

Chapter 1

ACCIDENT & PERSONAL INJURY CLAIMS



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A. Introduction

1. A person involved in an accident (“**the claimant**”) may pursue a personal injury claim against the party who caused the accident (“**the defendant**”), if the claimant sustained injuries as a result of the accident. To succeed in such a claim, the claimant must prove: (a) that the defendant owed him a duty of care under the circumstances; (b) that the defendant breached that duty by failing to exercise reasonable care; (c) that the injuries suffered by the claimant were caused by the breach (causation); and (d) that the injuries were a reasonably foreseeable type of harm arising from the breach (remoteness). In addition to proving liability, the claimant must also justify the quantum of damages he is claiming by providing appropriate supporting evidence. These damages are awarded to compensate him for the losses he has suffered as a direct consequence of the accident. For a quick overview of the steps involved in the claims process, please refer to the Flowchart Summaries at **Section J** below.

2. This chapter sets out, in a practical step-by-step manner, what you as the claimant’s lawyer should do at each stage of the claim.

B. Getting Up / Preparation Phase

(i) *Time-Bar*

3. First and most importantly, you need to determine whether the claim is time-sensitive. Generally, legal proceedings for personal injury claims in Singapore **must be commenced within three (3) years from the date of the accident or from the earliest date the claimant had the requisite knowledge of the cause of action**¹, failing which the claim will be time-barred. The consequences of missing the time-bar are severe – the claimant loses the right to sue, and you, as the solicitor, may be exposed to a professional negligence claim if the delay was due to your oversight or inaction.

¹ Section 24A(2) of the Limitation Act 1959.

4. **Exception:** If the claimant is mentally or physically incapacitated and genuinely unable to commence an action, the limitation period may stop running during the period of incapacity. This must be assessed carefully. Additionally, where the injured person dies before commencing an action, note that the limitation period generally continues to run based on when the deceased acquired the requisite knowledge, not when the personal representative became aware of the claim².

5. Solicitors should act swiftly in such situations, especially when assisting administrators or deputies who seek to pursue a claim on behalf of a deceased or incapacitated person.

(ii) Ascertaining Liability

6. Next, ascertain the circumstances of the accident to determine who to sue and whether the potential defendant (or your client) was at fault. Here are some questions that you should ask your client (non-exhaustive):

- a. When, where, and how did the accident take place? Specify the exact time, date, and location. Ask for a clear narrative of the events leading up to, during, and immediately after the incident.
- b. Who was involved in the accident? Obtain the full names, NRIC numbers (if known), contact details, vehicle registration numbers (if applicable), and the insurers' information.
- c. What was the primary cause of the accident, in your client's view?
- d. Was a police report lodged? If not, request an explanation.
- e. Are there photographs, CCTV footage, dashcam videos, or any other form of recording of the scene?

7. At the same time, you will also need to obtain or request documents that will help substantiate your client's version of events. For a detailed list of the types of documents that may be relevant, refer to the Checklist of Supporting Documents in a Personal Injury Claims at **Section F**.

8. Once you are satisfied that you have adequate information on the accident, you will need to address the following issues:

- a. Is there likely to be a dispute on who was at fault for the accident?
- b. Did your client play any role in causing or contributing to the accident in any way? For example, was your client speeding, distracted, or not wearing safety equipment?
- c. Are there any statements made by your client to the other party that might be construed as admission of liability (thereby prejudicing his claim)? (e.g. "So sorry, I did not see you.")

9. If there is evidence of potential contributory negligence on your client's part, begin researching relevant case precedents to determine the likely percentage reduction in damages that may be imposed by the court.

(iii) Determining Quantum

² See *Syed Almagdad bin Syed Faraj v Indian International Insurance Pte Ltd* [2022] SGHC 123.

10. The next step is to gather the relevant supporting documents and information to estimate a reasonable compensation amount. This will depend on the extent of the injuries sustained and the financial losses incurred. There are two broad heads of claim: (i) General Damages and (ii) Special Damages.

- a. General damages are damages that compensate for losses naturally arising from the injury. This generally includes pain and suffering, loss of amenities, loss of future earnings, loss of earning capacity, and future medical and transport expenses.³
- b. Special damages compensate for specific financial losses incurred due to the accident, including pre-trial loss of earnings, medical and transport expenses, and damage to personal effects or vehicles. These claims must be supported by documentary evidence such as receipts, pay slips, and medical bills. The court will scrutinize each item to ensure that it was reasonably incurred and causally linked to the accident.

11. To assist in quantifying damages, you should ask your client the following questions:

- a. What specific injuries did you suffer as a result of the accident?
- b. When did you first seek medical attention? At which hospital or clinic?
- c. Were you hospitalised? If so, for how long?
- d. Do you have a doctor's Medical Report or Memo?
- e. Were you issued with medical certificates certifying you unfit for work? What was the duration of your medical leave?
- f. Are you still undergoing treatment, or taking medication for your injuries? Are you required to undergo any future treatment?
- g. Are there follow-up medical appointments scheduled? If so, how frequent and for how long?
- h. What was your occupation before the accident? How has your ability to perform your job been affected? If so, are your injuries of a temporary or permanent nature?

12. When reviewing Medical Reports, it is important to consider the nature of the injuries, the diagnosis, and whether the injuries were clearly caused by the accident (and not something that is pre-existing). If your client needs follow-up or long-term medical treatment and medication, the doctor should specifically state so in the medical report and indicate the duration and projected costs. If any of these are not adequately addressed in the medical report, you should write to the doctor to request a Clarification Report.

13. Once you have sufficient evidentiary basis, you will need to consider:

- a. Whether each head of claim is recognised by law?
- b. What quantum of damages is typically awarded for a claim of that nature?

14. Always compare your client's situation with case law to see whether the amount sought is justifiable. Check whether the injuries in those cases are comparable in severity and

³ For cases heard on or after 1 April 2021, the Singapore courts will refer to actuarial tables published by the Singapore Academy of Law to quantify loss of earning and future expenses.

prognosis. Use these as benchmark to estimate a fair and justifiable range of damages. For guidance, consult the following resources:

- a. *Practitioners' Library, Assessment of Damages: Personal Injuries and Fatal Accidents* (Third Edition), LexisNexis, 2017;
- b. *Personal Injury Tables Singapore 2021*, Sweet & Maxwell Asia, 2021;
- c. *Personal Injury: Quantum, Cases and Materials, Singapore*, LexisNexis, 2014;
- d. *Guideline for the Assessment of General Damages in Personal Injury Cases*, Academy Publishing, 2010, by the Subordinate Courts.
- e. *Motor Accident Claims Online* ("MACO"), an initiative by the Singapore Academy of Law in collaboration with the Singapore Courts, as part of the "Courts of the Future IT Roadmap": <http://go.gov.sg/maco>

(iv) Advising your client

15. Once you have consolidated the information and done the necessary legal research, it is essential that you speak to your client thoroughly and candidly, to advise him on liability. Explain whether you think your client bears any fault, and if so, to what extent. If your client had contributed to his injuries or losses (e.g. he was driving too fast at the material time), walk your client through what a likely apportionment of fault may look like in percentage terms (e.g. parties most likely to be equally at fault (i.e. 50:50), or the defendant is primarily at fault (e.g. 60:40, 70:30 or higher in your client's favour). Ensure that your client understands why he ought to share the blame based on the facts and circumstances of the accident.

16. After discussing liability, you should move on to discuss the quantum likely to be awarded to him, based on the documentary proof available. Normally, it is easier to advise your client and make a claim by tabulating the various items. For items which may be disputed, when you advise your client, please give him a range instead of a fixed number, e.g. you may say general damages for a fractured finger may range from \$500 to \$3,000 (instead of saying \$3,000), depending on the severity of the injury. Emphasize that your client is only entitled to receive compensation for injuries and losses caused by the accident. Pre-existing conditions are only compensable to the extent they were aggravated by the accident.

17. The primary objective of this exercise is to secure your client's mandate for two crucial steps: (1) issuing a letter of claim based on the most favourable interpretation of liability and quantum (with the understanding that this will serve as a starting point for negotiations); and (2) preparing your client to keep an open mind to settlement on a less favourable basis (your client should understand that negotiations involve compromise, and that settlement may be based on a lower liability apportionment or reduced quantum). **It is strongly recommended that you record this discussion in an attendance note and have your client sign it, especially if settlement negotiations later break down or if your advice is questioned. This protects both you and your client and ensures alignment of expectations from the outset.**

C. Letter of Claim and the Pre-Action Protocol

18. Before commencing any legal proceedings for a personal injury claim, it is mandatory to comply with the [Pre-Action Protocol for Personal Injury Claims \("Protocol"\) as set out in Appendix B](#) ("Appendix B") of the State Courts Practice Directions 2021 ("SCPD 2021"). The objective of this Protocol is to facilitate early and efficient exchange of information

between parties, encourage settlement where possible, and narrow the issues in dispute should litigation prove necessary.

19. A key requirement under the Protocol is that the claimant must issue a letter of claim⁴ to the potential defendant and his insurer, enclosing all relevant documents relating to both liability and quantum⁵. This letter should include a concise summary of the factual circumstances of the accident, the injuries suffered, and a preliminary indication of the heads of claim. The potential defendant will have to issue an acknowledgement letter within 14 days of receipt of the letter of claim, failing which the claimant may commence proceedings without Court sanction⁶. Thereafter, the potential defendant will have to issue a substantive response within 8 weeks of receipt of the letter of claim.⁷ That is, the reply should indicate (a) whether the insurer is stepping in to defend the claim or whether the potential defendant will be defending the claim personally⁸, and if so, (b) the potential defendant's position on the claim on both liability (i.e. whether liability is admitted in whole or in part, or denied entirely) and quantum (including any objections to the amount claimed or specific heads of loss), and where appropriate, an offer of settlement⁹.

20. If the insurer steps in to defend the claim, the potential defendant falls out of the picture, and you should negotiate with the insurer directly¹⁰. Conversely, if the insurer repudiates liability, the potential defendant will have to defend the claim personally, and you should deal with the potential defendant (or his appointed solicitors, if he has engaged his own) directly. Please note that for motor accident claims involving death or bodily injury, insurers have a statutory obligation to indemnify the insured under the policy, and cannot repudiate liability to the claimant directly unless the policy is void or does not cover the event in question.¹¹

21. Failure of the potential defendant or insurer to comply with any of the prescribed timelines in the Protocol will entitle the claimant to commence court proceedings. However, even where such entitlement arises, it is prudent to assess whether commencing proceedings is the most strategic course of action or whether continued negotiation is preferable.

22. Paragraphs 3.1 to 3.10 in **Appendix B** set out the relevant information that your letter of claim should include, the documents it should enclose, as well as how it should be sent. Paragraphs 4.6 sets out the relevant information that the potential defendant's substantive response should include. As a matter of best practice, ensure strict compliance with these procedural requirements to avoid adverse cost consequences.

