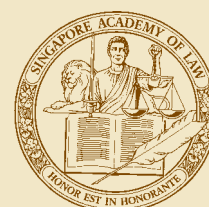




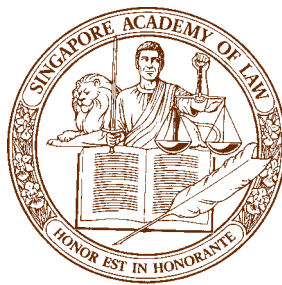
SINGAPORE ACADEMY OF LAW
ANNUAL REPORT
FINANCIAL YEAR 2001/2002



MISSION STATEMENT

BUILDING UP THE INTELLECTUAL CAPITAL,
CAPABILITY AND INFRASTRUCTURE OF MEMBERS
OF THE SINGAPORE ACADEMY OF LAW.

PROMOTION OF ESPRIT DE CORPS AMONG MEMBERS
OF THE SINGAPORE ACADEMY OF LAW.



SINGAPORE ACADEMY OF LAW ANNUAL REPORT

1 APRIL 2001 - 31 MARCH 2002

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Located in City Hall, the Singapore Academy of Law is a body which brings together the legal profession in Singapore.



FOREWORD

FOREWORD

BY CHIEF JUSTICE YONG PUNG HOW
PRESIDENT, SINGAPORE ACADEMY OF LAW

From a membership body in 1988 with a staff strength of less than ten, the Singapore Academy of Law has grown to become an internationally-recognised organisation serving many functions and having two subsidiary companies – the Singapore Mediation Centre and the Singapore International Arbitration Centre.

The year 2001/2002 was a fruitful one for the Academy and its subsidiaries. The year kicked off with an immersion programme in Information Technology Law for our members. The inaugural issue of the Singapore Academy of Law Annual Review of Singapore Cases 2000 was published, followed soon after by the publication of a book, “Developments in Singapore Law between 1996 and 2000”. The Singapore International Arbitration Centre launched its Domestic Arbitration Rules in May 2001, and together with the Singapore Mediation Centre, launched the Singapore Domain Name Dispute Resolution Policy for resolving “.sg” domain name disputes. The Academy created a Legal Development Fund of \$5 million to be spread over 5 years for the development of the profession in new areas of law and practice.

Towards the end of December 2001, the Academy took stock of its progress, reviewed its work and policies, and set its future goals and direction at a strategic planning retreat. The recommendations made at the strategic planning retreat have been approved for implementation. In particular, a new membership programme has been introduced. The Academy has converted its newsletter into a magazine featuring articles of greater relevance and interest to its members. A major development for continuing legal education is in the pipeline. The Academy is also planning to play a greater role in law reform, law reporting and legal publications.

I would like to express my thanks to the members and the staff of the Academy whose contributions and effort have made the Academy the institution it is today.



INTRODUCTION



THE SENATE

The Senate is headed by the Honourable the Chief Justice Yong Pung How, who is the President of the Academy. As at 31 March 2002, the Vice-Presidents of the Academy are the Honourable the Attorney-General Mr Chan Sek Keong, Judge of Appeal Justice Chao Hick Tin, the President of the Law Society, and the Dean of the Law Faculty of the National University of Singapore. The rest of the Senate comprises all High Court Judges and Judicial Commissioners, the Solicitor-General, and nine other distinguished members of the profession nominated by the Chief Justice.

Seated from left to right:

Attorney-General Mr Chan Sek Keong; Chief Justice Yong Pung How;
Mr R Palakrishnan, SC

Standing from left to right (1st row)

Mrs Arfat Selvam; Justice M P H Rubin;
Judicial Commissioner Choo Han Teck; Justice Lai Siu Chiu;
Justice Chao Hick Tin; Mr Warren L H Khoo;
Judicial Commissioner Belinda Ang Saw Ean;
Associate Professor Dora Neo Swee Suan; Justice Lai Kew Chai

Standing from left to right (2nd row)

Justice S Rajendran; Judicial Commissioner Lee Seiu Kin;
Mr Goh Phai Cheng, SC; Justice Kan Ting Chiu;
Justice Tan Lee Meng; Associate Professor Tan Cheng Han;
Professor Jeffrey Pinsler

Standing from left to right (3rd row)

Mr Ronnie Quek Cheng Chye; Mr Giam Chin Toon, SC;
Mr Goh Joon Seng; Judicial Commissioner Tay Yong Kwang;
Judicial Commissioner Woo Bih Li; Mr V K Rajah, SC;
Solicitor-General Mr Chan Seng Onn

Not in picture:

Justice Judith Prakash

THE EXECUTIVE COMMITTEE

AS AT 31 MARCH 2002



Chief Justice Yong Pung How
(President)

Attorney-General
Mr Chan Sek Keong
(Vice-President)

Justice Chao Hick Tin
(Vice-President)



Mr R Palakrishnan, SC
(Vice-President)

Associate Professor
Tan Cheng Han
(Vice-President)

Justice Lai Kew Chai

Justice Tan Lee Meng

Mrs Arfat Selvam



The entrance to the Singapore Academy of Law



ANNUAL REPORT

BRINGING THE LEGAL PROFESSION TOGETHER

The Academy's main strength lies in its ability to bring together the various branches of the legal fraternity, namely the Judiciary, private practitioners, Legal Service officers, in-house legal counsel, academics and law students, in a single institution for the fostering of good relations and social interaction.

MEMBERSHIP

The Academy was formed by an Act of Parliament in 1988. Since then, the Academy's membership has been growing steadily. Under the Singapore Academy of Law Act and Rules, every person who has been admitted as an advocate and solicitor and is considered to be in the legal profession, and every officer in the Singapore Legal Service, is a member of the Academy.

Membership of the Academy stood at 6,421 as at 31 March 2002, a 3.8% increase over the previous year's figure of 6,183. Out of the 6,421 members, 1,411 were on waiver. Active members included two Honorary Fellows, 50 Fellows, 4,855 Ordinary Members, 94 Associate Members and 9 Associate Student Members. The Ordinary Members as at 31 March 2002 consisted of 2,063 members of less than 7 years' call or appointment as a Legal Service officer, 1,207 members of 7 to 12 years' call or appointment, and 1,585 members of more than 12 years' call or appointment.

New members joining the Academy during the period under review numbered 266. During the same period, 338 members applied for waiver, with 74 of them doing so on grounds that they were no longer working in areas connected to the law or the legal profession.

