Practical consequences: the legal legacy of 1963–1965

Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland and Germany),
Solicitor (England & Wales and Hong Kong)
Of Counsel, KGP Legal LLC
alexander.ressos@kgplegal.com.sg
www.ressos.com.sg

Continuity of the law

The legal technique of 1965 still shapes practice. Because section 13 of the Independence Act continued all existing laws, Singapore's statute book contains enactments from three sources: colonial ordinances, laws of the State of Singapore and federal Malaysian laws extended to Singapore between 1963 and 1965. Several of these were later revised or replaced, while others survive in amended form with a history that remains relevant to their interpretation.

The Companies Act 1967 illustrates the link, since, as Chapter I of Part B noted, it was modelled on the Malaysian Companies Act 1965, itself based on the Companies Act 1961 of the Australian state of Victoria.[1] Malaysian decisions on parallel provisions can therefore still serve as persuasive authority in Singapore. The same applies to other statutes whose common origin lies in the brief period of federation or in the shared colonial past.

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

Courts, appeals and the water agreements

Section 11 of the Independence Act preserved appeals to the Federal Court of Malaysia and to the Privy Council until Singapore made its own provision. Singapore subsequently created its own appellate courts and later abolished appeals to the Privy Council, as Chapter III of Part J explains. An editorial note to section 11 in the 1985 Revised Edition records that the reference to the Federal Court is to be read as a reference to Singapore's own appellate courts.[2]

The water agreements show how a treaty of separation can carry economic obligations for a century. Under the agreement of 1962, guaranteed in 1965, Singapore draws up to 250 million gallons of raw water a day from the Johor River and pays 3 sen per thousand gallons, under an agreement that runs until 2061.[3] Chapter IV of Part I examines the relationship with Malaysia today.

Checklist for practitioners

- Trace the origin of a Singapore statute before relying on foreign case law: a colonial ordinance, a law of the State of Singapore and a Malaysian federal law extended in 1963–1965 may each point to different persuasive authorities.
- Check whether a pre-1965 law was modified by a presidential order under section 13(3) of the Republic of Singapore Independence Act 1965, which allowed such orders for three years after independence, or by later legislation.
- In disputes over property or obligations dating from 1963–1965, consider section 9 of the Act, which returned to Singapore the property and liabilities that had passed to Malaysia on merger.
- Remember the interchangeability of the Singapore and Brunei dollars at par, a remnant of the currency union, when structuring payments involving Brunei.
- In Malaysian-Singapore transactions, treat the two jurisdictions as separate legal systems with a common ancestry: similar wording does not guarantee identical interpretation after six decades of independent development.

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

Notes

1. Accounting and Corporate Regulatory Authority (ACRA), "Companies Act Reform: Background" (acra.gov.sg, accessed November 2026): the Singapore Companies Act was based on the Companies Act 1965 of Malaysia, which "was based on the Companies Act 1961 of Victoria, Australia". ↩
2. Republic of Singapore Independence Act 1965 (1985 Rev. Ed., informal consolidation in force from 30 March 1987), s. 11 with editorial note: "By section 84(2)(a) of the Supreme Court of Judicature Act 'Federal Court' is to be construed as the Court of Appeal or the Court of Criminal Appeal in Singapore." ↩
3. Ministry of Foreign Affairs Singapore, "Water Agreements" (accessed November 2026): Singapore draws 250 million gallons of raw water per day from the Johor River under the 1962 Agreement; price of "3 sen per thousand gallons of raw water"; expiry in 2061. ↩

Disclaimer

This article is provided for general information only. It is based on publicly available sources as at its date of publication. These sources have not been independently verified against licences, regulatory registers or the records of the entities concerned. It is not legal, tax, financial or investment advice. Nor is it a recommendation to invest in, transact with or use the services of any entity mentioned. Law and regulation change frequently, so the content may be incomplete or outdated. To the fullest extent permitted by law, Dr Alexander Ressos and the publisher of SingaporeIQ exclude all liability for loss or damage arising from the use of or reliance on this article. Readers should obtain advice on their specific circumstances before acting or refraining from action.

Names and trademarks of the entities discussed belong to their owners and are used for identification only. Their mention implies no endorsement, affiliation or allegation of wrongdoing. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. Corrections and updates: contact@ressos.com.

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

© 2026 Dr Alexander Ressos. This article may be quoted with attribution to SingaporeIQ (SingaporeIQ.com). Reproduction in full and any commercial use require prior written consent. The Legal Terms at https://singaporeiq.com/legal-terms apply.

Author contact: Dr Alexander Ressos, TEP · contact@ressos.com

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.