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## No. S 544

### FAMILY JUSTICE ACT 2014 (ACT 27 OF 2014)

### FAMILY JUSTICE (AMENDMENT NO. 3) RULES 2017

In exercise of the powers conferred by section 46 of the Family Justice Act 2014 and section 26(5) of the Administration of Justice (Protection) Act 2016 (Act 19 of 2016), we, the Family Justice Rules Committee, make the following Rules:

#### **Citation and commencement**

1. These Rules are the Family Justice (Amendment No. 3) Rules 2017 and come into operation on 1 October 2017.

#### **Amendment of rule 37**

2. Rule 37(2) 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 the words “Divisions 38,” in sub-paragraph (b), “50,”.

#### **Deletion and substitution of heading of Division 50 of Part 18**

3. Part 18 of the principal Rules is amended by deleting the heading of Division 50 and substituting the following Division heading:

*“Division 50 — Contempt of court”.*

#### **New rule 757A**

4. The principal Rules are amended by inserting, immediately before rule 758 in Division 50 of Part 18, the following rule:

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**“Definitions**

**757A.** In this Division, unless the context otherwise requires —

“Act” means the Administration of Justice (Protection) Act 2016 (Act 19 of 2016);

“contempt of court” means contempt of court under the Act and includes, subject to section 8, contempt of court under the common law;

“section” means a section of the Act.”.

**Amendment of rule 758**

**5.** Rule 758 of the principal Rules is amended —

(a) by deleting paragraphs (1) to (4) and substituting the following paragraph:

“(1) The power of the Court to punish for contempt of court may be exercised by an order of committal in Form 160.”; and

(b) by deleting the word “Court” in the rule heading and substituting the word “court”.

**Amendment of rule 759**

**6.** Rule 759(2) of the principal Rules is amended by deleting sub-paragraph (a) and substituting the following sub-paragraphs:

“(a) be made to a Judge;

(aa) subject to sub-paragraph (ab), be made by ex parte originating summons or by summons in the proceedings, as the case may be;

(ab) be made by ex parte originating summons, if the application is in relation to a contempt of court under section 4 in relation to an order made under Part VII, VIII or IX of the Women’s Charter (Cap. 353) or under the Children and Young Persons Act (Cap. 38); and”.

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**Amendment of rule 761**

7. Rule 761 of the principal Rules is amended by deleting the words “contempt of Court” and substituting the words “contempt of court”.

**New rule 761A**

8. The principal Rules are amended by inserting, immediately after rule 761, the following rule:

**“Transfer to High Court**

**761A.**—(1) An application under section 10(4) to transfer a case in a Family Court or a Youth Court to the Family Division of the High Court must be made by originating summons to a Judge of the latter Court.

(2) In hearing such an application, the Family Division of the High Court may order the case sought to be transferred and any related proceedings to be stayed until after the final determination of the application.

(3) Where the Family Division of the High Court orders a case in a Family Court or Youth Court to be transferred to the Family Division of the High Court under section 10(4) —

(a) the Family Division of the High Court may —

(i) set aside or affirm any order made by the Family Court or Youth Court in the case;

(ii) modify rules 759 and 760 in their application to the case; and

(iii) make any other order relating to the transfer; and

(b) the Registrar of the Family Justice Courts must give notice of the transfer to every party to the case.”.

**Amendment of rule 764**

9. Rule 764 of the principal Rules is amended —

(a) by deleting the words “contempt of Court” in paragraph (1) and substituting the words “contempt of court”; and

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- (b) by deleting the words “failing to comply with a judgment or an order requiring him to” in paragraph (2) and substituting the words “contempt of court under section 4 in relation to his failure to”.

### **Amendment of rule 765**

**10.** Rule 765(1) of the principal Rules is amended —

- (a) by deleting the words “a person guilty of contempt of Court, or”; and
- (b) by deleting the words “contempt of Court, to” and substituting the words “contempt of court, to”.

### **Amendment of Sixth Schedule**

**11.** The Sixth Schedule to the principal Rules is amended by deleting items 67 to 72.

*[G.N. Nos. S 144/2015; S 301/2016; S 610/2016;  
S 375/2017; S 416/2017]*

Made on 22 September 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.*

[AG/LEGIS/SL/104A/2015/1 Vol. 4]

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