*The Right Honourable
Lord Bingham of Cornhill,
Senior Law Lord of England,
delivering the Eighth SAL
Annual Lecture.*



EVENTS

THE ANNUAL LECTURE

Since the Annual Lectures began in 1994, the Singapore Academy of Law has invited legal luminaries from around the world to share with us their wealth of legal knowledge and personal insights on topics currently shaping and defining the legal climate. Held in mid-September every year, the event presents an opportunity for the legal profession to gather for an evening of learning, fellowship and social interaction.

The Academy held its Eighth Annual Lecture on 10 September 2001. The Right Honourable Lord Bingham of Cornhill, Senior Law Lord of England, delivered the lecture on “From Servant to Employee: A Study of the Common Law in Action”. About 810 persons attended the lecture and reception at the Raffles City Convention Centre in Singapore.

EDU-DINE

Edu-Dine is a local version of the traditional Inns of Court dining terms for Postgraduate Practical Law Course (‘PLC’) students, with an additional educational feature to the dining requirements which help students acquaint themselves with senior members of the profession and fellow students. At each dinner, distinguished speakers from both the private and public sectors are invited to speak on non-law subjects that would be of interest to young lawyers.

In the year under review, 82.1% of the PLC students felt that they had benefited from the exchange of ideas and experience from senior members of the Legal Profession at Edu-Dine and 88.7% of them felt that Edu-Dine should be continued.



The SAL Restaurant is the ideal place for a quiet discussion or a formal gathering.



The treasure hunt held in August 2001 was an event that encouraged interaction among Academy members.

OTHER ACTIVITIES

The House and Social Committee, chaired by Mr Chelva Rajah, SC, promotes interaction among Academy members through the organisation of social events.

During the year under review, the Committee helped organise a treasure hunt. Held on 25 August 2001, the hunt attracted 40 cars with teams of two to four members each. Joining SAL in the treasure hunt were members of the medical Alumni Association, who sportingly conducted line dancing sessions at the City Hall courtyard. The event not only provided lawyers an afternoon of fun, it also created a good opportunity for them to foster interaction and establish links with members of the medical profession.

FACILITIES

The Academy provides its members with facilities such as a restaurant and the historic City Hall Chamber.

During the year under review, the Academy's Food and Beverage Department organised 22 promotional menus at the Restaurant ranging from Italian pasta and yong tau fu buffet to Russian food promotions.

City Hall Chamber continued to be a popular venue for events such as the Opening of the Legal Year 2002, Mass Call, Edu-Dine and various seminars, conferences and book exhibitions organised for the legal profession.

PROVIDING AN EFFECTIVE LEGAL INFRASTRUCTURE

In 1995, the Singapore Academy of Law Act was amended for the Academy to take a wider role in the development of legal infrastructure and value-added services for the legal profession.

LAWNET SERVICES

LawNet, a legal information network, was set up since 1988 to provide law firms and legal professionals with an instantaneous and convenient way of retrieving legal information electronically.

LawNet policies are spearheaded by the LawNet Management Committee which is chaired by the Attorney-General. The Project Director is Mr Charles Lim of the Attorney-General's Chambers.

During the year under review, the LawNet Secretariat, which manages and supervises the delivery of legal information to subscribers through a network operator (CrimsonLogic), continued to hold regular feedback sessions with subscribers and to enhance the LawNet services in response to the feedback received. The Secretariat also initiated a major software development project for a new Content Management System, to allow for the systematic consolidation of the Supreme Court and Subordinate Courts judgments held in SAL.

LawNet is made up of 5 main modules: Legal Research, Litigation, Conveyancing, Corporate Law and Intellectual Property.

LEGAL RESEARCH MODULE (ALSO KNOWN AS “THE LEGAL WORKBENCH”)

Paid subscribers to the Legal Workbench increased to about 75% of practising lawyers in Singapore (compared to 73% last year) in addition to various other subscribing organisations.

In the year under review, the Legal Research Module was enhanced with the addition of Adobe Acrobat PDF files for the Singapore Law Reports. A “Whole Document” view of legislation was provided and linkages from the LawNet website to reports of the Law Revision and Reform Division of the Attorney-General’s Chambers were also made. Agreement has been reached with the National University of Singapore to add on the Singapore Journal of Legal Studies (including its predecessor, the Malaya Law Review) and the Singapore Journal of International and Comparative Law.

The LawNet collection of Freeaccess statutes, made available gratis to members of the public, received increasingly high hits (from March 2001 to March 2002, the Freeaccess webpage had received 35,000 hits). However, this service has been supplanted by the Statutes Online service provided by the Attorney-General’s Chambers.

LITIGATION MODULE

Phase 2 of the Electronic Filing System (“EFS”) was launched on 2 July 2001. It is a web application, so law firms no longer need special software in order to submit EFS filings. All 220 law firms that were previously using the EFS software were successfully migrated over to the new platform. An additional 100 subscribers were also secured. All 4 EFS services (filing, extract, service of documents and information) are now operational. Phase 3 of EFS, which further extends the scope of the system, was launched on 18 December 2001.

Statistics show that documents are being filed through EFS at a rate of about 2,300 documents per day. A large proportion of the filings are direct from law firms (83%) instead of through service bureaux.

CONVEYANCING MODULE

The Singapore Land Authority is working with CrimsonLogic to migrate one remaining service, the STARS service, to the Internet. The Land Transport Authority is also co-ordinating the collaboration of various government departments involved in legal requisitions to make such requisitions more efficient.

CORPORATE LAW MODULE

In the year under review, eBizcore Phase 1A was launched by the Registry of Companies and Businesses ('RCB'). This is an electronic platform for transactions of core RCB functions, such as name and incorporation applications, which drastically reduce processing time – in most cases, results of the applications are known within twenty seconds. An average of 76 successful transactions take place every day, with payment being rendered by pre-established deposit accounts, or credit card.

INTELLECTUAL PROPERTY MODULE

The Intellectual Property Office of Singapore has launched an ePatents service, an eTrademarks service, and enhanced its SurfIP service. Under the ePatents service, online submission of patent renewals, and update of information, is possible. A search facility for locally registered inventions is available, and excerpts of the patent specifications can be browsed online. eTrademarks is built on the national public services infrastructure framework, and has garnered a high take-up rate in a short period of time. Counter submissions have been overtaken by e-Filing submissions, and the percentage is rising.

