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## No. S 156

### FAMILY JUSTICE ACT 2014

#### FAMILY JUSTICE (AMENDMENT) RULES 2023

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.—(1) These Rules are the Family Justice (Amendment) Rules 2023 and, except for rule 5, come into operation on 12 April 2023.

(2) Rule 5 is deemed to have come into operation on 31 December 2021.

#### **Amendment of rule 208**

2. In the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules), in rule 208, replace paragraph (3) with —

“(3) Where the deceased to whom the application for a grant relates died before 15 December 2003, the applicant for a grant must state in the Statement in Form 51 whether, to the best of the applicant’s knowledge, there is any probate application or action in respect of the deceased’s estate.”.

#### **Amendment of rule 237**

3. In the principal Rules, in rule 237 —

(a) in the rule heading, delete “**and request to extract grant**”;  
and

(b) delete paragraphs (2) and (3).

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**Amendment of Fifth Schedule**

4. In the principal Rules, in the Fifth Schedule, replace Part 4 with —

“PART 4

NON-CONTENTIOUS PROCEEDINGS UNDER  
PROBATE AND ADMINISTRATION ACT 1934

<i>No.</i>	<i>Item</i>	<i>Fees</i>	<i>Document to be stamped and remarks</i>
	<i>Commencement of a cause or matter and appearance</i>		
1.	On filing an originating summons for Probate or Letters of Administration, or for resealing the same, including the fees for filing the supporting affidavit and engrossing any document annexed to the grant —		The filed copy
	(a) where there is a request for a grant in electronic form only	\$200	
	(b) where there is an additional request for Grant of Probate or Letters of Administration in printed form	\$30	
2.	(a) On engrossing any Supplementary Schedule of Assets or any amended document to annex to an extracted Grant of Probate or Letters of Administration	\$10	Request <sup>4</sup>
	(b) On additional request for an engrossed supplementary or amended document mentioned in paragraph (a) in printed form	\$10	Request <sup>4</sup>

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3. On entry of every caveat including notice to the applicant	\$50	The filed copy
4. On withdrawing a caveat including notice	\$20	The filed copy
5. On settling or sealing a citation	\$30	The filed copy
6. On sealing an amended originating summons or an amended appearance	\$20	The filed copy
7. On entering an appearance for each party	\$20	The filed copy
<i>Interlocutory applications</i>		
8. On sealing a summons seeking —	\$100	The filed copy
(a) relief in the form of an injunction		
(b) an order for discovery		
9. On sealing a summons for a transfer of proceedings under section 29(1) or (2) of the Family Justice Act 2014	\$200	The filed copy
10. On sealing other summons	\$20	The filed copy
11. On filing a request for the service of process or notice of it out of jurisdiction	\$50	Request <sup>4</sup>
<i>Writs of execution, etc.</i>		
12. On sealing every —		The filed copy
(a) order for committal, arrest or attachment of property or warrant for committal	\$150	
(b) writ of execution or order of court for all other cases	\$270	

*Judgments and orders*

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|--|------|-------------------------------|
| 13. On entering or sealing any judgment or order of Court  | \$50 | Judgment or order             |
| 14. On sealing or issuing any document (not being any judgment or order of Court), where no other fee is prescribed by this Schedule | \$20 | The document sealed or issued |

*Matters before Registrar*

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|---|-------|----------------|
| 15. On settling a lodgment schedule for payment into Court of purchase or other money, or on approving a guarantee or an undertaking in lieu of a guarantee | \$20  | The filed copy |
| 16. On every reference to the Registrar or an officer of Court, or on fixing the reserve on a sale out of Court   | \$100 | The filed copy |
| 17. On settling a deed or other instrument, or particulars and conditions of sale, whether together or separately   | \$100 | The filed copy |

*Bailiff's or Registrar's office*

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| 18. For each attempt at service on each person of any process or proceedings required to be served by the Court or Registrar or bailiff | \$30  | Request <sup>4</sup> |
| 19. For each request for a date to be appointed for the execution of a writ of execution after first appointment                        | \$100 | Request <sup>4</sup> |
| 20. On marking a writ of execution for renewal or filing an amended writ of execution   | \$50  | The filed copy       |

21. For releasing property seized by instruction of party issuing the writ of execution, order of attachment, arrest or attachment of property	\$20	Request <sup>4</sup>
22. Commission of 1% to be charged on all sums levied by seizure and sale, subject to a minimum of \$100  <i>Note:</i> Where the sale is made by private contract, only half the commission will be payable	—	To be deducted by the bailiff or Registrar
23. On the sale of any property, where no fee or commission is specifically provided, commission of 1% to be charged on the sale price, subject to a minimum of \$100  <i>Note:</i> Where the sale is made by private contract, only half the commission will be payable	—	To be deducted by the bailiff or Registrar
24. Commission of 4% to be charged on all moneys received by the bailiff or Registrar under garnishee summons	—	To be deducted by the bailiff or Registrar
25. Commission of 4% to be charged on all moneys received by the bailiff or Registrar under an order for the attachment before judgment of money belonging to the debtor in the hands of a third party	—	To be deducted by the bailiff or Registrar

