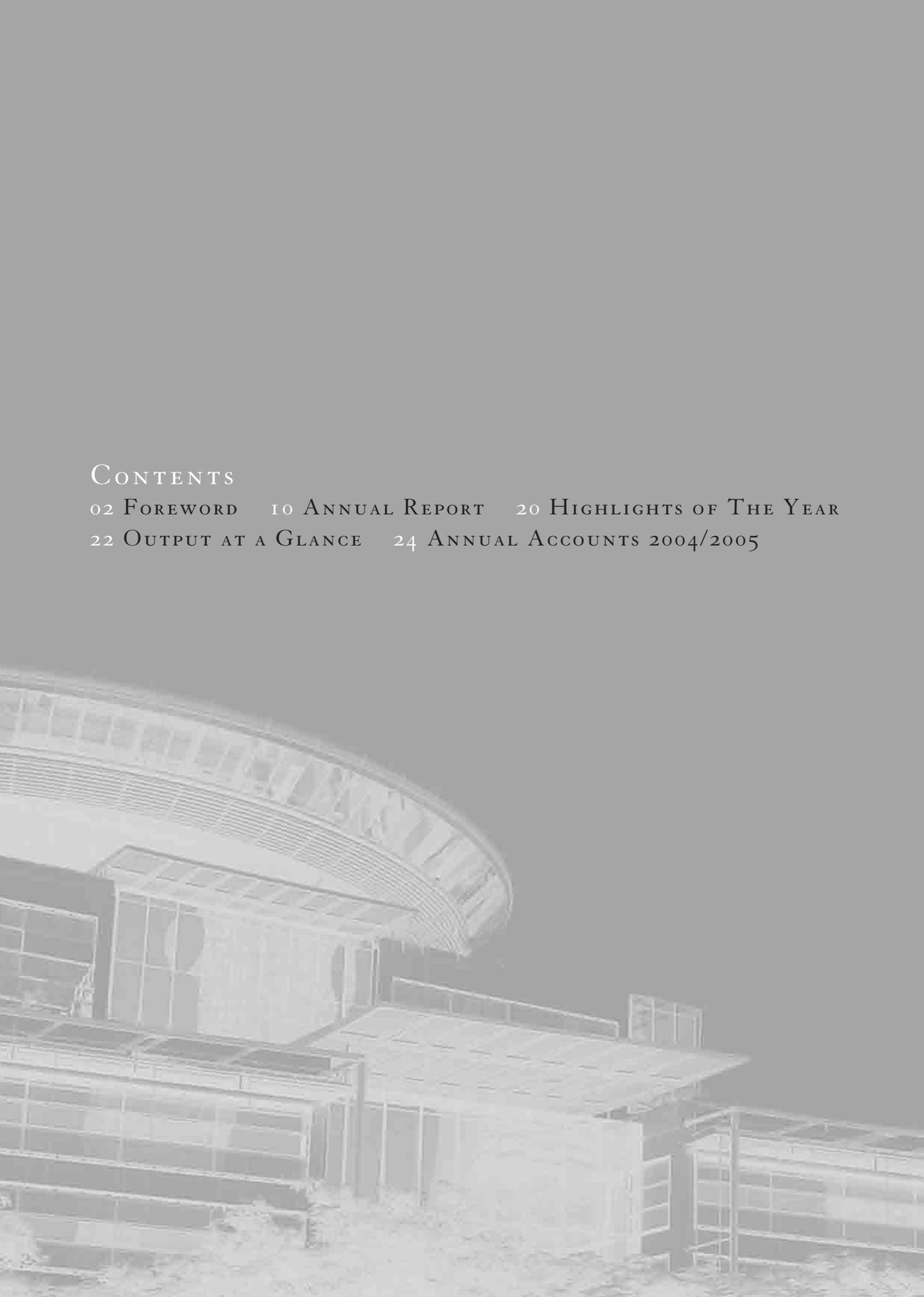




**SINGAPORE  
ACADEMY OF LAW**

ANNUAL REPORT 2004/2005





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SINGAPORE  
ACADEMY OF LAW

MISSION STATEMENT

BUILDING UP THE INTELLECTUAL CAPITAL,  
CAPABILITY AND INFRASTRUCTURE OF MEMBERS  
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PROMOTION OF *ESPRIT DE CORPS*  
AMONG THE MEMBERS OF THE  
SINGAPORE ACADEMY OF LAW.

FOREWORD BY  
THE PRESIDENT,  
SINGAPORE ACADEMY OF LAW

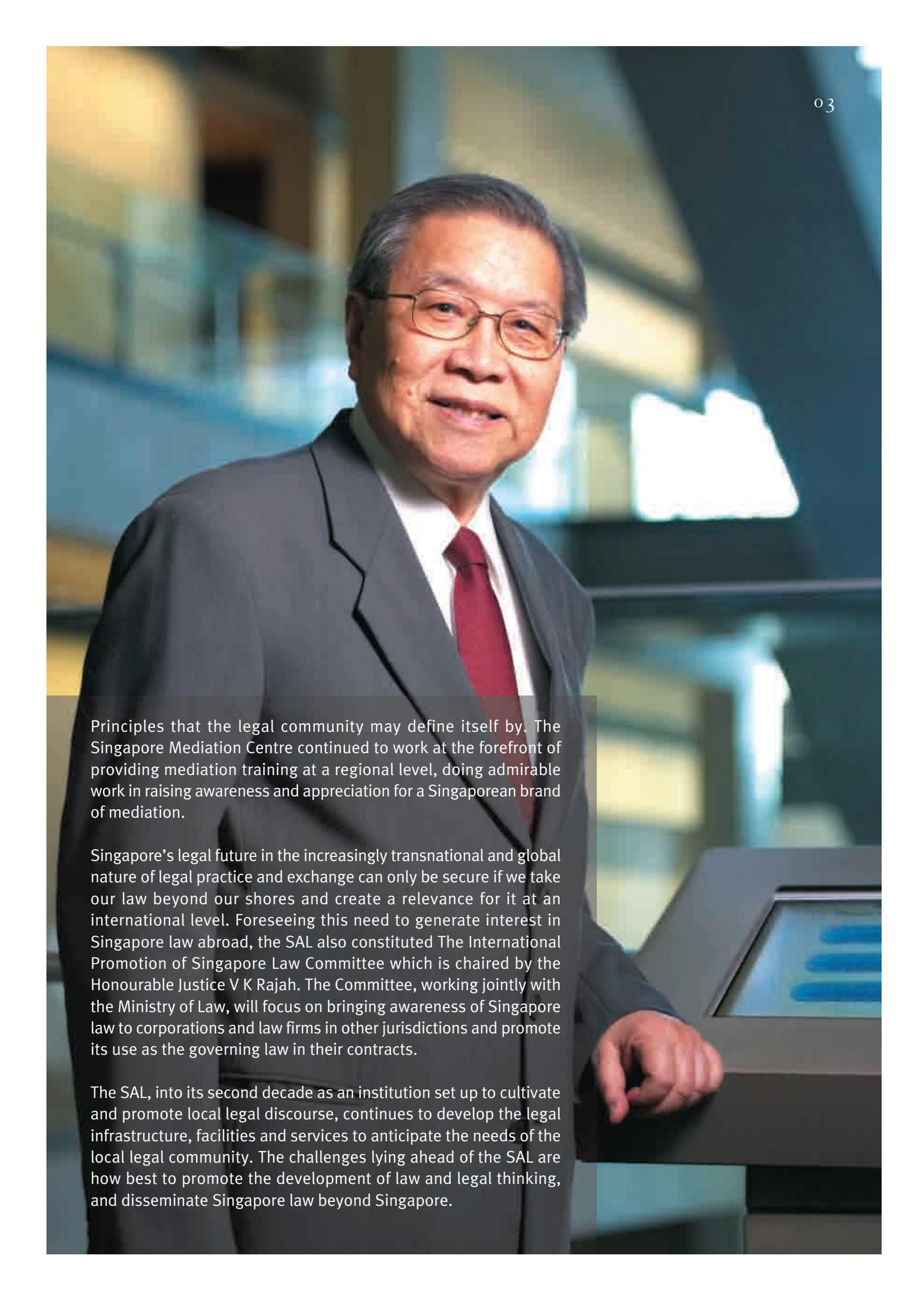
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THE HONOURABLE  
THE CHIEF JUSTICE  
YONG PUNG HOW

