

**IN THE GENERAL DIVISION OF THE HIGH COURT  
OF THE REPUBLIC OF SINGAPORE**

Case No.: HC/S 413/2021

SubCase No.: HC/SUM 2650/2021; HC/SUM 2991/2021; HC/SUM 3000/2021

Date/time of hearing: 14 July 2021 at 09:00 AM

Venue of Hearing: Chamber 2-6

Between

MOHAMED MUSTAFA MAHMOUD HELMY

(FIN No. G3363781R)

...Plaintiff

And

NANYANG TECHNOLOGICAL UNIVERSITY

(Singapore UEN No. 200604393R)

...Defendant

Monday 12<sup>th</sup> July, 2021

**WRITTEN SUBMISSIONS AND BUNDLE OF DOCUMENTS**

Submitted by the Plaintiff himself who is litigant in person, for the hearing fixed for 14 July 2021 in the matters of HC/SUM 2650/2021, HC/SUM 2991/2021, and HC/SUM 3000/2021, all being applications on summons in the suit

HC/S 413/2021.

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## CASE SUMMARY

### 1. MATTERS FIXED FOR HEARING

The hearing fixed for 14 July 2021 is the first for HC/S 413/2021 and is for the applications:

No.	Sub Case No.	Henceforth	Filed by and date	Under
1	HC/SUM 2650/2021	SUM 2650	Defendant  8 June 2021	O. 18, r. 19
2	HC/SUM 2991/2021	SUM 2991	Plaintiff  28 June  2021	O. 41, r. 6
3	HC/SUM 3000/2021	SUM 3000	Plaintiff  28 June  2021	O. 19, r. 7

## 2. PROFILE OF PARTIES

<b>Plaintiff</b>	Mohamed Mustafa Mahmoud Helmy, born 10 July 1979 in Kuwait, male, medical doctor, researcher, and pedagogue, presently self-employed at 10 Jurong Lake Link, #15-39, 648131 Singapore. <i>In propria persona.</i>
<b>Defendant</b>	Nanyang Technological University, company limited by guarantee. Represented by Mr. Timothy Ang and Mr. Wilson Zhu at Rajah & Tann.

## 3. PLAINTIFF'S LIST OF ISSUES IN DISPUTE

The list of issues in dispute in the claim is as follows:

No.	Issue in dispute	Information Plaintiff is Relying on in Support
1	Unlawful termination	Statement of the Claim
2	Tort of extortion	Statement of the Claim

## 4. DEFENDANT'S LIST OF ISSUES IN DISPUTE

The Defendant is in default of pleadings. The issues are unknown.

## 5. DRAMATIS PERSONAE

#	Name / entity	Henceforth	Role
1	Mohamed Mustafa Mahmoud Helmy		Plaintiff
2	Nanyang Technological University	‘NTU’	Defendant
3	Timothy Ang Wei Kiat (Hong Weijie)	‘Mr. Ang’	Solicitor on behalf of NTU
4	Zhu Ming-Ren Wilson	‘Mr. Zhu’	Solicitor on behalf of NTU
5	Goh Ke Min Kevin	‘Mr. Goh’	Senior Assistant Director at NTU; deponent of affidavit filed in support of SUM 2650
6	Rupshi Mitra	‘RM’	Assistant Professor at NTU; the Plaintiff’s Reporting Officer during his employment at NTU
7	Ajai Vyas	‘AV’	Associate Professor at NTU; spouse of RM
8	Shruti Suresh		Research Assistant (or equivalent title) at the RM lab

9	Roderick Wayland Bates	‘Bates’	Research Integrity Officer at NTU
10	Shin Kay Chong	‘Ms. Chong’	NTU Human Resources Manager
11	NTU Office of Human Resources, Office of Ethics & Compliance, Legal & Secretarial Office	‘NTU Leadership’	Management of various affairs at NTU
12	Oh Seok Fen		The Plaintiff’s Human Resources Business Partner
13	Lars Nordenskiöld		Chair, School of Biological Sciences, NTU
14	George Augustine		Professor at NTU; Head of the Singapore Dementia Consortium
15	Si Kang Bee Yan		Investigating Officer at the Singapore Police Force
16	Lim Kien Heng, Christopher		Mediator at Tripartite Alliance for Dispute Management, Ministry of Manpower
17	Registrar at Employment Claims Tribunals		Registrar at Employment Claims Tribunals

## EXECUTIVE SUMMARY

6        The Plaintiff filed and served HC/S 413/2021 for unlawful termination of employment and tort of extortion. The Plaintiff's prayers were for reinstatement or damages. Defendant filed and served SUM 2650 to wholly strike out Plaintiff's Statement of the Claim under O. 18, r. 19(1)(a), (b), and/or (d). SUM 2650 was supported by an affidavit deposed by an employee of the Defendant. At the same time, Defendant is in default of pleadings. The Plaintiff objected in his first response and was not cognisant of the fundamental court process the Defendant had abused in an attempt at trial by ambush. As soon as the Plaintiff understood *how* the Defendant was attempting to deny him justice and suppress evidence in a triable case, he filed and served SUM 3000 under O. 19, r. 7. The Plaintiff's prayers are for judgement on default and assessment of damages.

7        The affidavit filed by the Defendant makes false and harmful allegations against the Plaintiff. SUM 2991 under O. 41, r. 6 is a prayer for that affidavit to be taken off file.

8        In the words of Lord Bingham: 'It is inconsistent with the most rudimentary notions of fairness to blindfold a man and then impose a standard which only the sighted could hope to meet'.<sup>1</sup> SUM 2650 is an application by the Defendant to strike out the Plaintiff's suit but the Defendant did not make any pleadings and left the issue out of the supporting affidavit: the Plaintiff is blind to the issues

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<sup>1</sup> *A v Secretary of State for the Home Department* (No 2) [2006] 2 AC 221 [11].

## **FACTUAL HISTORY**

### **EMPLOYMENT AND TERMINATION**

9 I am the Plaintiff. My pleadings and prayers are in the Statement of the Claim. Briefly:

10 I was employed as Research Fellow by the Defendant, Nanyang Technological University (henceforth, 'NTU') in April 2020. I was ordered by my Reporting Officer, Rupshi Mitra (henceforth, 'RM'), to kill animals for no scientific reason and without anaesthesia. When I saw the official document regulating the research project I was engaged in, I found out that it is falsified or forged. Confused by non-sensical instructions from RM regarding specific experiments and the research project or projects I may have been working under, I reviewed Standard Operating Procedure and past experimental data on the common laboratory digital storage. I found out that past research work in the laboratories of both RM and her spouse Ajai Vyas (henceforth, 'AV') was misrepresented, falsified, and probably fabricated.

11 I asked RM for information. She told me that anything to do with the project or projects and my work is "None of your concern."

12 I spoke with my Human Resources Business Partner Oh Seok Fen, who directed me to speak with the Chair of the School of Biological Sciences, Lars Nordenskiöld. I requested: (i) to be moved to another position in the University so I am not bullied into illegal activity and research misconduct; (ii) that the matter be

looked into quietly; and (iii) to consider if RM should continue supervising bachelor degree students. He said to me: “If you do not make a report, I will, and if I have a reason to terminate you, I will.”

13 I message RM several times for information so that I may meet my duties and responsibilities in a legal and ethical manner. I never receive a reply.

14 I submit a report on my being bullied to NTU Office of Ethics and Compliance, Office of Human Resources, and Legal & Secretarial Office (henceforth, ‘NTU Leadership’). I state that I am being bullied into misconduct and indicate apparent illegal work-related activity. I meet once with each of:

- a. Roderick Wayland Bates (henceforth, ‘Bates’), Research Integrity Officer at NTU. Having carefully reviewed the transcript of my online meeting with Bates for the purpose of preparing these Written Submissions, I affirm that Bates was made aware of illegal work-related activity at NTU. He instructs me to submit a report showing evidence of misconduct by RM *in publications*, which I do comprehensively; and
- b. Shin Kay Chong (henceforth, ‘Ms. Chong’), Human Resources Manager at NTU. She threatened me with termination. In the letter I sent to NTU Leadership after the humiliating meeting with Ms. Chong and on her request, I politely and explicitly describe the unlawful nature of the work I was ordered to do by RM.

15 My intranet staff access at NTU is denied. I made requests to rectify this to NTU Information Technology to which meaningless replies, over several months.

16 Inconsistent and erratic correspondence between RM, Bates, Ms. Chong, other individuals purporting to work at NTU, and myself confused me. It appeared that there was no inquiry nor investigation into my reports on bullying and misconduct by RM.<sup>2</sup> In retrospect, it appears a case for termination was being constructed.

17 I had written a review article, despite destructive feedback from RM, for submission to a reputable scientific journal. RM took it from me and told me it was henceforth “None of your concern.” I continued to work diligently on a second writing task given to me by RM. These writing tasks were on RM’s topic of choice.

18 Bates sent me an email dismissing my reports on misconduct by RM, closed the ‘case’, and made an irrelevant and offensive statement regarding a single datum in my elaborate report. That statement is easily shown to be false, beyond doubt.

19 In a series of urgent emails, Ms. Chong demanded that I attend a meeting with her on short notice but with no agenda, and after some back and forth, dismissed my report on bullying by RM in a derogatory line. She then appeared to ignore the meeting she was just then demanding and instead effectively demanded that I submit to illegal and unethical work-related orders from RM.

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<sup>2</sup> Evidence Act (Chapter 97) **10**.

20 In December 2020, a letter was delivered to my place of residence terminating my employment for no reason. At the same time, Oh Seok Fen informed me by email that my employment was terminated for absenteeism. I was prohibited from communicating with anyone at NTU. I was threatened with prosecution and that my salary would be withheld should I take actions which I am legally and ethically obliged to take. I was instructed to leave Singapore within an unreasonably short period of time.

21 I investigated work published by the Singapore Dementia Consortium (henceforth, the 'Consortium') including RM and AV. The project or projects I was working under may have been funded by a generous National Research Fund / Ministry of Education grant to the Consortium. The Consortium is/was led by George Augustine and appeared to be co-led by AV. Briefly, the Consortium took S\$ 20 million to do research on dementia and Alzheimer's disease and did not do research on dementia and Alzheimer's disease.

22 I was harassed at my place of residence by an individual alleging to work for NTU. I lodged the first of several police reports. Regarding that first police report, I was given several incorrect email addresses on which to send evidence to Investigating Officer Si Kang Bee Yan. After I messaged her superiors, she sent me an email *before I had sent her any evidence* to inform me that she will have the outcome of the investigation shortly. On another occasion I am shouted at by a police officer, a 'warning to leave Singapore'. These and other incidents are documented.

23 A notable authority with executive power and bearing on my case is Animal & Veterinary Services, NParks.<sup>3</sup> Briefly, it appears the staff are not interested.

24 NTU Human Resources staff lied to me, repeatedly, and in writing about my Short Term Visit Pass and insisted that the forged one I was sent was all there was. Staff at Immigrations & Checkpoints Authority confirmed that there can be no such 'pass' in such form. The original was sent to me separately by an Officer at the Ministry of Manpower on my request.

25 After telephone conversations with Inland Revenue Authority of Singapore Officers, I find out that NTU made false declarations on my tax clearance.

26 I filed a case with Tripartite Alliance for Dispute Management, Ministry of Manpower. Goh Ke Min Kevin (henceforth, 'Mr. Goh') represented NTU. He:

- a. Rejected all my offers;
- b. Made several offensive as well as self-contradictory communications during the mediation process; and
- c. Notably told me that the investigation or investigations of harassment and misconduct were shared with me, and/or the outcome of those investigations, and/or that NTU is not obliged to inform me of anything regarding those investigations.

27 Thus, mediation failed despite my best efforts and despite the judicious guidance of the mediator in charge, Christopher Lim Kien Heng.

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<sup>3</sup> Evidence Act (Chapter 97), **16** and **10**.

28 I filed a case with the Employment Claims Tribunals. In two pre-trial conferences, Mr. Goh continued to make self-contradictory, meaningless, or offensive communications. I understood from the Registrar that reinstatement is unlikely and that I may receive S\$ 20 000. I decided to withdraw the case from the Employment Claims Tribunals. Mr. Goh demanded from the Registrar and insistently that I not be allowed any time to file my case in civil court, that I must be ordered to withdraw my case from the Employment Claims Tribunals immediately, since he had just instructed me to send him a Letter of Demand and which therefore constituted 'dual proceedings'.

29 Over a period of time, I received emails and letters by mail from NTU as well as from Timothy Ang Wei Kiat (Hong Weijie) (henceforth, 'Mr. Ang') and Zhu Ming-Ren Wilson (henceforth, 'Mr. Zhu') both at Rajah & Tann. My report on apparent illegal activity, and research and academic misconduct by Dementia Consortium members including RM and AV was dismissed in a few derogatory lines. I was threatened with prosecution on false grounds.

**FACTUAL HISTORY**  
**PROCEEDINGS AT THE SUPREME COURT**

**Plaintiff files a Defence for his Statement of the Claim in the absence of a  
Defence from Defendant**

30 I filed and served HC/S 413/2021 (Writ of Summons). Defendant made an appearance (Memorandum of Appearance). I filed and served my pleadings (Statement of the Claim). I then began to work on collating the most salient evidence to present to Court during trial, and the most appropriate form of presentation. Importantly, I considered the most efficient process to apply for an order to produce documents. I wished to see evidence of any investigation or inquiry of illegal activity, bullying, and research and academic misconduct at NTU.

