

Filing an appeal against a Minister's Direction or Declaration under the Protection from Online Falsehoods and Manipulation Act (POFMA Appeal)

Step-by-step guide to the filing of a POFMA Appeal

From the eLitigation homepage, select the option "Commence a New Case" via the "Quick Access" link at the top right of the page, or via the "Filing" link on the left side panel.

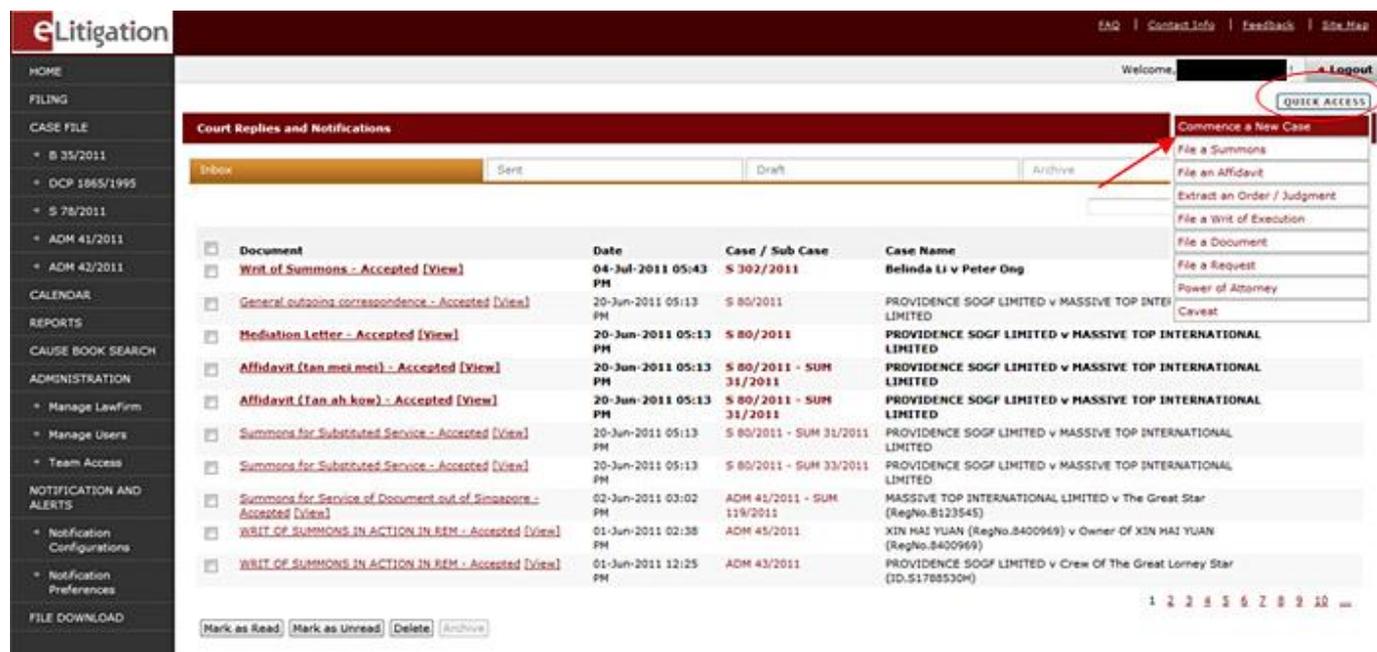


Fig 1. Go to "Commence a New Case" via the "Quick Access" link.