STAKEHOLDING SERVICES

The Academy provides stakeholding services for parties involved in the sale and purchase of newly developed private residential and commercial properties and Executive Condominiums.

Stakeholding transactions increased significantly over the past financial year. The total number of payment-in transactions increased from 6,855 cases in FY 2000/2001 to 7,720 cases in FY 2001/2002, while the number of payment-out transactions increased from 5,984 to 11,287 cases.

AUTHENTICATION SERVICES

Documents issued in one country which need to be used in another country must be "authenticated" or "legalised" before they can be recognised as valid in the foreign country. As part of this chain of authentication, the Academy provides a certificate for such documents, authenticating the signatures of notaries public. The number of such certificates issued in FY 2001/2002 totalled 8,984.

UPGRADING KNOWLEDGE AND SKILLS

The Academy plays a major role in keeping the legal community continually updated on developments in the law and the legal system, and in building the capability of the legal profession for a new economy practice. It seeks to fulfil these functions through its legal education programme, its scholarships and prizes, and its undertakings in law reporting and legal publications.

LEGAL EDUCATION AND TRAINING

CONTINUING LEGAL EDUCATION

In the year under review, the work of the Committee on Legal Education and Studies expanded beyond organising seminars or roundtable discussions on topical subjects and recent developments in the law, to identifying new areas of law on which members may require intensive continuing legal education. Courses on how the law relates to the new technological age were successfully held, being supplemented with primers on the technology to help members better appreciate the context in which the law applies. Between April 2001 and March 2002, a total of 3,007 participants attended the 17 seminars and a roundtable discussion.

The Academy has benefited from former Judges of the Supreme Court who have conducted well-attended seminars. The recent formation of joint law ventures or formal alliances between international law firms and Singapore firms have resulted in several of them coming forward to share their knowledge and skills with members of the Academy.

The Committee, under the chairmanship of the Attorney-General, has identified international trade law (including the World Trade Organisation conventions) and intellectual property law as the areas of focus in the calendar year 2002. The Committee has also been working with various government agencies to identify the needs of both industry and the legal profession in the changed economic conditions.

LEGAL DEVELOPMENT FUND

To further develop the legal profession in new areas of law, the Academy set up a Legal Development Fund, into which the Academy will pay \$1 million every year over 5 years starting from FY 2001/2002. The Fund will be used to bring in international experts and as seed money for conferences, seminars and publications in emerging areas of law.

BOARD OF LEGAL EDUCATION

The Board of Legal Education ('BLE') is responsible for the supervision of pupillage and the professional training and examination of young law graduates before admission to the roll of the Supreme Court. The BLE, chaired by the Attorney-General, operates under the aegis of the Academy in consultation with and with the full support of the Council of the Law Society of Singapore.

Since 1982, the Board has trained 5,352 persons through its Postgraduate Practical Law Course ('PLC'). In 2001, the Board accommodated 208 PLC students comprising 151 students from the National University of Singapore ('NUS'), 15 barristers, one solicitor, 39 holders of the Diploma in Singapore Law, one candidate pursuant to rule 14 of the Legal Profession (Qualified Persons) Rules and one candidate pursuant to section 7 of the Legal Profession Act. PLC instructors comprise practitioners, legal and judicial officers, and lecturers from NUS. All lectures are conducted at Temasek Polytechnic while tutorials and practice classes are held at the Subordinate Courts.

In 2001, PLC students received "on-the-job" training ('OJT') by being attached to a network of legal advice clinics. The clinical training programme provided the students with opportunities, under proper supervision, for developing practical lawyering skills, such as interviewing, counselling, drafting, negotiations and advocacy. Under the guidance of volunteer lawyers, students were motivated to learn and reflect on what they were doing. In the year 2001, 60.2% of the PLC students felt that OJT had provided them with the opportunity to improve their legal skills, 78% commented that OJT had given them the confidence to deal with members of the public and inspired them to do pro-bono work and 92.3% strongly felt that OJT should be continued.

The BLE is in the process of finalising the new curriculum for the revamped PLC and intends to introduce a File Management System as a tool for teaching all subjects. The BLE has also issued Pupillage Guidelines and a Check List to help guide pupil-masters in planning the training and instruction of their pupils.

SCHOLARSHIPS AND PRIZES

To promote scholarship in the law and excellence in postgraduate legal study and research among young lawyers, the Academy awards the Singapore Academy of Law Scholarships annually. The recipient of the 2001/2002 SAL Scholarship is Mr Adrian Yeo Chong Lim who will be pursuing a Masters of Law at Harvard University.

Since 1997, the Academy has also introduced prizes for the top students of various institutions. The winners of the SAL prizes for FY 2001/2002 are Mr Desmond Lee, top final year student at NUS Faculty of Law; Mr Jack Wong Hing Man, top student in MBA (Business Law) at the Nanyang Technological University; and Miss Huang Mei Hua, top student in the Diploma in Legal Studies course, Temasek Polytechnic.

LAWNET TRAINING

The LawNet Training Centre trains LawNet subscribers, PLC students, lawyers and paralegals on the use of the Electronic Filing System, the Legal Workbench for online legal research, as well as the other LawNet modules.

The following courses were run during the period under review:

Course	No. of Classes	No. of Participants
Legal Workbench - <i>for the legal profession</i>	8	60
EFS Front-End - <i>for the legal profession</i> - <i>for PLC students</i>	50 13	717 204
Non-Judiciary Commissioner for Oaths System - <i>for the legal profession</i>	1	2
Solicitor Case Query & Video Switching Device - <i>for the legal profession</i> - <i>for PLC students</i>	5 8	23 204
Total	85	1,210

The total number of trainees has dropped compared to the last financial year. This is indicative of the plateau reached when market penetration is high. An additional factor is the increasing “technology-quotient” of new employees and lawyers, which, coupled with the easy-to-use nature of the Web-based technologies deployed in most LawNet services, obviates the need for detailed training.



Regular workshops are held to get members of the legal profession acquainted with LawNet's services.

LAW REPORTING

The Academy is the law reporting agency in Singapore, performing this role as part of its statutory function to promote the advancement and dissemination of the knowledge of laws and the legal system.

SINGAPORE LAW REPORTS

The Singapore Law Reports ('SLR') are published by Butterworths Asia under the authority of the Academy and the editorial selection of the Attorney-General's Chambers. Available in fortnightly parts and bound volumes, the SLR is also published in electronic format on CD-ROM, and is available online through Lexis-Nexis and LawNet. Four volumes of the SLR were published in FY 2001/2002.