31 I was served with SUM 2650 by Mr. Ang (Summons Under O. 18, r. 19). A hearing was fixed for two weeks later. The application was for the following orders:

- a. 'That the Plaintiff's claim against the Defendant in HC / S 413 / 2021 be wholly struck out pursuant to Order 18 Rules 19(1)(a), (b) and/or (d) of the Rules of Court;'
- b. 'That the timelines for the Defendant to file its Defence be held in abeyance pending the resolution of this application;'
- c. 'Costs of and incidental to this application be paid by the Plaintiff to the Defendant; and'
- d. 'Such further or other order(s) as the Honourable Court deems fit.'

32 SUM 2650 was supported by an affidavit deponed by Mr. Goh: '*Plaintiff: Goh Ke Min Kevin: 1<sup>st</sup> : 07.06.2021*' (emphasis added, henceforth 'the Affidavit by Goh').

33 I was surprised and confused by this action for reasons including:

- a. The grounds to strike out were not specified;
- b. My allegations were not traversed;
- c. Evidence was adduced which may or may not have been to dispute a cause for action;
- d. It is not clear on whose knowledge, information, or belief statements were made in the Affidavit by Goh. Indeed, who was the 'Defendant' and/or other 'Defendant' and/or 'Plaintiff' Mr. Goh referred to?;
- e. Why were legal arguments presented in the Affidavit by Goh *as if* there was no claim of illegality by the Plaintiff?;
- f. Where were the 'relevant legal submissions by solicitors' referred to in the Affidavit by Goh?;
- g. How and why did Mr. Goh depon an affidavit in which he falsely accuses me, among other drivel, of something as ridiculous as 'ballooning conspiracies by various branches of the Singapore government enforced by the Singapore Police Force'?;
- h. Was it ethical to allow such a false and harmful misrepresentation in an affidavit deponed for a trial in the Supreme Court?;

- i. Was the Affidavit by Goh not inconsistent within itself – such as boldly pasting in some Letters of Demand sent to me (and which I had tossed aside) *as if* these Letters spoke in favour of NTU’s innocence?;
- j. Was it necessary for Mr. Goh to be so blatantly offensive in the affidavit he deponed?; and
- k. What in the Affidavit by Goh was *relevant* to HC/S 413/2021?

34 I thought I needed to traverse what Mr. Goh had deponed and under time pressure. At that time, my understanding was that I should defend the legal and factual sustainability of my pleadings. This I did, and I objected to the contents of the Affidavit by Goh. I believe it is fortunate that I *did* file and serve my so-called Defence and Memorandum of Appearance to Counterclaim. Because it shows how confused I was, and insofar as that confusion lasted, I believe that was the purpose of SUM 2650.

35 Statements of fact in my pleadings are plainly and obviously sustainable. I believe legal sustainability of my pleadings and prayers are also plainly and obviously sustainable, but were anyways (and now I realise, needlessly) argued for in my first affidavit, ‘Plaintiff *in HC/S 413/2021*; Mohamed Mustafa Mahmoud Helmy; 1<sup>st</sup>; 21/06.2021’ (emphasis added).

### **Defendant requests an urgent pre-trial conference to end the trial**

36 Some hours after I filed my so-called Defence and Memorandum of Appearance to Counterclaim, I received an email from Mr. Ang that puzzled me very much. He proposed ‘an urgent pre-trial conference for SUM 2650’ because the ‘above documents are irregular’. He proposed dates to seek directions to be heard expeditiously for this urgent pre-trial conference of an application to end a trial. A date he opted was less than 24 hours of the email he had just sent. I was to reply in less than 19 hours. I emailed Mr. Ang, stated that I was not aware of irregularity in a submission I had made in Court, and rejected his proposal.

37 About 11 hours after I had emailed Mr. Ang, he sent a letter to the Registry in which he:

- a. Proclaimed the so-called Defence I had filed a ‘nullity’;
- b. Expressed concern on whether I ‘intend to rely on and/or adduce evidence through the above irregular documents’;
- c. Requested ‘an urgent pre-trial conference (“PTC”) be held. The PTC is for directions to be given on the proper and expeditious conduct of SUM 2650, including timelines for the filing of affidavits (if any)’ (emphasis in the original).

38 The next morning I received the Registrar’s Notice dated 18 June. I was directed to file a Reply affidavit by 25 June, the Defendant was to file a Response affidavit if any by 9 July, Written submissions were to be filed and served by 12 July, and the hearing was fixed for 14 July.

39 I filed and served my Reply affidavit, '*Plaintiff in HC/S 413/2021; Mohamed Mustafa Mahmoud Helmy; 1<sup>st</sup>; 21/06.2021*' ('my/Plaintiff's 1<sup>st</sup> Affidavit').

40 It was only after I had submitted my 1<sup>st</sup> Affidavit that I figured out that the Defendant was attempting a trial by ambush, through abuse of Court process. I believe the injustice of stalling the operation of the Rules of Court until an action is struck out is obvious to all but a non-practitioner.

41 That process of figuring out is described in the affidavit I filed and served to support SUM 3000 and SUM 2991, '*Plaintiff; Mohamed Mustafa Mahmoud Helmy; 2<sup>nd</sup>; 28.06.2021*' ('my/Plaintiff's 2<sup>nd</sup> Affidavit').

## APPLICATION OF RELEVANT PRINCIPLES TO CIRCUMSTANCES

42 The Defendant effectively held or wished to hold any meaningful recourse to the Rules of Court by the Plaintiff in abeyance. In other words, the possibility for a fair trial would have been disallowed.

43 The time for close of pleadings in an action should have been certain. Until I understood the attempt at trial by ambush, I was stuck in a stalled mechanism, imposed by the Defendant, and for which I could find no precedent in Singapore. It is not as Lord Willberforce and Lord Scarman had said, if points of law are tried before and instead of first finding the facts, is ‘too often treacherous short cuts. Their price can be delay, anxiety, and expense’.<sup>4</sup> It is that I do not even know what is being tried here, points of law, facts, ‘and/or’ both.

44 With regards to SUM 2650: How am I to present the Court with bundles of authorities or bundles of documents or meaningful legal arguments that are *the ones relevant to the hearing – if I do not know what the hearing is about?*

45 What the hearing might be about may come in the form of ‘relevant legal submissions by solicitors’ as mentioned in the Affidavit by Goh. But I do not have those at the time of writing. Those may come in the hearing.

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<sup>4</sup> *Tilling v Whiteman* [1980] AC 1; [1979] 1 All ER 737 HL; cited in *MBf Capital Bhd & Anor v Tommy Thomas & Anor* [1997] 3 MLJ 395; and cited in; *Federal Insurance Co v Nakano Singapore (Pte) Ltd* [1991] 2 SLR (R) 982 at [25].

46 In the following paragraphs, I summarise what I believe may be relevant facts and legal arguments pertaining to the applications under discussion. It is important to note, however, that ‘the applications under discussion’ appear to be the entirety of the case. Because the issues are not defined. Because the Defendant held his defence ‘in abeyance’ to strike out the action.

47 To the best of my ability, I link facts and legal arguments in my own claims and other issues I am able to discern, by disclosure or otherwise, in HC/S 413/2021 and applications thereunder.

48 I could not prepare a bundle of authorities because I suspect there can be none under the circumstances – I do not know what the Defendant’s issues are because he withheld that information from me, apparently to surprise me with it in the hearing.

49 Legislation is listed below. Case citations are in footnotes because I suspect there can be no precedent (except perhaps one I came across, perhaps in MLJ, about a land plot, and which I assume was mentioned as a joke. The action was struck out because the defendant did not file a defence, if I remember correctly). The cases are cited for a relevant pronouncement, or to compare and contrast with the present proceedings by extrapolation only.

### **Why were pleadings held in abeyance by the Defendant but under O. 18, r. 19?**

50 As I argue in my 2<sup>nd</sup> Affidavit, I believe there can be no justifiable reason for the Defendant to hold a defence (or defence and counterclaim) ‘in abeyance’ under O. 18, r. 19. The Rules of Court would allow the Defendant to address issues governed by O. 18, r. 19 expeditiously, in part or *in toto*, and before trial – *with pleadings*.<sup>5</sup> Otherwise, the application should have been made under O. 18, r. 22.

51 I believe reasons why the Defendant held a defence ‘in abeyance’ may include illegality of work-related activity, fraud, forgery of official documents, and negligence by the Defendant. How to prevent the evidence from coming to trial? I believe the answer to that question is, in inverted terms of justice, ‘to focus on the specific purpose of the application and not the cause of the pending proceedings’.<sup>6</sup> Which is exactly what Mr. Ang did, in writing, and repeatedly.

52 Mr. Ang had sent me a letter accusing me of defamation for doing my duty to Singapore, dated 25 March 2021, with ‘FINAL DEMAND’, ‘firm instructions to take appropriate legal action’, *etc.*, and which I ignored because it had no factual basis (the Letter is in the Affidavit by Goh). In paragraph 2 of that letter, Mr. Ang applied strict legislative and procedural standards to the reply I had sent him. I

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<sup>5</sup> *V Nithia (co-administratrix of the estate of Ponnusamy Sivapakiam, deceased) v. Buthmanaban s/o Vaithilingam and another* [2015] 5 SLR 1446 at [36]. The Court of Appeal emphasised that pleadings serve to uphold the rules of natural justice.

<sup>6</sup> *The “Nasco Gem”* [2014] 2 SLR 63 at [16]; *Telecom Credit v Midas United Group Ltd* [2019] 1 SLR 131 at [18]; and *Lin Jianwei v Tung Yu-Lien Margaret and another* [2021] SGCA 67 at [57].

understand Mr. Ang's argument was (and to paraphrase for brevity and clarity): since you did not deny that NTU had dismissed your report in a few derogatory lines, therefore you are guilty. In my reply, I actually *had* denied any claims to a non-farcical investigation by NTU, just not in the manner prescribed by common law. I wondered at the time: What is Mr. Ang suggesting here? Would he stand up in Court and say: 'The Defendant did not, in a casual email, explicitly traverse a claim by our client that his report was dismissed, therefore he is guilty'?

53 Does Mr. Ang not hold his clients nearly to the same standards he held me? Why did the Defendant not file a defence traversing all my allegations, one by one, simply and finally, since '[s]imply put, there is no truth to the matters alleged in the Publications'? (*N.B.* The 'matter' in said 'Publications' is more accurately termed 'data').

#### **Did the Defendant default on pleadings by mistake?**

54 Rajah & Tann are regional leaders in the field with a global reputation. I think the answer is 'no'.

#### **Was the Plaintiff treated fairly by Mr. Ang and Mr. Zhu?**

55 Referring to the Legal Profession Act (Chapter 161), Legal Profession (Professional Conduct) Rules 2015, I believe I have not been treated fairly.

56 It appears to me that issuing a summons under O. 18, r. 19 while holding a defence (or defence and counterclaim) 'in abeyance', is a breach of Legal Profession (Professional Conduct) Rules 2015, **9.** (2) (f).

57 The rule mentioned above would also apply to other communication from Mr. Ang. For example, declaring an irregularity a nullity.

**Could SUM 2650 have been made with just cause?**

58 I cannot see how that may be possible. Especially after Mr. Ang requested an ‘urgent pre-trial conference’ to strike out the trial and I was to reply in less than 19 hours.<sup>7</sup>

**Is good faith apparent in NTU’s conduct since I submitted the report on bullying and misconduct by RM?**

59 I think the answer is ‘no’.

**Is good faith apparent in actions taken by the Plaintiff?**

60 I reiterate what the Registrar at the Employment Claims Tribunals said, that I always ‘extended the gentleman’s hand’. I reiterate that that is why ‘reinstatement’ is a remedy prayed for in HC/S 413/2021. I still hoped that, with the Court’s guidance, conciliation might be possible and desirable.

61 After I filed and served my Statement of the Claim, I sent an email to Mr. Ang. I hoped to communicate that, regardless of harshly worded and fictitious ultimatums, I placed my trust in him. We were now at the Supreme Court, and he

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<sup>7</sup> *Nirumalan K Pillay v A Balakrishnan* [1996] 2 SLR(R) 650 at [9]. Selvam J stated that ‘The purpose of pleadings is not to confuse but to give fair notice with clarity so that the opponent may present the relevant law and evidence on the issue which affects him’.

is an Officer of the Court. I was preparing to fight a fair fight *on evidence*. I did not at all expect the Rules of Court to be used against me in a manner, the description of which I believe is contemptuous.

62 In another exchange, I emailed the Registry *and* Mr. Ang and Mr. Zhu, together. In addition to a query on a procedural matter, I believe my communication may have been understood, in good faith, to also mean ‘I am ready and willing to liaise on our Written submissions’. Mr. Ang responded by informing me that he ‘took it’ I had addressed him erratically, and remarked that he is the Defendant’s lawyer. I replied to him explicitly saying I am ready and willing to liaise on our Written submissions.

