

## Chapter 17

# SINGAPORE

---

*Lawrence Teh,<sup>1</sup> Rodyk & Davidson LLP*

## Introduction

### Sources of law

The Singapore legal system belongs to the English common law family, with methodology, legal thought and reasoning, legal institutions, procedure and classifications bearing a close resemblance to the English legal system of adversarial contest.

There is no local statutory enactment in Singapore similar to the *Consumer Protection Act 1987* (United Kingdom, Ch 43) which comprehensively addresses the protection of the consumer with respect to product liability, although there may be specific statutes governing particular areas of law where product liability issues may arise. Product liability law is therefore largely a question of common law.

Historically, English cases have been highly persuasive in this jurisdiction. The reception of English law in Singapore is governed by the Singapore *Application of English Law Act* (Cap 7A), (the AELA). Under the AELA, the common law of England which was part of the law of Singapore before the commencement of the AELA continues to be part of the law of Singapore. English common law from 12 November 1993 onwards shall be part of Singapore law only so far as applicable, with or without modification, to the circumstances of Singapore.

With the exception of Malaysian common law, which also enjoys the privilege of being highly persuasive, the common law of other common law countries, such as Australia, New Zealand, Canada, US, India, carry varying degrees of weight and persuasion according to the context of each particular case.

The Singapore *Sale of Goods Act* (Cap 393), *Supply of Goods Act* (Cap 394), *Unfair Contract Terms Act* (Cap 396), *Misrepresentation Act* (Cap 390), *Partnership Act* (Cap 391), *Third Parties (Rights Against Insurers) Act* (Cap 395) all bear similar provisions to their English counterparts. Certain other

---

<sup>1</sup> LLB (Hons) (Sing); LLM (Southamp). Barrister (Eng). Partner, Rodyk & Davidson LLP, Singapore. The author would like to thank Ms Jeannette LIM and Ms NG Hui Min for their assistance in the preparation of this chapter.

This is a preview. Not all pages are shown.