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**No. S 676**

WOMEN'S CHARTER  
(CHAPTER 353)

WOMEN'S CHARTER  
(MATRIMONIAL PROCEEDINGS)  
(AMENDMENT) RULES 2013

In exercise of the powers conferred on us by sections 79(1A) and 139(1) and (2) of the Women's Charter, we, the committee constituted under section 139(1) of the Women's Charter, hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Women's Charter (Matrimonial Proceedings) (Amendment) Rules 2013 and shall come into operation on 2nd December 2013.

**New Part I heading**

2. The Women's Charter (Matrimonial Proceedings) Rules (R 4) (referred to in these Rules as the principal Rules) are amended by inserting, immediately above rule 1, the following Part heading:

“PART I

PRELIMINARY”.

**Amendment of rule 1**

3. Rule 1 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

- “(2) Unless otherwise specified, these Rules shall apply to —
- (a) all proceedings under Parts VIII and X of the Act commenced on or after 1st April 2006; and
  - (b) all applications to vary an order made in proceedings for ancillary relief under Part X of the Act commenced before, on or after 1st April 2006.”.

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**Amendment of rule 2****4. Rule 2(1) of the principal Rules is amended —**

(a) by inserting, immediately before the definition of “Affidavit of Assets and Means”, the following definition:

““additional CPF information” means any information that a person is required by the Registrar to obtain from the Central Provident Fund Board which is additional to that contained in a relevant CPF statement;”;

(b) by inserting, immediately after the definition of “arrangements for the welfare of every dependent child”, the following definition:

““Central Provident Fund” means the Central Provident Fund established under section 6 of the Central Provident Fund Act (Cap. 36);”;

(c) by deleting the definition of “CPF standard query”; and

(d) by inserting, immediately after the definition of “Registrar”, the following definition:

““relevant CPF statement” means a statement issued by the Central Provident Fund Board containing such information as the Registrar may require relating to —

(a) any account maintained by the Central Provident Fund Board for any person who is a member of the Central Provident Fund; and

(b) the amount withdrawn from any such account (including any accrued interest) for the purchase of any immovable property or in connection with withdrawals of any moneys from the Central Provident Fund;”.

**New Part II heading**

5. The principal Rules are amended by inserting, immediately above rule 2A, the following Part heading:

“PART II

PROCEEDINGS UNDER PART VIII OF ACT”.

**Deletion of rule 2M**

6. Rule 2M of the principal Rules is deleted.

**New Part III heading**

7. The principal Rules are amended by inserting, immediately above rule 3, the following Part heading:

“PART III

PROCEEDINGS UNDER PART X OF ACT”.

**Amendment of rule 4**

8. Rule 4 of the principal Rules is amended —

- (a) by deleting the words “Form 1” in paragraph (1) and substituting the words “Form 1 (Section 94 Originating Summons Form)”;
- (b) by deleting the words “made returnable for a fixed date” in paragraph (3) and substituting the words “fixed for a pre-trial conference before a Registrar or for a hearing”; and
- (c) by deleting paragraphs (4) and (5) and substituting the following paragraphs:

“(4) Unless the court directs otherwise, the originating summons, together with the affidavit in support of the originating summons and a copy of the notice of proceedings in Form 2 (Notice of Section 94 Originating Summons Form), shall be served on the defendant at least 5 clear days before the date on which the pre-trial conference or hearing is fixed.

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(5) The defendant may be heard without filing a memorandum of appearance.”.

### **Amendment of rule 4A**

9. Rule 4A of the principal Rules is amended —

- (a) by deleting the words “returnable for a fixed date” in paragraph (4) and substituting the words “fixed for a pre-trial conference before a Registrar or for a hearing”; and
- (b) by deleting paragraphs (5) and (6) and substituting the following paragraphs:

“(5) Unless the court directs otherwise, the originating summons together with the affidavit in support of the originating summons, shall be served on the defendant at least 5 clear days before the date on which the pre-trial conference or hearing is fixed.

(6) The defendant may be heard without filing a memorandum of appearance.”.

