (a) to re-classify the existing customs offences by the mode of commission of the offences;
- (b) to allow analyst certificates from such laboratory as the Director-General of Customs ("the Director-General") may specify to be tendered as *prima facie* evidence for court proceedings;
- (c) to allow the Minister to exempt any person or goods from any provision of the Act;
- (d) to provide for the making of customs rulings;
- (e) to enable the Director-General to waive the permit requirement for removing dutiable goods;
- (f) to provide for the grant of a composite licence;
- (g) to abolish the licensed factory warehouse scheme;

- (h) to validate earlier collections of special diesel tax;
- (i) to remove the overlap between a licensed warehouse and a bottling warehouse; and
- (j) to empower the Director-General to approve licences for the manufacture of dutiable goods.

The **Statutes (Miscellaneous Amendments) (No 2) Bill** (No 49/2007) seeks to make certain miscellaneous amendments to certain statutes of the Republic of Singapore as follows:

- (a) to amend the Interpretation Act (Cap 1) —
  - (i) to provide that the authority to provide for fees and charges in subsidiary legislation will include authority to impose charges and penalties for the late payment of those fees or charges, and interest on any outstanding amount of any

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# legislation update inter se online

## ► Bills Introduced in Parliament in November 2007

---

## ► Subsidiary Legislation Published in November and December 2007

---

## ► Acts Brought into Operation in November and December 2007

---

By Joyce Chng and Emily Teo,  
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General's Chambers

- such fee, charge or penalty or for the payment thereof by instalment; and
- (ii) to expressly empower the Minister, by order —
- (A) to impose charges and penalties for the late payment of fees or charges, and interest on any outstanding amount of any such fee, charge or penalty or for the payment thereof by instalment; and
- (B) to reduce, remit or refund, in whole or in part, any charge or penalty for the late payment of any fee or charge, and any interest on any outstanding amount of any such fee, charge or penalty or for the payment thereof by instalment, under any written law; and
- (b) to amend the following Acts to expressly empower the relevant authorities to impose late payment fees and charges where applicable and to validate every past collection of late payment charges under the respective Acts:
- (i) the Broadcasting Act (Cap 28);
  - (ii) the Environmental Public Health Act (Cap 95);
  - (iii) the Fees Act (Cap 106);
  - (iv) the Institute of Technical Education Act (Cap 141A);
  - (v) the Nanyang Polytechnic Act (Cap 191A);
  - (vi) the Ngee Ann Polytechnic Act (Cap 207);
  - (vii) the Parking Places Act (Cap 214);
  - (viii) the Republic Polytechnic Act (Cap 270);
  - (ix) the Road Traffic Act (Cap 276);
  - (x) the Sewerage and Drainage Act (Cap 294);
  - (xi) the Singapore Examinations and Assessment Board Act (Cap 299A);
  - (xii) the Singapore Polytechnic Act (Cap 303);
  - (xiii) the Statutory Boards (Taxable Services) Act (Cap 318); and
  - (xiv) the Temasek Polytechnic Act (Cap 323A).



# legislation update inter se online

## ► Bills Introduced in Parliament in November 2007

---

## ► Subsidiary Legislation Published in November and December 2007

---

## ► Acts Brought into Operation in November and December 2007

---

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### The **Workmen's Compensation**

**(Amendment) Bill** (No 50/2007) seeks to amend the Workmen's Compensation Act (Cap 354) for the following main purposes:

- (a) to expand the coverage of the Act from workers to employees without regard to salary;
- (b) to increase the compensation amounts for claims under the Act in relation to injuries which result in death or permanent incapacity of an employee;
- (c) to enhance the enforcement powers of the Commissioner for Labour and investigation officers;
- (d) to clarify legal ambiguities, for example, the distribution of compensation to dependants of deceased employees and the withdrawal of claims under the Act in order to pursue a civil action;
- (e) to reform the compensation process to ensure greater operational expediency;
- (f) to enhance the penalties of existing offences under the Act and to create new offences; and
- (g) to allow a court to order the employer, upon a conviction of certain offences, to repay the employee the compensation

amount owed (including any applicable interest), in addition to any fine amount ordered by the court; and to provide that in the event of a default, this repayment amount may be recoverable as if it were a court fine.

