
First published in the Government *Gazette*, Electronic Edition, on 28 December 2020 at 5 pm.

No. S 1081

FAMILY JUSTICE ACT 2014 (ACT 27 OF 2014)

FAMILY JUSTICE (AMENDMENT NO. 4) RULES 2020

In exercise of the powers conferred by section 46 of the Family Justice Act 2014 and all other powers enabling us under any written law, we, the Family Justice Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Family Justice (Amendment No. 4) Rules 2020 and come into operation on 2 January 2021.

Amendment of rule 9

2. Rule 9(6) of the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) is amended by deleting paragraph (b) of the definition of “Court” and substituting the following paragraphs:

“(aa) the Appellate Division of the High Court, if the relevant matter or proceeding is any appeal referred to in paragraph (5)(a) to the Appellate Division of the High Court, in respect of which no leave has been given under paragraph (2) or (3), or under Order 1, Rule 9(2) or (3) of the Rules of Court, by a court below;

(b) the High Court before 2 January 2021 or the General Division of the High Court on or after that date, if the relevant matter or proceeding is —

(i) any matter, proceeding or appeal referred to in paragraph (5)(a); or

-
-
- (ii) any appeal referred to in paragraph (5)(b), (c) or (d) to the High Court before 2 January 2021 or the General Division of the High Court on or after that date, in respect of which no leave has been given under paragraph (2) or (3), or under Order 1, Rule 9(2) or (3) of the Rules of Court, by a court below; or”.

Amendment of rule 20

3. Rule 20(2) of the principal Rules is amended by deleting the words “or 17” in sub-paragraph (ca) and substituting the words “, 17 or 22(4)”.

Amendment of rule 295E

4. Rule 295E(1) of the principal Rules is amended —

- (a) by deleting the words “or an application under section 17” and substituting the words “an application under section 17”; and
- (b) by inserting, immediately after the words “revoke such an order,”, the words “or an application under section 22(4),”.

Amendment of rule 295I

5. Rule 295I of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraph:

“(1A) Where an application under section 22(4) is made, the applicant must, unless the Court otherwise directs, serve a Notice of Application in Form 64B-1 on the respondent.”.

Amendment of rule 295L

6. Rule 295L(1) of the principal Rules is amended by inserting, immediately after the words “revocation of such an order”, the words “or section 22(4)”.

New rule 295T

7. The principal Rules are amended by inserting, immediately after rule 295S in Part 17B, the following rule:

“Setting aside order under section 22(4)

295T.—(1) An application to set aside an order under section 22(4) made in the absence of a respondent must be made within 5 days after the service of the order.

(2) The application must be —

(a) made by filing a notice in Form 64I setting out the grounds for setting aside the order; and

(b) supported by an affidavit.”.

Amendment of rule 670

8. Rule 670(2) of the principal Rules is amended —

(a) by deleting the words “with the consent” and substituting the words “after hearing the arguments and considering the submissions”; and

(b) by inserting, immediately after the word “determination,”, the words “in writing”.

Amendment of rule 814

9. Rule 814(4) of the principal Rules is amended by deleting the word “issued” in sub-paragraph (a) and substituting the word “filed”.

Amendment of rule 816

10. Rule 816(3) of the principal Rules is amended by deleting the word “issued” in sub-paragraph (a) and substituting the word “filed”.

Amendment of rule 821

11. Rule 821 of the principal Rules is amended by inserting, immediately after the words “Part 2” in paragraph (zf), the words “, or an order made under Part 4,”.

Amendment of rule 827

12. Rule 827 of the principal Rules is amended by deleting paragraph (6) and substituting the following paragraph:

“(6) If all the parties to an appeal that is deemed to have been withdrawn under paragraph (5) consent to the payment —

- (a) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the appellant, and the appellant files the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the appellant or any solicitor’s undertaking is to be discharged; or
- (b) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the respondent, and the respondent files the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the respondent or any solicitor’s undertaking is to be discharged.”.

Amendment of rule 830

13. Rule 830 of the principal Rules is amended by deleting paragraph (3) and substituting the following paragraph:

“(3) If all the parties to the appeal that has been deemed withdrawn and struck out under paragraph (2) consent to the payment —

- (a) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the appellant, and the appellant files the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the appellant or any solicitor’s undertaking is to be discharged; or
- (b) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the respondent, and the respondent files

the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the respondent or any solicitor's undertaking is to be discharged.”.

Amendment of rule 839

14. Rule 839 of the principal Rules is amended —

- (a) by deleting the word “issued” in paragraph (2)(a) and substituting the word “filed”; and
- (b) by deleting the word “issuing” in paragraph (5) and substituting the word “filing”.