23. In some cases, the insurer may request that the claimant undergo an independent medical examination by a medical expert appointed by the insurer. This is typically a reasonable request, and unless there are good grounds for refusal, the claimant should generally agree to be examined. Any report issued by the insurer's doctor should be scrutinized and, if necessary, challenged with a rebuttal report.

⁴ SCPD 2021, Appendix B, paras 3.1-3.10. See Annex F for a sample letter of claim.

⁵ SCPD 2021, Appendix B, para 3.7. These documents may include the police report, photographs of the accident scene, medical reports, hospital bills, transport receipts, and evidence of income loss, among others.

⁶ SCPD 2021, Appendix B, paras 4.3-4.4.

⁷ SCPD 2021, Appendix B, para 4.6.

⁸ SCPD 2021, Appendix B, para 4.6(a).

⁹ SCPD 2021, Appendix B, para 4.6(b).

¹⁰ You may inform the defendant that you have notified his insurer about the letter of claim issued. See Annex H.

¹¹ Section 4(1)(b) read with sections 8 and 9 of the Motor Vehicles (Third-Party Risks and Compensation) Act 1960.

24. If the claim is approaching the limitation period and time is of the essence, you may choose to file the Originating Claim¹² and Statement of Claim¹³ in court first, while concurrently issuing a letter of claim under the Protocol. This will prevent the claim from becoming time-barred. In such cases, if the potential defendant is represented, your letter of claim should also enquire whether the lawyer or law firm has instructions to accept service on behalf of the potential defendant, so that you may arrange for service to be effected on the law firm without delay¹⁴.

25. During this period, after the parties have exchanged all the relevant information and documents, you should endeavour to make reasonable attempts at settlement with the insurer. This may involve several rounds of offers and counter-offers. Avoid commencing legal action if there are reasonable prospects for a settlement. You should have already taken your client's instructions on the lowest acceptable amount he is willing to settle for. This will guide you in evaluating whether the insurer's offer is within a reasonable range. Keep a contemporaneous note of all offers made and advice rendered to your client. Broadly speaking, there are three possible outcomes during settlement discussions:

- a. **Insurer makes an offer on liability and quantum which you think is reasonable.** You should advise your client to accept the offer accordingly, explaining that settlement spares the cost, time, and uncertainty of litigation.
- b. **Insurer makes an offer on liability and quantum which you think is unreasonable (i.e. a lowball offer).** You should advise your client to reject the offer and explain to him clearly and carefully what you think is a fair compensation for his injuries based on your calculations. You should also discuss with your client on a suitable counter-offer. When responding to the insurer, you should include arguments for why your client deserves the damages requested. The insurer may or may not accept your counter-offer and may simply maintain their initial offer, or come back with a slightly higher amount. You should continue communicating with the insurer (and taking your client's instructions) to negotiate an acceptable amount. If a reasonable settlement offer is reached, you should advise your client to accept it.
- c. **Insurer makes an offer on liability and quantum which you think is unreasonable (i.e. a lowball offer) and refuses to budge or negotiate an acceptable amount.** When negotiations stall, you will need to discuss with your client whether he is prepared to proceed to court. If so, take clear instructions and record them. Emphasize the costs and risks involved. Conversely, if your client prefers to avoid going to court, you should seek to extract the best possible settlement under the circumstances.

26. **In all cases, it is important not to pressure your client into accepting an offer that he is not comfortable with.** Ultimately, the decision belongs to the client. Your role is to provide objective advice, realistic options, and professional guidance.

D. The Court Process – Commencing an Action

¹² See Annex J.

¹³ See Annex K.

¹⁴ See Annex G.

27. Before commencing a claim, and if reasonable effort has been made to settle the matter but there are no reasonable prospects of settlement after at least 8 weeks from the date of receipt of the letter of claim, you must give at least 10 clear days' written notice (by email, fax or certificate of posting) to the potential defendant or insurer.¹⁵
28. For motor accident claims specifically, if the potential defendant is unknown (e.g. hit-and-run scenario) or uninsured (e.g. invalid policy), the claimant may seek compensation through the Motor Insurers' Bureau of Singapore ("**MIB**"), which will step in as though it is the potential defendant's insurer. The MIB acts as a safety net and steps into the shoes of the insurer, but only in respect of motor accident personal injury or fatal accident claims. Claims for property damage or vehicle repairs are excluded from the MIB's purview.
29. Claims must be commenced in the appropriate level of court as follows:

Quantum of claim	Level of Court
Up to \$60,000 ¹⁶	Magistrate's Court
More than \$60,000 and up to \$250,000 ¹⁷	District Court
More than \$250,000 and up to \$500,000	High Court (although matter will be automatically transferred to District Court) ¹⁸
More than \$500,000 ¹⁹	High Court ²⁰

30. Once court proceedings have been filed, ensure that you properly serve the Originating Claim and Statement of Claim on the defendant and, where relevant, on the insurer as well, and that you comply with the timelines stipulated in the Rules of Court 2021 ("**ROC 2021**"). If the defendant is served within Singapore and wishes to defend the action, he must file a Notice of Intention to Contest or Not Contest within 14 days of service²¹.
31. The defendant must then file and serve a Defence within 21 days²² (or 5 weeks if the defendant resides outside Singapore and is served overseas)²³ from the date of service of the Statement of Claim. If the defendant alleges that he has any claim or is entitled to any relief or remedy against your client, he may file and serve a counterclaim in the same action i.e. Defence and Counterclaim. You need not file a Reply to the Defence if you merely wish to deny assertions without adding anything material, but you must file and serve a Defence to the Counterclaim within 14 days after the Defence and Counterclaim is served on you.²⁴

¹⁵ SCPD 2021, Appendix B, para 11.2.

¹⁶ Section 2 of the State Courts Act 1970 under "Magistrate's Court limit".

¹⁷ Section 2 of the State Courts Act 1970 under "District Court limit".

¹⁸ Section 2A of the Supreme Court of Judicature (Transfer of Specified Proceedings to District Court) Order 2016.

¹⁹ Section 16 of the Supreme Court of Judicature Act 1969.

²⁰ For road traffic accident claims or claims for personal injuries arising out of industrial accidents, the parties may agree in writing to have the matter heard by the District Court even though the sum in disputes exceeds \$500,000. Reasons for doing so include lower court fees and legal fees, and the fact that the High Court does not have a Court Dispute Resolution process unlike the State Courts. See section 54C of the State Courts Act 1970.

²¹ ROC 2021, O. 6, r. 6(1).

²² ROC 2021, O. 6, r. 7(1).

²³ ROC 2021, O. 6, r. 7(2).

²⁴ ROC 2021, O. 6, r. 9.

32. If the defendant fails to file a Notice of Intention to Contest or Not Contest or Defence within the stipulated timeline, you should file an Application for Judgment for Failing to File Notice of Intention to Contest or Not Contest.²⁵ Once Judgment is entered, this means the defendant is deemed to be 100% liable for the accident, and the matter will then proceed directly to the Assessment of Damages stage. A defendant who has entered into an interlocutory judgment in respect of liability, whether by consent or not, cannot challenge causation at the Assessment of Damages stage in a personal injury arising out of a motor vehicle accidents claim.²⁶ This is unless the defendant entered into an interlocutory judgment, whether by consent or not, before 30 March 2023; such a defendant is entitled to raise issues of causation at the Assessment of Damages stage, even in respect of all the damage that the claimant claims to have suffered.²⁷
33. However, if the defendant contests the claim, the matter will proceed through the normal litigation process. Cases commenced in the State Courts will automatically be referred for alternative dispute resolution in the State Courts Centre for Dispute Resolution (“**SCCDR**”) after the close of pleadings. Road accident claims and personal injury claims resulting from industrial accidents (i.e. between \$250,000 and \$500,000) commenced in the High Court will be automatically transferred to the District Court and follow the same processes applicable there.
34. It is important to note that the High Court does not have an equivalent in-house dispute resolution mechanism akin to the SCCDR’s Court Dispute Resolution (“**CDR**”) or Assessment of Damages Court Dispute Resolution (“**ADC DR**”) processes. Where parties wish to mediate personal injury disputes commenced in the High Court, they will need to explore external alternatives such as the Singapore Mediation Centre (“**SMC**”) or the Law Society Mediation Scheme (“**LSMS**”). Where appropriate, the court may also adjourn proceedings to allow parties to attempt settlement.

(i) **Court Dispute Resolution for Liability**

35. If the claimant commences a personal injury claim in the State Courts, and the defendant files a Notice of Intention to Contest, the case will typically be referred to the SCCDR for a CDR Case Conference (“**CDR CC**”) within 6 weeks.²⁸ The objective of the CDR CC is intended to facilitate early settlement through judge-led neutral evaluation. The CDR judge will assess the strengths and weaknesses of each party’s case, provide early neutral evaluation (“**ENE**”) on liability (and where appropriate, quantum), and guide parties towards resolution. If liability can be resolved, either fully or partially, it may avoid the need for a full trial.²⁹
36. Prior to the CDR CC, parties are expected to exchange relevant documents including medical reports, police reports, hospitalisation and medical leave certificates, repair bills, photographs, income records, and any other supporting material relevant to liability or quantum³⁰. The court may direct the personal attendance of parties (e.g.,

²⁵ See Singapore Courts website: [https://www.judiciary.gov.sg/civil/civil-claims-\(from-1-april-2022\)/start-a-civil-claim-\(from-1-april-2022\)/start-a-civil-claim-by-originating-claim-\(from-1-apr-2022\)/apply-to-enter-a-default-judgment-\(from-1-april-2022\)](https://www.judiciary.gov.sg/civil/civil-claims-(from-1-april-2022)/start-a-civil-claim-(from-1-april-2022)/start-a-civil-claim-by-originating-claim-(from-1-apr-2022)/apply-to-enter-a-default-judgment-(from-1-april-2022)). See also Rules of Court 2021, O. 6 r. 6(5)-(6); O. 6 r. 7(7); O. 17 r. 3(2).

²⁶ See *Salmizan bin Abdullah v Crapper, Ian Anthony* [2023] SGHC 75 at [146(d)] (“*Salmizan*”).

²⁷ See *Foo Kok Boon v Ngow Kheong Shen* [2023] SGHC 189 (“*Foo Kok Boon*”) at [4].

²⁸ SCPD 2021, para 39(9) and Appendix C, para 1.1.

²⁹ SCPD 2021, para 39(10).

³⁰ SCPD 2021, Appendix C, paras 5.1-5.2.

drivers or witnesses) to assist in evaluation or negotiation³¹. Witness statements should also be prepared where factual disputes exist³².