The Bill also makes consequential amendments to the Appraisers and House Agents Act (Cap 16), the Bankruptcy Act (Cap 20), the Building Maintenance and Strata Management Act 2004 (Act 47 of 2004), the Companies Act (Cap 50), the Employment Act (Cap 91), the HUDC Housing Estates Act (Cap 131), the Institute of Technical Education Act (Cap 141A), the Insurance Act (Cap 142), the Jurong Town Corporation Act (Cap 150), the Limited Liability Partnerships Act (Cap 163A), the Merchant Shipping Act (Cap 179), the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap 189), the Pension Fund Act (Cap 224A), the Pensions Act (Cap 225), the Personal Injuries (Emergency Provisions) Act (Cap 228), the Trade Unions Act (Cap 333) and the Third Parties (Rights against Insurers) Act (Cap 395).





# legislation update inter se online

## ► Bills Introduced in Parliament in November 2007

## ► Subsidiary Legislation Published in November and December 2007

## ► Acts Brought into Operation in November and December 2007

### Subsidiary Legislation Published in November and December 2007

The **Carriage by Air (Montreal Convention, 1999) (Exclusion from Convention) Order 2007** (GN No S 617/2007, wef 16 November 2007) provides that the provisions of the Convention shall not apply to —

- (a) international carriage by air performed and operated directly by the Government for non-commercial purposes in respect to the functions and duties of Singapore as sovereign state; and
- (b) the carriage of persons, cargo and baggage for the Singapore Armed Forces on aircraft registered in Singapore or leased by the Government, the whole capacity of which has been reserved by or on behalf of the Singapore Armed Forces.

The **Road Traffic (Taxi Vocational Licence Demerit Points System) (Amendment) Rules 2007** (GN No S 621/2007, wef 19 November 2007) amends the Road Traffic (Taxi Vocational Licence Demerit Points) Rules (Cap 276, R 43) to provide for enhanced demerit points for taxi vocational licensees who commit the offences of refusing, without reasonable excuse, to hire out taxis or to convey passengers, overcharging and soliciting for passengers.

The **Arms and Explosives (Explosive Precursors) (Amendment) Rules 2007** (GN No S 625/2007, wef 1 December 2007) amend the Arms and Explosives (Explosive Precursors) Rules 2007 (GN No S 306/2007) to reduce the licence fee to possess or control, to possess and store, or to control and store, any explosive precursor from \$60 to \$40 for two years.

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# legislation update inter se online

## ► Bills Introduced in Parliament in November 2007

---

## ► Subsidiary Legislation Published in November and December 2007

---

## ► Acts Brought into Operation in November and December 2007

---

The **Immigration (Multiple Journey Visit Pass Holders – Exemption) Order 2007** (GN No S 626/2007, wef 20 November 2007) provides that subject to certain conditions, a non-citizen who is issued with a multiple journey visit pass under reg 12 of the Immigration Regulations (Cap 133, Rg 1) entitling him to enter Singapore and remain temporarily therein on more than one occasion shall, for the duration of the validity of the pass, be exempt from the disembarkation card and embarkation card requirements in s 6(2) of the Immigration Act (Cap 133) and reg 19 of the Immigration Regulations.

The **Constitution of the Republic of Singapore (Responsibility of the Minister for Finance) Notification 2007** (GN No S 659/2007, wef 1 December 2007) provides that the Prime Minister has directed that Mr Tharman Shanmugaratnam, Minister for Education, shall, with effect from 1 December 2007, be charged with the responsibility for the departments and subjects set out in the Schedule to the Notification and that he shall also be designated the Minister for Finance.