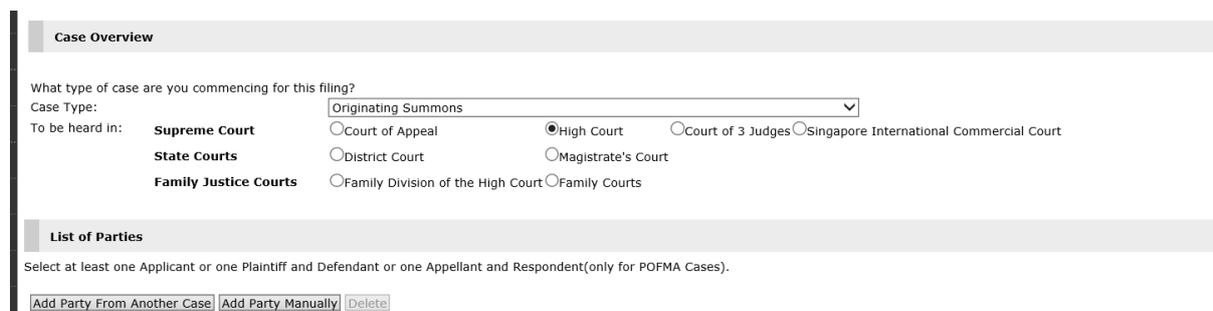


Fig 2. Select Case Type as "Originating Summons" and forum as "High Court". Click Add Party from Another Case as or Add Party Manually to add party details.

Party Details

Party Information

Type Of Entity*: Natural Person (dropdown) Party Type*: Appellant (dropdown)

Name*: [text input] Former Name: [text input]

Alias Name: S/No Alias Name
 1 [text input]
 Add Delete

Gender*: Male Female Unknown

Identification*: ID as follows Unknown Does Not Exist

Identity Type*: SIN NRIC (dropdown)

Identification No*: [text input]

Country of Issue*: Singapore (dropdown)

File Reference Number: [text input]

Check here to add Capacity details:

Legal Aid Certification

Does this party have a Grant of Aid or Provisional Grant of Aid from the Legal Aid Bureau? Yes No

Contact Information

Local Contact Foreign Contact

Fig 3 Enter Appellant and Respondent information.

List of Parties

Select at least one Applicant or one Plaintiff and Defendant or one Appellant and Respondent(only for POFMA Cases).

<input type="checkbox"/>	S/No	Party Name	Represented By	Filing Party	Role in this filing	File Reference No
<input type="checkbox"/>	1	Tester 1	Adam Allan & Co	<input checked="" type="checkbox"/>	Appellant	Edit
<input type="checkbox"/>	2	Tester 2	BRYAN CAVE LLP	<input type="checkbox"/>	Respondent	Edit

Add Party From Another Case Add Party Manually Delete

Fig 4 Ensure party details for at least one Appellant and one Respondent are provided and select the Filing Party.

Questionnaire

Are you filing a Judicial Management Application? Yes No

Are you filing this OS as an appeal to the High Court pursuant to Order 55, Order 55A, Order 87 or Order 87A of the Rules of Court?* Yes No

Is it currently anticipated that the Originating Summons to be issued will be served out of jurisdiction?* Yes No

Is this an application for Leave to Appeal or for an Extension of Time to file a Notice of Appeal?* Yes No

Are you filing this Originating Summons as an appeal to the High Court pursuant to the Protection from Online Falsehoods and Manipulation Act (POFMA)?* Yes No

Section 17 POFMA appeal against a Part 3 Direction dealing with communication in Singapore of false statements of fact

Section 29 POFMA appeal against a Part 4 Direction to Internet intermediaries and providers of mass media services

Section 35 POFMA appeal against a Part 5 Declaration of online locations

Section 44 POFMA appeal against a Part 6 Direction to counteract inauthentic online accounts and coordinated inauthentic behaviour

Act of Parliament/Subsidiary Legislation

S/N	In the Matter of	Main Claim
<input type="checkbox"/> 1	Section 17 of the Protection from Online Falsehoods and Manipulation Act (POFMA)	<input checked="" type="radio"/>

Add Delete

Fig 5 Under the Questionnaire section, select 'Yes' for the question "Are you filing this Originating Summons as an appeal to the High Court pursuant to Protection from Online Falsehoods and Manipulation Act (POFMA)" and select the relevant section(s).

Questionnaire

Are you filing a Judicial Management Application? Yes No

Are you filing this OS as an appeal to the High Court pursuant to Order 55, Order 55A, Order 87 or Order 87A of the Rules of Court? Yes No

Is it currently anticipated that the Originating Summons to be issued will be served out of jurisdiction? Yes No

Is this an application for Leave to Appeal or for an Extension of Time to file a Notice of Appeal? Yes No

Are you filing this Originating Summons as an appeal to the High Court pursuant to the Protection from Online Falsehoods and Manipulation Act (POFMA)? Yes No

Section 17 POFMA appeal against a Part 3 Direction dealing with communication in Singapore of false statements of fact