37. Where the facts of a motor accident do not fall within recognised scenarios (e.g., MACO), or where parties cannot agree on apportionment, the court may provide an ENE on liability³³. In such cases, you must make submissions identifying the relevant scenario(s) and proposed apportionment³⁴.
38. At the CDR CC stage, there are three possible outcomes:
- a. First, if the parties *agree on liability*, then they may enter into a Consent Interlocutory Judgment on liability in accordance with Form 7 of Appendix A1 to the SCPD 2021 ("**Form 7**")³⁵. This will state the percentage of liability that the defendant shall bear, and will provide for damages, interest, and costs to be assessed by the Registrar.
 - b. Second, if the parties *disagree on liability*, the court will give directions for the case to progress to a trial on liability³⁶, including timelines for the exchange of Affidavits of Evidence-in-Chief ("AEICs") and other necessary directions (see **Section D(iii)** below on "Trial / Hearing").
 - c. Third, if the parties *agree on both liability and quantum*, they may record a final settlement or enter into a Consent Final Judgment in accordance with Form 7. The practical advantage of recording a final settlement instead of entering a Final Judgment is that the settlement may be on a without admission of liability basis.³⁷
39. After the CDR CC, parties must promptly take instructions on any ENE issued and submit reasonable proposals where possible³⁸. If liability is agreed but quantum remains in dispute, parties should consider recording an interlocutory judgment and proceeding to assessment of damages, which is generally more cost-efficient than a full trial on liability³⁹.
40. If no settlement is reached, a Personal Injury, NIMA or Negligence Case Conference ("**PNN CC**") may be convened approximately 7 weeks after the last CDR CC, to give further directions to progress the matter to trial⁴⁰.

(ii) Assessment of Damages – Court Dispute Resolution for Quantum

41. The court must give judgment on liability and on the amount of damages if the hearing was not ordered to be bifurcated.⁴¹ If the hearing was ordered to be bifurcated, when the court gives judgment on liability, it may give directions for damages to be assessed and proceed subsequently to assess damages or direct that the Registrar conduct the

³¹ SCPD 2021, Appendix C, para 4.1.

³² SCPD 2021, Appendix C, para 5.3.

³³ SCPD 2021, Appendix C, para 6.6.

³⁴ SCPD 2021, Appendix C, para 6.7.

³⁵ SCPD 2021, para 39(17).

³⁶ SCPD 2021, para 39(14).

³⁷ *Salmizan* at [6].

³⁸ SCPD 2021, Appendix C, para 8.1.

³⁹ SCPD 2021, Appendix C, para 8.2.

⁴⁰ SCPD 2021, Appendix C, para 8.4.

⁴¹ ROC 2021, O. 15, r. 15(3).

assessment. In such cases, an Assessment of Damages Case Conference (“**Assessment CC**”) will typically be fixed around 3 weeks after the date on which interlocutory judgment is entered⁴². If no provision is made as to how damages are to be assessed, the party entitled to the benefit of the judgment must apply for directions by filing a Summons for Directions on the Assessment of Damages (“**SFD**”) within 1 month from the date of the judgment.⁴³ This application should include all interlocutory applications the party intends to file during the assessment phase⁴⁴. The court will fix a hearing date and issue the necessary procedural directions to move the matter forward.

42. In practice, the court may issue a Registrar’s Notice indicating that the SFD hearing will be conducted on a documents-only basis via eLitigation. Unless otherwise directed, parties are not required to attend the SFD hearing physically or via video-conferencing. The court may also direct that the SFD hearing be fixed together with the Assessment CC. For Magistrate’s Court Cases in the Assessment phase, you will be required to file the following documents: (i) Checklist for Assessment of Damages Case Conference⁴⁵; (ii) Timelines Form, and (iii) Single Joint Expert (“**SJE**”) Form. You will have to liaise with the defendant in completing these Forms.
43. Procedural directions such as timelines for the filing and exchange of List of Documents⁴⁶, filing and exchange of Affidavits of Evidence-in-Chief (“**AEICs**”), appointment of a SJE, and the filing of the Notice of Appointment for Assessment of Damages (“**NOAD**”) are often given during the SFD hearing itself.
44. The SJE is a medical expert jointly nominated by both parties to provide a report on behalf of the court. If the parties cannot agree, the court may appoint the SJE pursuant to Order 12, Rule 3(5) of the ROC 2021⁴⁷. The SJE provides an impartial opinion on the nature, extent, and long-term impact of the claimant’s injuries, and assists the court in determining the appropriate quantum of damages.
45. You must ensure strict compliance with all timelines. If you anticipate any delay, you should file a Summons for Further Directions (“**SFFD**”) seeking an extension. It is advisable to obtain consent from the other party, as this will allow the court to dispense with the need for a supporting affidavit. Where a supporting affidavit is required, it should set out the reasons for the extension sought (e.g. that a further medical report was only recently obtained), propose new realistic timelines for compliance, and confirm that no prejudice will be caused to the other party as a result of the extension.
46. Importantly, you will need to prepare your client’s AEIC on the issue of quantum⁴⁸. The AEIC should set out the injuries, medical expenses, and disbursements incurred.
47. Once the AEICs of all witnesses have been duly exchanged, and at least 5 working days have passed since the exchange, you must file and serve the NOAD on the defendant. The NOAD must be accompanied by the Checklist for Assessment of

⁴² SCPD 2021, para 45(1A).

⁴³ ROC 2021, O. 15, r. 15(4) and SCPD 2021, para 45(2A). See also Annex L.

⁴⁴ SCPD 2021, para 45(2A).

⁴⁵ This checklist applies to Magistrate’s Court cases falling within SCPD 2021 para 45(1) where there is a judgment on liability and where parties are presently seeking an assessment of damages under O.15, r. 15 of the ROC 2021.

⁴⁶ See Annex M.

⁴⁷ ROC 2021, O. 12, r. 3(5).

⁴⁸ See Annex O.

Damages Court Dispute Resolution Case Conferences, which is Form 10 of Appendix A1 to the SCPD 2021 ("**Form 10**"). You will need to liaise with the defendant to complete Form 10 collaboratively, ensuring accuracy in the confirmation of exchanged materials. Following the filing and acceptance of the NOAD and Form 10, the court will generally convene the first Assessment of Damages Court Dispute Resolution Conference ("**ADCDR CC**") within 4 weeks.⁴⁹

48. During the ADCDR CC, all parties must be in a position to assess the relative merits of their cases to facilitate a settlement with all relevant information at their disposal.⁵⁰ Only solicitors are required to attend. The session is conducted on a "without prejudice" basis, and the judge may provide a non-binding indication on the likely quantum of damages based on the documents filed. There are two possible procedural tracks, depending on whether the ADCDR is conducted as a documents-only session (referred to as a "paper" hearing) or as a live session (i.e. in-person or via video-conference):
- a. If the ADCDR is conducted as a "paper" hearing, parties are typically required to submit a **Quantum Indication Form** (see Form 9B of Appendix A to the SCPD 2014) as part of the process set out in Registrar's Circular No. 13 of 2020 (as extended by Registrar's Circulars No. 18 of 2020, No. 5 of 2021, and No. 10 of 2021) ("**Form 9B**"). You should send the completed Quantum Indication Form to the defendant at least 14 working days before the hearing. The defendant must respond at least 7 working days before the hearing. You should then submit the consolidated Form 9B to statecourts_eADCDR@statecourts.gov.sg at least 5 working days before the scheduled date, copying all parties. The court will consider the documents and provide a written quantum indication by email and/or issue further directions.
 - b. If the ADCDR is conducted live (either in-person or via video conference), parties will be directed to file a **Quantum Neutral Evaluation Form** (see Form 11 of Appendix A1 to the SCPD 2021) ("**Form 11**"). This form sets out each party's proposed figures under each head of damage to assist the court in issuing a quantum indication.
49. In both cases, the indication by the Court is not binding and is meant to help parties calibrate expectations and encourage settlement.
50. Subject to the court's discretion, neutral evaluations will only be given in matters where the claimant and at least one other party is represented and will only be given for claims relating to: (a) damages for pain and suffering arising from personal injuries suffered by a claimant; (b) loss of future earnings and/or loss of earning capacity; and/or (c) loss of dependency under section 20 of the Civil Law Act 1909.⁵¹ For such matters, parties will have to submit **Form 11** before the first ADCDR session, which contains their respective proposals on quantum.⁵²
51. Once indication on quantum has been obtained, you should discuss this matter with your client and decide on your next course of action.

⁴⁹ SCPD 2021, para 45(3).

⁵⁰ SCPD 2021, para 45(10).

⁵¹ SCPD 2021, para 45(9).

⁵² SCPD 2021, para 45(11).

52. The issue of quantum can be settled by consent or after trial on quantum. If parties manage to reach an agreement on quantum following the ADCDR session, a Consent Final Judgment can be recorded using **Form 7**, accompanied by the Usual Consequential Orders. The court will then invite parties to submit on the issue of costs.
53. If no agreement is reached, the matter will proceed to a full hearing on quantum. Directions will be issued accordingly, and the court will fix trial dates.
54. Please familiarise yourself with paragraph 45 of the SCPD 2021 and **Appendix B** and [Guidelines for Court Dispute Resolution Case Conferences for Personal Injury Claims and Non-Injury Motor Accident Claims](#) ("**Appendix C**") to the SCPD 2021.

(iii) ***Trial / Hearing***

55. If parties disagree on liability after the CDR CC, the CDR judge will give directions for the case to proceed for trial on liability. Directions will be given for parties to file and serve their respective AEICs (on the issue of liability)⁵³, a Bundle of Documents⁵⁴, and a Joint Opening Statement (see Form 12 of Appendix A1, SCPD 2021 for personal injury claims) ("**Form 12**")⁵⁵.
56. During the trial, the judge will hear all the evidence and legal submissions, and thereafter, determine the percentage of liability attributable to the defendant. The claimant must establish causation in respect of each head of damage before judgment on liability can be granted in respect of the claimant's entire claim.⁵⁶ Upon conclusion, the court will issue either an oral or written judgment. You should carefully scrutinise the grounds of decision and advise your client on whether there are merits to file an appeal. If liability is established, the matter will proceed to the Assessment of Damages stage.
57. If parties are unable to reach an agreement on quantum after the ADCDR process, the matter will proceed to an Assessment of Damages hearing, which is essentially a trial on quantum. Directions will be given for parties to file and serve a Bundle of Documents and a Joint Opening Statement (Form 12).
58. During the hearing, the trial judge will determine the case on its merits. Evidence will be led from relevant witnesses such as the claimant and medical experts. The purpose is to assist the court in determining the appropriate quantum of damages across the various heads of claim.
59. After the hearing, the trial judge will issue a Final Judgment setting out the total amounts payable by the defendant to the claimant, including damages, interest, and costs.

E. Liaising with the Public Trustee

⁵³ See Annex N.

⁵⁴ See Annex P.

⁵⁵ See Annex Q.

⁵⁶ See *Salmizan* at [119] and [146(c)]

60. After the matter is concluded, the Public Trustee's approval is required on the claimant's solicitor-and-client's ("**S&C**") costs if the relevant amount exceeds \$5,000.⁵⁷ This is to ensure that claimants are not overcharged by their lawyers.⁵⁸
61. If a motor accident claim culminates in a court judgment, the wording of the judgment should specify that S&C costs and disbursements are to be determined by the relevant rules (i.e. approved by the PT or taxed by court), and that such costs are to be deducted from the judgment sum and paid directly by the defendant to the claimant's lawyers, and thereafter the balance judgment sum to be paid by the defendant to the claimant.⁵⁹
62. This means that for as long as S&C costs are not settled, the claimant should not receive any payment of the judgment sum (unless the court has ordered for interim payments to be made), and the claimant's lawyers will also not receive any payment for S&C costs (save for the deposit).
63. The submission for approval from the Public Trustee is done electronically through the MinLaw e-services website. The eservice takes about 15-20 minutes to complete, and a \$225 application fee needs to be paid.

