

Supreme Court Practice Directions (Amendment No. 1 of 2021)

Part XVI: Admiralty Matters

124. Arrest of ships

(1) The plaintiff will apply to a Judge for an omnibus order in every case where a ship or vessel is arrested, giving the Sheriff discretion to take various measures for the safe and satisfactory custody of the arrested property. The usual prayers in the application for an omnibus order are prayers 7 to 11 of Annex B (Standard Appraisement and Sale Prayers and Omnibus Prayers) to the current edition of the Admiralty Court Guide issued pursuant to a Registrar's Circular (the "Admiralty Court Guide").

(2) Solicitors representing plaintiffs in admiralty proceedings are required to provide an undertaking that the Sheriff shall be indemnified and be provided with sufficient funds as and when required by the Sheriff to meet the charges and expenses that may be incurred in consequence of their request for the arrest of a vessel. If such an undertaking is not fulfilled within a reasonable time, the Sheriff may take such steps as may be necessary to enforce the undertaking against the solicitors concerned.

(3) Upon the arrest of vessel, funds are required immediately to meet the Sheriff's expenses, such as guard charges, port and garbage dues, and the supply of minimum victuals, domestic fuel and water to crew members where necessary. Funds to meet such expenses are not provided for by the Government.

(4) To enable the Sheriff to discharge his duties effectively, upon the arrest of a vessel, the Sheriff will require the solicitors representing arresting parties to deposit with the Sheriff a sum

of \$10,000. Such deposit is in addition to the usual undertaking.

(5) During the relevant period as defined in Order 70, Rule 10A(5) of the Rules of Court, the solicitors representing arresting parties must make reasonable efforts to notify the following persons and entities in writing of the service of the warrant of arrest or the writ in an action *in rem* as soon as practicable after the warrant of arrest or the writ (as the case may be) is served in accordance with Order 70, Rule 10A(1) of the Rules of Court:

- (a) the owner of the ship;
- (b) the demise charterer (if any) of the ship;
- (c) the Master of the ship;
- (d) the manager of the ship; and
- (e) if the ship is in a shipyard — the shipyard.

(6) For the purposes of Order 70, Rules 10A(3)(a) and (4)(a)(ii) of the Rules of Court, the plaintiff must annex a copy of the results of a search on the ship conducted on the website of the Maritime and Port Authority of Singapore at <https://digitalport.mpa.gov.sg> showing:

- (a) the identity of the agent of the ship; and
- (b) the location of the ship or, where the property is cargo, the ship in which the cargo was carried, within the limits of the port declared under section 3(1) of the Maritime and Port Authority of Singapore Act, on the date and at the time of the service of the warrant of arrest or the writ in an action *in rem* (as the case may be).