### **Deletion of rule 4B**

10. Rule 4B of the principal Rules is deleted.

### **Amendment of rule 5**

11. Rule 5 of the principal Rules is amended —

- (a) by deleting the words “Form 3” in paragraph (1) and substituting the words “Form 3 (Writ Form)”; and
- (b) by deleting the words “Form 4” in paragraph (2) and substituting the words “Form 4 (Summons Form)”.

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**New rule 5A**

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

**“Filing of affidavits in originating summons or summons**

**5A.—**(1) Unless the court directs otherwise, where the plaintiff or applicant intends to adduce evidence in support of an originating summons or a summons in Form 4 (Summons Form), he must do so by affidavit and must file the affidavit at the time of filing the originating summons or summons, as the case may be, and serve a copy of the originating summons or summons together with the affidavit in support of the originating summons or summons, as the case may be, on every defendant or respondent.

(2) Where the defendant or respondent intends to adduce evidence with reference to the originating summons or summons served on him, he must do so by an affidavit-in-reply and must file the affidavit-in-reply and serve a copy thereof on the plaintiff or applicant not later than —

- (a) 21 days after being served a copy of the affidavit by the plaintiff or applicant under paragraph (1), in the case of an originating summons; and
- (b) 14 days after being served a copy of the affidavit by the plaintiff or applicant under paragraph (1), in the case of a summons.

(3) Where the defendant or respondent has served a copy of an affidavit-in-reply in respect of an originating summons filed by a plaintiff, the plaintiff may not file a further affidavit without leave of the court.

(4) Where the defendant or respondent has served a copy of an affidavit-in-reply in respect of a summons filed by a plaintiff, the plaintiff may file a further affidavit and serve a copy of the affidavit on the defendant or respondent within 14 days after being served with the affidavit-in-reply.

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(5) This rule shall not apply to any Affidavit of Assets and Means or reply affidavit filed under rule 51.”.

### **Amendment of rule 6**

**13.** Rule 6 of the principal Rules is amended —

- (a) by deleting the words “an official stamp in Form 5” in paragraph (4) and substituting the words “a notice of renewal in Form 5 (Notice of Renewal Form)”; and
- (b) by deleting the words “within 14 days from” in paragraph (5) and substituting the words “within 14 days after”.

### **Amendment of rule 7**

**14.** Rule 7 of the principal Rules is amended —

- (a) by deleting the words “Form 6, 7, 8, 9 or 10” in paragraph (1)(a) and substituting the words “Form 6 (Statement of Claim (Divorce/Judicial Separation) Form) or Form 7 (Statement of Claim (Rescission of Judgment of Judicial Separation) Form)”;
- (b) by deleting the words “Form 11” in paragraph (1)(b) and substituting the words “Form 8 (Statement of Particulars Form)”;
- (c) by deleting the words “Form 15” in paragraph (1)(c) and substituting the words “Form 16 (Notice of Proceedings (Other Party) Form)”; and
- (d) by deleting paragraph (2) and substituting the following paragraphs:
  - “(2) The statement of particulars shall set out in full the following matters:
    - (a) the particulars of the facts pleaded in the statement of claim but not the evidence by which those facts are to be proved; and

(b) that the plaintiff is aware of, or has been informed by the solicitor acting for him about, the options of family mediation or counselling, before filing the writ.

(2A) Without prejudice to paragraph (2), where a statement of claim is based on section 95(3)(d) or (e) of the Act, the statement of particulars shall set out in full the following matters relating to the separation of the parties:

- (a) the date on which the parties commenced their separation;
- (b) the duration of the separation;
- (c) if the parties lived apart at different residential addresses during the period of separation, their respective residential addresses (if known); and
- (d) if the parties lived in separate households at the same residential address during the period of separation, the description of how the parties lived in separate households.

(2B) The statement of particulars shall be signed by the solicitor for the plaintiff or, where the plaintiff is acting in person, by the plaintiff.”.

### **Amendment of rule 8**

**15.** Rule 8(1) of the principal Rules is amended —

- (a) by deleting the words “Form 27” in sub-paragraph (a) and substituting the words “Form 9 (Agreed Parenting Plan Form)”; and
- (b) by deleting the words “Form 28” in sub-paragraph (b) and substituting the words “Form 10 (Plaintiff’s Proposed Parenting Plan Form)”.

