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No. S 639

FAMILY JUSTICE ACT 2014 (ACT 27 OF 2014)

FAMILY JUSTICE (AMENDMENT) RULES 2021

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) Rules 2021 and come into operation on 16 September 2021.

Amendment of rule 176A

2. Rule 176A of the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) is amended by inserting, immediately after paragraph (4), the following paragraph:

“(4A) Despite paragraph (4), an uncontested application to the Court under the Act to appoint a professional deputy as a deputy for P may be made by that professional deputy in accordance with this rule.”.

New rule 653A

3. Part 18 of the principal Rules is amended by inserting, immediately after rule 653 in Division 38, the following rule:

“Affidavit may be sworn and signed before and attestation completed by commissioner for oaths through live video or live television link

653A.—(1) Subject to paragraphs (2) and (3), an affidavit may be sworn and signed in Singapore before, and the attestation completed and signed by, a commissioner for oaths with the

deponent appearing before the commissioner for oaths through a live video or live television link that is created using a remote communication technology that complies with the requirements set out in any practice directions for the time being issued by the Registrar.

(2) For the purpose of this rule and rule 642(8), the deponent and the commissioner for oaths may sign the affidavit electronically in accordance with any requirements laid down in any practice directions for the time being issued by the Registrar.

(3) Where the affidavit is to be taken, and an oath for the taking of the affidavit is to be administered, in Singapore by a commissioner for oaths through a live video or live television link, the commissioner for oaths must be able to —

- (a) maintain visual contact and communicate with the deponent and any interpreter present throughout the process;
- (b) confirm the identity of the deponent and any interpreter present;
- (c) verify by visual inspection, read, interpret and explain the document to be sworn and signed by the deponent; and
- (d) confirm that the document which the commissioner for oaths later signs is the same document sworn and signed by the deponent.”.

Amendment of heading of Division 58 of Part 18

4. Part 18 of the principal Rules is amended by inserting, immediately after the words “*from Registrar*” in the heading of Division 58, the words “*and Judge*”.

Deletion and substitution of rule 818

5. Rule 818 of the principal Rules is deleted and the following rule substituted therefor:

“Leave to appeal against decision of Family Division of High Court

818.—(1) This rule applies where any written law —

(a) expressly provides that an appeal may be brought against a decision of the Family Division of the High Court only with leave, or that no appeal may be brought against a decision of the Family Division of the High Court except with leave; and

(b) further specifies that the Family Division of the High Court is the court from which such leave must be obtained, or the court which may grant such leave.

(2) A party applying for any leave mentioned in paragraph (1) to appeal against a decision of the Family Division of the High Court must file the party’s application in the Family Division of the High Court within 7 days after the date of the decision.

(3) A party who has obtained leave under this rule to appeal against a decision of the Family Division of the High Court must file and serve the notice of appeal within one month after the date on which such leave was given.”.

Amendment of rule 843

6. Rule 843 of the principal Rules is amended —

(a) by deleting the words “to the Registrar” in paragraph (1) and substituting the words “or originating summons”;

(b) by deleting paragraph (2) and substituting the following paragraph:

“(2) An application under section 29(1) of the Act may be heard by the Registrar.”; and

(c) by deleting the word “Registrar” in paragraph (3) and substituting the word “Court”.

Deletion of rule 894

7. Rule 894 of the principal Rules is deleted.

Deletion and substitution of rule 895

8. Rule 895 of the principal Rules is deleted and the following rule substituted therefor:

“Hearing in vacation

895. Any matter required to be immediately or promptly heard in vacation is to be heard by a Judge who sits during that vacation in accordance with section 10B(2) of the Supreme Court of Judicature Act (Cap. 322).”.

Amendment of rule 927

9. Rule 927(2) of the principal Rules is amended by deleting the word “Where” and substituting the words “Subject to rule 653A, where”.

Deletion and substitution of rule 954

10. Rule 954 of the principal Rules is deleted and the following rule substituted therefor:

“Use of foreign documents under Apostille Convention or Civil Procedure Convention

954.—(1) Despite these Rules, the following documents may be received, filed or used in the Court:

- (a) a foreign public document with an apostille placed on or attached to it;
- (b) a document or a translation of the document that has been drawn up or certified, and duly sealed, by a court or other competent authority of a foreign country, being a country with which there subsists a Civil Procedure Convention providing for the dispensation of the authentication of such documents.

(2) In this rule —

“apostille” means a Convention certificate as defined by section 10 of the Apostille Act 2020 (Act 38 of 2020);

“foreign public document” has the meaning given by section 6 of the Apostille Act 2020.”

[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; S 1081/2020]

Made on 27 July 2021.

SUNDARESH MENON
Chief Justice.

JUDITH PRAKASH
Justice of the Court of Appeal.

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

KENNETH YAP YEW CHOY
*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.

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