

SINGAPORE MEDIATION CENTRE
ADJUDICATION UNDER THE BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF
PAYMENT ACT (CAP 30B)

SUPPLEMENTARY RULES FOR ELECTRONIC ADJUDICATION LODGMENT
(2ND EDITION, 25 APRIL 2020)

1. Introduction

- 1.1 These Supplementary Rules for Electronic Adjudication Lodgment (“Supplementary Rules”) are issued to provide for the electronic lodgment of documents, telegraphic transfer of Fees, electronic service of documents and Adjudication Conferences. They shall apply to all documents lodged on or after 15 April 2020.
- 1.2 The scope of electronic lodgment of documents and electronic service of documents stated in these Supplementary Rules is limited to the use of email as provided in Section 37 of the Building and Construction Industry Security of Payment Act (“Act”). These Supplementary Rules shall apply only if both the Parties have an email address as defined in Section 37(2A) of the Act. If the Party/Applicant lodging the document by email fails to provide such an email address for both Parties, the Singapore Mediation Centre (“SMC”) shall be entitled to reject the lodgment.
- 1.3 These Supplementary Rules shall be read together with the prevailing SMC Adjudication Rules (“Adjudication Rules”). Where a provision of these Supplementary Rules is in conflict with a provision of the Adjudication Rules, these Supplementary Rules shall prevail in relation to the electronic lodgment of documents, telegraphic transfer of Fees, electronic service of documents and Adjudication Conferences.

2. Lodgment

- 2.1 For the purposes of these Supplementary Rules, any lodgment of documents referred to in the Adjudication Rules shall be made by email to SMC.
- 2.2 For the purposes of lodgment under these Supplementary Rules, the components of the lodgment shall include:
- 2.2.1 The duly completed and signed relevant form in Annexes A to D of the Adjudication Rules;
- 2.2.2 Accompanying documents in PDF format; and
- 2.2.3 Proof of telegraphic transfer of the applicable Fees paid to SMC.
- 2.3 The components of the lodgment shall be sent in the following manner:
- 2.3.1 Where the total file size of the lodgment does not exceed 50MB –
- (a) By email attachment to smc_sop@sal.org.sg; and

- (b) The attachment in each email shall be no more than 10MB; and
- (c) The subject header of each email shall indicate:
 - (i) **“SOP [Claimant] v [Respondent] (Email 1 of 5)”** (where no SMC file reference number has been assigned); or
 - (ii) **“SOP/AA [Number] of [Year] (Email 1 of 5)”** (where an SMC file reference number has been assigned).

2.3.2 Where the total file size of the lodgment exceeds 50MB –

- (a) The accompanying documents shall be uploaded into a single folder in Google Drive, **shared with adjudicationdocs@mediation.sg** and labelled:
 - (i) **“SOP [Claimant] v [Respondent]”** (where no SMC file reference number has been assigned); or
 - (ii) **“SOP/AA [Number] of [Year]”** (where an SMC file reference number has been assigned).
- (b) The link to the folder in Google Drive shall be sent in an email to smc_sop@sal.org.sg and shall include a general description of the nature of the accompanying documents, together with the other components in paragraph 2.2 as email attachments.

2.4 SMC shall not be under any obligation to inquire into or verify the accuracy, authenticity and/or completeness of the documents lodged by a Party/Applicant, or of any information contained therein. It shall also be the Party/Applicant’s sole responsibility to ensure:

2.4.1 The integrity and/or security and/or confidentiality of the documents lodged; and

2.4.2 That the documents lodged are in compliance with the Act, the Regulations and the Adjudication Rules for the time being in force.

2.5 All lodgments by email shall be sent during SMC’s opening hours as follows:

**Monday to Friday (excluding Public Holidays): 9:00 am to 4:30 pm; or
Eve of Christmas / New Year / Chinese New Year: 9:00 am to 12:00 pm**

2.5.1 Lodgments by email shall be time-stamped when received in the inbox of smc_sop@sal.org.sg. Any documents received by email, after the above operating hours, shall be treated as lodged the next working day.

2.5.2 A Party/Applicant shall not add, delete and/or modify the accompanying documents after they have been lodged. Any document(s) added to and/or modified in the Google Drive folder after the lodgment shall not form part of the lodgment.

2.5.3 The Party/Applicant shall receive notification of the date and time of lodgment by way of copy email when the documents are served on the other Party.

2.6 Where one Party/Applicant makes a lodgment in accordance with these Supplementary Rules, the service of the same documents shall be made by SMC on the other Party by email. It shall be the responsibility of the Party making the lodgment to ensure that:

2.6.1 The email address of each of the Parties indicated in the document is valid and effectual;

2.6.2 Any document(s) lodged for the purposes of the Act can be electronically served on the email address(es); and

2.6.3 The email address(es) comply with Section 37 of the Act.

3. Fees

3.1 Where the lodgment of documents requires the payment of Fees, such payment shall only be made by way of telegraphic transfer to SMC.

3.2 The details to enable a telegraphic transfer to SMC are set out below:

Bank:	United Overseas Bank Limited
Bank Code:	7375
Branch Code:	046
Account Number:	1463028481
Name of Organisation:	Singapore Mediation Centre

4. Adjudication Conferences

4.1 Where an Adjudicator calls for an Adjudication Conference pursuant to Section 16(4) of the Act and the SMC Practice Direction 01-17, the Adjudicator may hold it through electronic means of communication.

4.2 Where an Adjudicator elects to hold an Adjudication Conference through electronic means of communication, the Adjudicator shall be responsible for:

4.2.1 Obtaining the agreement of the Parties on the platform to be used;

4.2.2 Making his/her own arrangements for the use of the agreed electronic means of communication; and

4.2.3 Liaising with the Parties on the collection of fees that may incurred for the use of the agreed electronic means of communication.

4.3 SMC shall not be obliged to provide or facilitate the use of any electronic means of communication or platform.

5. Determinations

- 5.1 An Adjudicator may provide a signed Determination in PDF format or an electronically signed Determination to SMC.
- 5.2 The Determination shall be served by email on the Parties by SMC provided full payment of the Fees has been made. SMC shall be entitled to withhold the service of the Determination until full payment of the Fees has been received.

Issued by:

**Singapore Mediation Centre
25 April 2020**