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# legislation update inter se<sup>online</sup>

## ► Bills Introduced in Parliament in November 2007

---

## ► Subsidiary Legislation Published in November and December 2007

---

## ► Acts Brought into Operation in November and December 2007

---

### Acts Brought into Operation in November and December 2007

**Carriage by Air (Montreal Convention, 1999) Act 2007** (Act 41 of 2007) (wef 16 November 2007 by GN No S 616/2007)

**Secondhand Goods Dealers Act 2007** (Act 4 of 2007) (wef 1 December 2007 by GN No S 550/2007)

**Passports Act 2007** (Act 33 of 2007) (wef 1 December 2007 by GN No S 650/2007)

**Income Tax (Amendment No 2) Act 2007** (Act 53 of 2007) (Sections 2, 3(a) and (b), 6(c) and (f), 17, 20(b), 25(i), 30, 31(b), 35(b) and 42(a), (b), (e), (f), (h) and (j) to (n) wef 6 December 2007)

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# case law update inter se online

## ▶ **Administrative Law**

## ▶ **Arbitration**

## ▶ **Banking**

## ▶ **Civil Procedure**

## ▶ **Companies**

## ▶ **Contract**

## ▶ **Courts and Jurisdiction**

## ▶ **Criminal Law**

## ▶ **Criminal Procedure and Sentencing**

## ▶ **Damages**

## ▶ **Employment Law**

## ▶ **Equity**

## ▶ **Family Law**

## ▶ **Insolvency Law**

## ▶ **Land**

## ▶ **Tort**

## ▶ **Words and Phrases**

## **Administrative Law**

Administrative detention — Judicial review of procedure — Detention order under s 30 of Criminal Law (Temporary) Provisions Act (Cap 67) — Whether there should be judicial review of the Minister's decision on the grounds of illegality, procedural impropriety and irrationality

*Re Wong Sin Yee* [2007] SGHC 147

Disciplinary tribunals — Plaintiff falsely declaring spouse in club membership application form — Whether tribunal adopted correct definition of "spouse" — Whether tribunal acted *ultra vires* the club rules — Whether plaintiff given fair chance to be heard — Whether proceedings time barred

*Kay Swee Pin v Singapore Island Country Club* [2007] SGHC 166

Judicial review — Ambit — Court's role only to examine correctness of decision-making process

*Kay Swee Pin v Singapore Island Country Club* [2007] SGHC 166

## **Arbitration**

Award — Recourse against award — Appeal under Arbitration Act — High Court refusing leave to appeal to Court of Appeal — Whether Court of Appeal can grant leave to appeal — Sections 49(7), 49(11) and 52(3) Arbitration Act (Cap 10, 2002 Rev Ed)

*Ng Chin Siau and others v How Kim Chuan* [2007] SGCA 46

Award — Recourse against award — Residual jurisdiction of Court of Appeal — When it can be invoked — How it should be applied

*Ng Chin Siau and others v How Kim Chuan* [2007] SGCA 46





# case law update

# inter se online

▶ **Administrative Law**

▶ **Arbitration**

▶ **Banking**

▶ **Civil Procedure**

▶ **Companies**

▶ **Contract**

▶ **Courts and Jurisdiction**

▶ **Criminal Law**

▶ **Criminal Procedure and Sentencing**

▶ **Damages**

▶ **Employment Law**

▶ **Equity**

▶ **Family Law**

▶ **Insolvency Law**

▶ **Land**

▶ **Tort**

▶ **Words and Phrases**

**Banking**

Breach of fiduciary duties — Customer of bank's private banking division — Customer of bank executing charge over account to secure son-in-law's liabilities — Whether fiduciary relationship existed between bank and customer

*Susilawati v American Express Bank Ltd* [2007] SGHC 179

Secrecy — Customer of bank executing charge over account to secure son-in-law's liabilities — When a bank can disclose information to a guarantor or intending guarantor about debtor's liabilities