63 About 27 hours later, Mr. Ang sent me a letter proposing a special half-day hearing. The reason given was that the correspondence he had just accused me of sending him erratically was somehow responded to by directions from the Registry. I rejected Mr. Ang’s proposal because I did not know if Mr. Ang intended to make use of provisions allowed for in Practice Directions and Rules of Court under ‘special’ hearings. Mr. Ang sent yet another letter to the Civil Registry to request a special hearing, and another letter to myself separately, and in both collectively, used the following words: ‘...various irregular and procedurally incorrect documents...ostensibly...stem from a misconception of what a special half-day hearing is...You have misconstrued our letter...you disagree with this sensible and reasonable proposal...’.

64 As it turned out, the hearing fixed for 14 July was *already* allowed more time to begin with. As I had earlier written to Mr. Ang, I had no doubt in the Court's decision for matters to be discussed and their nature of the hearing fixed.

### **Substantive and procedural matters**

65 I humbly ask the Court: Is an application under O. 18, r. 19(1)(a), (b), 'and/or' (d), but without pleadings, and supported by affidavit evidence which may or may not have been adduced to show no cause of action, regular and procedurally correct?

66 In yet another email, I sent a notice of intention to refer to the Registry, Mr. Ang, and Mr Zhu, as soon as I realised I should do so – as a formality. The substance is very lucid. I believe it may not be worthwhile to *separately* consider endorsements in the same suit, where one is for an application to strike out, and the other is for judgement on default?

67 On receiving the Registrar's Notice for video conferencing, I replied right away saying I need to attend physically please. Shortly after that, Mr. Zhu sent me a letter asking why I could not use any internet connection and device just anywhere, and berating me for informing them of 'hearing arrangements' so near to the hearing. This from the solicitors who proposed a pre-trial conference to strike out the action within less than 24 hours. In my reply to Mr. Zhu, I mentioned that I still did not know if the Defendant would be filing a Response affidavit. He did not reply.

68 I have always expressed my intention to the Defendant in a clear, honest, and timely manner.

69 The ‘relevant legal submissions’ in the Affidavit by Goh are, I believe, a clear indication of intent. Right from the very start, before SUM 2650 was actually filed, the Defendant was planning to deny my access to justice in a trial by ambush.

**Can the Defendant have any justifiable reason to hold the defence in abeyance?**

70 I believe the answer is ‘no’, for reasons mentioned above, such as recourse to other Rules of Court, whatever the issue is.

71 The Defendant did not give a clear reason why Defence should be held in abeyance. The Court of Appeal stressed that ‘*Prima facie*, if no excuse is offered, no indulgence should be granted’.<sup>8</sup>

72 The length of stay is unknown, indefinite, or otherwise until the action is struck out.<sup>9</sup>

73 The conduct of the applicant (or, according to the applicant in the present proceedings in the Affidavit by Goh, the Defendant, and/or the Defendant (*sic*), and/or the Plaintiff). As time went by with increasingly confusing and contradictory

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<sup>8</sup> *Revici v Prentice Hall* [1969] 1 WLR 157 at 160.

<sup>9</sup> *Gatti v Shoosmith* [1939] Ch 841.

communication, it did not inspire me with confidence, trust, and the feeling of reciprocal civility.<sup>10</sup>

74 The Solicitor(s) assumption is that the Court's power to not only extend time, but also indefinitely, will be exercised in their favour.<sup>11</sup>

75 I believe the Defendant disregarded fundamental Rules of Court with the intention of preventing the case (and associated evidence) from coming to trial.<sup>12</sup>

76 The High Court emphasized an approach to the administration of justice which 'puts into the equation' interests other than the litigants'. Well, the Defendant *did* call himself the Plaintiff. And NTU (the Defendant *cum* Plaintiff) and their Solicitors demanded a 'pre-trial conference' for *their* application, and immediately. And so, the High Court's pronouncement is applicable to the present proceedings in that time and resources for adjudication are 'lopsidedly hogged' by the Defendant

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<sup>10</sup> *Malaysia Building Society v Lim Kheng Kim* [1988] 3 MLJ 175 at 184; *Ban Huat Seng v Leh Peh Soo* [1967] 1 MLJ 145 at 147; and *Hytrac Conveyors v Conveyors International* [1982] 3 All ER 415.

<sup>11</sup> *Smoth v Secretary of State for the Environment* The Times, 6 July 198.

<sup>12</sup> *Arbuthnot Latham Bank v Trafalgar Holdings* [1998] 1 WLR 1426 at 1436; [1998] 2 All ER 181 at 191-192; *Choraria v Sethia* [1998] 142 SLJB 53; and *Grovit v Doctor* [1997] 2 All ER 417 at 424.

(*cum* Plaintiff), and holding defence ‘in abeyance’ under O. 18, r. 19 is prejudice to the due administration of civil justice and the Court-documented Plaintiff.<sup>13</sup>

77 The time for submission of pleadings by the Defendant is a Rule to be observed. By holding the defence ‘in abeyance’, the Defendant effectively denied the Plaintiff’s access to justice. This breach by the Defendant causes prejudice to the Plaintiff and disrupted the administration of justice. The Defendant did not cooperate with the Plaintiff to agree on new time limits – the Defendant made urgent, successive, and inappropriate demands and changes to hearings, taking tactical advantage of the Plaintiff’s precarious position as litigant in person with no access to eLitigation, and as (currently) a visitor in Singapore. The Plaintiff expressly rejected the Defendant ‘holding defence in abeyance’ in the Plaintiff’s first and all subsequent responses to the Defendant’s application SUM 2650.<sup>14</sup>

78 Why did the Defendant not apply under O. 18, r. 22? ‘It will be unsuitable where there are likely to be serious disputes on questions of fact...It is of vital importance that where such an order [pursuant to O. 18, r. 22] is required it should be made absolutely clear what is the controversy between the parties upon which the court is asked to adjudicate or determine; and in the normal case, the issues should be clearly defined and definitely formulated’; and ‘Application under this rule [O. 18, r. 22] should be made by summons and be made promptly. The issues

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<sup>13</sup> *Lea Tool and Moulding Industries Pte Ltd v CGU International Insurance Plc* [2000] 3 SLR(R) 745 at [15].

<sup>14</sup> *Mortgage Corporation Ltd v Shandoe, Blickhorn & Co and Gibson* [1996] TLR 751.

between the parties should be formulated or some other satisfactory reason advanced for dispensing with pleadings or further pleadings'.<sup>15</sup> Had this been done, we would not be in the mess we are now. However I suspect this very mess was the purpose of SUM 2650.

**May the Defendant's application to strike out the action under O. 18, r. 19 but without pleadings be cured?**

79 I believe the answer is 'no'.

80 As Chao Hick Tin JC held, failure of the Defendant to state the sources and grounds of information and belief in the Affidavit by Goh and which supported the application to strike out is a 'defect of fundamental nature' which may not be cured.<sup>16</sup>

81 The Defendant did not 'properly enter through the front door' of O. 18 and other Rules of Court, and so 'should not be allowed to enter through the back door of O. 2, r. 1', as Slade LJ put it; and as Karthigesu JA later affirmed, 'O. 2, r. 1

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<sup>15</sup> *Singapore Civil Procedure 2020*, Volume I (2019) Honourable Supreme Court Justice Chua Lee Ming and the Executive Director of Singapore Judicial College Paul Quan, eds., Singapore Thomson Reuters Corporation Pte Ltd. (page 368).

<sup>16</sup> *Dynacast (S) v Lim Meng Siang* [1989] 2 SLR(R) 226; [1989] 3 MLJ 456 at 460.

cannot be used as a back door to correct an irregularity which would otherwise not be curable'.<sup>17</sup>

82 Sir Roger Ormrod did not think it would be a proper exercise for the court to put right mistakes of a party's solicitors and where the nature of the default is egregious and involves a 'mockery of the rules', in the words of Jeffrey Pinsler.<sup>18</sup>

83 James Foong J stated that non-compliance with a basic requirement of an Order of the Rules of Court and which goes to the 'heart and core of the matter' may not be rectified.<sup>19</sup>

84 It is not clear how the Defendant may have sought a Court decision or finding based on facts not pleaded.<sup>20</sup>

85 Prejudice to the party (the Plaintiff in the present case) invalidates a cure under O. 2, r. 1 for failure of a party (the Defendant in the present case) to comply with the Rules of Court.<sup>21</sup>

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<sup>17</sup> *Leal v Dunlop Bio-Processes* [1984] 1 WLR 874 at 885; and *The Pacific Wisdom* [1998] 3 SLR(R) 389 at [31].

<sup>18</sup> *Camera Care Ltd v Victor Hasselblad Aktiebolag* [1986] 1 FLTR 348; cited from 'The Effect of Non-Compliance with the Rules of Procedure: A Survey of Recent Cases', *Singapore Journal of Legal Studies* (1993), page 192.

<sup>19</sup> *Bank of Commerce v Tanjung Petri Enterprise* [1992] 2 MLJ 322.

<sup>20</sup> *Multi-Pak Singapore (in receivership) v Intraco* [1992] 2 SLR(R) 382; affirmed by the Court Appeal in the same case [1993] 1 SLR(R) 220.

<sup>21</sup> *Metroinvest Ansalt v Commercial Union* [1985] 1 WLR 513.

86 The Defendant's application SUM 2650 was to strike out the Plaintiff's pleadings under O. 18, r. 19 but while holding a defence (or defence and counterclaim) 'in abeyance'. The Court of Appeal held that a cure for the contravention of the specific provisions to extend time provided by O. 3, r. 4 may not be exercised under O. 2, or that O. 2 'must be read subject to O. 3, r. 4(3) and r. 4(5).'<sup>22</sup>

87 The Court of Appeal ruled that a court may not raise issues not brought up by the parties in their pleadings or otherwise.<sup>23</sup> The Defendant deliberately withheld the issues (if any) from the Plaintiff until they may perhaps be presented during a hearing.

88 It was reiterated that 'It is trite that deficient pleadings may not be cured by the evidence in an affidavit and other form'. In SUM 2650, the Affidavit by Goh is scandalous as well as deficient, and pleadings are absent altogether.<sup>24</sup>

89 MPH Rubin J said that 'It is a settled principle of law that parties stand by their pleaded case and any defect in the pleadings cannot be cured by any averments in affidavits, let alone an oblique reference in counsel's closing speech'.<sup>25</sup>

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<sup>22</sup> *Wee Soon Kim Anthony v UBS AG* [2005] SGCA 3 at [29].

<sup>23</sup> *Yap Chwee Khim v American Home Assurance* [2001] 1 SLR(R) 683.

<sup>24</sup> *Bumi Geo Engineering Pte Ltd v Civil Tech Pte Ltd* [2015] 5 SLR 1322 at [56].

<sup>25</sup> *Abdul Latif bin Mohammed Tahiar (trading as Canary Agencies) v Saeed Husain s/o Hakim Gulam Mohiudin (trading as United Limousine)* [2003] 2 SLR(R) 61 at [7].

90 A cure for the Defendant's application to wholly strike out the Plaintiff's claim under O. 18, r. 19 but without pleadings would result in prejudice to the Plaintiff. The nature of the error, an application by the Defendant for a trial without further pleadings but made under O. 18, r. 19, is of a serious and fundamental nature which may not, in principle, be validated. The mandatory nature of rules under O. 18 and O. 3 breached by the Defendant may be construed as excluding a cure. The Plaintiff's fundamental right to pleadings, to not being surprised, or to a fair trial were denied by the Defendant's application SUM 2650. The Rules of Court for pleadings and extension of time are, I believe, sufficiently comprehensive to govern non-compliance. The breach appears to have been an act of wilful non-compliance by the Defendant.<sup>26</sup>

91 A cure for SUM 2650 is injustice to the Plaintiff.<sup>27</sup>

92 It was stated that 'The rules of court must *prima facie* be obeyed, and in order to justify a court in extending the time during which some step in procedure requires to be taken, there must be some material upon which the court can exercise its discretion. If the law were otherwise, a party in breach would have an unqualified

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<sup>26</sup> *OCBC v Measures* [2002] 2 SLR (R) 684.

<sup>27</sup> *OCBC v Measures* [2002] 2 SLR (R) 684; reiterating the principle established in *Harkness v Bell's Asbestos and Engineering* [1967] 2 QB 729 at 835; that 'Every omission or mistake in practice or procedure is henceforward to be regarded as an irregularity which the court can and should rectify so long as it can do so without injustice'.

right to an extension of time which would defeat the purpose of the rules, which is to provide a timetable for the conduct of litigation'.<sup>28</sup>

**May the Defendant claim irregular and so ineffective proceedings?**

93 It was held that a party, such as the Defendant in the present proceedings, may not ignore defects in the proceedings in the hope that those defects will render the proceedings ineffective.<sup>29</sup> Notably in the present proceedings, the Defendant's solicitors appeared to have planned to surprise the Plaintiff.

