

48.

O. 33, r. 2(1)

ORIGINATING CLAIM IN ACTION *IN REM*
IN THE GENERAL DIVISION OF THE HIGH COURT
OF THE REPUBLIC OF SINGAPORE

Admiralty *in Rem*)

No. of 20 .)

Filed: [date]

(Renewed for service for _____ months from [date] by an order of Court dated [date])

Admiralty action *in rem* against:

[The ship [name of ship] or cargo, etc., as may be]

Between

[The owners of the ship [name of ship] or as may be]

Claimant(s)

And

[The owners of the ship [name of ship] or as may be]

Defendant(s)

To: The (owners of and other) persons interested in the ship of the port of [name of port] (or cargo, etc., as may be).

1. The claimant of [address] has commenced an action against the property described above in the General Division of the High Court of Singapore.
2. The claim(s) by the claimant is set out in the statement of claim attached (or briefly in this document).
3. You may do the following:
 - (a) offer to settle the claim(s) or negotiate with the claimant; and
 - (b) in any event, if you believe you have a defence, you must:
 - (i) consult a lawyer unless you want to act in person;
 - (ii) file and serve a notice of intention to contest or not contest the originating claim within [14 days/21 days] of being served the originating claim;
 - (iii) file a defence within [21 days/5 weeks] of being served the statement of claim.
4. If you do not file your notice within the time stated in paragraph 3, the Court may give judgment to the claimant and if the property described in this originating claim is then under arrest of the Court it may be sold by order of the Court.
5. If your defence is not filed within the time stated in paragraph 3, the Court may give judgment to the claimant and if the property described in this originating claim is then under arrest of the Court it may be sold by order of the Court.
6. Parties are to attend a case conference to take directions from the Court on the date and time shown above.

Issued by: *Solicitor for the claimant*

[Name, address, email address and telephone number of solicitor]

Notes:

1. This originating claim must be served within 12 calendar months after the date of issue, unless renewed by order of the Court. A notice of intention to contest or not contest an originating claim in Form 49 is to be attached to this originating claim when it is served.
2. Where the claimant sues or a defendant is sued in a representative capacity, the originating claim must be endorsed with a statement of the capacity in which the claimant sues or a defendant is sued, as the case may be.
3. If a statement of claim is not attached, to set out a concise statement of the nature of the claim made or the relief or remedy required.

(Seal of the Court and signature of the Registrar)