*Susilawati v American Express Bank Ltd* [2007] SGHC 179

**Civil Procedure**

Appeals — Leave — Leave to appeal to the Court of Appeal — Whether there should

be leave to appeal against order refusing leave to appeal

*Blenwell Agencies Pte Ltd v Tan Lee King* [2007] SGHC 181

Costs — Whether standard or indemnity costs should be awarded for winning party whose conduct was not blameless

*Susilawati v American Express Bank Ltd* [2007] SGHC 179

Interim orders — Security for costs — Whether filing of defence crucial to assessment of merits of plaintiff's case — Whether reason to believe plaintiff unable to pay costs if defence successful — Whether defendant's application oppressive — Whether any admission to plaintiff's claim made by defendant — Section 388 Companies Act (Cap 50)

*Fibresteel Industries Pte Ltd v Radovic Dragoslav* [2007] SGHC 157





# case law update

# inter se

online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

### Companies

Directors — Liabilities — Former director of company diverting business to competing company — Whether former director in breach of fiduciary duty — Whether competing company liable as accessory

*Viking Airtch Pte Ltd v Foo Teow Keng and another* [2007] SGHC 176

### Contract

Contractual terms — Conditions — The Singapore Law Society's Conditions of Sale 1999 — Condition 29 — Whether Condition 29.8(c)(ii) operated to cause the contract for sale and purchase to cease to have effect upon the failure to make the date of completion set by a notice to complete

*Lim Ah Laik and another v Surender Singh and another* [2007] SGHC 144

Contractual terms — Conditions — Whether full assignment and transfer of legal and

beneficial title a condition precedent to payment of balance purchase price

*Metro Alliance Holdings & Equities Corp v WestLB AG* [2007] SGHC 175

Discharge — Breach — Whether failure to pay balance purchase price discharges contract and results in forfeiture of deposit

*Metro Alliance Holdings & Equities Corp v WestLB AG* [2007] SGHC 175

Formalities — Whether contract for sale of land fulfilled — Whether the property, price and parties were known — Section 6(d) Civil Law Act (Cap 43, 1999 Rev Ed)

*Reindeer Developments Inc v Mindpower Innovations Pte Ltd* [2007] SGHC 170

Formation — Acceptance — Signed option to purchase not executed but offer price and tendering of option money accepted



# case law update inter se online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

by vendor's agent — Whether contract came into being

*Reindeer Developments Inc v Mindpower Innovations Pte Ltd* [2007] SGHC 170

Undue influence — Customer of bank executing charge over account to secure son-in-law's liabilities — Whether presumption of undue influence

*Susilawati v American Express Bank Ltd* [2007] SGHC 179

### Courts and Jurisdiction

Appeals — Leave — Leave to appeal to the Court of Appeal — Finality in matters to prevent excessive litigation

*Blenwell Agencies Pte Ltd v Tan Lee King* [2007] SGHC 181

### Criminal Law

Statutory offences — Misuse of Drugs Act — Illegally importing controlled drug —

Possession of diamorphine — Defence arguing accused knew he was carrying controlled drugs but did not know drugs consisted of heroin — Nature of knowledge required under s 18(2) Misuse of Drugs Act — Whether necessary that accused knew precise nature of controlled drugs he was found in possession of — Whether knowledge encompassed constructive knowledge and wilful blindness — Section 18(2) Misuse of Drugs Act (Cap 185, 2001 Rev Ed)

*Tan Kiam Peng v Public Prosecutor* [2007] SGCA 38

### Criminal Procedure and Sentencing

Sentencing — Principles — Accused committed gang robbery, voluntarily caused hurt and raped three victims — Whether any mitigating factors could be taken into account in sentencing

*Public Prosecutor v Mohamed Fadzli bin Abdul Rahim* [2007] SGHC 177



# case law update inter se online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

Sentencing — Principles — All six accused pleaded guilty to the joint charge under s 304(a) read with s 149 of the Penal Code (Cap 224, 1985 Rev Ed) — Whether there should be parity in sentencing between cases of broadly similar facts