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26. One half of the commission chargeable under item 22 to be charged on all moneys received by the bailiff or Registrar in satisfaction of a writ of seizure and sale where an execution is withdrawn, satisfied or stopped	—	To be deducted by the bailiff or Registrar
27. One half of the commission chargeable under item 22 to be charged on the estimated value of the amount stated in the writ, whichever is the lesser, where the execution is withdrawn, satisfied or stopped	—	To be paid in cash to the bailiff or Registrar by the Execution Creditor
28. One half of the commission chargeable under item 23 to be charged on the estimated value of the property where the sale is not proceeded with	—	To be paid in cash to the bailiff or Registrar by the party who requested that the sale be carried out
29. For each person employed in taking charge of any property under seizure	Actual cost	To be paid in cash to the bailiff or Registrar or direct payment on vouchers certified by the bailiff or Registrar
30. For removal of goods or animals to a place of safe keeping, when necessary	Actual cost	To be paid in cash to the bailiff or Registrar

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| 31. Where goods or animals are for warehousing and taking charge of the same, including feeding of animals, 2% on the value of the goods or animals removed or the sum endorsed on the writ of execution, whichever is less, plus actual cost incurred   | Actual cost plus 2%               | To be paid in cash to the bailiff or Registrar |
| <i>Note:</i> No fees for keeping possession of the goods or animals are to be charged after the goods or animals have been removed   |                                   |  |
| 32. For advertising and giving publicity to the sale by auction  | Actual cost                       | To be paid in cash to the bailiff or Registrar |
| <i>Note:</i> In every case where the execution is withdrawn, satisfied or stopped, the fees must be paid by the person at whose instance the sale is stopped, and the amount of any costs or charges payable under this Part must be taxed by a Judge, in case the bailiff or Registrar and the party liable to pay such costs and charges differ as to the amount thereof |                                   |  |
| 33. For the attendance by the bailiff or Registrar, his substitutes or his bailiffs on any place of execution, or for the arrest of a debtor —   |                                   |  |
| (a) between 9 a.m. and 5 p.m. from Monday to Friday (excluding public holiday)   | \$50 per hour or part of an hour  | To be paid in cash to the bailiff or Registrar |
| (b) at any other time  | \$100 per hour or part of an hour | To be paid in cash to the bailiff or Registrar |

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<i>Filing affidavit, issuance of certificate or report, etc.</i>		
34. On filing an affidavit, for every page or part of every page including exhibit annexed to or produced with the affidavit	\$1 per page subject to a minimum fee of \$10 per affidavit	The filed copy
35. On issuance of any certificate or report by the Registry or on filing any document for which no fee is specifically provided in this Part or in Part 1 (except for requests of an administrative nature)	\$10	The filed copy
36. For the following on any moneys, funds or securities —	\$20	The filed copy
(a) on a certificate of the amount and description of the same, including the request of it		
(b) on a transcript of an account on the same for each opening, including the request of it		
(c) on paying, lodging, transferring or depositing the same in Court		
(d) on paying out of Court any of the same lodged or deposited in Court		
(e) on a request to the Accountant-General in writing for information on the same or any transaction in his office		
37. Request for payment out of moneys paid into Court under instalment order	5% of the sum to be paid out	Request <sup>4</sup>

*Urgent handling charge*

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| 38. For each document where a request is made that the document be processed on an urgent basis, in addition to any other fees chargeable under these Rules or any other written law | 16% of filing fees (but excluding the electronic filing charges) | The filed copy |
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*Electronic filing charge*

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| 39. For documents filed or sent to the Court using the electronic filing service under Division 68 of Part 18 by electronic submission, in addition to any other fees chargeable under these Rules or any other written law — |                                       | The filed copy |
| (a) draft judgments, draft orders or draft certificates and requests of an administrative nature  | —                                     |                |
| (b) bundles of documents, bundles of authorities, lists of authorities and written submissions  | \$4 per document plus \$0.60 per page |                |
| (c) all other documents filed or sent to the Court  | \$4 per document plus \$0.80 per page |                |

*Note:* Where the document is remotely composed on the computer system of the electronic filing service provider, it is deemed to comprise 2 pages

*Manual handling charge*

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|---|------|----------------------|
| 40. On rejection of any document for administrative or clerical errors      | \$5  | The filed copy       |
| 41. On every request for the refund of the fee paid for any unused document | \$20 | Request <sup>4</sup> |

*Electronic service charge*

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|---|-----------------------------------|-----------------|
| 42. For the service, delivery or conveyance of documents on or to one or more registered users using the electronic filing service under Division 68 of Part 18, whether by electronic transmission or through the service bureau | \$2 per document per party served | The served copy |
|---|-----------------------------------|-----------------|

