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No. S 416

FAMILY JUSTICE ACT 2014 (ACT 27 OF 2014)

FAMILY JUSTICE (AMENDMENT NO. 2) RULES 2017

In exercise of the powers conferred on us 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 2017 and come into operation on 1 August 2017.

New rule 101A

2. The Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) are amended by inserting, immediately after rule 101, the following rule:

“Cross-examination by unrepresented applicant or respondent during family violence trial, etc.

101A.—(1) Paragraph (2) only applies where the applicant or respondent in a family violence trial or an application under section 67(1) —

- (a) appears in person; and
- (b) intends to cross-examine, or cross-examines, a witness who —
 - (i) is below 21 years of age;
 - (ii) is the person against whom the family violence is alleged to have been committed; or
 - (iii) is an incapacitated person as defined in section 64.

(2) The Judge hearing the family violence trial or application under section 67(1) may, on the application of the respondent or applicant or on the Judge's own motion, make either or both of the following orders:

- (a) an order that the cross-examination of the witness be restricted in scope and duration;
 - (b) an order that the witness must not be cross-examined directly.
- (3) Where the Judge makes an order under paragraph (2)(b) —
- (a) each question to be asked during the cross-examination of the witness must be stated orally or in writing to the Judge;
 - (b) the Judge may require the question to be reframed before the question is asked; and
 - (c) if the Judge allows the question to be asked, the question will be asked by the Judge or by a person appointed by the Judge.”.

Deletion and substitution of rule 998

3. Rule 998 of the principal Rules is deleted and the following rule substituted therefor:

“Powers of Registrar concerning court fees

998.—(1) Subject to these Rules, the Registrar may, in any case, and on such terms and conditions as the Registrar deems fit —

- (a) waive or defer the payment of the whole or any part of any court fees;
- (b) refund the whole or any part of any court fees paid; or
- (c) direct that the whole or any part of any court fees be paid by any party or be apportioned among all or any of the parties.

(2) Any party requesting a refund under paragraph (1)(b) must make a written request to the Registrar within one month after the date on which the reason for the refund arose.”.

Amendment of Fifth Schedule

4. Part 1 of the Fifth Schedule to the principal Rules is amended —

(a) by deleting the *Note* in item 58; and

(b) by inserting, immediately after item 59, the following item:

No.	Item	High Court (Family Division) Value not exceeding \$1 million	High Court (Family Division) Value exceeding \$1 million	Family Court	Document to be stamped and remarks
	<i>“Interpretation Services</i>				
60.	On every request for the services of an Interpreter of the Court for any hearing in open Court before the High Court, not being a hearing in any proceedings under any of the following Acts:	\$300 per day or part of a day	\$300 per day or part of a day	—	Request ⁴
	(a) Adoption of Children Act (Cap. 4)				
	(b) Guardianship of Infants Act (Cap. 122)				
	(c) Inheritance (Family Provision) Act (Cap. 138)				
	(d) Maintenance of Parents Act (Cap. 167B)				
	(e) Mental Capacity Act (Cap. 177A)				
	(f) Mental Health (Care and Treatment) Act (Cap. 178A)				
	(g) Status of Children (Assisted Reproduction Technology) Act (Cap. 317A);				
	(h) Women’s Charter (Cap. 353)				

”.

*[G.N. Nos. S 144/2015; S 301/2016; S 610/2016;
S 375/2017]*

Made on 17 July 2017.

SUNDARESH MENON
Chief Justice.

JUDITH PRAKASH
Judge of Appeal.

VALERIE THEAN
*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).