**Admissible evidence in the trial of an interlocutory proceeding – which finally disposes of the rights of a party**

94 Lord Alverstone CJ, sitting in the Court of Appeal said: 'It seems to me that the real test for determining this question ought to be this: Does the judgement or order, as made, finally dispose of the rights of the parties? If it does, then I think it ought to be treated as a final order; but if it does not, it is then, in my opinion, an interlocutory order'.<sup>30</sup>

95 As an application to wholly strike out the Plaintiff's claims, SUM 2650 may not be an interlocutory proceeding.<sup>31</sup>

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<sup>28</sup> *Thamboo Ratnam v Thamboo Cumarasamy* [1965] 1 WLR 8 at 12.

<sup>29</sup> *Metroinvest Ansalt c Commercial Union* [1985] 1 WLR 513 and *The Melati* [2004] 4 SLR(R) 7.

<sup>30</sup> *Bozson v. Altrincham Urban District Council* [1903] 1 KB 547.

<sup>31</sup> *Lin Jianwei v Tung Yu-Lien Margaret and another* [2021] SGCA 67.

96 What evidence exactly *was* adduced in the Affidavit by Goh? Substantially, I believe the answer is: the Plaintiff is contractually not entitled to damages. This is only true if there had been no illegality; or in other words, if the contract was outside any known jurisdiction. The rest of the content is mostly scandalous, irrelevant, or both.

97 Is evidence adduced in the Affidavit by Goh sufficient and to a degree of completeness to allow for Mr. Ang's 'proper and expeditious conduct of SUM 2650'?

**May the Defendant claim costs for SUM 2650?<sup>32</sup>**

98 In the absence of pleadings, and in the absence of any process prescribed by the Rules of Court where no pleadings are *allowed*: I wonder if the Defendant is allowed to claim costs at all? Is the claim for costs on SUM 2650 an error? Or was it an accessory device in the trial by ambush?

**Admission by the Defendant<sup>33</sup>**

99 Facts stated in the plaintiff's statement of the claim are taken to be admitted by the defendant.<sup>34</sup>

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<sup>32</sup> Civil Law Act (Chapter 43), 3. (c).

<sup>33</sup> Evidence Act (Chapter 97) 19 and 20.

<sup>34</sup> *Smith v Buchan* [1888] 58 LT 710; and *Young v Thomas* [1892] 2 Ch 134; cited in *Phonographic Performance Ltd v Maitra & Ors (Performing Right Society Ltd intervening)* [1998] 2 All ER 638.

100 It was ruled that allegations of fact are deemed to be admitted if not traversed. In the present proceedings, the Defendant is in default of pleadings.<sup>35</sup>

101 There is thus at the close of pleadings an implied joinder of issue on the pleading last served (see O 18 r 14(2)(a) of the Rules)

102 The Court of Appeal stated that ‘There is thus at the close of pleadings an implied joinder of issue on the pleading last served (see O 18 r 14(2)(a) of the Rules)’.<sup>36</sup> The absence of a defence (or defence and counterclaim) by the Defendant in the present proceedings may be deemed an admission to allegations made by the Plaintiff in his Statement of the Claim.

#### **Grounds for striking out the Affidavit by Goh<sup>37</sup>**

103 I objected to the Affidavit by Goh in my 1<sup>st</sup> Affidavit; at that time I was still under the impression that the Affidavit by Goh is some sort of pleading in some sort of originating process. I now understand that the Affidavit by Goh for SUM 2650 was filed *as if* an interlocutory proceedings but which was made to finally dispense with the right of the Plaintiff.

104 An interlocutory application under O. 18, r. 19 is not an interlocutory proceeding within the meaning of O. 41, r. 5(2) since, in the present proceedings, it

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<sup>35</sup> *Perwira Habib Bank (M) v Penerbitan ASA* [1998] 5 MLJ 297

<sup>36</sup> *Obegi Melissa v. Vestwin Trading Pte Ltd* [2008] 2 SLR(R) 540 at [13].

<sup>37</sup> Penal Code, Chapter 224, **199**, **200**, **202**, and **204A**

is an application which will determine the rights of the Plaintiff. As such, the Affidavit by Goh, which is untested, may not be used to support SUM 2650.<sup>38</sup>

105 It was held that an averment on affidavit which may cause documents to be withheld from a trial, and thus undermine the course of justice, is without merit.<sup>39</sup>

106 The grounds for an application under O. 18, r. 19 must be specified. In SUM 2650, the grounds are obfuscated and withheld.<sup>40</sup>

107 The Affidavit by Goh is inappropriate and unnecessary because it is irrelevant to SUM 2650 under O. 18, r. 19(1)(a) ‘and/or’ other Rules under O. 18, r. 19(1).<sup>41</sup> In addition to the fact that it was filed without pleadings by the Defendant.

108 No evidence is admitted when the only ground of an application under O. 18, r. 19 is that the pleading discloses no cause of action. In the present proceedings, it is not clear if evidence in the Affidavit by Goh was adduced for that purpose ‘and/or’ another.<sup>42</sup> O. 18, r. 19 may not be used where examination of documents

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<sup>38</sup> *HSBC Trustee (Singapore) Ltd v. Lucky Realty Co Pte Ltd* [2015] 3 SLR 885 at [93].

<sup>39</sup> *Wee Soon Kim Anthony v UBS AG* [2005] SGCA 3 at [21].

<sup>40</sup> *Williamson v London etc* [1879] 12 ChD 787 at 790; applied in *Dr Leela Ratos & Ors v Anothony Ratos s/o Domiongos Ratos & Ors* [1996] 3 MLJ 167.

<sup>41</sup> *A-G of Duchy of Lancaster v London and North Western Railway* [1892] 3 Ch 274.

<sup>42</sup> *Republic of Peru v. Peruvian Guano Co* [1887] 36 ChD 489 at 498; and *Noor Jahan bte Abdul Wahab v. Md Yusoff bin Amanshah & Anor* [1994] 1 MLJ 156.

and facts is required to establish if the plaintiff has a cause of action. It is not clear if SUM 2650 disputes facts in the Plaintiff's Statement of the Claim.<sup>43</sup>

109 Affidavit evidence is inadmissible where the only ground of an application under O. 18, r. 19 is that the action is unlikely to succeed. In the present proceedings, it is not clear if evidence in the Affidavit by Goh was adduced for that purpose 'and/or' another.<sup>44</sup>

110 The Defendant has deliberately ignored Rules of Court, and so any merit to the Affidavit by Goh might be scrutinised.<sup>45</sup>

111 An action in court made by a party to discredit another is an abuse of the process of court, such as the Affidavit by Goh supporting SUM 2650.<sup>46</sup>

112 The Affidavit by Goh is scandalous and irrelevant material which may be ordered to be taken off file.<sup>47</sup>

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<sup>43</sup> *Wenlock v. Moloney* [1965] 1 WLR 1238; [1965] 2 All ER 871, CA (Eng); and *Gabriel Peters & Partners (suing as a firm) v Wee Ching Jin & Ors* [1997] 3 SLR(R) 649.

<sup>44</sup> *Tan Eng Khiam v Ultra Realty Pte Ltd* [1991] 1 SLR (R) 844.

<sup>45</sup> In contrast, see *Awyong Shi Peng v Lim Siu Lay* [2007] 2 SLR (R) 225.

<sup>46</sup> *Lonrho v Fayed (No 2)* [1992] 1 WLR 1.

<sup>47</sup> *Rossage v Rossage* [1960] 1 WLR 249; [1960] 1 All ER 600; and *Wong Yit Shing v Sim Teow Gok & Co (sued as a firm)* [1994] 2 SLR (R) 713.

### **Trial by ambush<sup>48</sup>**

113 I believe a case of trial by ambush may be established beyond reasonable doubt. The Defendant inhibited the Plaintiff from recourse to the Rules of Court, until his action is struck out, by concealing the issues till the date of hearing. This was effected by SUM 2650, under O. 18, r. 19 but without pleading. In other words, SUM 2650 makes use of suspended pleading(s) in O. 18, r. 22, for unspecified reasons borrowed from O. 18, r. 19. At the same time, strict instructions in O. 18, r. 22 to clearly and promptly state the issues were ignored by the Defendant.<sup>49</sup>

### **Did the Plaintiff in any way waive his right to file and serve an application and request for judgment on default of pleadings?<sup>50</sup>**

114 I did not and do not waive that right. I objected to SUM 2650 promptly, if in the wrong form, though I have reason to believe it may be deemed appropriate: Letters or documents stating matters for consideration may be submitted by parties after court orders to define the issues between parties in a trial without (further) pleadings, O. 18, r. 22.<sup>51</sup> As such, the Plaintiff did submit such a communication in response to the Defendants' application, SUM 2650, though even without an order, and even though the Defendant's solicitors should have made an application under

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<sup>48</sup> Administration of Justice (Protection) Act 2016 (No. 19 of 2016), 4. (1) (a) (b).

<sup>49</sup> As mentioned elsewhere, I *did* make a 'return' statement to the Defendant's erratic O. 18, r. 19-22 chimera. Twice. I clarified as best as I could any 'issues' which may have been in question, and reiterate that I now believe there were none. In any case, the Defendant did not respond.

<sup>50</sup> Interpretation Act (Chapter 1), 41A(1).

<sup>51</sup> *Buchanan & Co v London & Provincial Marine Insurance Co* [1985] 65 LJ QB 92.

O. 18, r. 22 to begin with, if admission under O. 18, r. 19 posed as an issue. The Defendant did not answer back or in any way clarify his position. And in further support of the same, further pleadings may be dispensed with by a letter from the plaintiff to the defendant stating the points to be tried.<sup>52</sup> I do not think that was necessary, it was a response to the application made by the Defendant, SUM 2650, in an abuse of Court process. I believe the points to be tried were apparent in my Statement of the Claim. Nevertheless, Mr. Ang was very quick and definitive in calling the documents I had submitted (Defence and Memorandum of Appearance to Counterclaim) a ‘nullity’. I wonder why Mr. Ang did so, should reasons beyond the Rules of Court be required.<sup>53</sup>

115 The erratic nature of the application by the Defendant’s solicitors to strike out the Plaintiff’s claim without any pleadings by the Defendant cannot be waived by the Plaintiff.<sup>54</sup>

116 An interlocutory application for judgement on default of defence may be referred to a registrar to assess the amount the plaintiff is entitled to.<sup>55</sup>

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<sup>52</sup> ‘Proceedings’ for the purposes of O. 2, r. 1 include informal court applications. See *Re Pritchard (dec’d)*, *Pritchard v Deacon* [1963] Ch 502; [1963] 2 WLR 685; [1963] 1 All ER 873.

<sup>53</sup> The Defendant declared a Court submission by the Plaintiff a ‘nullity’ which cannot be tested against the threefold classification by Danckwerts LJ and Upjohn LJ.

<sup>54</sup> *Wee Soon Kim Anthony v UBS Ag & Ors* [2005] SGCA 3.

<sup>55</sup> *Charles v Shepherd* [1892] 2 QB 622; and *Real Marble Works Sdn Bhd v The Khoon Chuan Trading Sdn Bhd* [1999] 6 MLJ 140.

117 Submissions filed by the Plaintiff prior to the Plaintiff's application and for judgement for default of pleadings by the Defendant are not a waiver because in these submissions the Plaintiff objected to the injustice of the Defendant's application to strike out while holding a defence (or defence and counterclaim) 'in abeyance'.<sup>56</sup>

118 It was held that a default of pleadings by the defendant regardless of other actions, such as holding 'in abeyance' in SUM 2650, may be irregular, and similarly an application for judgement on default of pleadings, such as SUM 3000, may be regular.<sup>57</sup>

119 A default judgement is good and enforceable unless and until an application to set aside is made by the defendant, keeping in mind that in the present suit, the Defendant is holding defence (or defence and counterclaim) 'in abeyance' but under O. 18, r. 19.<sup>58</sup>

120 Neither the summons nor the Affidavit by Goh stated the grounds for the Defendant's objection to my Statement of the Claim. The High Court held that absence of a statement of the grounds of objection is 'not a mere irregularity...'. This is explained by that O. 19, r. 9 gives the court a discretion not only to set aside

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<sup>56</sup> *Rein v Stein* [1982] 66 L T 469 per Cave J at 471.

<sup>57</sup> *Muhammad Yusoff Shah bin Khmamarudin v Muhammad Taufiq Abdul Halim* [2021] SGHCR 3 at [60]-[69].

<sup>58</sup> *Isaacs v Robertson* [1984] 3 All ER 140; [1985] AC 97; [1984] 3 WLR 705; approved in *Pembinaan KSY Sdn Bhd v Lian Seng Properties Sdn Bhd* [1991] 1 MLJ 100.

the judgement but also to vary it, and so the circumstances concerning the objection ought to be before the court.<sup>59</sup>

121 The Plaintiff's first response to the irregular application by the Defendant was made in honesty as well as confusion, does no injustice to the Defendant, and included prayers for a just determination of the substantive issue, namely, apparently illegal activity at NTU.<sup>60</sup>

122 Bowen LJ thought it 'a well established principle that the object of the courts is to decide the rights of the parties, and not to punish them for mistakes they make in the conduct of their cases by deciding otherwise than in accordance with their rights'.<sup>61</sup>

123 The Plaintiff prays not to be punished for not immediately recognising that the Defendant is in default of pleadings.

