

## **APPENDIX G**

Para. 138(1)

### **GUIDELINES FOR PARTY-AND-PARTY COSTS AWARDS IN THE SUPREME COURT OF SINGAPORE**

#### **I. Use of the Costs Guidelines**

1. This Appendix provides guidelines for party-and-party costs in the Supreme Court (the “Costs Guidelines”).
2. The Costs Guidelines have been approved for publication by the Judges of the Supreme Court. They are intended to provide a general indication on the quantum and methodology of party-and-party costs awards in specified types of proceedings in the Supreme Court, taking into account past awards made, internal practices and general feedback.
3. The Costs Guidelines serve only as a guide for parties and counsel. The fundamental governing principle is that the precise amount of costs awarded remains at the discretion of the Court. The Court may depart from the Costs Guidelines depending on the particular circumstances of each case. See in particular Order 21, Rule 2(2) of the Rules of Court 2021, which is reproduced below:

“(2) In exercising its power to fix or assess costs, the Court must have regard to all relevant circumstances, including —

- (a) efforts made by the parties at amicable resolution;
- (b) the complexity of the case and the difficulty or novelty of the questions involved;
- (c) the skill, specialised knowledge and responsibility required of, and the time and labour expended by, the solicitor;
- (d) the urgency and importance of the action to the parties;
- (e) the number of solicitors involved in the case for each party;
- (f) the conduct of the parties;
- (g) the principle of proportionality; and
- (h) the stage at which the proceedings were concluded.”

Nothing in these Costs Guidelines is intended to guide or influence the charging of costs payable to a solicitor by his own client.

4. The relationship / interaction between Parts IIA and IIB of Appendix G is as follows:
  - (a) If the contested summons is not listed in Part IIB, reference should be made to the costs range for contested applications set out in Part IIA.

- (b) If the contested summons is listed in Part IIB, reference should be made to the costs range therein. However:
    - (i) If the said summons is one that is simple, and the lower end of the costs range set out in Part IIB is higher than the lower end of the costs range set out in Part IIA, reference may be made to the Part IIA costs range.
    - (ii) If the said summons is one that is complex, and the upper end of the costs range set out in Part IIB is lower than the upper end of the costs range set out in Part IIA, reference may be made to the Part IIA costs range.
- 5. There is no presumption that a higher amount of costs is to be awarded in respect of a summons that is heard before a Judge (as opposed to a Registrar) at first instance.
- 6. Parties should take note of the requirement to file a costs schedule under paragraph 137 of the Practice Directions in respect of the following types of proceedings: (i) trials in open court for all originating claims, including originating claims that were ordered to be converted from originating applications; and (ii) originating applications involving cross-examination of any maker of an affidavit.
- 7. A litigant who is not legally represented should take note of Order 21, Rule 7 of the Rules of Court 2021, the application of which shall remain unaffected by these Costs Guidelines.
- 8. It should further be noted that in the event of an appeal, costs awards made by the court of first instance may be supplemented or otherwise modified by the appellate court as appropriate.
- 9. The Supreme Court may from time to time review these Costs Guidelines.

## II. Costs Guidelines for Summonses

### A. General

	Nature of Application	Costs (\$) (excl. disbursements)
1.	Uncontested	1,000 – 5,000
2.	Contested <ul style="list-style-type: none"> <li>Application on normal list lasting less than 45 mins</li> <li>Application on normal list lasting 45 mins or longer</li> <li>Complex or lengthy application fixed for special hearing (duration of 3hrs)</li> </ul>	2,000 – 5,000  4,000 – 11,000  9,000 – 22,000

### B. Specific

	Nature of Application	Costs (\$) (excl. disbursements)
1.	Adjournment	500 – 2,000
2.	Extension of time	1,000 – 4,000
3.	Amendment of pleadings <i>[*The costs range for amendment of pleadings stipulated in Appendix G relates only to the application itself.</i>  <i>Separate costs for the amendments (eg, for costs thrown away as a result of the amendment) may be sought]</i>	1,000 – 7,000
4.	Further and better particulars	2,000 – 9,000
5.	Production of documents	3,000 – 11,000
6.	Security for costs	2,000 – 10,000
7.	Interim payments (Order 13, Rule 8)	2,000 – 10,000
8.	Striking out (Order 9, Rule 16)	
	striking out of part(s) of pleadings / affidavit	3,000 – 12,000
	striking out of whole suit / defence*	6,000 – 20,000

	Nature of Application	Costs (\$) (excl. disbursements)
	<p><i>[*The costs range for striking out of whole suit / defence stipulated in Appendix G relates only to the application itself.</i></p> <p><i>If the applicant is successful in striking out the whole suit / defence, separate costs for the action (based on the pre-trial range, if appropriate) may be sought]</i></p>	
9.	<p>Summary judgment (Order 9, Rule 17)*</p> <p><i>[*Part 2(c) of Appendix 1, Order 21 of the Rules of Court 2021 provides for the scale of fixed costs for applications under Order 9, Rule 17 of the Rules of Court 2021. The Court may depart from the said scale and otherwise order: see Order 21, Rule 10 of the Rules of Court 2021.</i></p> <p><i>The costs range for an application under Order 9, Rule 17 of the Rules of Court 2021 stipulated in Appendix G relates only to the application itself. If the plaintiff is successful in obtaining judgment for the whole action, separate costs for the action (based on the pre-trial range, if appropriate) may be sought]</i></p>	
	Summary judgment given	6,000 – 20,000
	Application for summary judgment dismissed	6,000 – 20,000
10.	Setting aside of judgment	2,000 – 19,000
11.	Stay of proceedings	
	for arbitration	5,000 – 23,000
	on <i>forum non conveniens</i>	6,000 – 21,000
	pending appeal	3,000 – 11,000
12.	Examination of Enforcement Respondent	3,000 – 10,000
13.	Discharge of solicitor	1,000 – 4,000
14.	Setting aside of service	3,000 – 14,000
15.	Permission to appeal to the Appellate Division or to the Court of Appeal	4,000 – 15,000
16.	Division of issues at trial to be heard separately	3,000 – 12,000
17.	Injunction / search order	10,000 – 35,000
18.	Application for committal order	4,000 – 16,000
19.	Application for unless order	2,000 – 10,000

