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No. S 409

FAMILY JUSTICE ACT 2014
(ACT 27 OF 2014)

FAMILY JUSTICE (AMENDMENT NO. 2) RULES 2018

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. 2) Rules 2018 and come into operation on 20 June 2018.

Amendment of rule 3

2. Rule 3(1) of the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) is amended —

(a) by inserting, immediately before the definition of “attend”, the following definition:

““application form” means a form by which an application under rule 176A may be made;”;
and

(b) by deleting the definition of “originating process” and substituting the following definition:

““originating process” means a writ of summons, an originating summons or an application form;”.

Amendment of rule 18

3. Rule 18 of the principal Rules is amended —

- (a) by deleting the word “Proceedings” in paragraph (1) and substituting the words “Unless otherwise provided in these Rules, proceedings”; and
- (b) by inserting, immediately after the words “that Act” in paragraph (2)(f), the words “or these Rules”.

Amendment of rule 100

4. Rule 100 of the principal Rules is amended by inserting, immediately after paragraph (6), the following paragraph:

“(6A) The Court may order to be struck out any matter, in an unsworn statement filed under paragraph (6), that is scandalous, irrelevant or otherwise oppressive.”.

New rule 109A

5. The principal Rules are amended by inserting, immediately after rule 109, the following rule:

“Hearing of application for order under rule 102, 104, 105 or 106 by Registrar in Chambers

109A. Unless the Court otherwise directs, an application for an order under rule 102, 104, 105 or 106 may be heard and determined by the Registrar in Chambers.”.

Amendment of rule 114

6. Rule 114 of the principal Rules is amended by inserting, immediately after paragraph (7), the following paragraph:

“(7A) The Court may order to be struck out any matter, in any document produced under paragraph (6) or any statement of evidence filed under paragraph (7)(b), that is scandalous, irrelevant or otherwise oppressive.”.

Amendment of rule 175

7. Rule 175(1) of the principal Rules is amended by deleting the definition of “relevant person” and substituting the following definition:

““relevant person” means a person (other than a named defendant) who is specified in any practice directions to be —

(a) a person whose consent must be given for an application under rule 176A; or

(b) a person who is to be served under rule 179 with an application under the Act,

and different persons may be specified for different applications and different matters under the Act.”.

Amendment of rule 176

8. Rule 176(3) of the principal Rules is amended —

(a) by deleting the word “or” at the end of sub-paragraph (b); and

(b) by deleting the full-stop at the end of sub-paragraph (c) and substituting the word “; or”, and by inserting immediately thereafter the following sub-paragraph:

“(d) an application is made under rule 176A.”.

New rule 176A

9. The principal Rules are amended by inserting, immediately after rule 176, the following rule:

“Uncontested applications for specified matters

176A.—(1) This rule applies to every uncontested application to the Court under the Act in respect of any matter that is specified in the practice directions made for the purposes of this rule (called in this rule a specified matter).

(2) The application may be made to the Court by filing an application form in such form as is specified in the practice directions made for the purposes of this rule.

(3) The application may only be made if —

(a) P is at least 21 years old at the time the application is made; and

(b) every relevant person consents to the application.

(4) The application must be made by one of the following persons:

(a) P's spouse;

(b) P's child who is at least 21 years old;

(c) P's parent;

(d) P's sibling who is at least 21 years old.

(5) The application —

(a) must be supported by a medical report from P's doctor; and

(b) may be supported by any other document.

(6) The application must contain a declaration by the applicant that —

(a) the matters stated in the application form and supporting documents are true and correct; and

(b) the applicant understands that the applicant commits an offence under section 199 of the Penal Code (Cap. 224) if the applicant makes, in the application form or any supporting document, any statement that is false, and that the applicant knows or believes to be false or does not believe to be true, touching any point material to the object for which the application or supporting document is made or used.

(7) In determining any application mentioned in this rule, the Court may make such orders and give such directions as the Court thinks fit.

(8) The Registrar, or any officer charged with the duty of receiving documents filed with the Court, may reject an application mentioned in this rule if the application is not made in accordance with this rule, or does not comply with any practice directions made for the purposes of this rule.

(9) To avoid doubt, this rule does not prevent an uncontested application in respect of a specified matter from being made in accordance with rule 176.”.

Amendment of rule 929A

10. Rule 929A(1) of the principal Rules is amended —

- (a) by deleting the word “and” at the end of sub-paragraph (a)(v); and
- (b) by deleting the full-stop at the end of sub-paragraph (b) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(c) an application under rule 176A.”.

Amendment of Part 2 of Fifth Schedule

11. Part 2 of the Fifth Schedule to the principal Rules is amended by inserting, immediately after item 8, the following item:

“9. On filing an application form for an uncontested application under rule 176A \$40 The filed copy”.

*[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]*

Made on 6 June 2018.

SUNDARESH MENON
Chief Justice.

JUDITH PRAKASH
Judge of Appeal.

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

CHIA WEE KIAT
*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).