The role of an organisation such as the Singapore Academy of Law (“SAL”) is not confined to meeting the demands and challenges presented by the community it serves. Foresight is an important quality not just in individuals but especially in organisations which desire to stay relevant to the times.

In the year under review, the SAL made many changes to the range of services it provides for its members in response to feedback from the legal community. Anticipating the growing technological sophistication and needs of its users, the LawNet Management Committee upgraded the Legal Prospector search engine for the LawNet database with the launch of Legal Prospector 2. The Electronic Filing System front-end was enhanced with the introduction of the “one click file-n-serve” function and the automated generation of cover sheets for court documents.

Other work by the SAL included bringing the publication of the Singapore Law Reports in-house to ensure greater efficiency and timeliness in the dissemination of the law. The Academy Digest (Subordinate Court Series) was expanded to include summaries of selected decisions of various specialised courts and tribunals. The SAL’s Committee on Legal Education and Studies continued to organise workshops, lectures and seminars by legal luminaries such as Professor (Emeritus) Francis Reynolds QC, Professor Ewan McKendrick, and The Right Honourable The Lord Millett to keep members aware of the latest legal developments not just at home but abroad. The Legal Heritage Sub-committee’s effort to raise awareness of Singapore’s legal history culminated in the publication of the book *Essays in Singapore Legal History*. Sensing a need to cultivate not just the minds of its members, the SAL’s Professional Affairs Committee embarked on drafting a set of Professional



Principles that the legal community may define itself by. The Singapore Mediation Centre continued to work at the forefront of providing mediation training at a regional level, doing admirable work in raising awareness and appreciation for a Singaporean brand of mediation.

Singapore's legal future in the increasingly transnational and global nature of legal practice and exchange can only be secure if we take our law beyond our shores and create a relevance for it at an international level. Foreseeing this need to generate interest in Singapore law abroad, the SAL also constituted The International Promotion of Singapore Law Committee which is chaired by the Honourable Justice V K Rajah. The Committee, working jointly with the Ministry of Law, will focus on bringing awareness of Singapore law to corporations and law firms in other jurisdictions and promote its use as the governing law in their contracts.

The SAL, into its second decade as an institution set up to cultivate and promote local legal discourse, continues to develop the legal infrastructure, facilities and services to anticipate the needs of the local legal community. The challenges lying ahead of the SAL are how best to promote the development of law and legal thinking, and disseminate Singapore law beyond Singapore.

## THE SENATE

The Senate is headed by the Honourable the Chief Justice Yong Pung How, who is the President of the Academy. The Vice-Presidents of the Academy are the Honourable Attorney-General Chan Sek Keong; the Honourable Justice Chao Hick Tin; the President of The Law Society of Singapore, Mr Philip Jeyaretnam SC; and the Dean of the Faculty of Law of the National University of Singapore, Professor Tan Cheng Han SC. The Senate also comprises the High Court Judges and Judicial Commissioner, the Solicitors-General, and nine other distinguished members of the profession nominated by the Chief Justice.

SEATED FROM LEFT TO  
RIGHT

Justice Chao Hick Tin, Attorney-General Chan Sek Keong,  
Chief Justice Yong Pung How, Mr Philip Jeyaretnam SC,  
Professor Tan Cheng Han SC

STANDING FROM LEFT TO  
RIGHT (1ST ROW)

Mr Leo Cheng Suan, Professor Tan Yock Lin, Justice Choo Han Teck,  
Justice Belinda Ang Saw Ean, Justice V K Rajah, Justice Lai Siu Chiu,  
Mr Goh Joon Seng, Justice Kan Ting Chiu

STANDING FROM LEFT TO  
RIGHT (2ND ROW)

Mr Joseph Grimberg SC, Dr Gopalan Raman,  
Associate Professor Dora Neo Swee Suan, Justice Judith Prakash,  
Justice Tay Yong Kwang, Dr Philip N Pillai, Justice Woo Bih Li

STANDING FROM LEFT TO  
RIGHT (3RD ROW)

Judicial Commissioner Andrew Phang Boon Leong,  
Mr Alvin Yeo Khirn Hai SC, Justice Tan Lee Meng,  
Second Solicitor-General Lee Seiu Kin, Justice Andrew Ang,  
Mr Giam Chin Toon SC, Solicitor-General Chan Seng Onn

Not in picture: Justice Lai Kew Chai



## EXECUTIVE COMMITTEE

FROM LEFT TO RIGHT

**Justice Chao Hick Tin**  
VICE-PRESIDENT

**Attorney-General Chan Sek Keong**  
VICE-PRESIDENT

**Chief Justice Yong Pung How**  
PRESIDENT

**Mr Leo Cheng Suan**  
MEMBER

**Professor Tan Cheng Han SC**  
VICE-PRESIDENT

**Mr Philip Jeyaretnam SC**  
VICE-PRESIDENT

**Justice Tan Lee Meng**  
MEMBER

Not in picture:  
**Justice Lai Kew Chai**  
MEMBER



## CHAIRPERSONS OF COMMITTEES & BOARDS

### SEATED FROM LEFT TO RIGHT

**Attorney-General Chan Sek Keong**

*CHAIRMAN*

Board of Legal Education  
Committee on Legal Education and Studies  
Council of Law Reporting

**Chief Justice Yong Pung How**

*CHAIRMAN*

Executive Committee  
Senior Counsel Selection Committee

**Justice Chao Hick Tin**

*CHAIRMAN*

Publications Committee  
Singapore Mediation Centre

### STANDING FROM LEFT TO RIGHT

**Justice V K Rajah**

*CHAIRMAN*

International Promotion of Singapore Law  
Committee

**Justice Tan Lee Meng**

*CHAIRMAN*

Annual Lecture Organising Committee  
Staff Committee

**Second Solicitor-General Lee Seiu Kin**

*CHAIRMAN*

LawNet Management Committee  
Electronic Litigation Systems Committee  
Technology Law Development Group