F. Checklist of Supporting Documents in a Personal Injury Claims

64. The table below sets out the common types of documents required for a personal injury claim, the relevance of each document, and the source of the document (i.e. how and where it may be obtained).

S/N	Nature of document/information	Relevance	Source
1.	Singapore Accident Statement (also known as a third-party motor accident report)	<p>The Singapore Accident Statement sets out general information of the motor accident, details of the vehicle(s) involved, details of the vehicle insurance, particulars of the driver, and may include relevant supporting documents such as the sketch plan, accident photos, and video recordings captured by the car camera.</p> <p><u>Key points to note:</u></p> <p>1) Your client should approach GIASRMC directly to obtain this Statement.</p>	<p>General Insurance Association of Singapore Records Management Centre (GIASRMC) 6 Raffles Quay, #18-00, Singapore 048580 (Opening hours: 9.00am – 5.00pm, Mondays to Fridays)</p> <p>For any enquiries, please email: gears-support@shift-technology.com.</p> <p>For more information, go to: https://gia.org.sg/motor-insurance/22-premium-renewal-of-</p>

⁵⁷ See section 18(3) and 18(4) of Motor Vehicles (Third-Party Risks and Compensation) Act 1960 read with the Public Trustee Practice Circular 1 of 2014. PT approval is also required in other situations, for example if the claimant is a minor, lacks mental capacity, isolated in a hospital under the Infectious Diseases Act or under legal custody in a place of detention, or if the victim is unrepresented, the compensation exceeds \$5,000 and the compensation was agreed out-of-court.

⁵⁸ The Parliamentary Debates indicate that the intention is to "*put an end to the practice which is resorted to by some lawyers of engaging touts to solicit and obtain accident claims cases and arranging to keep a substantial portion of the compensation received for themselves*" so that "*unfortunate victims of road accidents have been cheated of the sums rightly due to them by these unscrupulous lawyers*". Parliamentary Reports, Vol. 12, col. 18, 13 January 1960 [per then Minister for Labour and Law (Mr K. M. Byrne)].

⁵⁹ Public Trustee's Practice Circular 2 of 2014 at [8].

S/N	Nature of document/information	Relevance	Source
		<p>2) Your client will need the vehicle number and the date of accident to conduct the search.</p> <p>3) There is a search fee of around \$29.00 (inclusive of GST).</p>	<p>policy/359-motor-accident-report-purchase.html</p>
2.	Traffic Accident Report/ Documents and Results of Investigation	<p>The Traffic Accident Report sets out general information of the accident, details of the vehicle involved, details of the vehicle insurance, and details of the persons involved (e.g. pedestrian, rider, driver).</p> <p><u>Key points to note:</u></p> <ol style="list-style-type: none"> 1) Are there any useful admissions on liability in the Traffic Accident Report? 2) Does the driver own the vehicle or is he driving it for work, in which case, his employer may be vicariously liable? 3) Is there a need to contact the police to get further clarification and/or additional information? Exceptionally, if there are really no eye-witnesses or information, you may also wish to consider requesting to interview the Investigating Officer, if the accident happened a long time ago. Please note that the police do not normally accede to these requests on grounds of privilege. Note: See templates at Annex B 4) Was the driver charged with any offence by the Traffic Police? If so, the Traffic Police would have likely issued a letter to the client informing him/her of the outcome of the investigation. If the driver was convicted of an offence, this will be useful in establishing liability for a civil claim.⁶⁰ 	<p>Traffic Police Department Traffic Investigations Branch 10 Ubi Avenue 3 Singapore 408865</p> <p>To contact the Singapore Traffic Police, the best method is to use the online e-services or call their general hotline at 1800 225 0000.</p> <p>For general feedback, you can email: SPF_TP_Feedback@spf.gov.sg</p> <p>Note: See Annex A for templates.</p>
3.	LTA Search results for insurance company of a vehicle	<p>You will need this information to know where your letter of claim should be sent.</p> <p><u>Key points to note:</u></p> <ol style="list-style-type: none"> 1) There is a fee of \$7.49 (inclusive of GST) for each successful search). Payment can be done by credit /debit card or internet banking. 2) You would need the vehicle number and the incident date and time to conduct the search. 	<p>The search can be done online through LTA's virtual services: vrl.lta.gov.sg</p>

⁶⁰ See section 45A of the Evidence Act 1893.

S/N	Nature of document/information	Relevance	Source
4.	CCTV footage	<p>If the account of the accident is likely to be disputed, or the client is the only person involved in the accident, it may be useful to request for CCTV footage, if available.</p> <p>This should be done as soon as possible as different agencies have varying standards of record-keeping and may delete their CCTV footage within a prescribed period of time. See Annex E for sample letter request.</p>	<p>If the accident was a road accident, you may try requesting CCTV footage from the Traffic Police, the defendant or the defendant's insurer.</p> <p>If the accident happened in a building, you may try requesting footage from the building owner or manager or the security company in charge of the building.</p> <p>If your request is refused, consider whether you should take out an application for pre-action discovery.</p>
5.	<p>(1) Medical reports; (2) Discharge summaries for hospital admission; (3) Medical certificates; (4) Receipts for any medical assessments or treatments (e.g. X-ray, CT scans, TCM (Traditional Chinese Medicine) treatment, self-medication, transport costs to and from the medical institution)</p>	<p>These reports are required to prove what medical condition the patient was in, and the diagnostic tests or treatments required, due to the accident.</p> <p>The most reliable reports are those closest in date to the accident as possible, so as to avoid any allegation that the medical condition or injury suffered was not caused by the accident.</p> <p><u>Key points to note:</u></p> <ol style="list-style-type: none"> 1) Has the patient signed consent for release of medical information to you? Certain hospitals may have prescribed templates for the patient's consent. See template at Annex C 2) Does the medical report sufficiently address all heads for damages claimed, or do you require further clarification and/or additional information? 3) If the client cannot afford to bear the costs of obtaining such reports at first instance and these disbursements have to be borne upfront (by your law firm), has he signed an undertaking to bear the cost of the reports? 4) Check that the costs of obtaining the medical reports do not exceed the quantum of damages which the client is likely to be entitled to. Generally, the costs of medical reports are claimable against the defendant. 	<p>The relevant medical institutions at which the patient has sought treatment.</p>
6.	Claimant's employment history, employment contract and payslips	<p>These information and/or documents are required to prove the claimant's loss of earnings (if any) or loss of earnings capacity etc.</p>	<p>The claimant himself/herself, or the claimant's employer.</p>

G. Precedents and/or Templates

S/N	Description	Annex	Page No.
1.	Application Form for Traffic Accident Reports/ Other Documents & Results of Investigation	Annex A	19
2.	Letters to the Traffic Police and/or Singapore Civil Defence Force asking for more information	Annex B	22
3.	Consent for release of medical information	Annex C	25
4.	Letters to hospitals requesting for medical reports	Annex D	27
5.	Letter request for CCTV footage	Annex E	32
6.	Letter of Claim	Annex F	34
7.	“Without Prejudice” Letter where Originating Claim has been filed in light of approaching time-bar	Annex G	37
8.	Cover letter to insured where insurer already identified	Annex H	39
9.	Letter accepting offer of settlement	Annex I	41
10.	Originating Claim	Annex J	43
11.	Statement of Claim	Annex K	46
12.	Summons for Directions	Annex L	51
13.	List of Documents	Annex M	54
14.	AEIC for Liability	Annex N	56
15.	AEIC for Assessment of Damages (Issue on Quantum)	Annex O	61
16.	Bundle of Documents	Annex P	66
17.	Joint Opening Statement	Annex Q	69

H. Further reading

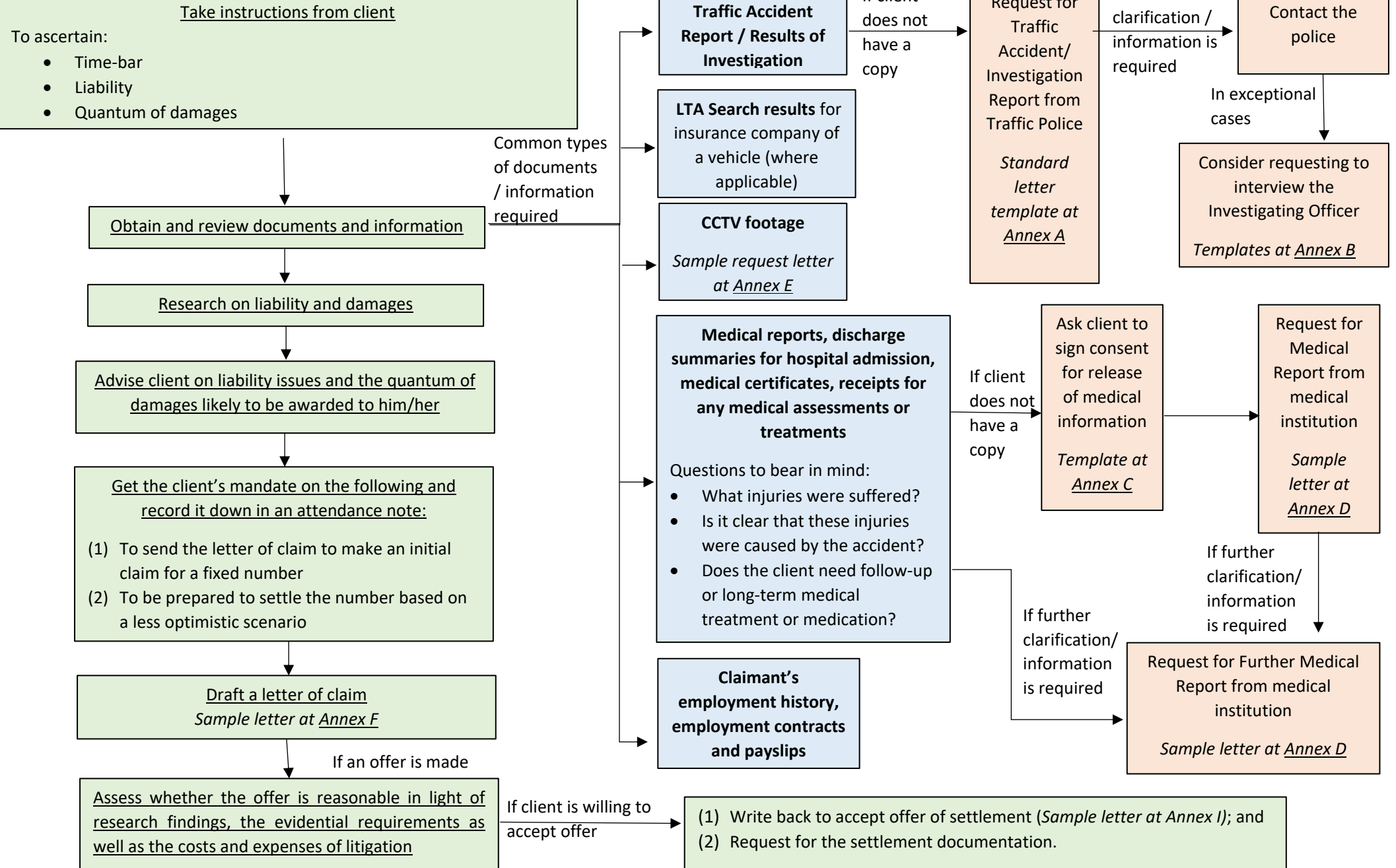
- Kok Yee Keong, Eversheds Harry Elias: *What to do in a Motor Accident? A comprehensive practical guide to motor accident claims in Singapore* (8 July 2019) (freely available online at: https://www.harryelias.com/sites/default/files/u4/20190708motoraccidentguide_ehe_0.pdf)
- Kok Yee Keong, Eversheds Harry Elias: *E-briefing: Motor Accident Guide* (2 May 2022) (freely available online at: <https://www.harryelias.com/content/e-briefing-motor-accident-guide-0>)

I. Flowchart summaries

Flowchart A sets out the workflow of a personal injury claim leading up to an offer of settlement, whereas Flowchart B lays out the workflow leading up to the commencement of a court action.