#### **Other significant issues which may be related to the hearing 14 July**

124 As mentioned above, I do not know what the issues are because the Defendant is in default of pleadings, but in an abuse of the process of Court, simultaneously appeared to prohibit me from moving forward with a fair trial. Is my task to defend my right to judgement on default, given by O. 19 of the Rules of

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<sup>59</sup> *Zulkifli Baharudin v Koh Lam Son* [1992] 2 SLR(R) 369 at [10]-[11].

<sup>60</sup> *Ismail v Tan Sri Haji Osman Saat* [1982] 2 MLJ 133; and *Shamugam v Pappah* [1994] 1 MLJ 144.

<sup>61</sup> *Cropper v Smith* [1884] 26 Ch D 700 and 710

Court? In anticipation of further embarrassment by the Defendant, may it please the Court, I have done so.

125 Bates had instructed me to show evidence of RM's misconduct *in publications*. In other words, Bates' denied his responsibility, obligation, and chose not use the power granted to him by NTU policy, to investigate practical procedures and laboratory records.

126 Interestingly, this narrow view of what constitutes research misconduct, notably from a 'Research Integrity Officer', is *exactly* the view held by NTU President and CEO, Subra Suresh, and which he expressed frequently, insistently, and unequivocally in multiple publications and fora.

127 Ms. Chong seemed to have argued during that one meeting we had, and in which she threatened me with retaliation, that there was nothing illegal nor particularly unethical about killing dozens of animals for no scientific reason and without anaesthesia. In the letter I sent to NTU Leadership after that meeting, on her request, I explained why it is illegal under Singapore law to kill animals for no scientific reasons and using inhumane methods. I also appealed to my addressees to consider the impact on the worker for carrying out such orders under duress.

128 After termination, NTU consistently argued that 'there is nothing wrong with our actions'. I may present evidence (in trial, not in an application pretending to be a trial) of actions taken by NTU staff: these actions are not in line with Singapore legislature, and are defined in the Penal Code.

129 My concern is a civil matter, and I humbly pray for damages to be assessed.

130 But since I do not know what issues will be brought up in the hearing, I believe I need to briefly address the central issue of HC/S 413/2031 which is illegality. Again, due to the unknown, amorphous, or obfuscated nature of issues in dispute or absence thereof imposed by the Defendant, the coherent structure prescribed by the Practice Directions may not be implemented.

131 In the paragraphs below, I summarise salient illegal actions taken against me by NTU.

132 In the Affidavit by Goh, false and harmful allegations against me are made, without the possibility of an evidence to support those allegations. Notably, Mr. Goh accuses me that I somehow dared to accuse ‘various branches of the Singapore government’ of conspiracy. I refused to engage in such provocative, insulting, and distractive arguments, and hope to sustain that position.

133 I note that the letter I received in my place of residence, after I invited Investigating Officer Si Kang Bee Yan and two of her superiors to visit me, was written in consultation with the Attorney General. Since the Attorney General is informed, the allegations made against me in the Affidavit by Goh are inconsequential.

134 May it please the Court, should the Court wish I present evidence of apparently illegal or highly unethical activity by NTU staff against the students of Singapore and the taxpayers of Singapore, I am always at the disposal of anyone serving Singapore.

## REVISITING THE ISSUES

135 I believe my position was and is clear: I should not have been ordered to engage in illegal and unethical activity at NTU, forced to make an official report, humiliated, apparently conspired against, then summarily dismissed. I should not have been threatened with prosecution on termination and after termination, for doing my duty, and made to suffer extortion and further deceit.

136 I believe the Defendant's position is that there is no issue.

137 To the best of my knowledge, the Court procedure the Defendant chose is to 'hold Defence in abeyance' under O. 18, r. 19 and in the absence of, for example, a provision in the Limitation Act; indeed, in the absence of any reason which was disclosed to the Plaintiff. Indeed, any reason was declared in the supporting Affidavit by Goh to be withheld. To the best of my knowledge, such a procedure is not recognised by Singapore legal references, and is perhaps unprecedented. What the references say, in no uncertain terms, is that such a procedure is a trial by ambush. In the present proceedings, I believe it is not possible to effect such a procedure without an assumption that the inherent powers of Court will be invoked in the Defendant's favour. Setting these procedural concerns aside for a moment: what could be considered substantial in the Affidavit by Goh?

138 With an ‘even if’ disclaimer to illegality (because there are no pleadings) the Defendant argued that the four corners of employment contract and damages implied therein is all that matters, if anything at all. This is also false.<sup>62</sup>

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<sup>62</sup> Misrepresentation Act, (Chapter), 390, **2(1)** and **3**; and Unfair Contract Terms Act, Chapter 396, **1(1)** and **(4)**, **2(1)**, **(2)**, and **(3)**, **9(1)** and **(2)**, **11(1)** and **(5)**, **13(1)(a)**, **(b)**, and **(c)**, and **29**.

## **ILLEGALITY**

### **ANIMALS AND BIRDS ACT (CHAPTER 7, SECTION 80)**

### **ANIMALS AND BIRDS (CARE AND USE OF ANIMALS FOR SCIENTIFIC PURPOSES) RULES**

#15 – #19, pages 63 - 66

#### **Illegality of animal experiments and regulation thereof at NTU**

139 In my Statement of the Claim, I referred to guidelines and policies regulating animal research activity in Singapore and NTU. It is not immediately necessary to refer to those at present. The nature of the illegal work I was ordered to engage in is specifically and comprehensively covered by the legislation cited. In addition, please consider Penal Code (Chapter 224), **428**.

140 NTU Institutional Animal Care and Use Committee had a duty of care to prevent senseless and inhumane killing of animals at NTU Animal Research Facility, and to investigate my report on non-compliance by RM.

141 To grasp the nature of the falsification of the official document I was working under requires no more than some general knowledge, for example, that a genetically modified mouse is different from one that is not, or for example, which euthanasia methods are not associated with the highest measurable levels of pain and distress.

142 In addition, legislation provides that specific persons at NTU are responsible for the legal conduct of experimental work, the outcome of such work, and other matters such as training. For example, RM's lack of qualification and training to engage in animal surgery and failure to produce evidence where it is required to do so.

### **WORKPLACE SAFETY AND HEALTH ACT**

#### **(CHAPTER 354A)**

#20 – 23, pages 67 - 68

**and**

### **BIOLOGICAL AGENTS AND TOXINS ACT**

#### **(CHAPTER 24A)**

#24 – #26, pages 69 - 70

#### **Exposure to harmful and potentially infectious in the course of work**

143 RM demanded experimental techniques which are not only inhumane, but also often outdated, laborious, and simply put, messy. She withheld all information from me: it was to be “None of your concern.”

144 The genetically modified mouse I worked with was paradoxically approved by NTU Institutional Animal Care and Use Committee that it is not a genetically mouse. This mouse carries a protein with prion-like activity. Prions are agents of diseases like mad cow disease or Creutzfeldt–Jakob disease.

145 Additional precautionary measures are necessary in experiments. These are simple, cheap, with readily available apparatus, and very practicable. RM withheld information from me. I deduced the risk and implemented safety procedures to the best of my ability, did not inform RM, and reported to Lars Nordenskiöld as soon as I could. The Research Assistant, Shruti Suresh, was unaware of risk involved working with this mouse model. I did my best to persuade her of the need to be fully informed and adequately supervised.

## **COMPUTER MISUSE ACT**

### **(CHAPTER 50A)**

#27 - #28, pages 71 - 72

146 The device assigned to me and my NTU intranet access were blocked.

147 By blocking my access to the laboratory common folder, I could not access data to continue my work duties. I believe that was not the primary purpose. I had only looked at what concerns my immediate work, and this information is available from the data log. I believe the primary purpose was to prevent my access to material which, in line with my standard of ethics, I had *not* looked at. Perhaps other material may have been equally indicative of illegal and unethical activity.

148 I later found out that NTU maintained my email functional, long after my contract had been terminated. With access to my account, information sent to me was accessible but not to me, and information sent from my account would not have been from me. In other words, personal information may have been abused, and I

may have been impersonated. It was argued that the account is NTU property. I disagree.

149 In any case, NTU actions in this regard is in breach of the Computer Misuse Act.

## **PROTECTION FROM HARASSMENT ACT**

### **(CHAPTER 256A)**

#32 – 34, pages 75 - 76

150 I was and am being harassed by NTU and by person(s) alleging to work for NTU. NTU staff and their solicitors have behaved towards me and use words directed against me that were threatening, abusive, and insulting.

151 I was warned by NTU staff in several contexts but which did not apply to my circumstances and were apparently illegal. These communications were meant to or caused me to perceive harassment, alarm, and distress.

152 First NTU and later their solicitors sent me insulting, abusive, and threatening Letters of Demand threatening me for doing my duty to Singapore and the international academic community. These threats, which were expressed in *very* certain terms (page xx) were never followed up on; the intent of those Letters was to cause fear in me.

153 NTU and their solicitors have threatened me with prosecution on several occasions causing me alarm and distress. Inconsistent, false, and self-contradictory

communications were made to me, with urgency, and which caused me alarm and distress. I was insulted, deceived, and threatened, *against the law*, to be made to suffer financial damage, in addition to all the harm that has come to me from the Defendant and the Defendant's solicitors.

**PENAL CODE**  
**(CHAPTER 224)**

#43 - #61, pages 81 - 88

154 RM's withholding any and all information from me to meet my duties and obligations *at all*, let alone competently and safely, is illegal. It is illegal under the Animals and Birds Act and other legislation governing such research activity mentioned above (please note again that I am not referring to any Singapore legally enforced guideline or NTU policy regulating further and specific breach by NTU staff).

155 Information which was withheld from me, and the farcical investigation at NTU in to illegal animal experiments and research misconduct *should not have happened to me* because other entities were meant to safeguard that interest.<sup>63</sup> One is Animal & Veterinary Services, I believe others also have a responsibility.

156 Critically, the official document regulating the research I was working under *should* have been a matter of scrutiny for Animal & Veterinary Services.

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<sup>63</sup> It strikes me that it does not do really to call any NTU investigation into misconduct or bullying farcical, because a few derogatory lines do not appear to even try to be farcical.

Therefore, the fact that that document contains biological material not applicable for a known scientific purpose, is a violation of the rights of persons and entities required, obliged, or entitled to receive that document.

157 Falsities in the official document I was meant to work under are by no means limited to physiology, as I mention in my Statement of the Claim. Falsities include training-related information. Financial information in that document cannot be internally consistent, nor can it be reasonably justified given published by RM.

## LEGISLATION

#	<b>INTERPRETATION ACT</b> <b>(CHAPTER 1)</b>
<b>1</b>	<p><b>Acts done under subsidiary legislation to be deemed to be done under Act</b></p> <p><b>26.</b> An act shall be deemed to be done under any Act or by virtue of the powers conferred by any Act or in pursuance or execution of the powers of, or under the authority of any Act, if it is done under, or by virtue of, or in pursuance of, subsidiary legislation made under any power contained in the Act.</p>
<b>2</b>	<p><b>Reference to Act to include subsidiary legislation</b></p> <p><b>26A.</b> Unless the contrary intention appears, a reference in any written law to an Act is to be construed so as to include a reference to any subsidiary legislation made under that Act.</p>
<b>3</b>	<p><b>Process for making applications to Court in civil proceedings</b></p> <p><b>41A.</b> (1) Where any written law which provides for an application in any civil proceedings to be made to a Court</p> <p><i>(a)</i> does not prescribe the process by which the application is to be made; or</p> <p><i>(b)</i> prescribes that the application is to be made by way of a petition, a motion, an originating motion or a summons in chambers,</p>

that written law shall, in relation to any such application that is made thereunder on or after 1st January 2006, be deemed to require that the application shall be made

(ii) by way of a summons, if it is made in proceedings that are pending.

(2) Where pursuant to subsection (1) an application is made to a Court under any written law by way of an originating summons or a summons

(a) the application shall be made in accordance with the Rules of Court;

(b) the Court may give to the parties to the application such directions as the Court thinks just and expedient for the purpose of facilitating the progress of the application as an application made by originating summons or summons, as the case may be; and

(c) any provision in that written law which relates to the practice and procedure for making such an application and which is inconsistent with this section or with the Rules of Court shall, to the extent of the inconsistency, have no effect in relation to that application.

(4) Nothing in this section shall prevent any relief obtainable by way of an application to a Court under any written law from being included as one of the reliefs sought in a writ of summons by which an action is commenced before the Court.