**Justice Judith Prakash**

*CHAIRPERSON*

Law Reform Committee

**Justice Kan Ting Chiu**

*CHAIRMAN*

Legal Heritage Sub-committee

**Mr George Lim**

*CHAIRMAN*

Membership and Social Committee

Not in picture: **Justice Lai Kew Chai**

*CHAIRMAN*

Professional Affairs Committee

**Mr Joseph Grimberg SC**

*CHAIRMAN*

Board of Commissioners for Oaths  
and Notaries Public



## ANNUAL REPORT

### DIRECTOR SERENE WEE



Just as the membership of the Singapore Academy of Law (“SAL”) continues to grow steadily, the SAL as an organisation is expanding to meet the growing needs of the legal community it serves. In the year under review, several new initiatives were undertaken. The Singapore Mediation Centre was appointed as the Authorised Nominating Body under the Building and Construction Industry Security of Payment Act 2004, and the International Promotion of Singapore Law Committee was formally constituted to initiate activities to make Singapore law readily accessible regionally and beyond. These new initiatives have been made possible by the continuing support the SAL has received from its members and those who have volunteered their time to participate in the SAL’s various committees. Here is a summary of the SAL’s work in financial year (“FY”) 2004/2005.

#### **Membership and Social Activities**

Membership of the SAL stood at 7,063 as at 31 March 2005. This is a 3.3% increase over the previous year’s figure of 6,835.

#### *The SAL Annual Lecture*

The SAL Annual Lecture Organising Committee is chaired by the Honourable Justice Tan Lee Meng.

The 11th SAL Annual Lecture was held on 3 November 2004. The Right Honourable Dame Sian Elias, GNZM, Chief Justice of New Zealand, delivered the lecture on “Impartiality in Judicial Function”. The lecture, held at the Raffles City Convention Centre, was attended by 550 persons.

### *Membership & Social Committee*

The Membership and Social Committee is chaired by Mr George Lim.

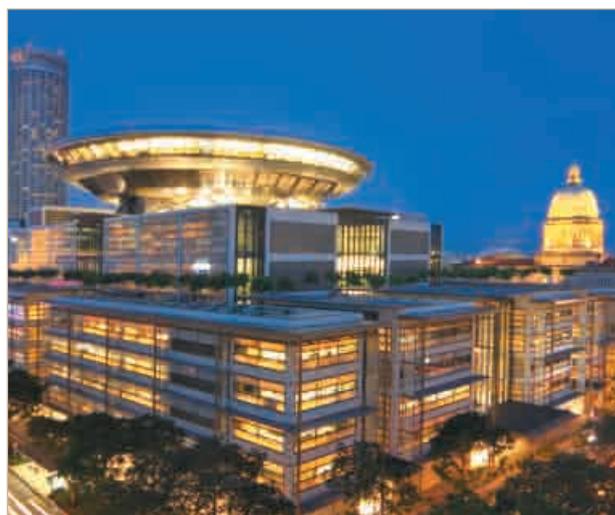
The Committee organised ten events for members in the period under review. The events were attended by 1,445 people in total. In addition to the popular members' movie nights and a variety of leisure and craft activities, the Committee organised two debates. The first was a criminal litigation debate on the criminal discovery process. This was followed by a law-medical debate. Both debates were well-received by members.

The membership benefits programme, established in 2002, now features a total of 40 establishments extending discounts and privileges to members of the SAL, up from 34 in the previous year.

### **LawNet and the Electronic Filing System**

The LawNet Management Committee is chaired by the Honourable Second Solicitor-General Lee Seiu Kin.

LawNet's Legal Prospector was decommissioned in September 2004 after an 11-month parallel run with its Legal Prospector 2 ("LP2"). LP2 has been enhanced with the addition of more secondary reference material, and tools designed to meet legal research needs and user expectations. New enhancements and additions are in the pipeline. At the same time, a new legal research database to be called the "Practitioner's Toolkit" is being developed



and will be rolled out to government intranet users for a pilot run before being made commercially available. The revamp of LawNet into a new legal resource portal entered the development and design phase and the new portal is targeted for launch in the first half of 2006.

The LawNet Secretariat applied for and obtained trade mark registrations for "LawNet" and "Legal Workbench" under various trade mark classes. The registrations are valid up to 2014. A new pricing scheme for credit card access to Legal Workbench was also introduced. Additionally, to formalise the SAL's relationship with CrimsonLogic Pte Ltd, set out management support and maintenance services, and to stipulate the expected service standards, various service-level agreements were entered into with CrimsonLogic Pte Ltd.

## ANNUAL REPORT



In furtherance of the objective of promoting Singapore law, the LawNet Secretariat offered academics performing research on Singapore law three months' complimentary access to Legal Workbench. The Secretariat is also assisting in the implementation of a "free law" website. The first phase of this website is targeted for launch by the first quarter of 2006.

The final phases in the implementation of the Electronic Filing System ("EFS") were completed and launched on 10 January 2005, extending EFS to criminal matters in the Supreme Court. The enhanced EFS front-end was also launched on the same day, introducing new features such as the electronic case file, "one click file-n-serve", and automated generation of cover sheets for court documents.

The Electronic Litigation Roadmap Paper ("the Roadmap") was released on 10 January 2005 for public consultation. The Roadmap was revised to incorporate the responses received during the public consultation and the revised edition of the Roadmap has been approved by the Honourable the Chief Justice. The EFS Review Implementation Committee, appointed to implement the recommendations of the EFS Review Committee, has been reconstituted as the Electronic Litigation Systems Committee to take the former committee into its next phase of implementing the Roadmap approved by the Chief Justice.

The LawNet Training Centre conducted 58 classes, training 593 students. This is an increase from last year's 46 classes attended by 389 students. Nearly half of the classes conducted were for the "EFS Team Audit 2 Enhanced Front-end" course launched in January 2004. In addition, the Technology Awareness and Training Programme was launched for the 2004 Postgraduate Practical Law Course ("PLC") with the aim of educating PLC students on the technologies and support tools available to help lawyers function more efficiently.

## Legal Education and Training

### *Committee on Legal Education and Studies*

The Committee on Legal Education and Studies (“CLES”) is chaired by the Honourable Attorney-General Chan Sek Keong.

CLES organised a total of 26 continuing legal education events during the year, which saw a total of 1,647 participants. The well-attended events were updates on contract law and intellectual property law, attracting more than 100 participants at a time. Two seminars on China’s legal system, and its economic and investment laws were equally well-subscribed. An event on the developments in trusts law in Singapore attracted 180 participants.

CLES continued to work with the National University of Singapore’s (“NUS”) Faculty of Law and, for the first time, collaborated with the Law Department of the Lee Kong Chian School of Business, Singapore Management University, to present a seminar to our members. CLES hosted two law professors from Oxford University, namely, Professor (Emeritus) Francis Reynolds, QC, DCL, FBA, Worcester College, and Professor Ewan McKendrick, BCL, MA, LLB, Lady Margaret Hall, under the Visiting Fellows Programme established in 2003. CLES also held an evening talk on “Artificial Tax Avoidance” presented by The Right Honourable The Lord Millett, member of the Appellate Committee of the House of Lords, and member of the Court of Final Appeal of Hong Kong.

