

RECEIVED 24 MAY 2022



Original: pass to Bryan  
on 24/5/22  
copy: Mr. Lau.

Your Ref :

Our Ref : 1001.NU.3010.21.FM.dh

Writer's e-mail : fazal@fazallc.com.sg

18<sup>th</sup> May 2022

The General Insurance Association of Singapore  
79 Robinson Road #07-01  
Singapore 068897

Dear Sirs,

**SUIT NO: MC/MC 6145/2021**

**SINGAPORE ACCIDENT STATEMENT NO: MNA420102365**

**ACCIDENT ON 16 NOVEMBER 2020 INVOLVING FX 9888Z AND SMJ870Z ALONG COMMONWEALTH AVENUE WEST**

1. We act for Miss Nadya Umairah Binte Mohammad Fairus, the Defendant in the above suit and the driver of SMJ870Z at the material time of the accident.
2. Out of the blue, our client was served with the Writ of Summon on 31 July 2021 but documents in support of the claim were never provided with the Writ. Our client then wrote to the Plaintiff's solicitor for the documents and subsequent to this, our client received a copy of the SAS filed by the Plaintiff for the accident at an ARC of National Assessment Centre Services (NAC) Bukit Merah. However, the given copy of the SAS was incomplete as no photos were accompanied the SAS.
3. Suspecting an irregularity, our client decided to purchase copy of the Plaintiff's SAS from GEARS so that our client could sight the necessary photos depicting any apparent damage having been sustained by the Plaintiff's vehicle. On receipt of the copy of the Plaintiff's SAS from GEARS, our client was surprised having to note the following:
  - a) There are two (2) ENTRY DATE AND TIME of the SAS. The copy from GEARS simply states it was 18 November 2020 at 1647 hrs whereas the copy given to our client by the Plaintiff's solicitor shows that it was 18 November 2020 at 1521 hrs and the actual e-filing Submission Date and Time is 18 November 2020 at 1647hrs. But the irony is that, the Plaintiff had signed off the SAS earlier at 1425hrs.
  - b) There are an unusual number of 17 (Seventeen) pieces of photos being attached to the SAS but these photos do not appear to have been taken by the said NAC but clearly they were taken at a workshop and were supplied to the NAC to serve as an appropriate and legitimate attachment to the SAS.

9 Jalan Kukoh #01-87 Singapore 160009  
T : (65) 6535 2188 | F : (65) 6534 3972 [Not for Service of Court Documents]

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4. On 22 September 2021 our client's previous solicitor, M/s Emerald Law wrote to NAC Bukit Merah enquiring about the discrepancies in the hour of the reporting and the reasons thereof but no reply was received from them.
5. Following a finding during a CDR that the survey report used by the Plaintiff to support the claim being in breach of the NIMA Protocol, a re-survey was recommended by the court. To facilitate this, we wrote to NAC on 26<sup>th</sup> April 2022 requesting them to clarify the discrepancies and the reasons thereof as well as to provide us the photos taken by them during the making of the SAS by the Plaintiff at the centre. NAC acknowledged a receipt of our letter on 9<sup>th</sup> May 2022. To date we have not received any substantive reply from them at all. We are simply unable to fathom the rationale for their reluctance to provide the detail and material we have requested for.
6. For ease of your reference, we enclose copy of the letters of 22<sup>nd</sup> September 2021 and 26<sup>th</sup> April 2022 for your attention.
7. As we understand it, when an accident report is made at your ARC, the centre is required not only to facilitate the making of the SAS but also to inspect the vehicle and to take photos showing the apparent damage to the vehicle which are consistent with the account of the accident given by the maker of the report. We also understand that one of the objectives of the procedure as described in your MCF is to prevent any inflated claims from being made by irresponsible and unscrupulous people.
8. We believe that in carrying out its tasks and duties, an ARC should be professional and independent and neutral. We do not therefore believe that an ARC is obliged to assist any party in their third party claim neither must an ARC be used as an accessory to help any party to further and realise their hidden agenda. In a nutshell, it is the intention of the industry to not allow any ARC to undermine the underlying sacred objectives of the MCF. We do not believe that the intention has been changed.
9. The purpose of our letter to you is to seek your help in instructing NAC to provide the material and clarification we required to enable us to execute our professional work in the suit and more importantly, to protect our client's best interest in the matter. As the body responsible for the appointment of the ARC, the author of the IMPORTANT NOTICE of the SAS and as a matter of a public interest, we believe you are in a position and authority to do this.
10. To better appreciate the issue we have at hand and if you are keen to examine all the relevant claim documents such as the flawed survey report, the 2 Plaintiff's SAS and his Police Report, our client's SAS and her Police Report, our client's accident photos taken at the scene of the accident and our client's Dashcam video, we are more than happy to share them with you if you could let us have your email address to where we could forward the material to you.
11. In any event and should you require any other information or detail whether for the matter cited above or for other purposes such as causing an investigation to be made to ascertain if the ARC in question has indeed carried out their work in accordance with your Terms of Engagement, please do not hesitate to contact us.
12. For your information, the insurer of our client's vehicle SMJ870Z was NTUC Income Insurance Cooperative Limited and in spite of the many letters having been sent to them requesting them to provide us the exchange of correspondence they have had with the Plaintiff's solicitor on the claims for both the personal injury and the property damage, they do not seem to be interested in extending any

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help to our client in both the claims. They seem to have taken the position that since the policy does not cover driver with less than 2 years driving experience, they have the right not to consult the driver in the claims nor have they the duty to ensure that the third party's claims submitted to them by the Plaintiff's solicitor do comply with the relevant PIMA and NIMA Protocols.