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**Amendment of rule 9****16.** Rule 9 of the principal Rules is amended —

- (a) by deleting the words “Form 31” in paragraph (1)(a) and substituting the words “Form 11 (Agreed Matrimonial Property Plan Form)”;
- (b) by deleting the words “Form 35” in paragraph (1)(a) and substituting the words “Form 13 (Particulars of Housing Arrangement Form)”;
- (c) by deleting the words “Form 32” in paragraph (1)(b) and substituting the words “Form 12 (Plaintiff’s Proposed Matrimonial Property Plan Form)”;
- (d) by deleting the words “Form 35” in paragraph (1)(b) and substituting the words “Form 13 (Particulars of Housing Arrangement Form)”;
- (e) by deleting sub-paragraph (a) of paragraph (3) and substituting the following sub-paragraph:
  - “(a) the plaintiff and defendant shall each obtain their relevant CPF statement and additional CPF information within such time and in such manner as the Registrar may specify; and”;
- (f) by deleting the words “one month from” in paragraph (3)(b) and substituting the words “one month after”;
- (g) by deleting paragraph (4) and substituting the following paragraph:
  - “(4) Prior to the filing of a proposed matrimonial property plan under paragraph (1), the plaintiff shall —
    - (a) obtain his relevant CPF statement and any additional CPF information, within such time and in such manner as the Registrar may specify; and
    - (b) submit the HDB standard query to the Housing and Development Board, which shall give the plaintiff its written reply within such time and in such manner as the Registrar may specify.”;

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- (h) by deleting the words “Where the Central Provident Fund Board” in paragraph (5) and substituting the words “Where the plaintiff does not obtain his relevant CPF statement or additional CPF information”; and
  - (i) by deleting the words “abridge the time within which the Central Provident Fund Board” in paragraph (6) and substituting the words “shorten the time within which the plaintiff or the defendant shall obtain his relevant CPF statement or additional CPF information”.

### **Amendment of rule 10**

**17.** Rule 10 of the principal Rules is amended —

- (a) by deleting the words “Form 15” in paragraph (3)(c) and substituting the words “Form 16 (Notice of Proceedings (Other Party) Form)”;
- (b) by deleting the words “Form 17” in paragraph (3)(d) and substituting the words “Form 17 (Acknowledgment of Service (Other Party) Form)”;
- (c) by deleting the words “Form 19” in paragraph (3)(e) and substituting the words “Form 18 (Memorandum of Appearance (Other Party) Form)”;
- (d) by deleting the words “Form 15” in paragraph (4)(c) and substituting the words “Form 16 (Notice of Proceedings (Other Party) Form)”;
- (e) by deleting the words “Form 17” in paragraph (4)(d) and substituting the words “Form 17 (Acknowledgment of Service (Other Party) Form)”;
- (f) by deleting the words “Form 19” in paragraph (4)(e) and substituting the words “Form 18 (Memorandum of Appearance (Other Party) Form)”;

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- (g) by deleting paragraph (5) and substituting the following paragraph:

“(5) A person who has been served with a writ under paragraph (3) or (4) and who wishes to intervene in the proceedings shall file a memorandum of appearance in Form 18 (Memorandum of Appearance (Other Party) Form) and shall join as a co-defendant in the proceedings at the stage which those proceedings have reached at the time he files the memorandum of appearance, and his name shall appear thereafter in the title to the action as a co-defendant in the proceedings.”;

- (h) by deleting the words “no appearance has been entered by the defendant” in paragraph (6) and substituting the words “the defendant has not filed a memorandum of appearance”; and
- (i) by inserting, immediately after the words “Rules 11, 12” in paragraph (8), “, 12A”.

### **Amendment of rule 11**

**18.** Rule 11 of the principal Rules is amended —

- (a) by deleting the words “Form 6, 7, 8, 9 or 10” in paragraph (1)(a)(i) and (b)(i) and substituting in each case the words “Form 6 (Statement of Claim (Divorce/Judicial Separation) Form) or Form 7 (Statement of Claim (Rescission of Judgment of Judicial Separation) Form)”;
- (b) by deleting the words “Form 11” in paragraph (1)(a)(ii) and (b)(ii) and substituting in each case the words “Form 8 (Statement of Particulars Form)”;
- (c) by deleting the words “Form 16” in paragraph (1)(a)(iii) and substituting the words “Form 14 (Acknowledgment of Service (Defendant) Form)”;
- (d) by deleting the words “Form 18” in paragraph (1)(a)(iv) and substituting the words “Form 15 (Memorandum of Appearance (Defendant) Form)”;