CLES, in collaboration with the Professional Affairs Committee, also commenced preparations for the SAL Conference to be held in January 2006. This conference, held once every five years, will review the developments in Singapore law from 2001 to 2005. The organising committee is chaired by the Honourable Justice V K Rajah.

### *Board of Legal Education*

The Board of Legal Education (“the Board”) is chaired by the Honourable Attorney-General Chan Sek Keong. The Board operates under the aegis of the SAL pursuant to s 6(1) of the Legal Profession Act.

The Board provided training places for 191 law graduates in its Postgraduate Practical Law Course comprising 141 law graduates from NUS, one barrister and one solicitor from England, and 48 holders of the Diploma in Singapore Law.

The Criminal Procedure Case Management (“CPCM”) module was launched for the 2004 PLC. The CPCM covers the various stages counsel would go through when handling a criminal case, from the point of being briefed by an accused person up to the trial. The Board is looking at introducing a case study as part of the assessment for the Professional Responsibility Paper, and preparing a Specimen File for the conveyancing module to alleviate the problems faced by some students in the study of Conveyancing Practice.

The PLC has made significant progress over the last few years, with new features such as the File Management System for Civil Procedure, CPCM and multiple-choice questions for one section of the Professional Responsibility Paper. The Board will embark on an exercise to audit the PLC to ensure that it is moving in the right direction. The Leo Cussen Institute (Australia) has agreed to conduct the audit during the 2005 PLC.

Nine Edu-Dine dinners were also held, with guest speakers presenting on a variety of topics such as politics and legal practice.

### *The SAL Scholarship and Prizes*

The Executive Committee awarded the 2004/2005 SAL Scholarship to Ms Woo Ka Wai. Ms Woo will be pursuing a Masters of Law degree at Harvard University.

The SAL prizes for FY 2004/2005 were awarded to Ms Koh Swee Yen, top final-year student at NUS’s Faculty of Law; Mr Balakrishnan Seshan, the top student in a Law Elective for the degree of Master of Business Administration, Nanyang Technological University; and to Mr Sam Hongzheng, the best final-year student in the Diploma in Law and Management, Temasek Polytechnic.

## ANNUAL REPORT

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### **Law Reform**

#### *Law Reform Committee*

The Law Reform Committee is chaired by the Honourable Justice Judith Prakash.

The Committee had 11 meetings during the year under review. Matters considered by the Committee included reform of choice of law rules for contracts, transfers of civil proceedings between courts, the admissibility of hearsay in civil proceedings and enforcement of foreign judgments, amongst others. The Committee also reviewed a number of bills, including the Competition Bill 2004 and the Building and Construction Industry Security of Payment Bill 2004.

The Committee hosted a tea session for The Right Honourable Dame Sian Elias, GNZM, Chief Justice of New Zealand, on 2 November 2004. Dame Sian Elias, who had been a long-standing member of the New Zealand Law Commission, shared some of her law reform experiences in the areas of company law and personal property law with members of the Committee.

#### *Technology Law Development Group*

The Technology Law Development Group (“TLDG”) is chaired by the Honourable Second Solicitor-General Lee Seiu Kin. The TLDG was established by the SAL to engage in technology law research and reform with a view to assessing the adequacy of existing laws and formulating broad solutions on these issues.

In the period under review, the TLDG published a series of six articles in a column known as “Tech Law Watch” in the SAL’s *Inter Se* magazine. Written by members of the TLDG advisory group and guest writers, these articles aim to, amongst other things, educate members of the legal profession as well as identify and anticipate key trends and developments in technology laws. The articles published included titles such as “Digital Challenges to the Copyright Balance”, “Considerations of Open Source and Commercial Software” and “Review of the Electronic Transactions Act”.

The TLDG also issued a report entitled “Computer Output as Evidence – Final Report”. Associate Professor Daniel Seng from NUS and Assistant Director Sriram Chakravarthi from the SAL were commissioned to write the report as a sequel to their consultation paper on the same topic published in September 2003. This report, consolidating the findings and responses received by the TLDG since the first consultation paper, included the draft Evidence (Amendment) Bill 2005 which gives effect to the recommendations made by the TLDG in the consultation paper.

The TLDG presented a paper entitled “Proposals for Developing Arbitration for Resolutions of disputes involving Information Technology (“IT”) or IT Law Issues” to the Ministry of Law, the Singapore International Arbitration Centre and the Singapore Institute of Arbitrators. The paper was the result of a focus-group discussion initiated in January 2005. Eight lawyers practising in the IT

area and the Chief Executive of the Singapore International Arbitration Centre took part in the discussions.

## **Law Reporting and Publications**

### *The Council of Law Reporting*

The Council of Law Reporting is chaired by the Honourable Attorney-General Chan Sek Keong.

With effect from 1 January 2005, the SAL commenced publishing the Singapore Law Reports (“SLR”) independently, after its publishing agreement with CCH Asia Pte Ltd ended on 31 December 2004. Under this new arrangement, all editorial operations for the preparation of the publication up to a print-ready format are managed and conducted in-house. The printing, handling and warehousing of the SLR were outsourced to Markono Print Media Pte Ltd. The SLR continued to be marketed and distributed by LexisNexis, which has a non-exclusive licence to sell and distribute the SLR worldwide.

For the period 1 April 2004 to 31 March 2005, 24 parts of the SLR were produced. A total of 198 cases were reported, of which 151 were High Court decisions and 47 were Court of Appeal decisions. Of the cases reported, 35 were criminal cases and the remaining 163 were civil cases. As at 31 March 2005, there were a total of 365 subscribers subscribing to 461 sets of the SLR.

The SAL continued its work on the project to re-headnote the backset of the SLR started in 2004 and established plans for an exercise to check all headnotes to ensure their consistency and accuracy. This exercise will be undertaken by a team of Justices’ Law Clerks and Legal Service officers with prior headnoting experience. The revised headnotes will undergo a second layer of checks by an Editorial Board to be chaired by the Honourable Judicial Commissioner Andrew Phang Boon Leong. The target date for the completion of the backset project is December 2008.

The Academy Digest, a fortnightly summary of all written judgments from the Singapore courts, continued as a subscription service available via fax, e-mail and post. As at 31 March 2005, the number of subscribers to the Academy Digest (Supreme Court Series), containing summaries of all decisions of the Court of Appeal and High Court, stood at 77 whilst there were 55 subscribers to the Academy Digest (Subordinate Courts Series), which carries summaries of decisions of the Subordinate Courts.

The Subordinate Court Series was expanded in January 2005 to include summaries of selected decisions of specialised courts and tribunals, including family law decisions from the Syariah Appeal Board and the Tribunal for the Maintenance of Parents. Work is currently being done to explore the feasibility of including more of such decisions.

### *Publications Committee*

The Publications Committee is chaired by the Honourable Justice Chao Hick Tin.

The Committee published the March 2004 and September 2004 issues of the Singapore Academy of Law Journal (“the Journal”) in the period under review.