#	<b>EVIDENCE ACT (CHAPTER 97)</b>
<b>4</b>	<p><b>Burden of proving fact to be proved to make evidence admissible</b></p> <p><b>106.</b> The burden of proving any fact necessary to be proved in order to enable any person to give evidence of any other fact is on the person who wishes to give such evidence.</p>
<b>5</b>	<p><b>Admissions by persons whose position must be proved as against party to suit</b></p> <p><b>19.</b> Statements made by persons whose position or liability it is necessary to prove as against any party to the suit are admissions if the statements would be relevant as against the persons in relation to the position or liability in a suit brought by or against them, and if they are made whilst the person making them occupies the position or is subject to the liability.</p>
<b>6</b>	<p><b>Admissions by persons expressly referred to by party to suit</b></p> <p><b>20.</b> Statements made by persons to whom a party to the suit has expressly referred for information in reference to a matter in dispute are admissions.</p>
<b>7</b>	<p><b>Existence of course of business when relevant</b></p>

	<p><b>16.</b> When there is a question whether a particular act was done, the existence of any course of business, according to which it naturally would have been done, is a relevant fact.</p>
<p><b>8</b></p>	<p><b>Things said or done by conspirator in reference to common design</b></p> <p><b>10.</b> Where there is reasonable ground to believe that 2 or more persons have conspired together to commit an offence or an actionable wrong, anything said, done or written by any one of such persons, in reference to their common intention after the time when such intention was first entertained by any one of them, is a relevant fact as against each of the persons believed to be so conspiring, as well for the purpose of proving the existence of the conspiracy as for the purpose of showing that any such person was a party to it.</p>
<p><b>9</b></p>	<p><b>Facts necessary to explain or introduce relevant facts</b></p> <p><b>9.</b> Facts necessary to explain or introduce a fact in issue or relevant fact, or which support or rebut an inference suggested by a fact in issue or relevant fact, or which establish the identity of any thing or person whose identity is relevant, or fix the time or place at which any fact in issue or relevant fact happened or which show the relation of parties by whom any such fact was transacted, are relevant in so far as they are necessary for that purpose.</p>

#	<p style="text-align: center;"><b>SUPREME COURT OF JUDICATURE ACT</b></p> <p style="text-align: center;"><b>(CHAPTER 322, SECTION 80)</b></p> <p style="text-align: center;"><b>RULES OF COURT</b></p>
<b>10</b>	<p style="text-align: center;"><b>ORDER 2</b></p> <p style="text-align: center;"><b>EFFECT OF NON-COMPLIANCE</b></p> <p><b>Non-compliance with Rules (O. 2, r. 1)</b></p> <p>1. (1) Where, in beginning or purporting to begin any proceedings or at any stage in the course of or in connection with any proceedings, there has, by reason of anything done or left undone, been a failure to comply with the requirements of these Rules, whether in respect of time, place, manner, form or content or in any other respect, the failure shall be treated as an irregularity and shall not nullify the proceedings, any step taken in the proceedings, or any document, judgment or order therein.</p>
<b>11</b>	<p style="text-align: center;"><b>ORDER 3</b></p> <p style="text-align: center;"><b>TIME</b></p> <p><b>Extension, etc., of time (O. 3, r. 4)</b></p> <p>2. (1) Any period of time fixed by these Rules or by any judgment, order or direction for doing any act shall be reckoned in accordance with this Rule.</p> <p style="padding-left: 40px;">(3) Where the act is required to be done within or not less than a specified period before a specified date, the period ends immediately</p> <p style="text-align: center;">before that date.</p>

**ORDER 18**

**PLEADINGS**

**Service of defence (O. 18, r. 2)**

2.—(1) A defendant who enters an appearance in, and intends to defend, an action must, unless the Court gives leave to the contrary, serve a defence on the plaintiff before the expiration of 14 days after the time limited for appearing or after the statement of claim is served on him, whichever is the later.

**Admissions and denials (O. 18, r. 13)**

12    **13.** (1) Subject to paragraph (4), any allegation of fact made by a party in his pleading is deemed to be admitted by the opposite party unless it is traversed by that party in his pleading or a joinder of issue under Rule 14 operates as a denial of it.

**Striking out pleadings and endorsements (O. 18, r. 19)**

**19.** (1) The Court may at any stage of the proceedings order to be struck out or amended any pleading or the endorsement of any writ in the action, or anything in any pleading or in the endorsement, on the ground that —

(a) it discloses no reasonable cause of action or defence, as the case may be;

(b) it is scandalous, frivolous or vexatious;

(c) it may prejudice, embarrass or delay the fair trial of the action; or

*(d)* it is otherwise an abuse of the process of the Court, and may order the action to be stayed or dismissed or judgment to be entered accordingly, as the case may be.

(2) No evidence shall be admissible on an application under paragraph (1)(a).

(3) This Rule shall, as far as applicable, apply to an originating summons as if it were a pleading.

**Close of pleadings (O. 18, r. 20)**

**20.** (1) The pleadings in an action are deemed to be closed —

*(a)* at the expiration of 14 days after service of the reply or, if there is no reply but only a defence to counterclaim, after service of the defence to counterclaim; or

*(b)* if neither a reply nor a defence to counterclaim is served, at the expiration of 14 days after service of the defence.

(2) The pleadings in an action are deemed to be closed at the time provided by paragraph (1) notwithstanding that any request or order for particulars has been made but has not been complied with at that time.

**Trial without pleadings (O. 18, r. 22)**

**22.** (1) Where in an action to which this Rule applies any defendant has entered an appearance in the action, the plaintiff or that defendant may apply to the Court by summons for an order that the action shall be tried without pleadings or further pleadings, as the case may be.

	<p>(2) If, on the hearing of an application under this Rule, the Court is satisfied that the issues in dispute between the parties can be defined without pleadings or further pleadings, or that for any other reason the action can properly be tried without pleadings or further pleadings, as the case may be, the Court shall order the action to be so tried, and may direct the parties to prepare a statement of the issues in dispute or, if the parties are unable to agree to such a statement, may settle the statement itself.</p> <p>(3) Where the Court makes an order under paragraph (2) or where it dismisses an application for such an order, it may give such directions as to the further conduct of the action as may be appropriate, and Order 25, Rules 2 to 7 shall, with the omission of so much of Rule 7(1) of that Order as requires parties to serve a notice specifying the orders and directions which they desire and with any other necessary modifications, apply as if the application under this Rule were a summons for directions.</p>
13	<p style="text-align: center;"><b>ORDER 19</b></p> <p style="text-align: center;"><b>DEFAULT OF PLEADINGS</b></p> <p><b>Default of defence: Other claims (O. 19, r. 7)</b></p> <p>7. (1) Where the plaintiff makes against a defendant or defendants a claim of a description not mentioned in Rules 2 to 5, then, if the defendant or all the defendants (where there is more than one) fails or</p>

	<p>fail to serve a defence on the plaintiff, the plaintiff may, after the expiration of the period fixed under these Rules for service of the defence, apply to the Court for judgment, and on the hearing of the application the Court shall give such judgment as the plaintiff appears entitled to on his statement of claim.</p> <p>(3) An application under paragraph (1) must be by summons.</p> <p><b>Entry of judgment (O. 19, r. 8A)</b></p> <p><b>8A.</b> Judgment shall not be entered against a defendant under this Order unless a request to enter judgment in Form 79A is filed with the judgment in Form 79.</p> <p><b>Relevance</b></p> <p>The Defendant failed to serve a defence on the plaintiff and rejected the Plaintiff's claim for reinstatement of employment. The Plaintiff applied by summons for judgement on the his claim for assessment of damages, with a request to enter judgement in Form 79A.</p>
14	<p style="text-align: center;"><b>ORDER 92</b></p> <p style="text-align: center;"><b>MISCELLANEOUS</b></p> <p><b>Compliance with Court Practice Directions (O. 92, r. 2A)</b></p> <p><b>2A.</b> Every document must comply with such requirements and contain such information and particulars of parties or other persons as may be laid down by or specified in any practice directions for the time being issued by the Registrar.</p>

#	<p><b>ANIMALS AND BIRDS ACT</b></p> <p><b>(CHAPTER 7, SECTION 80)</b></p> <p><b>ANIMALS AND BIRDS (CARE AND USE OF ANIMALS FOR SCIENTIFIC PURPOSES) RULES</b></p>
15	<p><b>Functions and duties of institutional animal care and use committee</b></p> <p><b>8.</b> (1) With respect to activities involving animals in the research facility of a licensee, the functions and duties of the institutional animal care and use committee appointed by the licensee under rule 7 shall be as follows:</p> <p><i>(d)</i> to review and investigate any concern, complaint or report of non-compliance with any guideline involving the care and use of any animal at the research facility;</p> <p><i>(g)</i> to withdraw approval for or suspend any project involving any animal if that project is not being conducted in accordance with the guidelines or with the description thereof provided by the investigator and approved by the committee;</p> <p><i>(h)</i> to authorise the treatment or humane killing of any animal for any scientific purpose;</p> <p><i>(l)</i> to perform all duties as required under the guidelines.</p>

16	<p><b>Attending veterinarian and adequate veterinary care</b></p> <p>11. (3) Every licensee shall, in respect of the animals in the research facility of the licensee, establish and maintain programmes of adequate veterinary care that are overseen by the attending veterinarian and that relate to —</p> <p>(e) the provision of guidance for investigators and other personnel on the handling of the animals, immobilisation, tranquilisation, anaesthesia, analgesia and euthanasia; and</p>
17	<p><b>Approval by institutional animal care and use committee of use of animal for scientific purpose</b></p> <p>10. (2) An institutional animal care and use committee shall not grant its approval for a proposed project or for any significant change to an ongoing project unless the committee is satisfied, upon conducting a review of the components of the project, that the care and use of the animal will comply with the following requirements:</p> <p>(a) any procedure involving the animal will be carried out in a manner that will avoid or minimise discomfort, pain or distress caused to the animal;</p> <p>(c) the investigator has provided written assurance that the project does not unnecessarily duplicate previous experiments;</p> <p>(d) the investigator has provided a justification for the endpoints of the experiments to be carried out in the project;</p>

	<p><i>(f)</i> any procedure that may cause more than momentary or slight pain or distress to the animal —</p> <p><i>(i)</i> will be carried out in consultation with the attending veterinarian;</p> <p><i>(ii)</i> will not include the use of paralytics without anaesthesia; and</p> <p><i>(iii)</i> will be performed with appropriate sedatives, anaesthetics or analgesics, unless the withholding of such agents is justified for scientific reasons by the investigator in writing and will be continued for only the necessary period of time;</p> <p><i>(h)</i> the personnel who will conduct procedures on the animal are appropriately qualified and trained in such procedures and any trainee involved in the conduct of such procedures will be under appropriate supervision;</p> <p><i>(j)</i> the animal will not be used in more than one experiment, unless the subsequent experiment is justified for scientific reasons by the investigator in writing and such repeated use of the animal complies with the guidelines; and</p> <p><i>(k)</i> the attending veterinarian is consulted on the use of appropriate euthanasia on the animal.</p>
18	<p><b>Qualifications of personnel</b></p> <p><b>12.</b> (1) Every licensee shall ensure that every investigator, member of an institutional animal care and use committee and all personnel involved in the care, treatment and use of animals in the research facility</p>

	<p>of the licensee for scientific purposes are suitably qualified, trained and instructed to perform their duties.</p> <p>(2) Every licensee shall, with sufficient frequency —</p> <p>(a) provide the personnel involved in the care, treatment and use of animals with relevant training and instruction; and</p> <p>(b) review the qualifications of such personnel.</p>
19	<p><b>Guidelines and directives</b></p> <p>(3) Without prejudice to the generality of paragraphs (1) and (2), the guidelines and directives issued or adopted by the Director- General thereunder may provide for the following matters in respect of any research facility and the transportation of animals to and from such research facility:</p> <p>(g) the practices in experimental procedures to minimise pain or distress caused to animals;</p> <p>(k) the appropriate methods of euthanasia and the disposal of animals;</p> <p>(l) the qualifications, training and skills of personnel in the research facility;</p> <p>(o) the responsibilities of licensees, investigators, institutional animal care and use committees and personnel in the research facility.</p>

#	<b>WORKPLACE SAFETY AND HEALTH ACT (CHAPTER 354A)</b>
<b>20</b>	<p><b>Duties of employers</b></p> <p><b>12.</b> (1) It shall be the duty of every employer to take, so far as is reasonably practicable, such measures as are necessary to ensure the safety and health of his employees at work.</p> <p>(3) (b) ensuring that adequate safety measures are taken in respect of any machinery, equipment, plant, article or process used by those persons;</p> <p>(c) ensuring that those persons are not exposed to hazards arising out of the arrangement, disposal, manipulation, organisation, processing, storage, transport, working or use of things (i) in their workplace;</p> <p>(e) ensuring that those persons at work have adequate instruction, information, training and supervision as is necessary for them to perform their work.</p>
<b>21</b>	<p><b>Duties of persons at work</b></p> <p><b>15.</b> (1) It shall be the duty of every person at work</p> <p>(a) to use in such manner so as to provide the protection intended, any suitable appliance, protective clothing, convenience, equipment or other means or thing provided (whether for his use alone or for use by him in common with others) for securing his safety, health and welfare while at work; and</p>

	<p><i>(b)</i> to co-operate with his employer or principal and any other person to such extent as will enable his employer, principal or the other person, as the case may be, to comply with the provisions of this Act.</p> <p>(3) Any person at work who, without reasonable cause, wilfully or recklessly does any act which endangers the safety or health of himself or others shall be guilty of an offence.</p>
22	<p><b>Other related duties of occupiers and employers</b></p> <p><b>18.</b> (2) An employer shall not dismiss or threaten to dismiss an employee because the employee —</p> <p><i>(a)</i> has assisted (whether by the giving of information or otherwise) an inspector, authorised person or any other public authority in the conduct of any inspection or investigation under this Act for a breach or an alleged breach of this Act, or proposes to do so;</p> <p><i>(b)</i> has in good faith sought the assistance of, or made a report to an inspector or authorised person in relation to a safety and health matter, or proposes to do so;</p> <p><i>(c)</i> is performing his duties in good faith as a member of a workplace safety and health committee;</p>
23	<p><b>Workplace safety and health committees</b></p> <p><b>29.</b> (3) The functions of a workplace safety and health committee appointed in respect of a workplace shall be —</p>