Section 29 POFMA appeal against a Part 4 Direction to Internet intermediaries and providers of mass media services

Section 35 POFMA appeal against a Part 5 Declaration of online locations

Section 44 POFMA appeal against a Part 6 Direction to counteract inauthentic online accounts and coordinated inauthentic behaviour

Act of Parliament/Subsidiary Legislation

S/N	In the Matter of	Main Claim
<input type="checkbox"/> 1	Section 17 of the Protection from Online Falsehoods and Manipulation Act (POFMA)	<input type="radio"/>
<input type="checkbox"/> 2	Section 29 of the Protection from Online Falsehoods and Manipulation Act (POFMA)	<input checked="" type="radio"/>
<input type="checkbox"/> 3	Section 35 of the Protection from Online Falsehoods and Manipulation Act (POFMA)	<input type="radio"/>

Add Delete

Fig 6 You may select more than one section appealed against under POFMA. Where more than one section is selected, please indicate the Main Claim.

Specify the relief claimed:

Note on Claim Details:

- Where a liquidated claim is sought, the amount of the claim must be provided. Where the said claim is made in foreign currency, the equivalent value in S\$ must be provided.
- Where an unliquidated claim is sought, the estimated value of the claim must be provided.
- Where other relief is sought, please select the nature of the relief that best describes that which is claimed.
- The value of the claim / estimated claim sought should be within the jurisdiction of the Court selected as follows:
 - Magistrate's Court: up to S\$60,000
 - District Court: up to S\$250,000
 - High Court: above S\$250,000

Liquidated Claim

S/No	Currency Type	Amount Claimed	SGD Equivalent
<input type="checkbox"/> 1	[SELECT]	0.00	S\$ 0.00

Add Delete 1

Total Value of Liquidated Claim: S\$ 0.00

Unliquidated Claim

S/No	Type of Unliquidated Claim	Description
<input type="checkbox"/> 1	<input type="radio"/> Damages to be assessed <input type="radio"/> Others	

Add Delete

Total Estimated Value of Unliquidated Claim: S\$ 0.00

Other Relief

S/No	Relief Claimed	Description
<input type="checkbox"/> 1	[SELECT]	

Add Delete

Please indicate if any of the following endorsements are applicable:

- This is a "by consent" application.
- This is an "ex parte" application.
- No Endorsements Required.

Summons Injunction

Are you filing an injunction together with the Originating Summons? Yes No

Fig 7 Provide amount of liquidated claim and/or unliquidated claim and/or other relief (eg. Declaration, injunction etc) sought. State if the Originating Summons is by consent or inter partes, and whether an injunction is filed together with the OS. Click on the "Next" button at the bottom right to proceed to Step 2.

STEP 1: Case Info STEP 2: Form STEP 3: Admin Details STEP 4: Submission

The following form(s) have been prepared based on the information you have provided so far:

Sno	Form Name & Description	Actions	Status
1	ORIGINATING SUMMONS*	[Compose]	Draft
<input type="checkbox"/> 2	AFFIDAVIT	[Upload]	

Add Document Delete Document

Note: It is mandatory to view & save all eForms to proceed to next step.

Previous Cancel Next

Fig 8. Step 2. Click Compose to compose the Originating Summons, click Upload to upload an Affidavit.

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

In the matter of Sections 17, 29, 35 and 44 of the Protection from Online Falsehoods and Manipulation Act

Between

1. SHARV PTD LTD
(Singapore UEN No. E45678)
2. Defendant
(ID Unknown)

...Appellant(s)

And

PRAB PTD LTD
(Singapore UEN No. N97531)

...Respondent(s)

APPEAL UNDER SECTIONS 17, 29, 35 AND 44 OF THE PROTECTION FROM ONLINE FALSEHOODS AND MANIPULATION ACT

To:

[The applicable Minister / The alternate Authority]
(Please insert the particulars of the applicable Minister / the alternate Authority as appropriate).

Whereas SHARV PTD LTD has applied to [the applicable Minister / the alternate Authority] to vary or cancel [the applicable Direction or Declaration under the Protection from Online Falsehoods and Manipulation Act 2019], and [the applicable Minister / the alternate Authority] on [date] has refused the application [in whole in part].