J. Flowcharts

FLOWCHART A: OFFER OF SETTLEMENT PROCESS



FLOWCHART B: COMMENCEMENT OF COURT ACTION PROCESS

Claim against Other Party for PIMA

Completion of Pre-Action Protocol – Appendix B, SCPD 2021

1. Issue Letter of Claim to Defendant (Form 1)
 - a. Set out full particulars of claim
 - b. Include proposed list of medical experts if required
 - c. Enclose all relevant supporting documents
2. Receive response from Defendant
 - a. Acknowledgement letter
 - b. Joint selection of medical experts
 - c. Substantive reply
 - d. Counterclaim if desired by the Defendant
3. If no settlement, to give at least 2 clear days' notice (to insurer) or 7 clear days' notice (to Defendant) before commencing action.

Claim at or above
\$250,000

To file a claim in the
High Court.

Claim below \$250,000

To file a claim in the
State Courts.

State Courts Centre for Dispute Resolution

Stage 1: Court Dispute Resolution (Determine liability) –
Within 8 weeks of filing of Memorandum of Appearance

- Exchange documents.
- Attend ADR sessions – Neutral Evaluation, Mediation, or Conciliation.
- To file Form 7 if parties agree on liability.

Resolution by
settlement/consent
order

State Courts Centre for Dispute Resolution

Stage 2: Assessment of Damages Court Dispute
Resolution (Determine quantum)

- File Notice of Assessment of Damages.
- Attend Pre-assessment of Damages Court Dispute Resolution Conference
- Attend Assessment of Damages hearing

If no resolution

Determination of
matter at trial

ANNEX A

**APPLICATION FORM FOR PURCHASE OF
TRAFFIC ACCIDENT REPORTS/DOCUMENTS AND
RESULT OF INVESTIGATION**

Traffic Investigations Branch
Traffic Police Department
10 Ubi Avenue 3
Singapore 408865

Our Ref No:
Date:

Attn: Sales Section

A IMPORTANT NOTES

- 1 For application requesting for results of investigation only, a search fee of \$12/- is to be enclosed.
- 2 For application requesting for documents and results of investigation, NO PAYMENT is to be enclosed as a bill will be sent to you once we have processed your application.
- 3 For **Individual application**, please quote **NRIC NO.** as reference no.
4. For **company application**, please quote your **Reference NO. & Company Registration No.**
5. For application by proxy, **Part E** of this application form **MUST BE COMPLETED**.
6. All documents applied for will be sent to you by POST.

B PARTICULARS OF APPLICANT

Name/Company: _____ NRIC No. _____
Address: _____ Your Ref No. _____
_____ Co. Reg No. _____
_____ Tel No. _____

C DETAILS OF TRAFFIC ACCIDENT

Date of accident: _____ Place of accident: _____
Accident report (NP no.): _____ My Vehicle No.: _____
Name of driver: _____

D TYPE OF DOCUMENTS APPLIED FOR (Please TICK where applicable)

- | | | |
|--|---|--------------------------|
| 1 | Accident Report of Vehicle Nos. Required : _____. | <input type="checkbox"/> |
| 2 | Pedestrian Accident Report : _____. | <input type="checkbox"/> |
| 3 | Result of Investigation : _____. | <input type="checkbox"/> |
| <u>APPLICABLE TO LAW FIRMS ONLY</u> | | |
| 4 | Damage Report : _____. | <input type="checkbox"/> |
| 5 | Sketch Plan of scene of Accident : _____. | <input type="checkbox"/> |
| 6 | Photographs : _____. | <input type="checkbox"/> |
| 7 | Others (please specify) : _____. | <input type="checkbox"/> |

DOCUMENT CHARGES PER COPY (Fee subject to changes)

Search Fee	\$12.00	Photograph	\$35.00
Accident Report	\$16.00	Sketch Plan	\$35.00
Damage Report	\$16.00		

All Cheque / Money or Postal Order should be made payable to Head Investigation, Traffic Police Department.

E UNDERTAKING

PLEASE FILL IN AT LEAST ONE OF THE FOLLOWING :-

1 APPLICATION BY PROXY

I _____ NRIC No. _____ (name
of Driver/ Owner of vehicle) involved in this accident authorise
_____ (Name /NRIC no.) or (Company/Co Reg No.)
_____ to apply for the
mentioned documents on my behalf. I/We undertake to pay for all the search / documents fees.

Signature & Date

2 APPLICABLE TO LAW FIRMS/INSURANCE CO. AND ADJUSTERS ONLY

We act on behalf of _____.

We undertake to pay for all the search / documents fees.

3 APPLICABLE TO INDIVIDUAL / COMPANY

We _____ wish to apply for the mentioned documents and undertake to pay for all the search /
documents fees.

Applicant's / Company's Signature & Date

Company's Stamp

ANNEX B

Your Ref :
Our Ref :
Date :

Addressee (SCDF/TP)
Address Line 1
Address Line 2
Postal Code

IMMEDIATE ATTENTION
By [POST/FAX/E-MAIL]

Dear Sirs

**ACCIDENT ON [DATE] INVOLVING [NAME OF CLAIMANT] (MOTORCYCLIST
DRIVING [VEHICLE REGISTRATION NUMBER]) AND [DEFENDANT'S VEHICLE
REGISTRATION NUMBER] AT [PLACE OF ACCIDENT]**

Claimant: [Name] (NRIC No. [])
of [Address]

Defendant: [Name] (NRIC No. [])
of [Address]

We act for [Name of Client] ("our Client"). We have been instructed to claim damages against the driver of [Vehicle Registration No.] ("the Defendant") for personal injuries arising from an accident that occurred on [date] at about [time] at [location of accident] ("the Accident").

2. We are instructed that our Client was riding his motorcycle on the left lane of [the road] when the Defendant's vehicle came into contact with or collided with the right side of his motorcycle, causing him to fall and suffer injuries. He was sent to [the Hospital] in an ambulance. He suffered from a fracture of his left elbow, a head injury (with a loss of consciousness), as well as abrasions on his head at the left parietal region, left shoulder, left elbow, limbs, left chest wall, ankle and left dorsum of foot. He was required to undergo a left elbow implant surgery on [date]. He was terminated from his job a few months after the accident and due to a lack of finances, had to stop seeking medical treatment for his injuries suffered. A referral letter from [the Hospital] dated [] is enclosed herewith.

3. Parties made the following traffic accident reports at [name of police station] (copies of which are enclosed):-

- a) Report No. [] dated []; and
- b) Report No. [] dated [].

4. Our Client cannot clearly recall how the accident happened. Our Client also lost consciousness momentarily after the accident. Further, both parties did not have in-vehicle cameras at the time of the accident. In the circumstances, we have exhausted all other alternatives to verify what happened during and immediately after the accident.

5. In light of the above, we would be grateful if you could furnish:

- a) The names/identities of the [SCDF/TP] officers who attended at the scene of the accident; and

- b) Information on whether the officer(s) can recall any relevant facts within their personal knowledge, (including whether they knew the lane which the accident happened on, the positions of parties' vehicles at the scene of the accident, the position in which our Client fell onto the road, whether there were any other eye-witnesses to the accident etc.).

6. If possible, we would like to arrange for an interview with the relevant officers to ask them questions on facts within their personal knowledge along the lines of paragraph 5 (b) above. For the avoidance of doubt, we are **not** asking for the disclosure of any investigation papers and will **not** be asking the officers to sign any statement or affidavit on behalf of any party. The purpose of the interview is merely to ascertain whether the officer(s) have any personal knowledge of the accident which might be relevant (at least on the issue of liability) to intended legal proceedings against the Defendant. This would determine whether we would have to issue subpoenas against the relevant officer(s) to attend Court, *if* the issue of liability is contested. If there are concerns about the ambit of questions which we intend to ask of the relevant officer(s), we would be happy for your officer(s) to be represented by State Counsel/legal counsel of your choice during the interview.

7. We are aware of section 126 of the Evidence Act, and humbly submit that it would be in the public interest for the relevant officer(s) to furnish the facts and information in this case, because the badly injured accident victim has no other alternative but to turn to your officer(s). The requested facts and information may also have an impact on our Client's pleadings, and legal proceedings would have to be filed before [last date to file claim] in view of the Limitation Act. Accordingly, we look forward to a favorable response from you at the soonest possible juncture.

8. Please contact the undersigned at [Lawyer's contact details] if you have any queries.

Yours faithfully

[NAME]
[DESIGNATION]

ANNEX C

CONSENT FOR RELEASE OF MEDICAL INFORMATION

To: The Medical Records Office
[Address]

Name:
Address:
Contact No:
Ref No:

Date:

Dear Sirs

Patient:
Admission / Outpatient No.:

PERSONAL INJURY ARISING FROM THE ACCIDENT INVOLVING

Reference is made to the above matter.

I, _____ NRIC/Passport/Fin No. _____ hereby
give consent to _____ to release my medical report to
_____, the solicitors acting on my behalf on the above accident matter.

Authorized by: _____

Name (Applicant):
NRIC No:
Relationship to Patient: Self

Signature

ANNEX D

Our Ref :
Date :

Medical Records Office
[Address]

IMMEDIATE ATTENTION
By [POST/FAX/E-MAIL]

Dear Sir,

MEDICAL REPORT REQUEST ON [NAME OF CLIENT] (NRIC NO. [])

We act for [Name of Client] ("our Client"). We have been instructed to claim damages against the driver of [Vehicle Registration No.] ("the Defendant") for personal injuries arising from an accident that occurred on [date] at about [time] at [location of accident] ("the Accident").