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- (e) by deleting the words “Form 15” in paragraph (1)(b)(iii) and substituting the words “Form 16 (Notice of Proceedings (Other Party) Form)”;
- (f) by deleting the words “Form 17” in paragraph (1)(b)(iv) and substituting the words “Form 17 (Acknowledgment of Service (Other Party) Form)”;
- (g) by deleting the words “Form 19” in paragraph (1)(b)(v) and substituting the words “Form 18 (Memorandum of Appearance (Other Party) Form)”;
- (h) by deleting paragraph (2) and substituting the following paragraph:
- “(2) Where an originating summons is served by registered post, a copy of an acknowledgment of service in Form 14 (Acknowledgment of Service (Defendant) Form) shall be served together with the originating summons.”;
- (i) by deleting the words “or (2)” in paragraph (3);
- (j) by deleting paragraph (4) and substituting the following paragraph:
- “(4) For the purposes of paragraphs (1) and (2), a document shall be deemed to have been duly served on a party by registered post if the document is sent by pre-paid registered post to the party, and the party signs and returns an acknowledgment of service in accordance with Form 14 (Acknowledgment of Service (Defendant) Form) or Form 17 (Acknowledgment of Service (Other Party) Form) to the solicitor for the plaintiff, or to the plaintiff if he is acting in person, at the address of service.”;
- (k) by inserting, immediately after the word “defendant” in paragraph (5), the words “or co-defendant”; and
- (l) by deleting paragraphs (6) and (7).

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**Amendment of rule 12**

**19.** Rule 12 of the principal Rules is amended by deleting paragraph (1) and substituting the following paragraphs:

“(1) Any writ, originating summons, summons or other document in proceedings under Part X of the Act which is filed with a writ or an originating summons may be served personally or by registered post out of the jurisdiction without leave.

(1A) The procedure for service out of the jurisdiction shall conform as nearly as possible to the procedure in a like case under Order 11 of the Rules of Court (Cap. 322, R 5).

(1B) For the purposes of paragraph (1), a document shall be deemed to have been duly served on a party by registered post if the document is sent by pre-paid registered post to the party, and the party signs and returns an acknowledgment of service in accordance with Form 14 (Acknowledgment of Service (Defendant) Form) or Form 17 (Acknowledgment of Service (Other Party) Form) to the solicitor for the plaintiff, or to the plaintiff if he is acting in person, at the address of service.”.

**New rule 12A**

**20.** The principal Rules are amended by inserting, immediately after rule 12, the following rule:

**“Substituted service**

**12A.**—(1) Where an application for leave is made to substitute for any mode of service specified in rule 11 or 12 with another mode of service, or with notice of the proceedings by advertisement, the application shall be made ex-parte by summons supported by an affidavit setting out the grounds on which the application is made.

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(2) Where leave is given to substitute any mode of service specified in rule 11 or 12 with notice of the proceedings by advertisement under paragraph (1), the form of the advertisement shall be in accordance with Form 19 (Notice of Proceedings (Advertisement) Form).”.

### **Amendment of rule 13**

**21.** Rule 13 of the principal Rules is amended —

- (a) by deleting the words “Form 20” in paragraph (b)(i) and substituting the words “Form 20 (Affidavit of Service Form)”;
- (b) by deleting the words “or 12” in paragraph (b)(i) and substituting the words “, 12 or 12A, as the case may be”; and
- (c) by deleting the words “Form 16 or 17 which shall be lodged with the Registrar” in paragraph (b)(ii) and substituting the words “Form 14 (Acknowledgment of Service (Defendant) Form) or Form 17 (Acknowledgment of Service (Other Party) Form) which shall be filed in court”.