We shall be pleased to hear from you on the above and we like to thank you for your help and cooperation in the matter.

May we hear from you urgently please.

Yours faithfully



enc.

cc 1. Insurance Commissioner  
Monetary Authority of Singapore  
10 Shenton Way  
MAS Building  
Singapore 079117



2. National Assessment Centre Services  
51 Ubi Avenue 1 #01-25  
Paya Ubi Industrial Park  
Singapore 408933

3. NTUC Income Insurance Cooperative Limited  
75 Bras Basah Road  
Singapore 189557  
Your Ref: MT/1110473 and MT/1110473-002

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**(Please send all letters, emails and faxes to the BRANCH OFFICE address for this matter)**

22<sup>nd</sup> September 2021

M/s National Assessment Centre Services  
Blk 1007 Bukit Merah Lane 3  
#01-11  
Singapore 159721

Dear Sirs,

**SUIT NO: MC/MC 6145/2021**  
**SINGAPORE ACCIDENT STATEMENT NO: MNA420102365**  
**ACCIDENT ON 16 NOVEMBER 2020 BETWEEN FX9888Z AND SMJ870Z**

We act for Miss Nadya Umairah Binte Mohammad Fairus, the Defendant in the above suit.

We have been given a copy of the Accident Report made at your centre by the rider of motorcycle FX9888Z where we note the following:

1. The Report was signed by the Policyholder on 18<sup>th</sup> November 2020 at 1425hrs.
2. The Date of Report and Entry Date & Time is stated as 18<sup>th</sup> November 2020 at 1521 hrs.
3. The Actual e-filing Submission Date & Time is 18<sup>th</sup> November 2020 at 1647hrs.

We like to know when exactly the report was made by the rider. Is it at 1425hrs or 1521hrs? and the reason for the discrepancy.

We would appreciate it if you could let us have your advice to above as soon as possible.

Yours faithfully

cc.  client – via email

M/s National Assessment Centre Services  
Blk 51 Ubi Avenue 1 #01-25  
Paya Ubi Industrial Park  
Singapore 408933

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Branch Office: Commissioners For Oaths | Notary Public | 9 Jalan Kukoh #01-87 Singapore 160009  
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Your Ref :

Our Ref : 1001.NU.3010.21.FM.dh

Writer's e-mail : fazal@fazallic.com.sg

26<sup>th</sup> April 2022

M/s National Assessment Centre Services  
Blk 1007 Bukit Merah Lane 3 #01-11  
Singapore 159721

Dear Sirs

**SUIT NO: MC/MC 6145/2021**

**SINGAPORE ACCIDENT STATEMENT NO: MNA420102365**

**ACCIDENT ON 16 NOVEMBER 2020 BETWEEN FX9888Z AND SMJ870Z**

We now act for Miss Nadya Umairah Binte Mohammad Fairus, the Defendant in the above suit in place of M/s Emerald Law.

M/s Emerald Law wrote to you on 22<sup>nd</sup> September 2021 requesting for clarification for the discrepancy noted in the SAS but we do not seem to have received any reply from you on the query. Please let us have the required clarification on an urgent basis. We enclose a copy of the letter dated 22<sup>nd</sup> September 2021 for your attention.

In the course of our dealing with the subject suit, we note that there are 17 pieces of photos being attached to the SAS and we have reasons to believe that these 17 photos were not taken by you but by the workshop of the Plaintiff and were supplied to you for inclusion into the SAS.

We now write to request you to provide us the relevant photos that were taken by you when the vehicle in this instance is a motorcycle/scooter was brought before you during the filing of the SAS at your centre.

We have also reasons to believe that the motor-scooter was first brought to the workshop before it was presented to you for the necessary damage assessment and this is clearly not in accordance with the procedure contemplated by the GIA.

We would appreciate it if you could let us have the required clarification and photos within the next 10 days so that we can decide the next course of action we must take in the matter.

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Please be advised that should our client's Defence to the suit is prejudiced by the absence of your photos showing the apparent physical damage to FX9888Z, we reserve the right to seek from you any damage which our client has had to suffer as a result of your failure to properly and professionally record the apparent physical damage to FX9888Z when same was brought before you for the purposes of making the SAS or the Accident Report.

We look forward to receiving your response in due course.

Yours faithfully



cc M/s National Assessment Centre Services  
51 Ubi Avenue 1 #01-25  
Paya Ubi Industrial Park  
Singapore 408933  
For the attention of Mr K.K Lau

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Your Ref :  
Our Ref : 1001.NU.3010.21.FM.dh  
Writer's e-mail : fazal@fazallc.com.sg

*Dear Sir / Madam*

26<sup>th</sup> April 2022

M/s National Assessment Centre Services  
Blk 1007 Bukit Merah Lane 3 #01-11  
Singapore 159721

*We are looking into your letter and will revert with the information soon.*

Dear Sirs

*LKK And  
Ryan 09/05/2022.*

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