2. In order to assess the merits of our Client's case, and to prove our Client's case in Court, we will require a medical report to document the injuries, tests/treatment that our Client has sustained/undergone as a result of the Accident. A copy of our Client's application form is enclosed, and our Client undertakes to pay the relevant charges due to the hospital.

3. Please furnish the requested medical report to us as follows:

(Insert Lawyer's contact details)

4. If you have any queries, please do not hesitate to contact the lawyer in charge of our Client's case at [Lawyer's contact details]. We greatly appreciate your assistance in this matter and look forward to your early reply.

Yours faithfully,

[NAME]
[DESIGNATION]

Your Ref :
Our Ref :
Date :

[Name of Client]
[Address]

IMMEDIATE ATTENTION

Dear Sir,

FURTHER MEDICAL REPORT

I refer to our conversation on [date].

2. As the medical report(s) dated [date] and [date] furnished to us previously are insufficient for the purposes of your personal injury claim, kindly attend at [Name of hospital] with the appended letter so that the doctor can write a further medical report in respect of your injuries.
3. Do sign on the letter before you pass it to the doctor and let us know once you have done so. We will follow up directly with the hospital if necessary.

Yours faithfully,

[NAME]
[DESIGNATION]

FURTHER MEDICAL REPORT REQUEST

Medical Records Office

[Address]

Name:

Address:

Contact No:

Date:

Dear Sir,

Patient: [Name]

NRIC No.: []

I was admitted to [Name of hospital] on [date] following a road traffic accident at [location] on [date], and received treatment for my injuries. I have appended two medical reports dated [] and [] for your reference.

2. Thereafter, I engaged (insert Lawyer's details) to represent me. Kindly furnish my lawyer with a further medical report on my medical condition. This information is required in connection with my **Personal Injury Claim**.

3. Please include the following information in the further medical report [*Delete where applicable]:

- a) The nature of my injuries and the treatment(s) given to me;
- b) Whether the treatment has been completed;
- c) If the treatment has been completed, whether my injuries are of a temporary or permanent nature;
- d) If treatment has not been completed, the approximate date when you would advise a re-assessment of my injuries;
- e) If the injuries are of a permanent nature, what is the percentage of disability?
- f) If the injuries are of a temporary nature, when am I expected to fully recover? Please provide me with an estimated time-frame;
- g) An assessment of my present condition and the cause (if any) of such condition; and
- h) Prognosis and recommended future treatment (if any)

4. You may furnish the further medical report to my lawyers as follows:

(Insert Lawyer's contact details)

5. I undertake to pay the charges for the medical report and other additional charges, e.g., X-ray and laboratory charges, which may be incurred in the preparation of the medical report.

6. If there are any enquiries, please do not hesitate to contact the lawyer in charge of my case with the contact details at paragraph 4 above. We greatly appreciate your assistance in this matter and look forward to your early reply.

Signed:

[NAME OF CLIENT]

NRIC No.: []
Our Ref :
Date :

Medical Records Office
[Address]

BY [FAX/POST/EMAIL]

Attn: [Name of Doctor]
[Designation]

Dear Sirs,

**RE: MEDICAL INFORMATION REQUEST FOR [NAME OF PATIENT] (NRIC NO. []
DATE OF ACCIDENT: []**

We act for the abovenamed Patient and refer to your letter dated [] enclosing the medical report for the Patient. In gist, the Patient sustained injuries as a result of an accident whereby the bus which she was sitting in came to an abrupt halt, causing her to fall.

2. We shall be grateful for a Further Medical Report containing the following clarifications and information, which are required in connection with the Patient's personal injury claim:

- (a) Whether any injury to the Patient's wrist(s) was observed when she was presented to the Hospital as a result of the accident;
- (b) If there had been any injury to the Patient's wrist(s), please state:
 - (i) the nature of the injury;
 - (ii) whether the injury is of a temporary or permanent nature, and if permanent, the percentage of disability;
 - (iii) the clinical findings and diagnosis;
 - (iv) the treatment prescribed, and whether the treatment has been completed;
 - (v) assessment of the Patient's present condition of her wrist;
 - (vi) whether the Patient suffers from any considerable chronic pain;
 - (vii) whether the Patient is required to undergo any further operation in future, and if so, the nature of the operation and the estimated date of the operation.
 - (viii) Whether the injury would impair the Patient's daily life in any way.

4. We greatly appreciate your assistance in this matter and look forward to your early reply. In case of any query, please do not hesitate to contact the undersigned at [Lawyer's contact details].

Yours faithfully,

[NAME]
[DESIGNATION]

ANNEX E

Our Ref :
Your Ref :
Date :

[Defendant's insurer]
[Address]

BY POST AND EMAIL
(Email: [])

Dear Sirs

YOUR PRINCIPAL INSURED: [Defendant's Name]
OUR CLIENT: [Client's Name]
INCIDENT AT [PLACE OF INCIDENT] ON [DATE]

We refer to your letter dated [], to which we are taking our Client's instructions.

2. We repeat our request for the CCTV footage in respect of this incident. Please arrange for the same to be furnished to us no later than [date and time]. Kindly also take immediate steps to ensure that the said footage is preserved as it is crucial evidence in respect of the incident.
3. We look forward to your urgent reply to our requests at paragraph 2. If we do not receive a positive response from you by [date and time], our Client may take all necessary steps to protect his interests, including but not limited to making the relevant applications/submissions to Court.
4. We will write to you substantively with our Client's claim in due course, once we have received the CCTV footage and taken his instructions.
5. In the meantime, all our Client's rights are expressly reserved.

Yours faithfully,

[NAME]
[DESIGNATION]

ANNEX F

Your Ref :
Our Ref :
Date :

[Defendant's Name]
[Address]

**BY AR REGISTERED POST
IMMEDIATE ATTENTION**

Dear Sir

[Claimant's Name]
[Claimant's Address]

1. We act for [Claimant's Name] ("our Client"). We are instructed to claim damages against you in connection with a road traffic accident on [date] at about [time] at [location] ("the Accident"), involving our Client (a pedestrian) and a vehicle with registration number [] driven by you (the lawful driver) at the material time.
2. We are instructed as follows:
 - [state Client's instructions]
3. We are instructed that the Accident was caused solely by your negligence, as you had failed to: [state particulars of negligence]. As a result of the Accident, our Client has suffered personal injuries. His injuries are set out in the medical report(s) **annexed** to this letter.
4. In brief, our Client was admitted to [state hospital] on [date]. He was found to have sustained [list the injuries sustained by Client].
5. Our Client has been put to loss and expense, particulars of which are as follows:

A.	GENERAL DAMAGES	Loss / Expenses Claimed
(i)	[State injury]	[State amount]
(ii)	[State injury]	[State amount]
B.	SPECIAL DAMAGES	Loss / Expenses Claimed
(i)	[Description of Expenses, e.g. medical, transport]	[State amount]
(ii)	[Description of Expenses, e.g. medical, transport]	[State amount]
C.	DISBURSEMENTS	Loss / Expenses Claimed
(i)	[Description of Expenses, e.g. medical report fees]	[State amount]
(ii)	Costs	[State amount]
	<u>TOTAL</u>	[State total amount]

6. The witness(es) to the Accident is/are [Name of Witness(es)].
7. A copy of each of the following supporting documents is enclosed:
 - (a) Police Report [] dated []
 - (b) Status of police investigations dated []
 - (c) Inpatient Discharge Medical Summary from [the Hospital] on [date]
 - (d) Medical Report from [the Hospital] dated []
 - (e) Letter from our Client to [the Hospital] dated []
 - (f) Bills for medical treatment and payment receipts
8. In compliance with the pre-action protocol under the State Courts' Practice Direction 39 (pursuant to the State Courts Practice Directions 2021), we propose using one of the following medical experts as a single joint expert:
 - (a) [Medical Expert's Name, Title/Designation and Workplace]
 - (b) [Medical Expert's Name, Title/Designation and Workplace]
9. Please note that if you are insured and you wish to claim under your insurance policy, you should immediately pass this letter and all the enclosed documents to your insurer.
10. Please note that you or your insurer should send to us an acknowledgement of receipt **within 14 days** of your receipt of this letter. Please also inform us, **within 14 days** of your acknowledgement of receipt of this letter, whether you have any objections to our proposed medical expert or whether you wish to propose other medical experts.
11. Should you fail to acknowledge receipt of this letter within 14 days (i.e. by [date]), our Client may commence Court proceedings against you without further notice to you or your insurer.
12. Please also note that if you have a counterclaim against our Client arising out of the accident, you are required to send to us a letter giving full particulars of the counterclaim together with all relevant supporting documents **within 8 weeks** of your receipt of this letter.
13. Should you have any queries, please do not hesitate to contact [name] at [contact details].

Yours faithfully,

[NAME]
[DESIGNATION]

encs

cc. [Defendant's Insurer]
[Address]

ANNEX G

Your Ref :
Our Ref :
Date :

[Defendant's Solicitors' firm]
[Address]

WITHOUT PREJUDICE
SAVE AS TO COSTS

By Post & Fax
(Fax No. [])

Attn: [name of Defendant's solicitors]

Dear Sirs

[COURT CASE REFERENCE NO.]
ACCIDENT ON [DATE] INVOLVING [NAME OF CLAIMANT] (MOTORCYCLIST
DRIVING [VEHICLE REGISTRATION NUMBER]) AND [DEFENDANT'S VEHICLE
REGISTRATION NUMBER] AT [PLACE OF ACCIDENT]

Claimant: [Name] (NRIC No. [])
of [Address]

Defendant: [Name] (NRIC No. [])
of [Address]

We refer to our exchange of correspondence thus far.

2. In view of the approaching limitation period, we have commenced proceedings in **[Court Case Reference No.]**. Please file your Notice of Appointment within (7) days by [date], in order to accept service of the originating claim and accompanying documents.
3. Purely out of goodwill and in the interests of settling this matter amicably to minimize legal costs, we are instructed that our Client is prepared to accept a sum of **S\$[]** (inclusive of legal costs) in full and final settlement of his claims, with no admission of liability by the parties.
4. Please let us know in writing whether you are agreeable by **[time]** on **[date]**, failing which the offer will automatically expire without further notice to you.
5. Please contact the undersigned at [Lawyer's contact details] if you have any queries.

Yours faithfully

[NAME]
[DESIGNATION]

ANNEX H

Our Ref :
Your Ref :
Date :

[Defendant]
[Address]

BY POST ONLY

Dear Sirs,

**ACCIDENT ON [DATE] INVOLVING [NAME OF CLAIMANT] (MOTORCYCLIST
DRIVING [VEHICLE REGISTRATION NUMBER]) AND [DEFENDANT'S VEHICLE
REGISTRATION NUMBER] AT [PLACE OF ACCIDENT]**

We act for [Name of Claimant]. We understand that [Name of Defendant's insurer] is negotiating for you in the above-captioned matter.