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The March 2005 issue of the Journal included a special section featuring contract law articles edited by guest editor Professor Michael Furmston, Emeritus Professor and Senior Research Fellow, University of Bristol. The section featured seven articles, including an article by Professor Ewan McKendrick, Professor of English Private Law, University of Oxford, and two by the Honourable Judicial Commissioner Andrew Phang Boon Leong.

The panel of international referees for the Journal established in the previous year has expanded with the addition of Professor Stanley Yeo (Southern Cross University) and Professor Ian Ramsay (University of Melbourne). The number of international referees on the panel now stands at 13.

The Committee also published the fourth issue of the Singapore Academy of Law Annual Review of Singapore Cases 2003. In this issue, the chapter on Admiralty and Shipping Law was expanded to include Aviation Law. Work has commenced on the Annual Review of Singapore Cases 2004, which will feature six new contributors for various chapters.

### *Inter Se*

Six issues of *Inter Se* were published, with editorial operations managed in-house, and distributed to all members at no charge. *Inter Se* continues to feature “Legislation Watch”, a bi-monthly update on developments in Singapore legislation prepared by the Attorney-General’s Chambers.



### **Legal Heritage**

The Legal Heritage Project is chaired by the Honourable Justice Kan Ting Chiu.

The book, *Essays in Singapore Legal History*, was published. Copies of the book were presented to VIPs and special guests at the Opening of the Legal Year on 8 January 2005. The book was officially launched on 3 March 2005 in conjunction with a lunchtime talk organised by the Professional Affairs Committee.

An Oral History Project Team, headed by Associate Professor Eleanor Wong from NUS, has been formed to undertake the recording of interviews with legal personalities as oral history. In view of the project, a workshop by Mr Jean-Paul Wiest, Research Director of the Beijing Center for Language and Culture, on collating oral history records, was organised. The execution plans of this project have been approved by the Chief Justice and work is currently underway to implement them.

## Professional Standards

### *Senior Counsel Selection Committee*

The appointment of Senior Counsel in 2005 was made by a Selection Committee comprising the Chief Justice, the Honourable Attorney-General and Judge of Appeal the Honourable Justice Chao Hick Tin, pursuant to s 30 of the Legal Profession Act. Mr Lok Vi Ming and Mr Vinodh Sabesan Coomaraswamy were appointed as Senior Counsel, bringing the total number of persons who have been conferred this distinguished title since 1997 to 40.

### *Board of Commissioners for Oaths and Notaries Public*

The Board of Commissioners for Oaths and Notaries Public is chaired by Mr Joseph Grimberg SC.

A total of 418 commissioners for oaths and 92 notaries public were appointed for the period of 1 October 2004 to 30 September 2005. For the period of 1 April 2004 to 31 March 2005, 1,134 commissioners for oaths and 337 notaries public were appointed.

In FY 2004/2005, the SAL issued a total of 13,701 certificates to authenticate the signatures of its appointed notaries public.

### *Professional Affairs Committee*

The Professional Affairs Committee is chaired by the Honourable Justice Lai Kew Chai.

Continuing to build on the success of earlier lunchtime talks delivered by experts, the Committee organised two lunchtime talks in the period under review. Associate Professor David Ranson gave a talk on “Medical Treatment Related Death Investigations for the Coroner”. Adjunct Associate Professor Kwa Chong Guan gave a talk entitled “1819 – 1924: The Beginnings of Our Legal System”, which was jointly held with the Legal Heritage Sub-committee’s launch of its legal history book.



The sub-committee chaired by Mr Jeffrey Chan, established to draft the Professional Principles of the Singapore Academy of Law, completed its work. The draft was vetted by the Attorney-General’s Chambers and approved by the Chief Justice for discussion at the 17th Annual Meeting of the Senate in 2005.

A sub-committee was established to consider issues pertaining to conflicts of interests and multiple representation facing the Bar today. Chaired by the Honourable Justice V K Rajah, the sub-committee comprised members from the different sectors of the legal profession. The work of the sub-committee has been completed and a report submitted to the Chief Justice.

The Committee also undertook several other projects in the period under review, including establishing a sub-committee to consider issues pertaining to contempt of court before the registrars in chambers; collaborating with the Legal Heritage Sub-committee for an oral history project; and continuing dialogue with NUS’s Faculty of Law and the Law Society’s Young Lawyers Committee.

## International Promotion of Singapore Law

The International Promotion of Singapore Law Committee is chaired by the Honourable Justice V K Rajah.

## ANNUAL REPORT

The Committee was formed with the aim of promoting the use of Singapore law as the governing law in commercial contracts, and the referral of commercial disputes for arbitration and mediation in Singapore. It consists of more than 30 members who come from all quarters of the legal profession – the Bench, the Bar, the Legal Service and academia.

The Committee is divided into three main groups, namely, the Academic Group (which is further divided into the Content and Technology sub-groups), the Promotion and Marketing group, and the Country Teams group (which comprises three individual teams focussing respectively on China, India and Indonesia).

The work of the Committee will be carried out on an extended basis. Apart from setting up the basic systemic framework and establishing the initial pool of resources, the Committee intends to extend the reach and impact of its effort in terms of the number of countries ventured into, and the areas of law involved. The Committee intends to launch a website in early 2006, as well as run a series of other activities such as seminars and road shows. The activities of the Committee will be funded by the SAL and the Ministry of Law jointly. Additionally, the Ministry of Law contributed a sum of \$60,000 to fund the website development cost.

The Committee has covered much of the foundational ground work and will be focussing on planning more activities and implementing them in the period ahead.

**Other Services***Stakeholding Service*

The number of stakeholding transactions increased. The total number of payment-in transactions rose from 6,509 cases in FY 2003/2004 to 8,597 cases in FY 2004/2005. The total number of payment-out transactions also rose from 6,308 cases in FY 2003/2004 to 7,855 cases in FY 2004/2005.

*New Enterprise System*

The SAL awarded a contract for the development and installation of an enterprise-wide computer system called the New Enterprise System (“NES”). This is a suite of software modules covering four important areas of the SAL’s work. Comprised of the membership module, the accounting module, the events module and the website module, the NES aims to streamline the SAL’s operations and to bring our services closer to our members. Integration between the different modules will help ensure that the flow of business information is channelled in a timely manner to the relevant business processes. With the NES, our members can look forward to an electronic library of the SAL’s publications on our website, where they can search, browse, read or download articles or papers from Singapore Academy of Law Journal, our collection of Law Reform Papers and *Inter Se*, amongst other publications, from the comfort of their desktops. In addition, the new SAL website will bring to our members the convenience of browsing, and registering for, the SAL’s training and social events online.



### **Singapore Mediation Centre**

The Singapore Mediation Centre (“SMC”) mediated 65 cases.

Training continues to be an important function of SMC. SMC’s list of institutional clients continued to grow, led by its reputation in alternative dispute resolution training. SMC conducted 35 workshops (excluding courses taught at the Singapore Management University). Workshop highlights included a team-building workshop for Singapore Airport Terminal Services Ltd (SATS) held in Bangkok, and a workshop for the Philippine Supreme Court and the Philippine Judicial Academy funded by the United States Agency for International Development and the Asia Foundation.