And Whereas SHARV PTD LTD wishes to appeal against [the applicable Direction or Declaration].

Let all parties concerned attend before the Judge for the hearing of

- Select All
- 1. [An appeal against the [applicable Direction or Declaration];
Add SubPrayers
- 2. An order that the [applicable Direction or Declaration] be set aside;
Add SubPrayers
- 3. An order for the [applicable Direction] to be stayed pending the determination of the appeal;
Add SubPrayers
- 4. Any other direction(s) and or order(s) as the Court thinks fit.
Add SubPrayers

Add Prayers Delete Selected

The grounds of the application are:

- 1. "State the grounds here or as set in the affidavit of []"
Add Grounds Delete Selected

Fig 9: Composing the Originating Summons – An e-form is generated for you to compose / edit. Provide the required information and save the e-form.

The following form(s) have been prepared based on the information you have provided so far:

SNO	Form Name & Description	Actions	Status
1	ORIGINATING SUMMONS*	[Compose] [Regenerate]	Draft Saved at 07-Sep-2019 07:40 PM
<input type="checkbox"/> 2	AFFIDAVIT (Deponent name)	[Download] [Upload] [Preview] [Delete]	

Add Document Delete Document

Note: It is mandatory to view & save all eForms to proceed to next step.

Previous
Cancel
Next

Fig 10: Affidavits and other supporting documents will have to be uploaded in PDF format. Click on the “Next” button at the bottom right to proceed to Step 3.

Hearing Details

Preferred hearing dates are not configured for this document.

Preferred Hearing Date:

Is there any special request required? Yes No

Urgent

Do you require urgent processing of the Documents? Yes No

Request to Backdate

Backdate Request Date:

Reason for Backdating:

E-Service

List of Law Practices
Please type Law Practice name to search

- A C FERGUSSON LAW CORPORATION
- A C SHONE & CO.
- A C SYED & PARTNERS
- A L HUSSEIN & FAIZAL WAHYUNI
- A MOHAMED HASHIM
- A.ROHIM NOOR LILA & PARTNERS
- ABRAHAM LOGAN & PARTNERS
- ACHIEVERS LLC
- Adam Allan & Co
- ADVENT LAW CORPORATION
- AEGIS LLC
- AEQUITAS LAW LLP
- Akhil P C
- ALAIN A JOHNS PARTNERSHIP
- ALAN SHANKAR & LIM LLC
- ALICE YEO & CO.

Navigation: >> << >> << >> <<

Immediate Service ⓘ

Service upon acceptance of filing ⓘ

Deferred Service ⓘ

Fig 11. In Step 3, indicate any urgent processing, special request or waiver required. You may also opt to serve the documents electronically on the Attorney General Chambers (Respondent) by selecting “ATTORNEY-GENERAL'S CHAMBERS (CIVIL DIVISION)” and type of service.

STEP 1: Case Info STEP 2: Form **STEP 3: Admin Details** STEP 4: Submission

You are about to submit the following information:

1. [Case Information Details](#)
2. List of documents for this submission:
 - a. [ORIGINATING SUMMONS](#)
 - b. [AFIDAVIT \(Deponent name\)](#)
3. [Hearing Date, Request and other Administrative Details](#)

1. You are responsible for ensuring the accuracy and proper formatting of the information entered. When composing Eforms, please ensure that the text entered is consistent in font, colour and formatting. Please preview the Eforms before submission and make changes to ensure consistency. Your submission may be rejected or you may be required to refile if the Court finds inconsistency in the text entered in the Eform in any way.

2. You are advised to

- a. Review these documents and information entered before clicking on the "submit" button. If you need to make any changes, please go back by clicking on the "previous" button
- b. Retain a copy of your submission for your own records
- c. After submission, please check whether the documents have been sent (by checking your Sent box) and processed (by checking your Inbox)

3. If there are any issues relating to your filing(s), please contact Crimsonlogic helpdesk at 6887 7222 or e-mail to elitigation@crimsonlogic.com

4. Please be reminded that use of the eLitigation service is governed by the [Terms of Use](#) and [Subscriber Agreement](#).

Fig 12. In Step 4, review all information and documents before submission to the Court. Upon acceptance / approval by Court, the documents will be sent to your eLitigation inbox.