2. Please find enclosed our Letter of Claim dated [date] to your insurer, [Defendant's insurer], for your reference and retention. If you have appointed legal representatives, we would be obliged if they could correspond with us in this matter.

Yours faithfully,

[NAME]
[DESIGNATION]

Enc.

ANNEX I

Your Ref :
Our Ref :
Date :

[Defendant's Solicitors' firm]
[Address]

WITHOUT PREJUDICE
SAVE AS TO COSTS
By Post & E-mail
([E-mail address])

Attn: [name of Defendant's Solicitors]

Dear Sirs

[COURT CASE REFERENCE NO.] ("SUIT")
ACCEPTANCE OF OFFER

The Claimant accepts the Defendant's offer to settle as communicated in your letter/e-mail dated [] on the following terms:

- (i) The Defendant shall pay the Claimant a sum of \$[] by [date] (cheque to be made payable to [Addressee]);
- (ii) Both parties shall bear their own respective costs;
- (iii) This shall be full and final settlement of all claims between the parties with regards to, and arising from, the subject matter of this Suit;
- (iv) The Claimant shall discontinue his claim in this Suit against the Defendant within **seven (7) days** of the payment of the said sum of \$[].

Yours faithfully

[NAME]
[DESIGNATION]

ANNEX J

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Case No. of 20

Filed: [date]

Between

(Renewed for service for ____
months from [date] by an order
of Court dated [date])

[NAME OF CLAIMANT]
(NRIC No. [])

...Claimant(s)

And

[NAME OF DEFENDANT]
(NRIC No. [])

...Defendant(s)

ORIGINATING CLAIM

To: The defendant [NAME OF DEFENDANT]

1. The claimant of [address] has commenced an action against you in the [General Division of the High Court/State Courts] of Singapore.
2. The claim(s) by the claimant is set out in the statement of claim attached (or briefly in this document).
3. You may do the following:
 - (a) offer to settle the claim(s) or negotiate with the claimant; and
 - (b) in any event, if you believe you have a defence, you must:
 - (i) consult a lawyer unless you want to act in person;
 - (ii) file and serve a notice of intention to contest or not contest the originating claim that is attached to this document within [14 days/21 days] of being served the statement of claim;
 - (iii) file a defence within [21 days/5 weeks] of being served the statement of claim.
4. If you do not file your notice within the time stated in paragraph 3, the Court may give judgment to the claimant.
5. If your defence is not filed within the time stated in paragraph 3, the Court may give judgment to the claimant.
6. Parties are to attend a case conference to take directions from the Court. The Court will inform parties of the date and time of the case conference by way of a Registrar's Notice.

Issued by:

Solicitor(s) for the Claimant(s)

[NAME OF LAW FIRM]

(Insert address)

Tel No.:

Fax No.:

E-mail:

File Ref No.:

Solicitors in charge:

Notes:

1. This originating claim must be served within 3 months or 6 months, as the case may be, after the date of issue, unless renewed by order of the Court. In this regard, please note that the period for service is 3 months, except where the originating claim is to be served out of Singapore, in which case the period for service is 6 months. A notice of intention to contest or not contest an originating claim in Form 10 is to be attached to this originating claim when it is served.
2. Where the claimant sues or a defendant is sued in a representative capacity, the originating claim must be endorsed with a statement of the capacity in which the claimant sues or a defendant is sued, as the case may be.
3. If a statement of claim is not attached, to set out a concise statement of the nature of the claim made or the relief or remedy required.

(Seal of the Court and signature of the Registrar)

ANNEX K

STATEMENT OF CLAIM

1. At all material times, the Claimant was the rider of a bicycle.
2. At all material times, the Defendant was the driver of motor van no. [].
3. On [date] at about [time], the Claimant was cycling across a pedestrian crossing along [location] from the left to the right as one faces the Tampines Expressway (TPE). At the material time, the traffic light was showing the “green man”. While cycling, he collided with motor van no. [] driven by the Defendant along [location], which was travelling along the said [location] towards the direction of TPE. In causing the collision, the Defendant failed to stop when the traffic lights were showing red against him. As a result of the collision, the Claimant fell off his bicycle and sustained injuries.
4. The said collision was caused solely by the negligence of the Defendant.

PARTICULARS OF NEGLIGENCE

- a) Failing to keep any or any proper lookout;
- b) Driving at an excessive speed in the circumstances;
- c) Failing to notice in time or at all the presence of the Claimant on the bicycle along the pedestrian crossing;
- d) Failing to comply with the traffic light showing red;

- e) Failing to apply his brakes in time or at all;
 - f) Failing to exercise reasonable skill and prudence in the driving and management of his motor van;
 - g) Failing to stop, swerve, slow down or otherwise avoid the said collision.
5. By reason of the aforesaid negligence the Claimant has suffered injuries, has endured pain and has been put to loss and expense.

PARTICULARS OF PERSONAL INJURIES

6. The Claimant, who was born on [date of birth] was [state age] at the time of the accident.
7. In accordance with Order 6 Rule 5(2) of the Rules of Court 2021, the following two (2) medical reports on the injuries sustained by the Claimant are annexed hereto:
- a) Medical report dated [date] by Dr []; and
 - b) Specialist medical report dated [date] by Dr []
8. Further particulars of personal injuries of the Claimant will be adduced at the trial or at such time that they become available.

PARTICULARS OF SPECIAL DAMAGES

9. In accordance with Order 6 Rule 5(2) of the Rules of Court 2021, a Statement of Special Damages claimed by the Claimant is annexed hereto.

10. Further, the Claimant claims interest on all damages awarded by the Court at the rate of 5.33 per cent per annum from the date of the Assault to the date of award or on such sums at such rate and for such period as the Court thinks fit pursuant to Section 12 of the Civil Law Act 1909.

AND THE CLAIMANT CLAIMS AGAINST THE DEFENDANT: -

- a) General Damages to be assessed;
- b) Special Damages to be assessed;
- c) Interest;
- d) Costs; an
- e) Such further and/or other relief as this Honourable Court deems fit.

Certification by claimant and solicitor

I, [name of claimant], certify that all the statements made above are true to the best of my knowledge and belief.

I, [name of solicitor] certify that I have informed the claimant of his obligation above.

Signature of claimant

Signature of solicitor

Claimant

Solicitor for the claimant

[Name]

[Name of solicitor]

Dated this [] day of []

STATEMENT OF SPECIAL DAMAGES
Served pursuant to Order 6 Rule 5(2) of the Rules of Court 2021

1. Medical expenses incurred at Changi General Hospital:
 - a) [Date] - \$[Amount]
 - b) [Date] - \$[Amount]
 - c) [Date] - \$[Amount]
 - d) [Date] - \$[Amount]

\$[Total Amount]
2. Transport to and from [Name of Hospital] to receive medical treatment for 4 trips at \$[Amount] for a round trip

\$[Amount]
3. Medical expenses incurred at [Name of Polyclinic]: a) [Date] - \$[Amount]

\$[Amount]
4. Future medical and transport expenses

to be assessed
5. Future loss of earnings/Loss of earning capacity

to be assessed
6. Pre-trial loss of earnings

to be assessed

ANNEX L

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Originating Claim No. MC/DC of 20

Between

[NAME OF CLAIMANT]
(NRIC No. [])

...Claimant(s)

And

[NAME OF DEFENDANT]
(ID No. [])

...Defendant(s)

SUMMONS FOR DIRECTIONS ON THE ASSESSMENT OF DAMAGES

To: Solicitor(s) for the Defendant
 [Name of Law Firm]
 [Address of Law Firm]
 Tel No.:
 Fax No.:
 E-mail:
 File Ref No.: -
 Solicitor in-charge:

1. The Claimant [Name Claimant] of [address] is applying to the Court for the following orders:

Summons for Directions on the Assessment of Damages

1. Parties are to file and serve a List of Documents/Supplementary List of Documents by [date].
2. Parties are to exchange copies of all documents referred to in the List of Documents/Supplementary List of Documents by [date].
3. Approval be given for the parties to adduce expert evidence in the following areas: Medical
4. The following individuals be appointed as the Single Joint Expert(s) ("SJE"):
[Name of doctor] of [Name of hospital]
5. The affidavits of the evidence-in-chief of all witnesses shall be limited to one affidavit for each witness to be filed and exchanged by [date] and objections to the contents of the affidavit evidence shall be taken by [date].

6. The evidence in chief or the substance thereof of the SJE in the form of affidavit shall be dispensed with and the evidence of the SJE shall be given in the form of his report to be disclosed by [date].
7. The witnesses whom the Claimant intends if necessary to call shall be limited to the following:
Witnesses of fact: 1. [Name of first witness], 2. [Name of second witness]
Expert witnesses: 1. [Name of first expert witness], 2. [Name of second expert witness]
8. The witnesses whom the defendant intends if necessary to call shall be limited to the following:
Witnesses of fact: 1. [Name of first witness], 2. [Name of second witness]
Expert witnesses: 1. [Name of first expert witness], 2. [Name of second expert witness]
9. The Notice of Appointment for Assessment of Damages is to be filed and served by [date].
10. The costs of and incidental to this applicable be reserved to the Registrar hearing the Assessment of Damages.
11. This Order of Court be extracted with the names and capacities of witnesses stated by [date].

Issued by:

Solicitor(s) for the Claimant(s)

[NAME OF LAW FIRM]

(Insert address)

Tel No.:

Fax No.:

E-mail:

File Ref No.:

Solicitors in charge:

ANNEX M

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Originating Claim No. MC/DC of 20

[NAME OF CLAIMANT]
(NRIC No. [])

.. Claimant(s)

And

[NAME OF DEFENDANT]
(NRIC No. [])

.. Defendant(s)

LIST OF DOCUMENTS

The following is a list of the documents relating to the matters in question in this action which are in the claimant's / defendant's* possession or control, served in compliance with an order of court or as required by Orders 11 and 65 of the Rules of Court 2021, dated [date].⁶¹

(Enumerate in a convenient order the documents in the claimant's / defendant's possession or control, which fall within one or more of the following categories:

1. all documents that the party in question will be relying on;
2. all known adverse documents; and
3. where applicable, documents that fall within a broader scope of discovery
 - a. as may be agreed between the parties or any set of parties; or
 - b. as ordered by the Court.)

S/N	Date	Description of documents
1.		
2.		

Dated this day of

⁶¹ Pursuant to Order 11, Rule 2(4) of the Rules of Court 2021, it is not necessary for parties to exchange documents common to them that are in their possession or control to avoid duplication and to save costs. However, these documents should still be listed in this Form.

ANNEX N

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Originating Claim No. MC/DC of 20

Between

[NAME OF CLAIMANT]
(NRIC No. [])

...Claimant(s)

And

1. [NAME OF 1st DEFENDANT]
(FIN NO. XXX)
2. [NAME OF 2nd DEFENDANT]
(UEN NO. XXX)

...Defendant(s)

*Recent colour
photograph as required
under O 15, Rule 19(2),
ROC

CLAIMANT'S AFFIDAVIT OF EVIDENCE-IN-CHIEF

Name of maker:

Residential address:

[Alternatively, office address if affirming in official, professional or occupational capacity:]

Occupation:

Description: Claimant/ Defendant/ Third Party/ Witness/ Others:

Notes:

1. State the purpose of making the affidavit
2. State whether the maker knows the facts affirmed are true and if he or she only believes that they are true, state the grounds for his or her belief.