ACADEMY DIGEST

The fortnightly Academy Digest provides, in its first series, a summary of all Court of Appeal and High Court decisions for which there are written judgments, and in its second series, a summary of all Subordinate Courts decisions for which there are written judgments. As at 31 March 2002, there were 150 and 81 fax subscribers of the first and second series of the Academy Digest respectively.

Both series of the Academy Digest are also available online through LawNet, and since 1 April 2002, a further option of receiving both series of the Digest through electronic transmission by email was offered to subscribers.

LEGISLATION WATCH

The bi-monthly Legislation Watch, a joint effort of officers of the Legislation Division of the Attorney-General's Chambers and the Academy, has been a regular insert in the Academy's newsletter since 1996. It updates readers on the latest Bills, amendment Acts, subsidiary legislation, revised editions of laws, and practice directions and circulars in force.

UNREPORTED JUDGMENTS

Through the Legal Workbench, the unreported judgments of the Supreme Court and Subordinate Courts are made available online.



SAL publishes a wide range of publications covering a broad range of legal topics.

PUBLICATIONS

SINGAPORE ACADEMY OF LAW JOURNAL

The Library and Publications Committee of the Academy, under the chairmanship of Justice Chao Hick Tin, has been publishing the Singapore Academy of Law Journal, a bi-annual legal journal, since 1989. The Journal contains articles contributed by Legal Service officers, practitioners and academics, and regularly features a digest of new Acts passed during the previous half-year.

ANNUAL REVIEW OF SINGAPORE CASES

The inaugural issue of the Annual Review of Singapore Cases 2000, consisting of reviews on reported and unreported cases decided in 2000 in 15 different areas of the law, was distributed free of charge to members of the Academy in June 2001. Leading practitioners, Legal Service officers and academics contributed to the review in their areas of speciality. The publication was generally well-received by Academy members.

ADR BULLETIN

The ADR Bulletin, a collaborative effort of the SAL, the Singapore Mediation Centre ('SMC') and the Singapore International Arbitration Centre ('SIAC'), continued to be published bi-monthly as a supplement to the Academy newsletter. It contains useful guides and articles on alternative dispute resolution ('ADR') and highlights ADR developments in the SMC and the SIAC.

THE ACADEMY NEWSLETTER

The newsletter, which kept members informed of events and happenings at the Academy and in the legal community, reached its 76th and final issue at the end of FY 2001/2002.

A resolution was passed on 18 February 2002 by the Executive Committee approving the upgrading of the Academy Newsletter to a magazine. The new magazine, entitled “Inter Se”, was launched in May 2002. The ADR Bulletin and Legislation Watch, hitherto separate publications but distributed together with the newsletter, have become amalgamated with the magazine.

OTHER PUBLICATIONS

From time to time, the Academy has sponsored legal publications, such as a book written by Professor Jeffrey Pinsler entitled “Developments in the course of the 20th century - Civil Justice in Singapore” and conference publications. In 2001, the Academy collaborated with Sweet & Maxwell Asia to publish “Developments in Singapore Law between 1996 and 2000”, a compilation of papers presented at the SAL-NUS Joint Legal Conference held from 17 to 31 March 2001.

PROMOTING LEGAL RESEARCH AND REFORM

One of the statutory functions of the Academy is “to promote legal research and scholarship and the reform and development of the law”. That includes dissemination of the knowledge of and research on the legal history of Singapore, its past laws and legal system.

LAW REFORM

The Law Reform Committee of the Academy, comprising members drawn from every branch of the legal fraternity in Singapore, makes recommendations to the authorities on the need for law reform, reviews any legislation before Parliament and makes recommendations for changes (if any) to be made to the legislation.

In February 2002, the chairmanship of the Committee was taken over by Justice Judith Prakash from Justice L P Thean upon his retirement from the Bench.

During the year under review, the Committee:

- a. prepared a report entitled “Report on Proposed Legislation to Curb Stalking” which reviewed the inadequacies of the existing legislation and common law in dealing with stalking activities and recommended the enactment of a new Act to make unlawful stalking a punishable offence;
- b. formed a sub-committee to prepare a revised discussion paper entitled “Relief from Unenforceability of Illegal Contracts and Trusts” to consider law reform relating to illegal transactions in the context of contracts and trusts;

- c. considered and gave its views on a discussion paper put up by the Law Reform and Revision Division of the Attorney-General's Chambers on whether there is a need for specific legislation dealing with mediation or conciliation proceedings; and
- d. gave feedback to the Bioethics Advisory Committee and its Human Genetics Subcommittee on various issues such as whether human tissue research (in particular stem cell research) ought to be permitted and if so, the safeguards that should be put in place to prevent abuse.

TECHNOLOGY LAW DEVELOPMENT GROUP

The Technology Law Development Group ('TLDG'), a think-tank of SAL, comprises representatives from the legal sector, information technology ('IT') industry, financial services industry, academia and government. Chaired by Judicial Commissioner Lee Seiu Kin, and supported by the Academy's Director of Research, Mr Daniel Seng, the TLDG promotes dialogue between the technology industry, legal industry and government, with a view to discussing the adequacy of existing laws and formulating broad solutions on these issues.

The TLDG conducted a survey in August 2001 to seek the opinion of the Academy's members on current IT issues. The results of the survey indicated that issues regarding the regulatory framework, payment structures, security, entrepreneurship, cross-border transactions and binding codes of conduct, were pertinent. The majority of members believed attention should be focused on the regulatory framework in Singapore with respect to e-commerce. Based on the survey results, the TLDG Secretariat proceeded to seek experts in the field to contribute research papers.

In early January 2002, the TLDG Secretariat participated in the Internet Law Program organised by Harvard Law School's Berkman Center for Internet and Society. The interaction with international participants, including leading scholars in the field, helped the TLDG foster links with international institutions and raise the profile of the think-tank.

Together with the Ministry of Law and the Law Society of Singapore, the TLDG co-hosted an evening IT Networking session, the “Forum on the Challenges Faced by Singapore IT Companies with China Joining the World Trade Organisation”, on 22 February 2002. Key issues and challenges for enterprises entering the Chinese market and the status of China’s telecommunications, IT and media legislation were presented to some 120 participants comprising IT law practitioners and IT industry players.