### III. Costs Guidelines for Trials (including Assessments of Damages)

#### A. Section 1 Costs

##### (i) *Party-and-Party Costs for trials (except for matters which are settled before trial)*

	Nature of claim	Costs		
		Pre-trial <sup>1</sup>	Trial (daily tariff)	Post-trial Work <sup>2</sup>
1.	Motor accident	\$15,000 – \$45,000	\$6,000 – \$12,000	Up to \$15,000
2.	Simple Torts			
3.	Torts <sup>3</sup>	\$25,000 – \$70,000	\$6,000 – \$16,000	Up to \$30,000
4.	Commercial <sup>4</sup>			
5.	Equity and trusts	\$25,000 – \$90,000	\$6,000 – \$16,000	Up to \$35,000
6.	Construction	\$30,000 – \$90,000	\$6,000 – \$18,000	Up to \$35,000
7.	Intellectual property and information technology			
8.	Admiralty			
9.	Medical and Professional negligence			

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<sup>1</sup> Pre-trial Work includes Pleadings, Production of Documents, and Affidavits of Evidence-in-Chief.

<sup>2</sup> Post-trial Work does not include work carried out after judgment is obtained (eg, enforcement proceedings).

<sup>3</sup> Includes Defamation.

<sup>4</sup> Includes Corporation/Company law disputes and Insolvency, Contract, and Banking and Finance disputes.

(ii) *Party-and-Party Costs for matters which are settled before trial*

	Nature of claim	Costs for Work Done <sup>5</sup>		
		Pleadings	Production of Documents	AEICs
1.	Motor accident	\$3,000 – \$9,000	\$6,000 – \$18,000	\$6,000 – \$18,000
2.	Simple Torts			
3.	Torts <sup>6</sup>	\$5,000 – \$14,000	\$10,000 – \$28,000	\$10,000 – \$28,000
4.	Commercial <sup>7</sup>			
5.	Equity and trusts	\$5,000 – \$18,000	\$10,000 – \$35,000	\$10,000 – \$35,000
6.	Construction	\$6,000 – \$18,000	\$12,000 – \$35,000	\$12,000 – \$35,000
7.	Intellectual property and information technology			
8.	Admiralty			
9.	Medical and Professional negligence			

<sup>5</sup> The Court retains a discretion to consider whether additional costs for getting up for trial should be provided for in the appropriate case.

<sup>6</sup> Includes Defamation.

<sup>7</sup> Includes Corporation/Company law disputes and Insolvency, Contract, and Banking and Finance disputes.

**B. Section 2: Costs for assessment**

\$1,500 – \$5,000, excluding disbursements.

#### IV. Costs Guidelines for Originating Applications

##### A. General Guidelines

Nature of originating applications	Costs*
Uncontested	\$5,000 – \$13,000
Contested	\$12,000 – \$30,000 per day

##### B. Specific Originating Applications

Nature of originating applications	Costs* (daily tariff)
Arbitration	\$13,000 – \$40,000
Insolvency and Restructuring	\$12,000 – \$35,000
Judicial review, public and administrative law	\$14,000 – \$35,000
Mortgage action	\$5,000 – \$15,000
Originating applications commenced under Order 6, Rule 1(3)(c)	\$12,000 – \$30,000
Originating application commenced under the Building and Construction Industry Security of Payment Act	\$6,000 – \$20,000

*\* The costs ranges under Parts IV.A and IV.B are inclusive of costs for any pre-hearing and post-hearing work carried out for the matter, and do not include costs for work carried out after judgment is obtained (eg, enforcement proceedings).*



## V. Costs Guidelines for Appeals

Nature of Appeal / Application	Costs (per appeal/application basis)
Appeals before a Judge in the General Division (including appeals from the State Courts)	\$5,000 – \$35,000
Appeals before the Appellate Division or Court of Appeal* against a judgment or order obtained in an interlocutory application <i>[*Where permission is granted for a further appeal to be brought from the Appellate Division to the Court of Appeal, the Court of Appeal may consider adjusting the costs payable]</i>	\$15,000 – \$40,000
Appeals before the Appellate Division or Court of Appeal* against a judgment or order obtained following a trial / hearing of an Originating Application <i>[*Where permission is granted for a further appeal to be brought from the Appellate Division to the Court of Appeal, the Court of Appeal may consider adjusting the costs payable]</i>	\$30,000 – \$150,000
Applications determined by the Appellate Division or Court of Appeal without oral hearing	\$6,000 – \$20,000
Applications determined by the Appellate Division or Court of Appeal after an oral hearing	\$9,000 – \$35,000