On 1 March 2005, SMC was appointed the Authorised Nominating Body under the Building and Construction Industry Security of Payment Act 2004 (“SOP Act”) to administer the adjudication process under the SOP Act. The SOP Act’s primary objective is to alleviate cash-flow problems faced in the Singapore construction industry. With the assistance of the Construction Adjudication Accreditation Committee chaired by the Honourable Second Solicitor-General Lee Seiu Kin, SMC set up a registry to administer the adjudication process. SMC also ran a training course for 32 participants to select Adjudicators under the SOP Act, with 27 of the participants passing the pre-qualification assessment.

### **Conclusion**

The SAL continues to look for ways in which it may better meet the needs of its members and the larger legal community. In addition to the areas of development identified in the period under review, the SAL will be focussing its efforts on the forthcoming five-yearly conference, the SAL Conference 2006. The SAL pledges to continue to serve the interests of its members in keeping with its mission and to do its utmost to prepare the legal profession for the challenges that lie ahead.

## HIGHLIGHTS OF THE YEAR

### ACADEMY EVENTS AND NEW SERVICES

#### APRIL 2004

##### **1 Apr**

The membership benefits programme, established in 2002, now features a total of 40 establishments extending discounts and privileges to members of the SAL.

##### **12-13 Apr, 19-20 Apr**

Two seminar series entitled “Current Developments in the Law of Contract” and “Recent Developments in Maritime Law” were conducted by Professor Francis Reynolds under the SAL Visiting Fellows Programme.

#### MAY 2004

##### **20 May**

A law reform report entitled “Transfers of Civil Proceedings between Courts” was published.

##### **25 May**

Decisions from the Tribunal for the Maintenance of Parents were added to Legal Prospector 2 (“LP2”).

#### JULY 2004

##### **2 Jul**

A Criminal Litigation Debate was organised.

##### **6 Jul**

Appeals Board (Land Acquisition) decisions were added to LP2.

##### **12 Jul**

The following service-level agreements were signed with CrimsonLogic Pte Ltd:

- i) Hosting Agreement;
- ii) Business Alliance for the Operation of the LawNet Training Centre; and
- iii) Agreement for the Use of “LawNet Service Bureau” and the Provision of Service Bureau Activities.

##### **26 Jul**

Decisions from the Syariah Court were added to LP2.

##### **30 Jul**

At the request of the Building and Construction Authority, the Law Reform Committee reviewed and provided feedback on the Building and Construction Industry Security of Payment Bill 2004.

#### AUGUST 2004

##### **12 Aug**

Muslim matrimonial law cases were added to LP2.

##### **19 Aug**

At the request of the Ministry of Trade and Industry, the Law Reform Committee reviewed and provided feedback on the Competition Bill 2004.

##### **26 Aug**

Malayan Law Journal was migrated from the old Legal Prospector to LP2.

## SEPTEMBER 2004

**6-7 Sep, 9-10 Sep**

Two seminar series entitled “Commercial Contract Law” and “Sale of Goods and International Trade Law” were conducted by Professor Ewan McKendrick under the SAL Visiting Fellows Programme.

## OCTOBER 2004

**6 Oct**

Contributions from Drew & Napier LLC’s “Legal Update” were included in LP2.

**13 Oct**

*The Impact of the Regulatory Framework on E-Commerce in Singapore* and Registrar’s Circulars were added to LP2 under the Textbook category.

**15 Oct**

A re-match of the law-medical debate took place between the SAL and the medical Alumni Association.

## NOVEMBER 2004

**3 Nov**

The 11th SAL Annual Lecture, entitled “Impartiality in Judicial Function”, was delivered by The Right Honourable Dame Sian Elias, GNZM, Chief Justice of New Zealand.

**4 Nov**

A Management Services Agreement for LawNet services was signed with CrimsonLogic Pte Ltd.

## DECEMBER 2004

**15 Dec**

The TLDG released its Final Report on the admissibility of “Computer Output as Evidence”.

**29 Dec**

*Subordinate Courts Practice Directions* (2004 Ed) was added to LP2 under the Textbook category.

## JANUARY 2005

**2 Jan**

Really Simple Syndication (RSS) feed to the Supreme Court and the Subordinate Courts to publish free judgments online at their respective websites was implemented.

**4 Jan - 7 Jan**

A series of seminars and lunch time briefing sessions were conducted for practitioners and other Electronic Filing System (“EFS”) users:

- i) “Introduction of Electronic Filing for Criminal Cases in the Supreme Court”; and
- ii) “EFS Front-End (FE) Technical Audit 2 enhancements”.

**6 Jan**

The Electronic Litigation Roadmap Paper was released for public consultation.

**8 Jan**

Mr Lok Vi Ming and Mr Vinodh Sabesan Coomaraswamy were appointed as Senior Counsel.

**10 Jan**

Electronic filing for criminal cases in the Supreme Court was introduced.

EFS FE enhancements (*eg* new features such as “one-click File-n-Serve” *etc*) were implemented.

**22 Jan-24 Jan**

A series of briefing sessions on the changes and enhancements made to LawNet’s Legal Workbench (“LWB”) were conducted for LWB users.

**28 Jan**

Three months’ complimentary access to LWB for legal academics for the purpose of writing academic papers or articles touching on Singapore law was introduced.

**30 Jan**

LP2 was enhanced to include the following new features:

- i) Save URL Feature;
- ii) Filtering selections for Catchword Browse; and
- iii) Richer Interlinking for Malayan Law Journal.

## FEBRUARY 2005

**1 Feb**

A new pricing scheme for LWB credit card usage was introduced.

**7 Feb**

An event was organised to introduce law students to the legal profession. The event was entitled “The Real Careers Fair: The Undergraduate Guide to Legal Practice in Singapore”.

**8 Feb**

At the request of the Monetary Authority of Singapore, the Law Reform Committee reviewed and provided feedback on the specific provisions relating to exemptions for lawyers under the Trust Companies Act 2005.

## OUTPUT AT A GLANCE

MEMBERSHIP	383 waivers approved. 10 social events; 1,445 persons attended.
STAKEHOLDING SERVICE	8,597 payment-in cases. 7,855 payment-out cases.
LEGAL EDUCATION AND STUDIES	24 seminars and 2 roundtable sessions conducted; 1,647 persons attended.
LAWNET SERVICES	Number of users as at 31 Mar 2005: 3066. Number of transactional databases: 28. Number of legal research databases: i) Primary legal material (including legislation, parliamentary and case material): 23 (6 new databases added); ii) Journals and legal articles: 23 (2 new databases added); and iii) Textbooks, research reports and precedents: 9 (1 new database added).
LAWNET TRAINING CENTRE	58 classes conducted; 789 persons attended.
ACADEMY MAGAZINE ( <i>Inter Se</i> )	6 issues published.
SINGAPORE LAW REPORTS	24 parts published.
ACADEMY DIGEST (SUPREME COURT SERIES)	26 issues released.
ACADEMY DIGEST (SUBORDINATE COURTS SERIES)	26 issues released.
ANNUAL REVIEW OF SINGAPORE CASES (2002)	1 issue published.
SINGAPORE ACADEMY OF LAW JOURNAL	2 issues published.



