

Rules of the District Court (Amendment) Rules 2008

The Rules of the District Court (Cap. 336H)

Order 27 – ADMISSIONS

Remarks

1. Admission of case of other party (O. 27, r. 1)

Without prejudice to Order 18, rule 13, a party to a cause or matter may give notice, by his pleading or otherwise in writing, that he admits the truth of the whole or any part of the case of any other party.

2. Notice to admit (O. 27, r. 2)

(1) A party to a cause or matter may, not later than the expiration of ~~the period fixed by any order or direction made or taking effect under Order 23A, rule 4, 5 or 9, or otherwise, for applying for a pre-trial review under Order 34~~ 21 days after the cause or matter is set down for trial, serve on any other party a notice requiring him to admit, for the purpose of that cause or matter only, such facts or such part of his case as may be specified in the notice.

Rule 83
Rec 52-60, 62

(2) An admission made in compliance with a notice under this rule shall not be used against the party by whom it was made in any cause or matter other than the cause or matter for the purpose of which it was made or in favour of any person other than the person by whom the notice was given, and the Court may at any time allow a party to amend or withdraw an admission so made by him on such terms as may be just.

3. Judgment on admissions (O. 27, r. 3)

(1) Where admissions of fact or of part of a case are made by a party to a cause or matter either by his pleadings or otherwise, any other party to the cause or matter may apply to the Court for such judgment or order as upon those admissions he may be entitled to, without waiting for the determination of any other question between the parties, and the Court may give such judgment, or make such order, on the application as it thinks just.

(2) An application for an order under this rule may be made by summons.

4. Admission and production of documents specified in list of documents (O. 27, r. 4)

(1) Subject to paragraph (2) and without prejudice to the right of a party to object to the admission in evidence of any document, a party on whom a list of documents is served in pursuance of ~~any order or direction made or taking effect under Order 23A or 24~~ any provision of Order 24 shall, unless the Court otherwise orders, be deemed to admit-

Rule 84
Rec 52-60, 62

- (a) that any document described in the list as an original document is such a document and was printed, written, signed or executed as it purports respectively to have been; and
- (b) that any document described therein as a copy is a true copy.

This paragraph does not apply to a document the authenticity of which the party has denied in his pleading.

(2) If before the expiration of 21 days after inspection of the documents specified in a list of documents or after the time limited for inspection of those documents expires, whichever is the later, the party on whom the list is served serves on the party whose list it is a notice stating, in relation to any document specified therein, that he does not admit the authenticity of that document and requires it to be proved at the trial, he shall not be deemed to make any admission in relation to that document under paragraph (1).

(3) A party to a cause or matter by whom a list of documents is served on any other party in pursuance of ~~any order or direction made or taking effect under Order 23A or 24~~ any provision of Order 24 shall be deemed to have been served by that other party with a notice requiring him to produce at the trial of the cause or matter such of the documents specified in the list as are in his possession, custody or power.

(4) The foregoing provisions of this rule apply in relation to an affidavit made in compliance with an order under Order 24, rule 7, as they apply in relation to a list of documents served in pursuance of ~~any order or direction made or taking effect under Order 23A or 24~~ any provision of that Order.

5. Notices to admit or produce documents (O. 27, r. 5)

(1) Except where rule 4(1) applies, a party to a cause or matter may, not later than the expiration of ~~the period fixed by any order or direction made or taking effect under Order 23A, rule 4, 5 or 9, or otherwise, for applying a pre-trial review under Order 34~~ 21 days after the cause or matter is set down for trial, serve on any other party a notice requiring him to admit the authenticity of the documents specified in the notice.

Rule 85
Rec 52-60, 62

(2) If a party on whom a notice under paragraph (1) is served desires to challenge the authenticity of any document therein specified he must, within ~~14 days~~ 21 days after service of the notice, serve on the party by whom it was

Remarks

given a notice stating that he does not admit the authenticity of the document and requires it to be proved at the trial.

(3) A party who fails to give a notice of non-admission in accordance with paragraph (2) in relation to any document shall be deemed to have admitted the authenticity of that document unless the Court otherwise orders.

(4) Except where rule 4(3) applies, a party to a cause or matter may serve on any other party a notice requiring him to produce the documents specified in the notice at the trial of the cause or matter.