	<p>(a) to keep under review circumstances in the workplace which affect or may affect the safety or health of persons in the workplace;</p> <p>(b) to promote co-operation between management and employees in achieving and maintaining safe and healthy working conditions;</p>
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<b>BIOLOGICAL AGENTS AND TOXINS ACT</b> <b>(CHAPTER 24A)</b>	
<b>24</b>	<p><b>Interpretation</b></p> <p>2. In this Act, unless the context otherwise require</p> <p>“biological agent” means</p> <p>(b) any infectious substance (including any prion);</p> <p>FOURTH SCHEDULE, FOURTH SCHEDULE BIOLOGICAL AGENTS</p> <p>Any biological agent that causes death, disease or biological malfunction in a human, other than a First Schedule biological agent or a Second Schedule biological agent.</p>
<b>25</b>	<p><b>Prohibition against transportation by certain means</b></p> <p>26. (1) No person shall transport or procure the transportation of any Fourth Schedule biological agent within Singapore by mail or public transportation.</p>
<b>26</b>	<p><b>Offences by bodies corporate, etc.</b></p>

**56.** (1) Where an offence under this Act committed by a body corporate is proved

(a) to have been committed with the consent or connivance of an officer; or

(b) to be attributable to any neglect on his part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

#	<b>COMPUTER MISUSE ACT (CHAPTER 50A)</b>
<b>27</b>	<p><b>Interpretation</b></p> <p><b>2.</b> (1) In this Act, unless the context otherwise requires</p> <p>(7) For the purposes of this Act, a modification of the contents of any computer takes place if, by the operation of any function of the computer concerned or any other computer —</p> <p>(a) any program or data held in the computer concerned is altered or erased;</p> <p>(b) any program or data is added to its contents; or</p> <p>(c) any act occurs which impairs the normal operation of any computer,</p> <p>and any act which contributes towards causing such a modification shall be regarded as causing it.</p> <p>(8) Any modification referred to in subsection (7) is unauthorised if</p> <p>(a) the person whose act causes it is not himself entitled to determine whether the modification should be made; and</p> <p>(b) he does not have consent to the modification from any person who is so entitled.</p>
<b>28</b>	<p><b>Access with intent to commit or facilitate commission of offence</b></p> <p><b>4.</b> (1) Any person who causes a computer to perform any function for the purpose of securing access to any program or data held in any</p>

	<p>computer with intent to commit an offence to which this section applies shall be guilty of an offence.</p> <p>(2) This section shall apply to an offence involving property, fraud, dishonesty or which causes bodily harm and which is punishable on conviction with imprisonment for a term of not less than 2 years.</p> <p>(4) For the purposes of this section, it is immaterial whether</p> <p>(a) the access referred to in subsection (1) is authorised or unauthorised;</p> <p>(b) the offence to which this section applies is committed at the same time when the access is secured or at any other time.</p>
29	<p><b>Unauthorised obstruction of use of computer</b></p> <p>7. (1) Any person who, knowingly and without authority or lawful excuse</p> <p>(a) interferes with, or interrupts or obstructs the lawful use of, a computer; or</p> <p>(b) impedes or prevents access to, or impairs the usefulness or effectiveness of, any program or data stored in a computer,</p> <p>shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 5 years or to both.</p>

<p style="text-align: center;"><b>30</b></p>	<p><b>Supplying, etc., personal information obtained in contravention of certain provisions</b></p> <p><b>8A.</b> (1) A person shall be guilty of an offence if the person, knowing or having reason to believe that any personal information about another person (being an individual) was obtained by an act done in contravention of section 3, 4, 5 or 6 —</p> <p>(a) obtains or retains the personal information; or</p> <p>(b) supplies, offers to supply, transmits or makes available, by any means the personal information.</p> <p>(6) For the purpose of proving under subsection (1) that a person knows or has reason to believe that any personal information was obtained by an act done in contravention of section 3, 4, 5 or 6, it is not necessary for the prosecution to prove the particulars of the contravention, such as who carried out the contravention and when it took place.</p>
<p style="text-align: center;"><b>31</b></p>	<p><b>Obtaining, etc., items for use in certain offences</b></p> <p><b>8B.</b> (1) A person shall be guilty of an offence if the person</p> <p>(a) obtains or retains any item to which this section applies</p> <p>(i) intending to use it to commit, or facilitate the commission of, an offence under section 3, 4, 5, 6 or 7; or</p> <p>(ii) with a view to it being supplied or made available, by any means for use in committing, or in facilitating the commission of, any of those offences; or</p>

	<p><i>(b)</i> makes, supplies, offers to supply or makes available, by any means any item to which this section applies, intending it to be used to commit, or facilitate the commission of, an offence under section 3, 4, 5, 6 or 7.</p> <p>(2) This section applies to the following items:</p> <p><i>(a)</i> any device, including a computer program, that is designed or adapted primarily, or is capable of being used, for the purpose of committing an offence under section 3, 4, 5, 6 or 7;</p> <p><i>(b)</i> a password, an access code, or similar data by which the whole or any part of a computer is capable of being accessed.</p>
32	<p><b>Abetments and attempts punishable as offences</b></p> <p><b>10.</b> (1) Any person who abets the commission of or who attempts to commit or does any act preparatory to or in furtherance of the commission of any offence under this Act shall be guilty of that offence and shall be liable on conviction to the punishment provided for the offence.</p> <p>(2) For an offence to be committed under this section, it is immaterial where the act in question took place.</p>

#	<b>PROTECTION FROM HARASSMENT ACT (CHAPTER 256A)</b>
<b>32</b>	<p><b>Intentionally causing harassment, alarm or distress</b></p> <p><b>3.</b> (1) An individual or entity must not, with intent to cause harassment, alarm or distress to another person (called in this section the target person), by any means</p> <p>(a) use any threatening, abusive or insulting words or behaviour;</p> <p>(b) make any threatening, abusive or insulting communication; or</p> <p>and as a result causing the target person or any other person (each called in this section the victim) harassment, alarm or distress.</p>
<b>33</b>	<p><b>Harassment, alarm or distress</b></p> <p><b>4.</b> (1) An individual or entity must not by any means —</p> <p>(a) use any threatening, abusive or insulting words or behaviour; or</p> <p>(b) make any threatening, abusive or insulting communication,</p> <p>which is heard, seen or otherwise perceived by any person (referred to for the purposes of this section as the victim) likely to be caused harassment, alarm or distress.</p>
<b>34</b>	<p><b>Fear, provocation or facilitation of violence</b></p> <p><b>5.</b> (1) An individual or entity must not by any means use towards another person (called in this section, except subsection (1A), the victim) any threatening, abusive or insulting words or behaviour, or make any</p>

threatening, abusive or insulting communication to another person (also called in this section, except subsection (1A), the victim), either

*(a)* with the intent

(i) to cause the victim to believe that unlawful violence will be used by any person against the victim or any other person; or

(ii) to provoke the use of unlawful violence by the victim or another person against any other person; or

*(b)* whereby

(i) the victim is likely to believe that such violence referred to in paragraph *(a)*(i) will be used; or

(ii) it is likely that such violence referred to in paragraph *(a)*(ii) will be provoked.

#	<b>MISREPRESENTATION ACT</b> <b>(CHAPTER 390)</b>
<b>35</b>	<p><b>Damages for misrepresentation</b></p> <p>2. (1) Where a person has entered into a contract after a misrepresentation has been made to him by another party thereto and as a result thereof he has suffered loss, then, if the person making the misrepresentation would be liable to damages in respect thereof had the misrepresentation been made fraudulently, that person shall be so liable notwithstanding that the misrepresentation was not made fraudulently, unless he proves that he had reasonable ground to believe and did believe up to the time the contract was made that the facts represented were true.</p>
<b>36</b>	<p><b>Avoidance of provision excluding liability for misrepresentation</b></p> <p>3. If a contract contains a term which would exclude or restrict —</p> <p>(a) any liability to which a party to a contract may be subject by reason of any misrepresentation made by him before the contract was made; or</p> <p>(b) any remedy available to another party to the contract by reason of such a misrepresentation,</p> <p>that term shall be of no effect except in so far as it satisfies the requirement of reasonableness as stated in section 11(1) of the Unfair Contract Terms Act [Cap. 396], and it is for those claiming that the term satisfies that requirement to show that it does.</p>

#	<p style="text-align: center;"><b>UNFAIR CONTRACT TERMS ACT</b></p> <p style="text-align: center;"><b>(CHAPTER 396)</b></p>
37	<p><b>Scope of this Part</b></p> <p>1. (1) For the purposes of this Part, “negligence” means the breach</p> <p>(a) of any obligation, arising from the express or implied terms of a contract, to take reasonable care or exercise reasonable skill in the performance of the contract; or</p> <p>(b) of any common law duty to take reasonable care or exercise reasonable skill (but not any stricter duty).</p> <p>(4) In relation to any breach of duty or obligation, it is immaterial for any purpose of this Part whether the breach was inadvertent or intentional, or whether liability for it arises directly or vicariously.</p>
38	<p><b>Negligence liability</b></p> <p>2. (1) A person cannot by reference to any contract term or to a notice given to persons generally or to particular persons exclude or restrict his liability for death or personal injury resulting from negligence.</p> <p>(2) In the case of other loss or damage, a person cannot so exclude or restrict his liability for negligence except in so far as the term or notice satisfies the requirement of reasonableness.</p>

	<p>(3) Where a contract term or notice purports to exclude or restrict liability for negligence, a person's agreement to or awareness of it is not of itself to be taken as indicating his voluntary acceptance of any risk.</p>
39	<p><b>Effect of breach</b></p> <p>9. (1) Where for reliance upon it a contract term has to satisfy the requirement of reasonableness, it may be found to do so and be given effect accordingly notwithstanding that the contract has been terminated either by breach or by a party electing to treat it as repudiated.</p> <p>(2) Where on a breach the contract is nevertheless affirmed by a party entitled to treat it as repudiated, this does not of itself exclude the requirement of reasonableness in relation to any contract term.</p>
40	<p><b>The "reasonableness" test</b></p> <p>11. (1) In relation to a contract term, the requirement of reasonableness for the purposes of this Part and section 3 of the Misrepresentation Act [Cap. 390] is that the term shall have been a fair and reasonable one to be included having regard to the circumstances which were, or ought reasonably to have been, known to or in the contemplation of the parties when the contract was made.</p> <p>(5) It is for those claiming that a contract term or notice satisfies the requirement of reasonableness to show that it does.</p> <p><b>SECOND SCHEDULE: GUIDELINES FOR APPLICATION OF REASONABLENESS TEST</b></p>

	<p><i>(d)</i> where the term excludes or restricts any relevant liability if some condition is not complied with, whether it was reasonable at the time of the contract to expect that compliance with that condition would be practicable;</p>
41	<p><b>Varieties of exemption clause</b></p> <p><b>13.</b> (1) To the extent that this Part prevents the exclusion or restriction of any liability it also prevents —</p> <p><i>(a)</i> making the liability or its enforcement subject to restrictive or onerous conditions;</p> <p><i>(b)</i> excluding or restricting any right or remedy in respect of the liability, or subjecting a person to any prejudice in consequence of his pursuing any such right or remedy;</p> <p><i>(c)</i> excluding or restricting rules of evidence or procedure,</p> <p>and (to that extent) sections 2 and 5 to 7 also prevent excluding or restricting liability by reference to terms and notices which exclude or restrict the relevant obligation or duty.</p>
42	<p><b>Saving for other relevant legislation</b></p> <p><b>29.</b> (1) Nothing in this Act removes or restricts the effect of, or prevents reliance upon, any contractual provision which —</p> <p><i>(a)</i> is authorised or required by the express terms or necessary implication of an enactment; or</p>

#	<p style="text-align: center;"><b>PENAL CODE</b></p> <p style="text-align: center;"><b>(CHAPTER 224)</b></p>
43	<p><b>Omission to give notice or information to public servant by person legally bound to give such notice or information</b></p> <p><b>176.</b> (1) A person who, being legally bound to give any notice or to furnish information on any subject to any public servant, as such, intentionally omits to give such notice or to furnish such information in the manner and at the time required by law, shall</p> <p>(a) in the case of an individual, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to \$1,500, or with both; or</p> <p>(b) in any other case, be punished with fine which may extend to \$10,000.</p> <p>(2) If the notice or information required to be given respects the commission of an offence, or is required for the purpose of preventing the commission of an offence or in order to the apprehension of an offender, any person who is guilty of an offence under subsection (1) shall</p> <p>(a) in the case of an individual, be punished with imprisonment for a term which may extend to 6 months, or with fine which may extend to \$5,000, or with both; or</p>