*Public Prosecutor v Norezam Bin Mohsin and others* [2007] SGHC 180

Sentencing — Principles — Benchmark sentences — Whether plea of guilt entitled offender to discount in sentence — One transaction and totality principle — Section 18 Criminal Procedure Code (Cap 68, 1985 Rev Ed)

*Public Prosecutor v Mohamed Fadzli bin Abdul Rahim* [2007] SGHC 177

Sentencing — Principles — Theft committed by CISCO police officer — Whether weight should be accorded to the fact that accused

committed the offence while in uniform and carrying a lethal weapon

*Public Prosecutor v Logmanul Hakim bin Buang* [2007] SGHC 159

Sentencing — Principles — Whether principle of specific deterrence relevant in sentencing — Relevance of general deterrence

*Public Prosecutor v Logmanul Hakim bin Buang* [2007] SGHC 159

Sentencing — Retribution in sentencing — Rationale for imposing a more severe sentence for offence committed whilst on bail

*Public Prosecutor v Logmanul Hakim bin Buang* [2007] SGHC 159

## Damages

Assessment — Interest — Cut-off date for interest on damages awarded — Interest



# case law update inter se online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

awarded for damages for pain and suffering and loss of amenities — Interest awarded damages for loss of earning capacity — Supreme Court Practice Direction No 1 of 2007

*Tan Siew Bin Ronnie v Chin Wee Keong* [2007] SGHC 168

Assessment — Whiplash injury — Assessment of damages for pain and suffering and loss of amenities — Assessment of damages for loss of earning capacity — Approach to assessment

*Tan Siew Bin Ronnie v Chin Wee Keong* [2007] SGHC 168

### Employment Law

Commissioner for Labour — Jurisdiction — Whether Commission of Labour has power to inquire into complaint of non-workmen employees receiving a salary exceeding

\$1,600 — Section 115 Employment Act (Cap 91, 1996 Rev Ed)

*Brightway Petrochemical Group Singapore Pte Ltd v Ang Lily* [2007] SGHC 154

Contract of service — Termination without notice — Whether respondent an employee as defined in the Employment Act — Whether notice period during probation same as that after confirmation

*Brightway Petrochemical Group Singapore Pte Ltd v Ang Lily* [2007] SGHC 154

### Equity

Maxims — He who comes into equity must come with clean hands — Whether vendor who reneged on agreement to sell the property at the offer price (because a higher price could be obtained elsewhere) came to the court with clean hands

*Reindeer Developments Inc v Mindpower Innovations Pte Ltd* [2007] SGHC 170



# case law update

# inter se

online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

Relief — Against forfeiture — Whether equitable relief can be granted to contracts unconnected with any interests in land — Whether forfeiture of deposit would be unconscionable

*Metro Alliance Holdings & Equities Corp v WestLB AG* [2007] SGHC 175

### Family Law

Custody — Access — Order for supervised access made after interview with children

*VB v VC* [2007] SGHC 186

Maintenance — Child — Maintenance of children to be paid out of lump sum granted to petitioner in addition to nominal sum — Broad discretion of court as to how payment of maintenance to be effected in order to best address children's needs

*VB v VC* [2007] SGHC 186

Maintenance — Wife — Lump sum maintenance

*VB v VC* [2007] SGHC 186

Matrimonial assets — Division —

Consideration given to direct and indirect contributions — Whether practical to undertake detailed examination of parties' accounts

*VB v VC* [2007] SGHC 186

### Insolvency Law

Bankruptcy — Offences — Leaving the jurisdiction without prior permission of the Official Assignee — Whether there is a compulsory custodial sentence on bankrupts who contravene travel restrictions — Whether the fact that the offender was already a discharged bankrupt when proceedings were commenced against him warrants a departure from the normal sentencing tariff — Sections 131(1)(b) and 131(2) Bankruptcy Act (Cap 20, 2000 Rev Ed)

