

BOOK REVIEWS

THE LEGAL SYSTEM OF SINGAPORE BY HELENA HM CHAN [Singapore: Butterworths, 1995. xxiii + 194 pp (including index) Softcover: \$87.55 (inclusive of GST)]

THIS is a gem of a 194-page book which captures in a most readable style, a concise account of the legal system in Singapore. It is based on an earlier version, *An Introduction to the Singapore Legal System*, written in 1986. The intervening years have witnessed many significant changes in Singapore's legal system. Every chapter of the book is marked by changes since that date.

In Chapter 1, "Legal History", the enactment of the Application of English Law Act 1993 was a most welcome piece of legislation, as it sought to set at rest the uncertainty that had hitherto existed. The Act clarified the application of English law in Singapore, in particular English statute law. Chan quite rightly observes that it "marks the coming of age of the Singapore legal system, and opens the door to another phase of legal development in the twenty-first century" (p 20).

Chapter 2, "The Executive", saw the transformation of the office of the President of Singapore from one of titular head of state into an institution with more clout which has no parallel in other parts of the world. Under the Constitution of the Republic of Singapore (Amendment) Act 1991, he is elected by the people and possess veto powers over the government in certain matters. Chan traces the rationale behind the novel transformation of the presidency, pointing out that one of the reasons was to safeguard the country's substantial foreign reserves from being squandered by a future profligate government.

The power of the President has, since the publication of this book, gone through more changes, demonstrating the dynamism of the management of the government.

In "The Legislature" (Chapter 3), Chan writes that in addition to elected representatives of Parliament, there was also in existence before 1990 two other classes of members of Parliament – Non-Constituency Members of Parliament (NCMPs), which ensures some opposition members. 1990 saw yet another class of parliamentary members, Nominated Members of Parliament (NMPs). The distinction between NCMPs and NMPs are noted. Perhaps a volume of this nature does not lend itself to a critique of these two institutions but a brief comment would have been welcomed. Other innovations discussed in this Chapter are the Government Parliamentary Committees (GPCs), Group Representation Constituencies (GRCs) and Town Councils. On the GRCs, the reader is referred to a critique by some academic writers.

Equally far-reaching have been changes in "The Judiciary" (Chapter 4) ranging from a gradual but ultimate abolition of appeals to the Privy Council in 1994. Chan observes succinctly that "not only was the retention of Privy Council appeals incongruous with Singapore's status as an independent nation but, also, British judges unfamiliar with local political, social and economic circumstances were not the best persons to steer the development of Singapore law, particularly in the areas of public

and administrative law (p 42). Chan also notes the changes of the structure, jurisdiction and powers of the judiciary, including the institution of the Family Court on 1 March 1995.

Moving next to “Legal Institutions”, (Chapter 5) we see how Singapore dealt with the growing numbers in the legal profession, professional conduct and ethics. The Chapter also deals with the legal service and major law enforcement agencies.

Updates are also noted in “Sources of Law” (Chapter 6) and “Procedure” (Chapter 7). In her concluding Chapter 8, Chan thoughtfully observes that an “unprecedented legal renaissance” has occurred in recent years in the administration of justice in Singapore. She concludes that these reforms undoubtedly contributed substantially to Singapore being ranked number one in the administration of justice by the 1993 World Competitiveness Report.

This book is stated as intended for “law students, foreign lawyers and laymen”. I would add that it is also useful for local lawyers, government legal officials, legal academics and all those who are concerned with the administration of the law. The reader is given copious references for further reading not only in academic journals but in various newspaper articles and comments.