The TLDG delivers Tech Law News Updates, a collection of news articles on Internet law, to members via email and on Personal Digital Assistants. A total of 36 issues of the News Updates were delivered as at 31 March 2002.

LEGAL HERITAGE

Legal heritage projects have been carried out under a sub-committee of the Executive Committee, chaired by Justice Kan Ting Chiu. The sub-committee will be publishing a book of essays on various aspects of Singapore’s legal history toward the end of 2002. The general editor of the book is Dr Kevin Tan.



As part of the legal heritage programme, an on-going exhibition of the legal history of Singapore is open to visitors at the Supreme Court.

ESTABLISHING AND MAINTAINING PROFESSIONAL STANDARDS

Another statutory aim of the Academy is “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”.

SENIOR COUNSEL

Senior Counsel in Singapore are appointed pursuant to statute, and by a selection committee constituted under section 30 of the Legal Profession Act comprising the Chief Justice, the Attorney-General and the Judges of Appeal. The Senior Counsel appointed by the selection committee for 2002 are the Solicitor-General Mr Chan Seng Onn and former Judicial Commissioner Mr Amarjeet Singh, bringing the total number of persons who have been conferred this distinguished title by the selection committee since 1997 to 30.

COMMISSIONERS FOR OATHS AND NOTARIES PUBLIC

The Board of Commissioners for Oaths and Notaries Public appoints eligible advocates and solicitors and public officers as commissioners for oaths and notaries public in 2 appointment exercises every year. Under the chairmanship of Mr Joseph Grimberg, SC, the Board sets guidelines on the number of appointments allowed and the minimum age and years of legal practice required of eligible commissioners for oaths and notaries public.

The 2 appointment exercises each year are for appointments commencing in April and October respectively. Each appointment is for a year and is renewable. During the period under review, the Board appointed a total of 663 advocates and solicitors, 920 public officers and 96 court interpreters as commissioners for oaths. It also appointed 386 advocates and solicitors as notaries public and 10 more public officers as commissioners for oaths on an ad hoc basis.

PROFESSIONAL AFFAIRS COMMITTEE

The Professional Affairs Committee, chaired by Justice Lai Kew Chai and consisting of members nominated by the Legal Service, the Law Society of Singapore and the Faculty of Law, NUS, is a forum for the discussion of all issues affecting the various branches of the legal profession, with a view to making recommendations for improvements.

With the opening up of legal practice to foreign firms and the emergence of multi-disciplinary practices, the Committee raised the issue of a regulatory framework to govern foreign lawyers with the Attorney General's Chambers. The Committee also considered how these foreign lawyers could be attracted to become members of the Academy to increase diversity and gather international talent within the Academy.

At the Committee's suggestion, Practice Directions were issued in both the Supreme Court and the Subordinate Courts according the right of precedence and preaudience to Senior Counsel.

Building on the Committee's proposal, the Academy website has since been linked to almost 40 legal resources. The Academy is working with the Supreme Court library to continuously upgrade and add new links to the website. A facility to enable Personal Digital Assistant users to download information from the Academy website onto their portable devices has also been incorporated.

PROMOTING ALTERNATIVE DISPUTE RESOLUTION

The Academy's two subsidiaries, the Singapore Mediation Centre ('SMC') and the Singapore International Arbitration Centre ('SIAC'), provide and promote the use of alternative dispute resolution ('ADR') mechanisms.

SINGAPORE MEDIATION CENTRE

The SMC is a company limited by guarantee of the Singapore Academy of Law. The Chairman of the SMC's Board of Directors is Mr Goh Joon Seng, a retired High Court Judge. The Executive Director of the SMC, Mr Phang Hsiao Chung, is concurrently an Assistant Registrar of the Supreme Court and a District Judge.



SMC Board of Directors and Staff

*Front row from left to right: Mr Chow Kok Fong, Ms Serene Wee,
Mr Goh Joon Seng, Mr Giam Chin Toon, SC*

*Back row from left to right: Ms Judy Ang, Mr Phang Hsiao Chung,
Mr Loong Seng Onn*

DISPUTE RESOLUTION SERVICES

The SMC provides non-adjudicative dispute resolution services such as mediation and neutral evaluation. Together with the SIAC, the SMC also provides med-arb services that incorporate elements of both mediation and arbitration.

In FY 2001/2002, a total of 165 new matters were referred to the SMC for mediation and 148 matters were mediated, out of which 115 (77.7%) were settled. In comparison, 211 new matters were referred to the SMC in FY 2000/2001, and 138 matters were mediated. The decrease in the number of new matters referred and mediated in 2001 is attributable to the fact that SMC did not organise a “Mediation Week” in 2001. In the preceding 3 years, SMC had organised “Mediation Weeks”, during which mediations were conducted either free of charge or at heavily subsidised rates.

In the period under review, the SMC also registered 5 neutral evaluation cases. All 5 cases have been concluded.

SINGAPORE DOMAIN NAME DISPUTE RESOLUTION POLICY

Between April and November 2001, the SMC developed the Singapore Domain Name Dispute Resolution Policy (‘SDRP’) for the Singapore Network Information Centre Private Limited (‘SGNIC’), which is Singapore’s domain name registration authority. The SDRP, which was launched on 6 November 2001, establishes an ADR framework for resolving “.sg” domain name disputes and formally incorporates a mediation option as part of the dispute resolution process.

The SDRP service is administered by a Secretariat that is jointly operated by the SMC and the SIAC, with SMC responsible for the day-to-day operations. As at 31 March 2002, the Secretariat had received 2 cases.

ELECTRONIC ADR SERVICES

The SMC began development of a range of electronic ADR services in September 2001 upon receipt of a government grant to defray part of the development costs. The online ADR services will be marketed under the brand name “DisputeManager.com” later this year. DisputeManager.com will offer the following services:

- a. e-Settlement, which is an automated ADR process in which the parties make offers to settle and agree to settle once certain conditions are met;
- b. online Mediation;
- c. online Neutral Evaluation; and
- d. the online version of the SDRP Service.

THE SMC PANEL OF MEDIATORS

As at 31 March 2002, there were 113 persons on the SMC’s panel of accredited mediators. They include senior legal practitioners, industry leaders and respected professionals from various backgrounds. Aside from its domestic panel, the SMC also has an international panel of mediators made up of outstanding foreign mediators of international repute.