*Ganesh s/o M Sinnathamby v Public Prosecutor* [2007] SGHC 189





# case law update inter se online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

### Land

**Caveat** — Wrongful lodgment — Whether option holder may create caveat-able interest in land — Whether valid and binding contract for sale of land vests in the purchaser an equitable interest in land that will support a caveat — Section 115(1) Land Titles Act (Cap 157, 2004 Rev Ed)

*Reindeer Developments Inc v Mindpower Innovations Pte Ltd* [2007] SGHC 170

**Caveats** — Wrongful lodgment — Whether right of first refusal is caveat-able interest — Whether right of first refusal existing when caveat lodged — Whether right of first refusal created by company's first resolution extinguished by company's second resolution — Section 115 Land Titles Act (Cap 157, 2004 Rev Ed)

*Ong Chay Tong & Sons (Pte) Ltd v Ong Hoo Eng and another* [2007] SGHC 182

**Sale of land** — Completion — Contract — Whether specific performance of the Option to Purchase should be ordered — Whether specific performance of the contract for sale and purchase should be ordered

*Lim Ah Laik and another v Surender Singh and another* [2007] SGHC 144

**Sale of land** — Conditions of sale — The Singapore Law Society's Conditions of Sale 1999 — Condition 29 — Whether Condition 29.8(c)(ii) operated to cause the contract for sale and purchase to cease to have effect upon the failure to make the date of completion set by a notice to complete

*Lim Ah Laik and another v Surender Singh and another* [2007] SGHC 144

**Strata titles** — Collective sales — Contract to purchase property — How stamp duty to be assessed on properties acquired via



# case law update

# inter se

online

▶ **Administrative Law**

▶ **Arbitration**

▶ **Banking**

▶ **Civil Procedure**

▶ **Companies**

▶ **Contract**

▶ **Courts and Jurisdiction**

▶ **Criminal Law**

▶ **Criminal Procedure and Sentencing**

▶ **Damages**

▶ **Employment Law**

▶ **Equity**

▶ **Family Law**

▶ **Insolvency Law**

▶ **Land**

▶ **Tort**

▶ **Words and Phrases**

*en bloc* sale — Whether contracts viewed separately for each unit sold or as a single contract for all units sold — Whether stamp duty payable on separate contracts — Section 33A Stamp Duties Act (Cap 312, 2006 Rev Ed)

*UOL Development (Novena) Pte Ltd v Commissioner of Stamp Duties* [2007] SGHC 173

Strata titles — Collective sales — Whether missing pages in Collective Sale Agreement invalidated application — Section 84A Land Titles (Strata) Act (Cap 158, 1999 Rev Ed)

*Siow Doreen and others v Lo Pui Sang and others (Horizon Partners Pte Ltd, first interveners and Reghenzani Claude Augustus and others, second interveners)* [2007] SGHC 174

Strata titles — Strata Titles Board — Appeal to High Court on Board's decision — Whether Board in error of law — Whether Board had power to allow amendment to

application — Regulations 12, 13 Building Maintenance and Strata Management (Strata Titles Board) Regulations 2005

*Siow Doreen and others v Lo Pui Sang and others (Horizon Partners Pte Ltd, first interveners and Reghenzani Claude Augustus and others, second interveners)* [2007] SGHC 174

Strata titles — Strata Titles Board — Appeal to High Court on Board's decision — Whether Board in error of law — Whether law permitted Board to dismiss application on ground of defective application without hearing merits — Whether Board's existence extinguished by defective application — Section 84A Land Titles (Strata) Act (Cap 158, 1999 Rev Ed)

*Siow Doreen and others v Lo Pui Sang and others (Horizon Partners Pte Ltd, first interveners and Reghenzani Claude Augustus and others, second interveners)* [2007] SGHC 174