LAW REFORM	8 matters considered.
TECHNOLOGY LAW DEVELOPMENT GROUP	Final Report on “Computer Output as Evidence” published. Series of 6 “Tech Law Watch” articles published in <i>Inter Se</i> .
SENIOR COUNSEL	2 persons appointed.
COMMISSIONERS FOR OATHS	1,552 persons appointed.
NOTARIES PUBLIC	429 persons appointed.
AUTHENTICATION SERVICE	13,701 certificates issued.
SMC MEDIATION	69 new cases registered; 65 mediated. 1 neutral evaluation case evaluated. 3 cases registered under the Singapore Domain Name Dispute Resolution Policy (SDRP) dealt with.
SMC TRAINING	35 workshops; 708 persons attended.
PRE-IMPRESS EDITING	317 judgments received for editing.
ELECTRONIC FILING SYSTEM	Electronic Litigation Roadmap Paper published.
PROFESSIONAL AFFAIRS	2 Lunchtime Talks with Experts. 3 reports produced.
LEGAL HERITAGE	1 book published.
TECHNOLOGY	New Enterprise System commissioned.

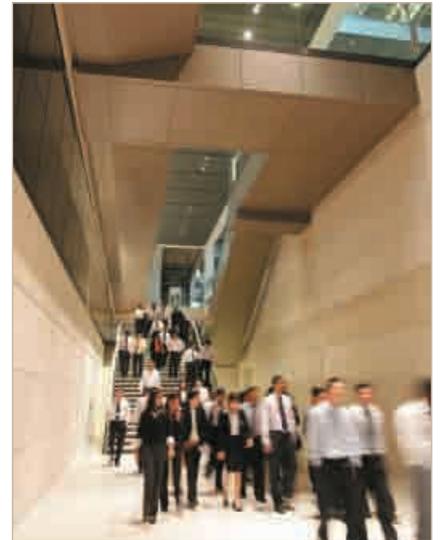
## ANNUAL ACCOUNTS

### SUMMARY FINANCIAL STATEMENT FOR THE FINANCIAL YEAR ENDED 31<sup>st</sup> MARCH 2005

#### **Important Note**

**“This summary financial statement is derived from the Academy's financial statements and auditors' report thereon, which are available for inspection by all members of the Academy at the premises of the Academy during the Academy's office hours. Any member who wishes to have copies of the financial statements and auditors' report may notify the Academy; and the Academy shall furnish these free of charge to that member within 21 days of its receipt of the member's notification.**

**The summary financial statement does not contain sufficient information to allow for a full understanding of the results and state of affairs of the Academy or of the group. For further information, the full financial accounts and the auditors' report on those accounts should be consulted.”**



Objectives of the Academy in accordance with the Singapore Academy of Law Act (Cap. 294A, 1997 Revised Edition) are:

- (a) to promote and maintain high standards of conduct and learning of the members of the legal profession in Singapore and the standing of the profession in the region and elsewhere;
- (b) to promote the advancement and dissemination of knowledge of the laws and the legal system;
- (c) to promote legal research and scholarship and the reform and development of the law;
- (d) to provide continuing legal education for its members;
- (e) to provide for the training, education and examination, by the Academy or by any other body, of persons intending to practise the profession of law;
- (f) to consider proposals and suggestions regarding matters which are referred to the Academy by the Law Society or the Board\*;
- (g) to refer to the Law Society or the Board\* proposals and suggestions regarding matters which in the opinion of the Senate require consideration by the Law Society or the Board\*;
- (h) to promote good relations and social interaction amongst members and between members and law students and persons concerned in the administration of law and justice in Singapore;
- (i) to appoint persons as notaries public or commissioners for oaths and to authenticate their signatures;
- (j) to undertake activities and projects relating to the study, development and operation of laws and legal systems and the facilities, information technology and infrastructure in support thereof;
- (k) to provide consultancy and other services relating to the study, development and operation of laws and legal systems and the facilities, information technology and infrastructure in support thereof; and
- (l) to exercise the functions and duties conferred on the Academy under any written law.

\* "Board" refers to the Board of Legal Education established under section 3 of the Legal Profession Act (Cap.161, 2001 Revised Edition).

## ANNUAL ACCOUNTS

### SUMMARY FINANCIAL STATEMENT FOR THE FINANCIAL YEAR ENDED 31<sup>st</sup> MARCH 2005

#### Summary Income and Expenditure Statements for the Financial Year Ended 31 March 2005

	The Group		The Academy	
	2005 \$	2004 \$	2005 \$	2004 \$
Total income	8,114,644	6,672,138	7,793,959	6,113,444
Total expenditure	(5,027,195)	(4,495,606)	(4,671,782)	(3,946,593)
Surplus before grants and taxation	3,087,449	2,176,532	3,122,177	2,166,851
Grants received or utilised	222,844	205,369	131,576	61,059
Taxation	(4,100)	(28,600)	-	-
Surplus after grants and taxation but before transfer to Other Funds	3,306,193	2,353,301	3,253,753	2,227,910
Amounts transferred to Other Funds	(1,225,243)	(1,104,020)	(1,225,243)	(1,104,020)
Net surplus for the year	2,080,950	1,249,281	2,028,510	1,123,890



### Summary Balance Sheets as at 31 March 2005

	The Group		The Academy	
	2005 \$	2004 \$	2005 \$	2004 \$
Property, plant and equipment	709,989	534,094	704,975	526,918
Funds with fund managers and other investments	16,649,606	11,757,034	16,649,606	11,757,034
Intangible assets	-	391,642	-	391,642
Other non-current asset	200,233	-	200,233	-
Current assets *	271,530,170	141,683,785	269,463,619	139,740,288
Current liabilities *	(265,104,224)	(133,417,900)	(264,873,931)	(133,347,327)
	23,985,774	20,948,655	22,144,502	19,068,555
Accumulated Fund	17,679,346	15,598,396	16,758,392	14,729,882
Other Funds	5,236,768	4,057,755	5,308,693	4,129,680
	22,916,114	19,656,151	22,067,085	18,859,562
Grants	1,069,660	1,292,504	77,417	208,993
	23,985,774	20,948,655	22,144,502	19,068,555

\* Included in current assets and current liabilities are stakeholding moneys amounting to \$261,928,060 (2004: \$130,663,489) held in accordance with the Singapore Academy of Law (Stakeholding) Rules (Cap. 294A, R2, 1998 Revised Edition) (as amended in 2002 and 2003).

## ANNUAL ACCOUNTS

### SUMMARY FINANCIAL STATEMENT FOR THE FINANCIAL YEAR ENDED 31<sup>o</sup> MARCH 2005

#### **Changes in Structure of the Academy**

There are no material changes in the structure of the Academy for the financial year ended 31 March 2005.

#### **Donations**

Tax deductible donations of \$7,191 (2004: \$40,180) were received by the Academy and the Group during the financial year. An amount of \$13,743 (2004: \$48,348) of the cumulative donations received has been utilised during the financial year.

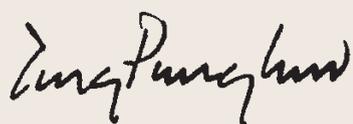
The donations were utilised in accordance with the objectives of the Academy.

