

# Essential Legal Services Pursuant to Circuit-Breaker Measures Against COVID-19

Dear Members,

Further to yesterday's profession-wide message to members, please note the following important and urgent matters in this email.

## **(A) Designation of Certain Types of Legal Matters as “Essential Services”**

We have made urgent representations to the Ministry of Law yesterday that legal services should be considered essential services (see [annexed cover\\_letter](#)). The Government has accepted some of our representations and recognised that the following legal services are “essential” (“**the Essential Legal Services**”):

1. Essential and urgent matters specified in the Registrar's Circulars issued by each court in respect of criminal, civil and family matters (see (B) below) wherein during the period 7 April 2020 to 4 May 2020 (both dates inclusive):
  - a. attendance by the solicitor is required by the court; and/or
  - b. adjudication hearings fixed under Building and Construction Industry Security of Payment Act;
2. Commercial transactions or actions having statutory, regulatory or contractual deadlines (whether local or foreign) falling within the period 7 April 2020 to 4 May 2020 (both dates inclusive) for which no waiver or deferment has been or will be granted or transactions or actions for which completion is due or time is of the essence in this said period;
3. Conveyancing transactions with deadlines where time is of the essence or with milestone deadlines to be met within the period 7 Apr 2020 to 4 May 2020 (both dates inclusive) including but not limited to exercise of option and completion deadlines, and timelines affecting progress payments, deposits, monies in escrow and completion monies; and
4. Urgent and essential Wills and Probate related services (for example the drafting of wills and execution of lasting powers of attorney for the vulnerable) required within the period 7 April 2020 to 4 May 2020 (both dates inclusive), for which no deferment may be made.

For the Essential Legal Services, this entails a **one-time** exemption application to be made via [covid.gobusiness.gov.sg](https://covid.gobusiness.gov.sg) under “General Exemption”. If granted, it will still be subject to relevant safeguards (please see details [here](#) on our website that includes advice for members regarding work-from-home arrangements). Please note that the General Exemption is separate and distinct from the “Time-Limited Exemption” that law firms can still apply for at the same website for a workplace to be allowed to provide temporary services with sufficient safeguards (see [again](#) for our website referred to above). So even if you do not qualify for a General Exemption, you could still apply for and obtain a Time-Limited Exemption.

As requested previously, please continue to share relevant feedback with us at [membership@lawsoc.org.sg](mailto:membership@lawsoc.org.sg). The above list of “Essential Legal Services” is not cast in stone. We will continue to advocate as and when appropriate for our members who need to perform urgent and essential services from 7 April 2020 until 4 May 2020.

## **(B) Essential and Urgent Court Hearings**

Earlier this evening, the Supreme Court, State Courts, Family Justice Courts have issued Registrar’s Circulars. This will have special relevance for disputes lawyers. The COVID-19 Task Force were consulted on the above.

In summary, from 7 April to 4 May 2020 (both dates inclusive), the Honourable the Chief Justice has directed that the Supreme Court, State Courts and Family Justice Courts will hear only essential and urgent matters. This direction applies (but is not limited to) appeals, trials, applications (interlocutory or otherwise), case management conferences and pre-trial conferences in all three Courts. The overarching principle is that all hearings other than those which are “essential and urgent” will be adjourned.

Registrars’ Circulars have been issued by each of the three Courts to identify matters that may be considered to be essential and urgent. The Circulars of each Court is available as follows:

- [Supreme Court Registrar’s Circular No. 4 of 2020](#);
- [State Courts Registrar’s Circular No. 8 of 2020](#); and
- [Family Justice Courts Registrar’s Circular No. 2 of 2020](#).

These matters will be heard, as far as possible, by electronic means of communication without the requirement for physical attendance before the Court.

All matters that had been scheduled for hearing between 7 April and 4 May 2020 (both dates inclusive) which the Court has **not assessed** to be essential and urgent will be adjourned. However, a party may make a request to the relevant court, in accordance with the directions set out in the applicable Registrar's Circular (above), for such a matter to be heard within the period. When making the request, parties should be mindful that a hearing is not essential and/or urgent merely because it is convenient for the parties for the matter to be heard early or as scheduled.

We understand that the Courts' Registries and other court services will continue to remain operational. However, parties and their representatives should not visit the Courts during this time to tender any hard copies or CD-ROMs of any documents. During the period stipulated (above), parties may continue to file documents electronically using the respective Courts' online management system, mail their CD-ROMs by AR registered post or submit their soft copies via email within the applicable timelines.

Members may email the respective Registries, with the email subject stating the relevant details "[Urgent Query][Case Number][Case Name]", to seek clarification:

- **Supreme Court Registry** – [Supcourt\\_registry@supcourt.gov.sg](mailto:Supcourt_registry@supcourt.gov.sg)
- **State Courts Registry** – [contact@statecourts.gov.sg](mailto:contact@statecourts.gov.sg)
- **Family Justice Courts Registry** – [fjcourts\\_maintpos@fjcourts.gov.sg](mailto:fjcourts_maintpos@fjcourts.gov.sg) (Maintenance Matters) / [fjcourts\\_family\\_registry@fjcourts.gov.sg](mailto:fjcourts_family_registry@fjcourts.gov.sg) (All Other Matters)

If there is further feedback to be shared on these Registrar's Circulars or general queries, please write to [membership@lawsoc.org.sg](mailto:membership@lawsoc.org.sg).

Last but not least, please let us all keep all the above announcements in proper perspective and context. The exemptions and restricted hearings are consistent with the stringent enhanced steps taken by the government as part of a "circuit breaker" strategy to minimize the further spread of COVID-19. Today's news reported that Singapore has reached an unwanted record of a daily spike of 120 new COVID-19 cases. Each and every one of us in the legal profession has a duty to combat and contain this virus through our personal and social responsibility. By cooperating with the Government's "circuit breaker" strategy and the emergency laws enacted, both in letter and spirit, we can

collectively eliminate the effects of this pandemic from our land. That way, our extraordinary numbers diagnosed with COVID-19 at present can be drastically reduced.

Please stay safe and well in your homes together with your families over this month-long period even as we overcome.

Best,

Gregory Vijayendran SC

For COVID-19 Task Force