# case law update

# inter se

online

## ▶ Administrative Law

## ▶ Arbitration

## ▶ Banking

## ▶ Civil Procedure

## ▶ Companies

## ▶ Contract

## ▶ Courts and Jurisdiction

## ▶ Criminal Law

## ▶ Criminal Procedure and Sentencing

## ▶ Damages

## ▶ Employment Law

## ▶ Equity

## ▶ Family Law

## ▶ Insolvency Law

## ▶ Land

## ▶ Tort

## ▶ Words and Phrases

### **Tort**

Conversion — Former director of company taking over premises and equipment of company's overseas office on behalf of competing company — Whether former director and competing company liable for conversion

*Viking Airtech Pte Ltd v Foo Teow Keng and another* [2007] SGHC 176

### **Words and Phrases**

"Appeal" — Section 49 Arbitration Act (Cap 10, 2002 Rev Ed)

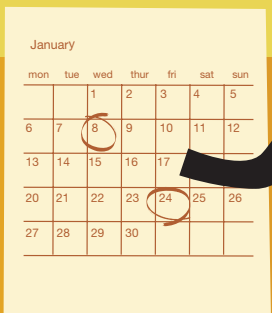
*Ng Chin Siau and others v How Kim Chuan* [2007] SGCA 46



# calendar inter se online

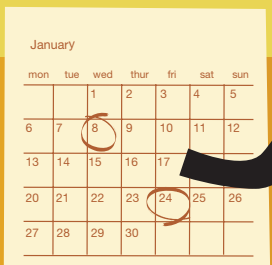
## TRAININGS AND WORKSHOPS CALENDAR FROM JANUARY 2008

DATE	TOPIC	SPEAKER(S)/TRAINER(S)	ORGANISER(S)
4 Jan (Fri) 1.30pm–5.30pm	Adobe 8.0	NTUC Learning Hub	LTC
8, 9 Jan (Tue, Wed) 9.30am–12.30pm	LawNet Portal Administrator	Mr Clifford Leslie Nonis , Crimson Logic	LTC
8, 9 Jan (Tue, Wed) 2.30pm–5.30pm	LawNet2 Portal User	Mr Clifford Leslie Nonis, Crimson Logic	LTC
14 Jan (Mon) 1.30pm–5.30p m	STARS e-Lodgement	Ms Serena Lim, BiziBody	LTC
14, 15, 22, 24 Jan (Mon, Tue, Tue, Thu) 9.30am–12.30pm Or 2.00pm–5.00pm	LawNet2 Due Diligence Enhancement (1.1)	Mr Clifford Leslie Nonis, Crimson Logic	LTC
15 Jan (Tue) 9.00am–5.00pm	EFS ROC Phase 1 & 2	Mr Clifford Leslie Nonis, Crimson Logic	LTC
17 Jan (Thu) 9.00am–12.00pm	EFS Phase 4B	Mr Clifford Leslie Nonis, Crimson Logic	LTC



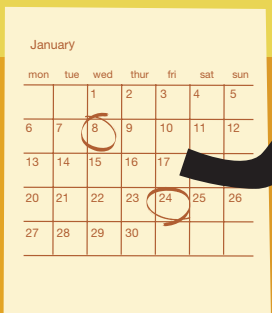
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DATE	TOPIC	SPEAKER(S)/TRAINER(S)	ORGANISER(S)
18 Jan (Fri) 1.40pm-6.00pm	Equity and Corporate Insolvency	Mr Andrew Chan, Allen & Gladhill Mr Lee Eng Beng, Rajah & Tann; Dr Wee Meng Seng and Mr Tey; Tsun Hang, both of Faculty of Law, National University of Singapore	Faculty of Law, NUS and LES
21 Jan (Mon) 9.30pm-5.30pm	LawNet Services at a Glance	Mr Clifford Leslie Nonis, Crimson Logic	LTC
24 Jan (Thu) 9.00am-5.00pm	MS Word for Legal Professionals	Mr Clifford Leslie Nonis, Crimson Logic	LTC
28 Jan (Mon) 9.00am-5.00pm	LawNet Conveyancing: Intereq and STARS e-Lodgement	Ms Serena Lim, BiziBody	LTC
29-31 Jan (Tue-Thu) 9.00am-5.00pm	EFS FE Full Course	Mr Clifford Leslie Nonis, Crimson Logic	LTC
1 Feb (Fri) 9.30am-5.00pm	Commercial Contract Law: Recent Developments in England	Professor Ewan McKendrick, University of Oxford	LES