3. Each paragraph is to be numbered consecutively.
4. Dates, sums and other numbers must be expressed in figures and not in words.
5. Facts should be set out clearly and chronologically or in some other logical sequence.

1. I was married to [Name of Victim] ("the Victim") at the Registry of Muslim Marriages, Singapore on [date]. A copy of the marriage certificate is annexed hereto and marked "K-1".

2. There are no children born out of the said marriage.

3. The Victim was employed as a cleaner with [Name of Company] (i.e. the 2nd Defendant) earning a basic monthly salary of \$1050.00 with extra duty allowance of \$100.00 and incentive allowance of \$50.00 thus totaling \$1200.00 per month. A copy of the email dated 26 April 2017 from the 2nd Defendant is annexed hereto and marked "K-2".

4. The Victim was involved in a road accident on [date] at [time] hours along [location], Singapore while attempting to cross [Name of Road].

5. In the police report of the 1st Defendant, the 1st Defendant herein has stated that while driving motor-lorry bearing registration no. [] belonging to the 2nd Defendant on the 2nd lane of [Name of road] and before reaching the junction of [Name of road] and [Name of Road] he heard a small "knocking sound" coming from the left and looked to his left and noticed that the said left side mirror was slanted.

6. The 1st Defendant then suspected having hit something and stopped the said motor-lorry and went down and checked and found out a male Malay lying on the road of the 1st lane of [Name of Road]. A copy of the said police report is annexed hereto and marked "K-3".

7. I have not seen the accident nor are there any eyewitness to the accident.

8. I then instructed an expert from [Name of Expert's Company] to reconstruct the cause of the accident. I am absolutely relying on the expert evidence as to how the accident had occurred and in their opinion the driver was solely to be blamed for the accident as he had no proper look out for pedestrians crossing the said [Name of Road].

9. The expert would be appearing in court to give evidence on liability at the hearing as he has made 3 reports with regard to the reconstruction of the accident.

10. The Defendant's solicitors wrote a letter to my solicitor's law firm on [date] asking for

clarification whether blood samples were taken from the Victim to test for alcohol levels and whether there were signs or symptoms of alcohol consumption. My solicitors then wrote to [Name of Hospital] and the Singapore Civil Defence Force (SCDF) and received a reply from [Name of Hospital] on [date] stating therein that no blood samples were taken for alcohol levels. Likewise, SCDF replied by email on [date] stating therein that there was no mention of alcohol smell from the Victim in the paramedic's report. The only inference to be drawn was that he was not under any influence of alcohol. Copies of the said letters are annexed hereto and marked "K-4".

11. The Victim has sustained serious traumatic brain injury that has incapacitated him from being employed as a cleaner. He needs a care giver to take care of his daily living activities for the rest of his life with complete loss of future earnings. I had to employ a maid on [date] as I am suffering from heart problems and am unable to take care of him. The first maid ran away and I got replacement maid from [Name of Agency]. Annexed hereto and marked "K-5", is a copy of the Standard Employment Contract between foreign domestic worker and employer from [Name of Agency] dated [date].

12. As the Victim is unable to take care of his own property and affairs due to the traumatic brain injury, an application was made to the Family Justice Court, Singapore in FC/OSM [] whereby I was appointed as his Deputy to commence legal proceedings against the 1st Defendant (as the driver) and the 2nd Defendant (as the employee) who would be vicariously liable for the negligent act of the 1st Defendant. A copy of the Order of Court dated [date] is annexed hereto and marked "K-6".

13. I therefore humbly pray that this Honourable Court based on the evidence adduced in court come to the conclusion that the 1st Defendant is liable for his negligent driving that caused the accident and that the 2nd Defendant to be held vicariously liable for the tortious action of the 1st Defendant.

SWORN/AFFIRMED by the abovenamed)

[Name of Claimant])

at Singapore this [] day of)

[Month] [Year])

[through the interpretation of [name of interpreter]

Before me

A COMMISSIONER FOR OATHS

ANNEX O

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Originating Claim No. MC/DC of 20

[NAME OF CLAIMANT]
(NRIC No. [])

.. Claimant(s)

And

[NAME OF DEFENDANT]
(NRIC No. [])

.. Defendant(s)

*Recent colour
photograph as required
under O 15, Rule 19(2),
ROC

CLAIMANT'S AFFIDAVIT OF EVIDENCE-IN-CHIEF
(ISSUE ON QUANTUM)

Name of maker:

Residential address:

[Alternatively, office address if affirming in official, professional or occupational capacity:]

Occupation:

Description: Claimant/ Defendant/ Third Party/ Witness/ Others:

Notes:

1. State the purpose of making the affidavit
2. State whether the maker knows the facts affirmed are true and if he or she only believes that they are true, state the grounds for his or her belief.
3. Each paragraph is to be numbered consecutively.
4. Dates, sums and other numbers must be expressed in figures and not in words.

5. Facts should be set out clearly and chronologically or in some other logical sequence.

I, [CLAIMANT], (NRIC No. []) of [Address], do solemnly and sincerely affirm and say as follows:

1. I am the Claimant in this suit. I am currently serving 2 years of National Service (NS) and am now attached to [name of organisation] doing [state nature of work]. I am filing this affidavit for the purposes of my Assessment of Damages hearing.

2. My claim against the Defendant is for damages and consequential loss arising from a road traffic accident on [date]. On [date], Interlocutory Judgment was entered against the Defendant at []% with damages to be assessed by the Registrar.

3. My solicitors have prepared a Claimant s Bundle of Documents (“PBD”) filed on [date] and a Supplementary Claimant s Bundle of Documents filed herein. They are in running order and will be collectively referred to as PBD.

4. The medical reports in the PBD set out the nature and extent of the injuries that I sustained in the said accident. Further medical evidence may be adduced at or before the date of the Assessment of Damages hearing.

My background

5. I was born on [date]. My highest standard of education is A levels. My subject combination for A-Levels is []. I graduated from [Name of School] in [date]. Currently, I am serving National Service.

My Injuries

6. The medical reports in the PBD sets out the injuries and disabilities arising from the accident. I have not recovered from the accident injuries. In particular I have sustained [list down the injuries]. I have symptoms of pain and limitations of movements in my right knee and right foot. Therefore, the Singapore Armed Forces (SAF) excused me from [] and I was downgraded to “PES C” on [date]. Annexed hereto and marked as “[]-1” are the medical certificate issued by SAF dated [date] and my PES status from eHealth.

7. After completing National Service, I intend to apply for [Name of Degree] through [Name of Institution]. I wanted to work in the Healthcare Sector because I have a strong passion for medical studies. If the opportunity arises, I would like to be a medical doctor.

8. According to the specialist medical report, the doctors have assessed my permanent incapacity at []%. This indicates that my disabilities are permanent and it might get worse due to ageing. I am now young and have not entered the job market yet. Any job that I do in the future would require me to be mobile to some extent. In the event the pain symptoms in my leg gets worse, it will affect my job performance and this is likely to have an adverse impact on my job security. I am advised by my solicitors that my claim for damages is assessed once and for all. Therefore I am claiming loss of earning capacity to be assessed.

Medical expenses and transport expenses (pre-trial and post-trial)

9. I have incurred medical expenses in the sum of [amount]. I am also claiming transport expenses to receive treatment at \$[] a round trip for [] trips amounting to \$[]. Annexed hereto and marked as “[]-2” is the updated medical expenses tabulation for the list of medical bills. I wish to state that the medical expenses tabulation in the PBD is

incorrect.

10. As regards my claim for future medical and transport expenses, I leave it to the medical experts to give evidence of the same on my behalf.

11. In the premises, I humbly pray for an appropriate award of damages in my favour.

SWORN / AFFIRMED at Singapore)

by the above-named [CLAIMANT])

on this [date])

Before me,

ANNEX P

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Originating Claim No. MC/DC of 20

Between

[NAME OF CLAIMANT]
(Nric No. [])

.. Claimant(s)

And

[NAME OF DEFENDANT]
(NRIC No. [])

.. Defendant(s)

CLAIMANT'S BUNDLE OF DOCUMENTS

Solicitors for the Claimant

[Name of Solicitors]
[Name of Law Firm]
[Ref:]

Solicitors for the Defendant

[Name of Solicitors]
[Name of Law Firm]
[Ref:]

INDEX TO AGREED BUNDLE OF DOCUMENTS

S/N	Description	Original/ Copy	Page
1.			
2.			
3.			
4.			

Dated this [] day of []

[Name of Law Firm]
Solicitors for the Claimant

ANNEX Q

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Originating Claim No. MC/DC of 20

[NAME OF CLAIMANT]
(NRIC No. [])

.. Claimant(s)

And

[NAME OF DEFENDANT]
(NRIC No. [])

.. Defendant(s)

JOINT OPENING STATEMENT

(For Personal Injury Claims)

1. Assessment of damages hearing no. [] in respect of the present matter is to be heard before the Honourable Court on [date] at [time].

2. Interlocutory Judgment was entered on [date] at []% in the Claimant's favour with damages to be assessed, costs, interests and disbursements to be reserved to the Registrar on (date). *[If by consent, to state that interlocutory judgment was entered by consent of parties.]*

3. A summary of the claimant's profile is as follows:
 - (a) Date of Accident:
 - (b) Gender of Claimant:
 - (c) Claimant's Age at time of accident:
 - (d) Claimant's Occupation at time of accident:
 - (e) Claimant's Income per month at time of accident:
 - (f) Claimant's Present Age:
 - (g) Claimant's Present Occupation:
 - (h) Claimant's Present Income per month:

4. A summary table of the parties' respective positions on quantum is annexed herewith as an "**Annexure**" to the opening statement.

5. Item number(s) [] and [] of the Claimant's claim has/have been agreed between the parties.

Dated this [date]

Solicitors for the Claimant

Solicitors for the Defendant/ Intervener/ Third/ Fourth Party (Delete/Amend where necessary or mark as "N.A.")

ANNEXURE

No.	HEAD OF DAMAGES CLAIMED	CLAIMANT'S CLAIM FOR AWARD	CLAIMANT'S EXPERT REPORT	CLAIMANT'S DOCUMENTS IN SUPPORT	DEFENDANT'S ESTIMATE OF AWARD	DEFENDANT'S EXPERT REPORT <i>[Please include pg no. in Bundle of Documents]</i>	DEFENDANT'S DOCUMENTS IN SUPPORT <i>[Please include pg no. in Bundle of Documents]</i>
	PAIN AND SUFFERING						
	LOSS OF EARNING CAPACITY/ LOSS OF FUTURE EARNINGS						
	FUTURE MEDICAL EXPENSES						
	SPECIAL DAMAGES						
	1. Medical Expenses						
	2. Transport Expenses						

END