TRAINING AND CONSULTANCY

During the period under review, the SMC conducted 7 mediation workshops, one intermediate mediation workshop and 3 negotiation workshops for institutional clients and the public. In addition, the SMC conducted 2 negotiation courses and 2 conflict resolution courses for the Singapore Management University (‘SMU’). These undergraduate half-semester “career skills” courses are the first attempt at collaboration between the SMC and a tertiary institution in Singapore. The SMC also conducted an executive programme in negotiation and mediation for foreign participants under the Ministry of Foreign Affairs’ Singapore Cooperation Programme.

A training workshop in session.

PROMOTING ADR

In the year under review, the SMC published a corporate brochure and a corporate flyer on its mediation services. It also entered into 2 new memoranda of understanding ('MOU'), namely with the ASP Alliance Chapter and the Association of Singapore Marine Industries. The MOU provide for the organisations to assist, support and promote the SMC, and to refer disputes for mediation at the SMC. In return, the SMC will provide the organisations with mediation, training and consultancy services.

From April to August 2001, the SMC conducted 10 mediation talks for local and offshore law firms. The SMC also gave 15 other talks and presentations on its services to visitors and others.

THE SINGAPORE INTERNATIONAL ARBITRATION CENTRE



SIAC Board of Directors and Staff

Front row from left to right: Mr Ang Yong Tong, Mr Warren Khoo, Ms Serene Wee

Back row from left to right: Ms Sabiha Shiraz, Mr Ganesh Chandru

The SIAC aims to develop Singapore into a regional and international hub for commercial arbitration. The Chairman of the SIAC is Mr Warren Khoo, a retired High Court Judge and its Executive Director is Mr Ang Yong Tong.



An arbitration session in progress.

CASELOAD

The SIAC set a record of registering 100 new cases in the year under review. The increase was due to the increase in the number of domestic cases as a result of the publication and promotion of the SIAC Domestic Arbitration Rules. The number of international cases stagnated, partly because of the effect of the 24.5% withholding tax on foreign arbitrators. There was evidence of international cases being moved to other jurisdictions as a result of the imposition of this tax. Fortunately, as a result of SIAC's representations, the tax has now been abolished. This was announced in Parliament on 3 May 2002.

THE SIAC DOMESTIC ARBITRATION RULES

The original SIAC Rules were designed for international arbitration. However, increasing demand for the SIAC to play a greater role in domestic arbitration, and to provide institutional support and supervision in domestic cases, led to the promulgation of the SIAC Domestic Arbitration Rules in May 2001. As at 31 March 2002, some 20 cases of domestic arbitration were conducted under these rules. Although not their main purpose, the SIAC Domestic Arbitration Rules include special provisions to enable cases pending in court to be referred to the SIAC for arbitration. However, only 3 cases have been so referred. This suggests that effort should be made to attract cases before parties go to court rather than after.

The Domestic Arbitration Rules will be used as a platform for broadening the areas of SIAC's work, so as to cover almost all types of civil and commercial cases which traditionally go to court for resolution.

NEW LEGISLATION

In the period under review, a new domestic Arbitration Act was passed by Parliament which came into operation on 1 March 2002. The new Act is likely to contribute greatly to the growth of domestic arbitration.

Amendments were also made to the existing International Arbitration Act, with effect from 1 November 2001. The amendments clarify the law in certain areas and align some of its provisions to those in the new domestic Arbitration Act.

The SIAC was consulted on both pieces of legislation and made extensive comments at various stages of their preparation. SIAC also contributed to the drafting of sections of the Rules of Court implementing the relevant provisions of the legislation.

THE SIAC LOCAL AND INTERNATIONAL PANELS OF ACCREDITED ARBITRATORS

As at 31 March 2002, the SIAC had 71 persons on its local panel of accredited arbitrators and 68 persons on its international panel. The accredited arbitrators are mainly experts from diverse industries such as banking, construction, engineering, shipping, insurance and international commercial transactions with the international panel made up of arbitrators from various countries such as Australia, Canada, China, France, Germany, Japan, the UK and the US.

INTERNATIONAL PROFILE

The SIAC continued to take an active part in the work of UNCITRAL on revisions to the Model Law on international commercial arbitration. This enables the SIAC to keep in touch with international developments in this area, share and exchange experience with international personalities in this field and maintain valuable contact with them, as well as raise the Centre's profile internationally.

The SIAC plans to launch a public relations programme aimed at enhancing the image and profile of the SIAC as an independent arbitration institution and projecting it internationally.

SINGAPORE ACADEMY OF LAW KEY PERSONS OF COMMITTEES AND BOARDS



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Chairman
Senior Counsel Selection Committee

Attorney-General
Mr Chan Sek Keong
Chairman
Committee on Legal Education and Studies
Board of Legal Education
LawNet Management Committee

Justice Chao Hick Tin
Chairman
Library and Publications Committee

Justice Lai Kew Chai
Chairman
Professional Affairs Committee

Justice Kan Ting Chiu
Chairman
Legal Heritage Sub-Committee



Justice Judith Prakash
Chairperson
Law Reform Committee

Justice Tan Lee Meng
Chairman
Annual Lecture Organising Committee
Staff Committee

Judicial Commissioner
Lee Seiu Kin
Chairman
Technology Law Development Group
Technology Law Sub-Committee

Mr Joseph Grimberg, SC
Chairman
Board of Commissioners for
Oaths and Notaries Public

Mr Chelva Rajah, SC
Chairman
House and Social Committee

Mr George Lim
Chairman
Membership Sub-Committee

SINGAPORE
ACADEMY OF LAW
MANAGEMENT, EXECUTIVES
AND HONORARY SECRETARIES
(AS AT 13 AUGUST 2002)

- | | |
|-------------------------------|------------------------|
| 1. Ms Juliet Sim | 14. Mr Daniel Seng |
| 2. Ms Low Hui Min | 15. Ms Sharon Lim |
| 3. Ms Doreen Chew | 16. Ms Renee Tan |
| 4. Ms Serene Wee | 17. Ms Trina Tan |
| 5. Ms Joy Ti | 18. Ms Beverly Wee |
| 6. Mrs Shanmugam Rajakrishnan | 19. Ms Lynette Hee |
| 7. Ms Evelyn Ei | 20. Ms Jane Ng |
| 8. Ms May Loh Bee Bee | 21. Ms Lai Wai Leng |
| 9. Ms Sherina Chan | 22. Ms Valerie Ong |
| 10. Mr Kelvin Choo | 23. Ms Lily Tan |
| 11. Ms Judy Ang | 24. Ms Rosalind Kam |
| 12. Mr Loong Seng Onn | 25. Ms Hung Ning Shing |
| 13. Ms Serene Ong | 26. Mr Tan Ken Hwee |