# calendar inter se online

DATE	TOPIC	SPEAKER(S)/TRAINER(S)	ORGANISER(S)
12 Feb (Tue) 12.00pm–2.15pm	SAL Expert Series: Corporate Counsel – An Alternative Career Path	Mr Anil Changaroth, Davis Langdon & Seah’s CADM; Ms Sharyn Ch’ang, PricewaterhouseCoopers; Ms Pe-Wynn Kin, Avago Technologies Limited and Mr Chua Lee Ming, Government of Singapore Investment Corporation Pte Ltd	LES
18, 19 Feb (Mon, Tue) 9.00am–5.00pm	Mediation: Strategic Conflict Management for Professionals	Mr Loong Seng Onn and Ms Carol Liew	SMC
20, 21, 22, 25 Feb (Wed, Thu, Fri, Mon) 9.00am–5.00pm	Associate Mediator Accreditation Course	Mr Loong Seng Onn and Ms Carol Liew	SMC
25 Feb (Mon) 2.30pm–5.00pm	Court Practice and Procedure (Mediation)	The Honourable Sir Gavin Lightman, Royal Courts of Justice, UK, Chancery Division	School of Law, SMU and LES
3–4 Apr (Thu–Fri) 8.30am–5.00pm	Visiting Fellows Programme: Private International Commercial Law (Part 1)	Professor Adrian Briggs, University of Oxford	LES
10–11 Apr (Thu–Fri) 8.30am–5.00pm	Visiting Fellows Programme: Private International Commercial Law (Part 2)	Professor Adrian Briggs, University of Oxford	LES



# calendar inter se online

DATE	TOPIC	SPEAKER(S)/TRAINER(S)	ORGANISER(S)
8, 9 May (Thu, Fri) 9.00am–5.00pm	Mediation: Strategic Conflict Management for Professionals	Mr Loong Seng Onn and Ms Carol Liew	SMC
23–25 Jul (Wed–Fri) 8.30am–5.15pm	Obligations IV Conference – Current Issues in Contract, Tort, Equity and Restitution	Keynote Speakers: The Right Honourable Lord Hoffmann, Lord of Appeal in Ordinary; Professor Hanoch Dagan, University of Tel Aviv and Professor Stephen Perry, University of Pennsylvania	Faculty of Law, NUS; University of Melbourne and LES

Please note that all information is correct at the time of publication. While every effort is made to retain the original arrangements, changes may sometimes be necessary. Details on select events may be found on the Academy’s website at [www.sal.org.sg](http://www.sal.org.sg).

For enquiries and more information, please contact the respective organisers:

**Professional Affairs/Membership Affairs (PAC):** Rebecca Sit at tel: (65) 6332 0078 or [rebecca\\_sit@sal.org.sg](mailto:rebecca_sit@sal.org.sg)

**LawNet Training Centre (LTC):** Seri Adilia at tel: (65) 6332 4256 or Aida Bte Abdul Rahman at tel: (65) 6332 4382 or [lrc@sal.org.sg](mailto:lrc@sal.org.sg)

**Legal Education and Studies (LES):** Alexis Ong at tel: (65) 6332 4149 or [les@sal.org.sg](mailto:les@sal.org.sg)

**Singapore Mediation Centre (SMC):** Survinder Kaur at tel: (65) 6332 4213 or [survinder\\_kaur@sal.org.sg](mailto:survinder_kaur@sal.org.sg)

For more information on the SMC courses above, please visit [www.mediation.com.sg/pdf/SMCTraining2007.pdf](http://www.mediation.com.sg/pdf/SMCTraining2007.pdf).