Amendment of rule 929A

15. Rule 929A(1) of the principal Rules is amended by deleting the words “or 17” in sub-paragraph (a)(vi) and substituting the words “, 17 or 22(4)”.

Amendment of Fifth Schedule

16. Item 1 of Part 5 of the Fifth Schedule to the principal Rules is amended by inserting, immediately after the word “application”, the words “by a parent or guardian”.

Miscellaneous amendments

17. The principal Rules are amended —

- (a) by inserting, immediately after the words “the Court of Appeal” in the following provisions, the words “or the Appellate Division of the High Court”:

Rule 96(2)(b)

Rule 992(1);

- (b) by deleting the words “High Court” wherever they appear in the following provisions and substituting in each case the words “General Division of the High Court”:

Rule 148A(2)(a) and (3)

Rule 151(3)

Rule 286K

Rule 314(1) and (2)

Rule 616(2)(a)

Rule 846(2)(a) and (4)

Rule 847(1), (4) and (5)

Rule 848

Rule 849(1) and (2)

Rule 860(2)(a)

Sixth Schedule, items 30 and 31;

(c) by deleting the words “to the Family Division of the High Court or the Court of Appeal” in the following provision:

Rule 580(1);

(d) by deleting the words “High Court” in the following provision and substituting the words “Family Division of High Court”:

Rule 761A (rule heading);

(e) by deleting the words “to Court of Appeal” in the following provision:

Rule 774 (rule heading);

(f) by deleting the words “section 28B” in the following provision and substituting the words “section 29B”:

Rule 817(1);

(g) by deleting the words “section 34” in the following provision and substituting the words “section 29A”:

Rule 818(1);

(h) by deleting the words “High Court” in the following provisions and substituting in each case the words “Family Division of the High Court”:

Rule 828(10)

Part 1 of Fifth Schedule, item 60;

-
-
- (i) by deleting the words “*High Court*” in the following provision and substituting the words “*General Division of High Court*”:

Part 18, Division 61 (Division heading);

- (j) by deleting the words “Judge of the High Court” in the following provision and substituting the words “Judge sitting in the General Division of the High Court”:

Rule 846(3);

- (k) by deleting the words “action in the High Court” in the following provision and substituting the words “action in the Family Division of the High Court”:

Rule 878(7);

- (l) by deleting the words “or the Court of Appeal” wherever they appear in the following provisions and substituting in each case the words “, the Appellate Division of the High Court or the Court of Appeal”:

Rule 930(2)

Rule 934(1) and (2)

Rule 961 (definition of “order”)

Rule 992(3);

- (m) by deleting the words “to that Court” in the following provision and substituting the words “or the Appellate Division of the High Court to the Court of Appeal or the Appellate Division of the High Court, as the case may be”:

Rule 992(2)(b);

- (n) by deleting the words “*High Court (Family Division)*” wherever they appear in the following provisions and substituting in each case the words “*Family Division of High Court*”:

Part 2 of Third Schedule, paragraphs 1 to 6 (column heading)

Fourth Schedule, paragraphs (A) and (D)

Parts 1, 3 and 4 of Fifth Schedule (column heading)

Part 7 of Fifth Schedule, paragraphs (A), (C), (D) and (E);
(o) by deleting the words “the High Court (Family Division)”
wherever they appear in the following provisions and
substituting in each case the words “the Family Division of
the High Court”:

Fourth Schedule, item 1 of paragraph (C)

Part 7 of Fifth Schedule, item 1 of paragraphs (C), (D)
and (E); and

(p) by deleting the words “a High Court action” in the
following provisions and substituting in each case the
words “an action in the Family Division of the High
Court”:

Part 1 of Fifth Schedule, items 14 and 15

Part 3 of Fifth Schedule, items 12 and 13.

*[G.N. Nos. S 144/2015; S 301/2016; S 610/2016;
S 375/2017; S 416/2017; S 544/2017; S 617/2017;
S 126/2018; S 409/2018; S 722/2018; S 834/2018;
S 41/2019; S 611/2019; S 778/2019; S 459/2020;
S 523/2020; S 599/2020]*

Made on 28 November 2020.

SUNDARESH MENON
Chief Justice.

JUDITH PRAKASH
Judge of Appeal.

DEBBIE ONG
*Presiding Judge of the
Family Justice Courts.*

KENNETH YAP YEW CHOH
*Registrar of the
Family Justice Courts.*

LIM HUI MIN
Director of Legal Aid.

YAP TEONG LIANG
Advocate and Solicitor.

FOO SIEW FONG
Advocate and Solicitor.

[AG/LEGIS/SL/104A/2020/1 Vol. 2]

(To be presented to Parliament under section 46(7) of the Family Justice Act 2014).