SINGAPORE ACADEMY OF LAW MANAGEMENT



Seated from left to right:

Mr Tan Ken Hwee, Ms Serene Wee, Mr Daniel Seng

Back row from left to right:

*Ms Lai Wai Leng, Ms Low Hui Min, Mr Loong Seng Onn,
Ms Beverly Wee, Ms Hung Ning Shing*

SINGAPORE ACADEMY OF LAW HONORARY SECRETARIES



Seated from left to right:

Ms Sharon Lim, Ms Serene Wee

Back row from left to right:

*Ms Thian Yee Sze,
Ms May Loh Bee Bee*



HIGHLIGHTS OF THE YEAR

HIGHLIGHTS OF THE YEAR

(1 APRIL 2001 - 31 MARCH 2002)

EVENTS AND NEW SERVICES AT A GLANCE

April 2001	Launch of inaugural IT Law Immersion Programme comprising of 9 sessions.
May 2001	Launch of the SIAC Domestic Arbitration Rules and SIAC Hearing Room.
June 2001	Publication of inaugural issue of the Singapore Academy of Law Annual Review of Singapore Cases 2000.
July 2001	SIAC Forum on Construction Arbitration.
July 2001	Launch of EFS Phase 2. Migration of EFS from a Windows-based client server system on a private EDI network to a web-based system.
August 2001	Treasure Hunt 2001.
August 2001	Launch of \$5 million Legal Development Fund.

September 2001	Publication of “Developments in Singapore Law between 1996 and 2000” in collaboration with Sweet & Maxwell Asia.
September 2001	Eighth SAL Annual Lecture: “From Servant to Employee: A Study of the Common Law in Action” by the Right Honourable Lord Bingham of Cornhill, Senior Law Lord of England.
November 2001	Launch of Singapore Domain Name Dispute Resolution Policy (“SDRP”).
November 2001	Third negotiation and mediation workshop for the Ministry of Foreign Affairs.
December 2001	Strategic planning retreat.
January 2002	Two negotiation courses and two conflict resolution courses for the Singapore Management University.
February 2002	SIAC-Butterworths Arbitration Conference 2002 on “Harmonising International Trade Laws & UNCITRAL”.

OUTPUT AT A GLANCE

Academy Newsletter	6 issues released
Stakeholding service	7,720 payment-in cases, 11,287 payment-out cases
Legal Education & Studies	17 seminars and 1 roundtable discussion conducted; 3,007 persons attended
LawNet Training	85 classes conducted; 1,210 persons attended
Singapore Law Reports	4 volumes published
Academy Digest (Supreme Court Series)	26 issues released
Academy Digest (Subordinate Courts Series)	26 issues released
Legislation Watch	6 issues released
Singapore Academy of Law Journal	2 issues published
ADR Bulletin	6 issues released
Law Reform	4 matters considered
Senior Counsel	2 persons appointed
Commissioners for Oaths	1,689 persons appointed
Notaries Public	386 persons appointed
Mediation	165 new cases registered, 148 mediated
SMC training	7 workshops, 1 intermediate mediation workshop, 3 negotiation workshops, 2 negotiation courses and 2 conflict resolution courses; 380 persons attended
Arbitration	100 new cases registered



ANNUAL ACCOUNTS

SUMMARY FINANCIAL STATEMENT FOR THE FINANCIAL YEAR ENDED 31 MARCH 2002

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.

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

SUMMARY INCOME AND EXPENDITURE STATEMENTS FOR THE FINANCIAL YEAR ENDED 31 MARCH 2002

	The Group		The Academy	
	2002	2001	2002	2001
	\$	\$	\$	\$
Total income including Grants received	8,154,274	8,452,278	6,983,584	6,694,391
Total expenditure	(4,502,631)	(3,810,868)	(3,537,123)	(2,953,279)
Surplus before taxation	3,651,643	4,641,410	3,446,461	3,741,112
Taxation	52,238	(76,441)	-	-
Surplus after taxation but before transfer to Other Funds	3,703,881	4,564,969	3,446,461	3,741,112
Amounts transferred to Other Funds	(1,389,289)	(280,880)	(1,288,500)	(200,000)
Net surplus for the year	2,314,592	4,284,089	2,157,961	3,541,112

SUMMARY BALANCE SHEETS AS AT 31 MARCH 2002

	The Group		The Academy	
	2002	2001	2002	2001
	\$	\$	\$	\$
Property, plant and equipment	698,987	802,381	542,225	559,210
Deferred expenditure and deferred tax assets	308,900	333,027	-	11,82
Funds with fund managers	7,114,849	6,755,957	3,261,072	3,130,336
Current assets *	160,120,586	218,063,779	155,005,742	211,869,713
Current liabilities *	(146,702,341)	(208,029,249)	(143,837,302)	(204,095,554)
	21,540,981	17,925,895	14,971,737	11,475,532
Accumulated Fund	14,091,965	11,777,373	12,659,422	10,501,461
Other Funds	6,188,074	4,837,425	2,312,315	974,071
	20,280,039	16,614,798	14,971,737	11,475,532
Grants	1,260,942	1,311,097	-	-
	21,540,981	17,925,895	14,971,737	11,475,532

* Included in current assets and current liabilities are stakeholding monies amounting to \$141,304,609 (2001: \$201,587,428) held in accordance with the Singapore Academy of Law (Stakeholding) Rules Revised Edition 1998.

CHANGES IN STRUCTURE OF THE ACADEMY

There are no material changes in the structure of the Academy for the financial year ended 31 March 2002.

SUMMARY OF SIGNIFICANT RELATED PARTY DEALINGS

Between the Academy and its subsidiaries

	2002 \$	2001 \$
Management fee expense	428,574	311,089
Food and beverage expense	82,382	114,531
Grants to subsidiary	-	30,000

The original statement has been signed by Chief Justice Yong Pung How, President of the Academy, on behalf of the Senate on 20 July 2002.

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

We have examined the summary financial statement set out on pages 48 to 51.

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 2002 and complies with the requirements of section 21 of the Singapore Academy of Law Act (Cap.294A, Revised Edition 1997) and regulations made thereunder, applicable to the summary financial statement.