### Summary of Significant Related Party transactions

Summary of significant related party transactions between the Academy and its subsidiary and related government bodies, at terms agreed between the parties concerned, are as follows:

	The Group		The Academy	
	2005 \$	2004 \$	2005 \$	2004 \$
(a) Income and expenditure for services				
Management fee income received from subsidiary	-	-	423,692	424,977
LawNet levy income received from related government bodies	350,282	405,138	350,282	405,138
Food and beverage income received from subsidiary	-	-	53,082	53,169
Seminar fees and workshop income and food and beverage income received from related government bodies	79,049	97,861	76,953	94,836
Office rental, professional fees and secondment charges paid to related government bodies	444,734	425,034	428,421	392,679
(b) Key management remuneration	1,118,839	847,754	1,118,839	847,754

DATED THIS 4TH AUGUST 2005



CHIEF JUSTICE YONG PUNG HOW  
PRESIDENT  
SINGAPORE ACADEMY OF LAW

## ANNUAL ACCOUNTS

### SUMMARY FINANCIAL STATEMENT FOR THE FINANCIAL YEAR ENDED 31<sup>o</sup> MARCH 2005

#### **“REPORT OF THE AUDITORS TO THE MEMBERS OF THE SINGAPORE ACADEMY OF LAW**

We have examined the summary financial statement set out on pages 24 to 29.

In our opinion, the summary financial statement is consistent in all material respects with the full financial statements of The Singapore Academy of Law (“Academy”) and the consolidated financial statements of the Group for the financial year ended 31 March 2005 from which it is derived and complies with the requirements of section 21 of the Singapore Academy of Law Act (Cap. 294A, 1997 Revised Edition) and regulations made thereunder, applicable to the summary financial statement.

We have issued an unqualified audit report dated 4 August 2005 on the financial statements of The Singapore Academy of Law and the consolidated financial statements of the Group for the financial year ended 31 March 2005, which is as follows:

**'AUDITORS' REPORT TO THE MEMBERS OF THE SINGAPORE ACADEMY OF LAW**

We have audited the accompanying financial statements of The Singapore Academy of Law ("Academy") set out on pages 2 to 30 [therein] for the financial year ended 31 March 2005, comprising the balance sheet, income and expenditure statement and statement of changes in funds of the Academy and the consolidated financial statements of the Group. These financial statements are the responsibility of the Academy's Senate. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Singapore Standards on Auditing. Those Standards require that we plan and perform our audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by the Academy's Senate, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion,

- (a) the accompanying balance sheet, income and expenditure statement and statement of changes in funds of the Academy and consolidated financial statements of the Group are properly drawn up in accordance with the provisions of the Singapore Academy of Law Act ("the Act") and Singapore Financial Reporting Standards so as to give a true and fair view of the state of affairs of the Academy and of the Group as at 31 March 2005, the results and changes in funds of the Academy and the Group and the consolidated cash flows of the Group for the financial year ended on that date, and
- (b) the accounting and other records required by the Act to be kept by the Academy and by the subsidiary of which we are auditors have been properly kept in accordance with the provisions of the Act.'

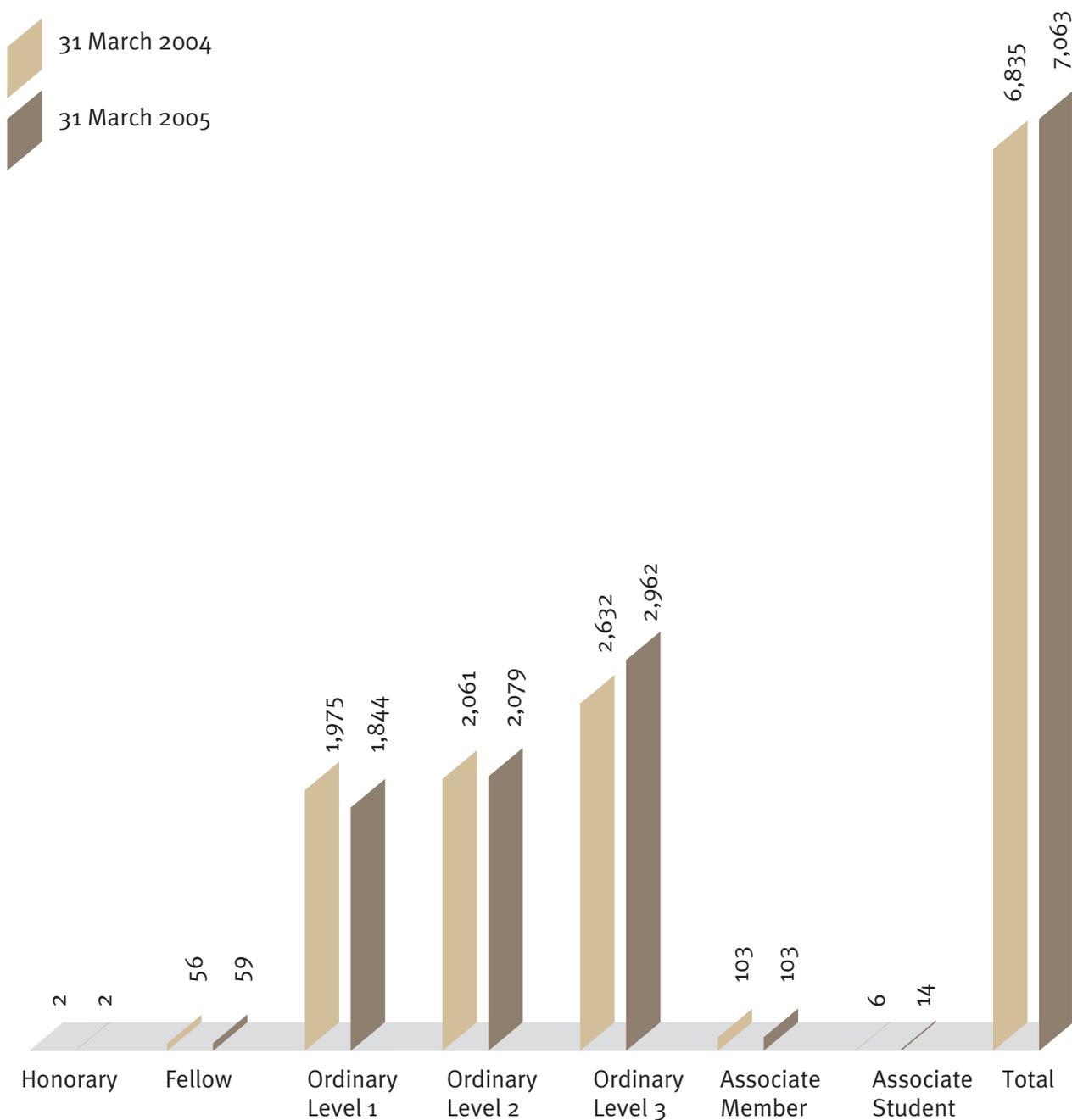


PricewaterhouseCoopers  
Certified Public Accountants  
Singapore

4 August 2005"

# ANNUAL ACCOUNTS

## STATISTICS ON COMPOSITION OF MEMBERS





## SINGAPORE ACADEMY OF LAW

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