Procedure in practice

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Timeline

A contested commercial claim in the General Division runs from filing to judgment in about twelve to eighteen months, with the single application pending trial heard within the first six months and trial dates fixed at the first case conference. Summary judgment, available where the defendant has no defence, can produce judgment within four to six months, which is the *ByBit* timeline. Interim relief is available within days. The SICC publishes target timelines and routinely completes cases within a year.

Evidence from the ledger

Singapore courts admit ledger data as documentary evidence under the Evidence Act 1893, with the attribution of addresses proved by the exchange disclosures, the parties' admissions or expert evidence. Hash values, block numbers and timestamps are treated as reliable once the ledger is identified. Screenshots of block explorers are admitted with a witness statement explaining how they were obtained. The presumption in s 116A of the Evidence Act that electronic records produced by a

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device in the ordinary course are accurate assists, although it is rebuttable.[1] Smart-contract code is proved by expert evidence of what the deployed bytecode does, with the verified source code on a block explorer as the usual starting point.

Interim measures in support of foreign proceedings

Since 2016 the Singapore court may grant interim relief in aid of foreign court proceedings under s 4(10A) of the Civil Law Act, provided the foreign proceedings are capable of giving rise to a judgment enforceable in Singapore. A Swiss claimant with proceedings in Zürich against a defendant who holds tokens at a Singapore exchange may therefore obtain a Singapore freezing order and disclosure against the exchange in support of the Swiss case, without suing in Singapore on the merits.[2] This provision, which has no Swiss counterpart, is the most useful tool in the book for a Swiss litigator with a Singapore asset problem.

Notes

1. Evidence Act 1893, s 116A (presumptions in relation to electronic records), Singapore Statutes Online. ↩
2. Civil Law Act 1909, s 4(10A), inserted by the Civil Law (Amendment) Act 2016, Singapore Statutes Online. ↩

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