We have issued an unqualified audit report dated 20 July 2002 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 2002, which is as follows:

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

We have audited the financial statements of The Singapore Academy of Law (“Academy”) and the consolidated financial statements of the Group for the financial year ended 31 March 2002 set out on pages 2 to 27 [therein]. 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, the financial statements and consolidated financial statements are properly drawn up in accordance with the provisions of the Singapore Academy of Law Act and Singapore Statements of Accounting Standard and 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 2002, the profit and changes in funds of the Academy and of the Group and the cash flows of the Group for the financial year ended on that date.

We have considered the financial statements and auditors' report of the subsidiaries, being financial statements included in the consolidated financial statements. The names of these subsidiaries are stated in Note 3 to the financial statements.

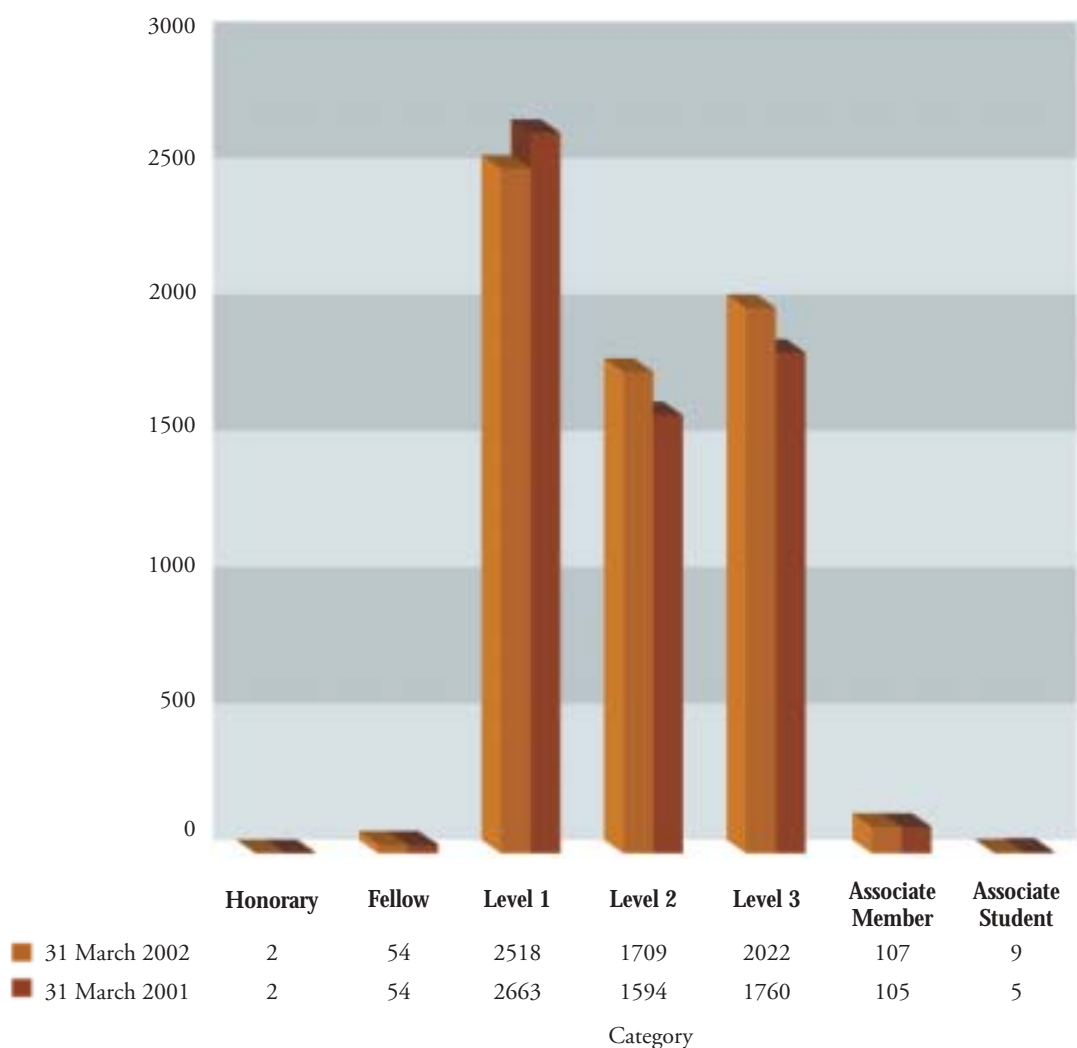
We are satisfied that the financial statements of the subsidiaries that have been consolidated with the financial statements of the Academy are in form and content appropriate and proper for the purpose of the preparation of the consolidated financial statements.

The auditors' reports on the financial statements of the subsidiaries were not subject to any qualification."



PricewaterhouseCoopers
Certified Public Accountants
Singapore
20 July 2002

STATISTICS ON COMPOSITION OF MEMBERS



Category

Level 1: < 7 years from date of admission¹ or appointment²

Level 2: ≥ 7 years and <12 years from date of admission¹ or appointment²

Level 3: ≥ 12 years from date of admission¹ or appointment²

¹As advocate and solicitor

²As legal officer in the Singapore Legal Service



THANKING THE
FRATERNITY

THANKING THE FRATERNITY

The Senate expresses its heartfelt thanks to the members of the Academy for their dedication and for contributing their time, energy and resources to the Academy. The following lists the various members and Academy staff, as at 31 March 2002, who were substantially responsible for the work done in financial year 2001/2002.

SINGAPORE ACADEMY OF LAW

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TECHNOLOGY LAW SUB-COMMITTEE

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Mr George Lim Teong Jin
Ms Serene Wee

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Mr Willie Cheng
Mr Chiam Boon Keng
Mr Richard Magnus
Ms Tan Beng Tee

SINGAPORE INTERNATIONAL ARBITRATION CENTRE

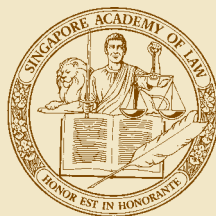
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Mr Warren Khoo (Chairman)
Mr Ang Yong Tong (Executive Director)
Mr Goh Phai Cheng, SC
Ms Serene Wee

**ANNUAL REPORT
EDITORIAL COMMITTEE**



*From Left:
Ms Hung Ning Shing,
Ms Sherina Chan
and Ms Serene Wee*



SINGAPORE ACADEMY OF LAW

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