*Inspection, copies and translations*

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|--|---------------------------------------|----------------------|
| 43. On every request for certified true copies of documents from the Court file (including exemplification of a probate or letters of administration and of a will or codicil or of any translation thereof or any document to annex to Grant) | \$8 per document plus \$5 per page    | Request <sup>4</sup> |
| However, the fee under this item must not be collected for transcripts certified by a provider of transcription services authorised by the Court   |                                       |                      |
| 44. On every request for plain copies of documents from the Court file   | \$5 per document plus \$0.15 per page | Request <sup>4</sup> |
| 45. On every application to inspect a Court file   | \$10                                  | Request <sup>4</sup> |
| 46. On a certified translation by an interpreter of the Court  | \$45 per page or part of a page       | Request <sup>4</sup> |

*Commissions*

47. On taking or retaking an affidavit or a declaration in lieu of an affidavit, or a declaration or an acknowledgment for each person making the same	\$25	Affidavit or Declaration
And in addition for each exhibit referred to in an affidavit, a declaration or an acknowledgment and required to be marked	\$5	
48. On taking a recognizance or bond, including an administration bond in an application for Grant of Probate, Letters of Administration or resealing, whether one or more than one recognizer or obliger, and whether entered into by all or at one time or not	\$100	The filed copy”.

**Miscellaneous amendments****5. In the principal Rules —**

- (a) in rule 20(2)(e), replace “section 49, 49B, 49C (read with section 49B) or 50 of the Children and Young Persons Act (Cap. 38)” with “section 54, 56, 57 (read with section 56) or 59 of the Children and Young Persons Act 1993”;
- (b) in Part 7, in the Part heading, after “CHILDREN AND YOUNG PERSONS ACT”, insert “1993”;
- (c) in rule 148(1), in the definition of “Act”, replace “(Cap. 38)” with “1993”;
- (d) in rule 148(3), replace “sections 49, 49A, 49B, 49C (read with section 49B), 49D, 50 and 51” with “sections 54, 55, 56, 57 (read with section 56), 58, 59 and 60”;

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- (e) in rule 148A(1), replace “section 48B(1)(b)(ii), an application to the Court under section 49(1), 49B(1), 49C(1) (read with section 49B) or 50(1)” with “section 53(1)(b)(ii), an application to the Court under section 54(1), 56(1), 57(1) (read with section 56) or 59(1)”;
- (f) in rule 148B(1), replace “section 48B(1B)” with “section 53(3)”;
- (g) in rule 148C, replace “section 49(1), 49B(1), 49C(1) (read with section 49B) or 50(1)” with “section 54(1), 56(1), 57(1) (read with section 56) or 59(1)”;
- (h) in rule 148D(1), replace “section 49(1F) or (9), 49A(2), (3) or (4), 49B(10), 49D(2) or 50(10) or (15)” with “section 54(7) or (17), 55(2), (3) or (4), 56(10), 58(2) or 59(10) or (15)”;
- (i) in rule 148D(3), replace “section 49(1D), 49A(5), 49B(10) or (11), 49D(3) or 50(15)” with “section 54(5), 55(5), 56(10) or (11), 58(3) or 59(15)”;
- (j) in rule 148D(7), replace “section 49(1D), 49A(5) or 49D(3)” with “section 54(5), 55(5) or 58(3)”;
- (k) in rule 149, replace “section 49, 49A, 49B, 49C (read with section 49B), 49D, 50 or 51” with “section 54, 55, 56, 57 (read with section 56), 58, 59 or 60”;
- (l) in rule 151(1), replace “section 49(5), 49B(9), 49C(2) (read with section 49B(9)) or 50(2), (7), (13) or (14)” with “section 54(13), 56(9), 57(2) (read with section 56(9)) or 59(2), (7), (13) or (14)”;
- (m) in rule 151(3), replace “section 49, 49A, 49B, 49C (read with section 49B), 49D, 50 or 51” with “section 54, 55, 56, 57 (read with section 56), 58, 59 or 60”;
- (n) in the Fifth Schedule, in Part 5, in the Part heading, replace “SECTIONS 49, 49A, 49B, 49C, 49D, 50 and 51 OF CHILDREN AND YOUNG PERSONS ACT (CAP. 38)” with “SECTIONS 54, 55, 56, 57, 58, 59 and 60 OF CHILDREN AND YOUNG PERSONS ACT 1993”;

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- (o) in the Fifth Schedule, in Part 5, in item 1, replace “section 49(1D), 49A(5), 49B(10), 49B(11), 49D(3) or 50(15) of the Children and Young Persons Act” with “section 54(5), 55(5), 56(10) or (11), 58(3) or 59(15) of the Children and Young Persons Act 1993”; and
- (p) in the Fifth Schedule, in Part 7, in paragraph (E), replace “*section 49, 49A, 49B, 49C, 49D, 50 or 51 of the Children and Young Persons Act*” with “*section 54, 55, 56, 57, 58, 59 or 60 of the Children and Young Persons Act 1993*”.

[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; S 639/2021;  
S 322/2022]

Made on 23 March 2023.

SUNDARESH MENON  
*Chief Justice.*

JUDITH PRAKASH  
*Justice of the Court 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.*

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