	<p><i>(b)</i> in any other case, be punished with fine which may extend to \$10,000.</p>
44	<p><b>Furnishing false information</b></p> <p><b>177.</b> (1) A person who, being legally bound to furnish information on any subject to any public servant, as such, furnishes, as true, information on the subject which the person knows or has reason to believe to be false, shall</p> <p><i>(a)</i> in the case of an individual, be punished with imprisonment for a term which may extend to 6 months, or with fine which may extend to \$5,000, or with both; or</p> <p><i>(b)</i> in any other case, be punished with fine which may extend to \$10,000.</p> <p>(2) If the information which the person mentioned in subsection (1) is legally bound to furnish respects the commission of an offence, or is required for the purpose of preventing the commission of an offence, or in order to the apprehension of an offender, the person who is guilty of an offence under that subsection shall</p> <p><i>(a)</i> in the case of an individual, be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both; or</p> <p><i>(b)</i> in any other case, be punished with fine.</p>
45	<p><b>Issuing or signing a false certificate</b></p>

	<p><b>197.</b> Whoever issues or signs any certificate required by law to be given or signed, or relating to any fact of which such certificate is by law admissible in evidence, knowing or believing that such certificate is false in any material point, shall be punished in the same manner as if he gave false evidence.</p>
46	<p><b>Using as a true certificate one known to be false in a material point</b></p> <p><b>198.</b> Whoever corruptly uses or attempts to use any such certificate as a true certificate, knowing the same to be false in any material point, shall be punished in the same manner as if he gave false evidence.</p>
47	<p><b>False statement made in any declaration which is by law receivable as evidence</b></p> <p><b>199.</b> Whoever, in any declaration made or subscribed by him, which declaration any court of justice, or any public servant or other person, is bound or authorised by law to receive as evidence of any fact, makes any statement which is false, and which he either knows or believes to be false or does not believe to be true, touching any point material to the object for which the declaration is made or used, shall be punished in the same manner as if he gave false evidence.</p>
48	<p><b>Using as true any such declaration known to be false</b></p> <p><b>200.</b> Whoever corruptly uses or attempts to use as true any such declaration knowing the same to be false in any material point, shall be punished in the same manner as if he gave false evidence.</p>

49	<p><b>Intentional omission to give information of an offence, by person bound to inform</b></p> <p><b>202.</b> Whoever, knowing or having reason to believe that an offence has been committed, intentionally omits to give any information respecting that offence which he is legally bound to give, shall be punished with imprisonment for a term which may extend to 6 months, or with fine, or with both.</p>
50	<p><b>Obstructing, preventing, perverting or defeating course of justice</b></p> <p><b>204A.</b> Whoever does an act that has a tendency to obstruct, prevent, pervert or defeat the course of justice</p> <p>(a) knowing that the act is likely to obstruct, prevent, pervert or defeat the course of justice; or</p> <p>(b) intending to obstruct, prevent, pervert or defeat the course of justice, shall be guilty of an offence and shall on conviction be punished with imprisonment for a term which may extend to 7 years, or with fine, or with both.</p>
51	<p><b>Extortion</b></p> <p><b>383.</b> Whoever intentionally puts any person in fear of any harm to that person or to any other person, in body, mind, reputation or property, whether such harm is to be caused legally or illegally, and thereby dishonestly induces the person so put in fear to deliver to any person any</p>

	<p>property or valuable security, or anything signed or sealed which may be converted into a valuable security, commits “extortion”.</p>
52	<p><b>Criminal breach of trust by employees</b></p> <p><b>408.</b> (1) Whoever, being an employee, and being in any manner entrusted in such capacity with property, or with any dominion over property, commits criminal breach of trust in respect of that property, shall be punished with imprisonment for a term which may extend to 15 years, and shall also be liable to fine.</p> <p>(2) For the purposes of subsection (1)</p> <p>(a) an employee includes a person who is engaged in a capacity with the same fundamental qualities as an employee; and</p>
53	<p><b>Criminal breach of trust by public servant, or by banker, merchant, agent, director, officer, partner, key executive or fiduciary</b></p> <p><b>409.</b> (1) Whoever, being in any manner entrusted with property, or with any dominion over property</p> <p>(c) in his professional capacity (other than by way of a trade, profession or business mentioned in paragraph (b));</p> <p>(d) in his capacity as a director of a corporation;</p> <p>(g) in his capacity as a key executive of a corporation, an unincorporated association or a partnership; or</p> <p>(h) in his capacity as a fiduciary,</p>

	<p>commits criminal breach of trust in respect of that property, shall be punished with imprisonment for a term which may extend to 20 years, and shall also be liable to fine.</p>
54	<p><b>Cheating</b></p> <p><b>415.</b> Whoever, by deceiving any person, whether or not such deception was the sole or main inducement, fraudulently or dishonestly induces the person so deceived to deliver or cause the delivery of any property to any person, or to consent that any person shall retain any property, or intentionally induces the person so deceived to do or omit to do anything which he would not do or omit to do if he were not so deceived, and which act or omission causes or is likely to cause damage or harm to any person in body, mind, reputation or property, is said to “cheat”.</p>
55	<p><b>Fraud by false representation, non-disclosure or abuse of position not connected with contracts for goods or services</b></p> <p><b>424A.</b> (1) A person shall be guilty of an offence if he, fraudulently or dishonestly</p> <p>(a) makes a false representation;</p> <p>(b) fails to disclose to another person information which he is under a legal duty to disclose; or</p> <p>(c) abuses, whether by act or omission, a position which he occupies in which he is expected to safeguard, or not to act against, the financial interests of another person.</p>

56	<p><b>Mischief</b></p> <p>425. Whoever, with intent to cause, or knowing that he is likely to cause, wrongful loss or damage to the public or any person, causes the destruction of any property, or any such change in any property, or in the situation thereof, as destroys or diminishes its value or utility, or affects it injuriously, commits “mischief”.</p>
57	<p><b>Mischief by killing or maiming any animal</b></p> <p>428. Whoever commits mischief by killing, poisoning, maiming or rendering useless, any animal shall be punished with imprisonment for a term which may extend to 5 years, or with fine, or with both.</p>
58	<p><b>Forgery</b></p> <p>463. Whoever makes any false document or electronic record or part of a document or an electronic record with intent to cause damage or injury to the public or to any person, or to support any claim or title, or to cause any person to part with property, or to enter into any express or implied contract, or with intent to commit fraud or that fraud may be committed, commits forgery.</p>
59	<p><b>Forgery for the purpose of cheating</b></p> <p>468. Whoever commits forgery, intending that the document or electronic record forged shall be used for the purpose of cheating, shall be punished with imprisonment for a term which may extend to 10 years, and shall also be liable to fine.</p>

60	<p><b>Falsification of accounts</b></p> <p><b>477A.</b> Whoever, being a clerk, officer or servant, or employed or acting in the capacity of a clerk, officer or servant, intentionally and with intent to defraud destroys, alters, conceals, mutilates or falsifies any book, electronic record, paper, writing, valuable security or account or a set thereof which belongs to or is in the possession of his employer, or has been received by him for or on behalf of his employer, or intentionally and with intent to defraud makes or abets the making of any false entry in, or omits or alters or abets the omission or alteration of any material particular from or in any such book, electronic record, paper, writing, valuable security or account or a set thereof, shall be punished with imprisonment for a term which may extend to 10 years, or with fine, or with both.</p>
61	<p><b>Criminal intimidation</b></p> <p><b>503.</b> Whoever threatens another with any injury to his person, reputation or property, or to the person or reputation of any one in whom that person is interested, with intent to cause alarm to that person, or to cause that person to do any act which he is not legally bound to do, or to omit to do any act which that person is legally entitled to do, as the means of avoiding the execution of such threat, commits criminal intimidation.</p>

#	<p style="text-align: center;"><b>CIVIL LAW ACT</b></p> <p style="text-align: center;"><b>(CHAPTER 43)</b></p>
62	<p><b>Law and equity to be administered concurrently</b></p> <p>3. In every civil cause or matter commenced in the court, law and equity shall be administered by the court in its original jurisdiction and by the Appellate Division of the High Court or the Court of Appeal according to the rules following:</p> <p><b>Plaintiffs to have equitable relief in claims</b></p> <p>(a) if any plaintiff claims to be entitled to any equitable estate or right, or to relief upon any equitable ground against any deed, instrument or contract, or against any right, title or claim whatsoever asserted by any defendant in such cause or matter, or to any relief founded upon a legal right, which before 1st January 1879 could only have been given by the court on its equity side, the court shall give to such plaintiff such and the same relief, as ought to have been given by the court, on its equity side, in a suit or proceeding for the same, or the like purpose, properly instituted before that date;</p> <p><b>Defendants to have relief against plaintiffs in suit, service and effect of service</b></p> <p>(c) the court may also grant to any defendant, in respect of any equitable estate or right, or other matter of equity, and also in respect of any legal estate, right or title claimed or asserted by him, all such relief against</p>

	<p>any plaintiff, as such defendant shall have properly claimed by his pleading, and as the court might have granted in any suit instituted for that purpose, by the same defendant against the same plaintiff before 1st January 1879 and also all such relief, relating to or connected with the original subject of the cause or matter, and in like manner claimed against any other person, whether already a party to the same cause or matter or not, who has been duly served with notice in writing of such claim, pursuant to the Rules of Court, as might properly have been granted against such person, if he had been made a defendant to a cause, duly instituted by the same defendant for the like purpose; and every person served with any such notice shall thenceforth be deemed a party to such cause or matter, with the same rights, in respect of his defence against such claim, as if he had been duly sued in the ordinary way by such defendant;</p>
63	<p><b>Liability for offences by agents or servants</b></p> <p><b>57.</b> Where an offence under this Act is committed by any person acting as an agent or a servant of another person, or being otherwise subject to the supervision or instruction of another person for the purposes of any employment in the course of which the offence was committed, that other person shall, without prejudice to the liability of the first-mentioned person, be liable under this Act in the same manner and to the same extent as if he had personally committed the offence if it is</p>

	proved that the act which constituted the offence was committed with his consent or connivance or that it was attributable to any neglect on his part.
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<b>NANYANG TECHNOLOGICAL UNIVERSITY (CORPORATISATION) ACT (CHAPTER 192A)</b>	
<b>No.</b>	<b>[Section title]</b> <b>Section.</b> (Paragraph) <b>Relevance</b>
<b>64</b>	<b>Act to prevail over constituent documents, etc.</b> <b>11.</b> (2) Nothing in this Act shall be construed to excuse or exempt the university company from complying with any written law that, apart from this Act, would apply to the university company.

#	<p style="text-align: center;"><b>NATIONAL RESEARCH FUND ACT</b></p> <p style="text-align: center;"><b>(CHAPTER 201A)</b></p>
65	<p><b>Offences by bodies corporate, etc.</b></p> <p><b>16.</b> (1) Where an offence under this Act committed by a body corporate is proved</p> <p>(a) to have been committed with the consent or connivance of an officer; or</p> <p>(b) to be attributable to any neglect on his part,</p> <p>the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.</p>

<b>LEGAL PROFESSION ACT</b> <b>(CHAPTER 161)</b> <b>LEGAL PROFESSION</b> <b>(PROFESSIONAL CONDUCT) RULES 2015</b>	
<b>66</b>	<p><b>Conduct in relation to other persons</b></p> <p><b>8. (3)</b> A legal practitioner</p> <p><i>(a)</i> must not take unfair advantage of any person; and</p> <p><i>(b)</i> must not act towards any person in a way which is fraudulent, deceitful or otherwise contrary to the legal practitioner's position as a member of an honourable profession.</p> <p><b>Conduct of proceedings</b></p> <p><b>9. (2)</b> When conducting any proceedings before a court or tribunal on behalf of a client, a legal practitioner must not do any of the following:</p> <p><i>(f)</i> knowingly or recklessly cite the law out of context, interpret the law in a manner calculated to mislead the court or tribunal, or otherwise advance any submission, opinion or proposition which the legal practitioner knows or ought reasonably to know is contrary to the law;</p> <p><b>(3)</b> When conducting proceedings before a court or tribunal, a legal practitioner</p> <p><i>(b)</i> must disclose to the court or tribunal, and to every other person involved in or associated with those proceedings</p>

	<p>(i) every fact, item of evidence, item of information and other matter which the legal practitioner is required by law to disclose in those proceedings to the court or tribunal and to that other person, respectively; and</p> <p>(ii) any procedural irregularity of which the legal practitioner is aware.</p>
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<b>ADMINISTRATION OF JUSTICE (PROTECTION) ACT 2016</b> <b>(No. 19 of 2016)</b>	
<b>67</b>	<p><b>Contempt by disobedience of court order or undertaking, etc.</b></p> <p><b>4.</b> (1) Any person who</p> <p>(a) intentionally disobeys or breaches any judgment, decree, direction, order, writ or other process of a court; or</p> <p>(b) intentionally breaches any undertaking given to a court, commits a contempt of court.</p>
<b>68</b>	<p><b>Standard of proof for contempt of court</b></p> <p><b>28.</b> The standard of proof for establishing contempt of court is that of beyond reasonable doubt.</p>
<b>69</b>	<p><b>Contempt proceedings</b></p> <p><b>26.</b> (3) The court in any proceedings for contempt of court may award costs to be paid by or to any party as it thinks fit.</p>

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