### **Amendment of rule 14**

**22.** Rule 14 of the principal Rules is amended —

- (a) by deleting paragraph (1) and substituting the following paragraph:
  - “(1) Subject to rules 11, 12, 13, 15 and 53(2) and unless the court directs otherwise, a summons or other document (not being a writ or an originating summons) shall be served by ordinary service in accordance with Order 62, Rule 6 of the Rules of Court.”;

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(b) by deleting paragraph (3) and substituting the following paragraph:

“(3) A copy of every affidavit pursuant to an order for interrogatories or discovery, shall be delivered to the other party if he is the plaintiff or has filed a memorandum of appearance within 2 working days after the affidavit has been filed.”; and

(c) by deleting the rule heading and substituting the following rule heading:

“**Service of summons or other documents**”.

### **Amendment of rule 15**

**23.** Rule 15(1) of the principal Rules is amended by inserting, immediately after the word “document”, the words “(including subsequent or related documents filed in the proceedings)”.

### **Amendment of rule 16**

**24.** Rule 16 of the principal Rules is amended —

(a) by deleting paragraphs (1), (2) and (3) and substituting the following paragraphs:

“(1) A defendant, co-defendant or person named in a statement of claim who has been served with a writ may file a memorandum of appearance in the proceedings and defend it by a solicitor or in person.

(2) The defendant, co-defendant or person named in a statement of claim shall file a memorandum of appearance containing an address for service within jurisdiction in accordance with —

(a) Form 15 (Memorandum of Appearance (Defendant) Form), in the case of a defendant; or

(b) Form 18 (Memorandum of Appearance (Other Party) Form), in the case of a co-defendant or person named in a statement of claim.

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(3) If a solicitor is acting on behalf of a defendant, co-defendant or person named in a statement of claim, the solicitor shall file a memorandum of appearance containing an address for service which shall be the address at which the solicitor carries on business in accordance with —

(a) Form 15 (Memorandum of Appearance (Defendant) Form), where the solicitor is acting for a defendant; or

(b) Form 18 (Memorandum of Appearance (Other Party) Form), where the solicitor is acting for a co-defendant or person named in a statement of claim.”;

(b) by inserting, immediately after paragraph (5), the following paragraph:

“(5A) A person desiring to appear shall not be entitled to be heard in the proceedings unless he has filed a memorandum of appearance in accordance with this rule.”; and

(c) by deleting the rule heading and substituting the following rule heading:

**“Filing a memorandum of appearance”.**

### **Amendment of rule 17**

**25.** Rule 17(1) of the principal Rules is amended by inserting, immediately after the words “in court”, the words “in such form as the Registrar may direct”.

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**Deletion and substitution of rule 18**

26. Rule 18 of the principal Rules is deleted and the following rule substituted therefor:

**“Defence and counterclaim**

18.—(1) A defendant who has filed a memorandum of appearance in the proceedings in Form 15 (Memorandum of Appearance (Defendant) Form) and who wishes to defend all or any of the allegations made in the statement of claim shall, within 14 days after the expiration of the time limited for the filing of the memorandum of appearance, file a defence in Form 21 (Defence/Counterclaim/Defence and Counterclaim Form).

(2) The defence shall state that the defendant is aware of, or has been informed by the solicitor acting for him about, the options of family mediation or counselling before filing the defence.

(3) A co-defendant or person named who has filed a memorandum of appearance in the proceedings in Form 18 (Memorandum of Appearance (Other Party) Form) and who wishes to defend all or any of the allegations made in the statement of claim shall, within 14 days after the expiration of the time limited for the filing of a memorandum of appearance, file a defence in Form 21 (Defence/Counterclaim/Defence and Counterclaim Form).

(4) A defendant who has filed a memorandum of appearance in the proceedings in Form 15 (Memorandum of Appearance (Defendant) Form) and who wishes to apply for divorce, judicial separation or nullity of marriage, in addition to defending all or any of the allegations made in the statement of claim, shall file a defence, together with a counterclaim, in Form 21 (Defence/Counterclaim/Defence and Counterclaim Form) within the time specified in paragraph (1).

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(5) Rules 10, 11, 12, 13 and 15 shall apply, with the necessary modifications, to a counterclaim as they apply to a writ or statement of claim, except that where a counterclaim alleges that the plaintiff has committed adultery, the person with whom the adultery is alleged to have been committed shall be named as a defendant in counterclaim and not as a co-defendant.

(6) Rule 16 shall apply, with the necessary modifications, to the filing of a memorandum of appearance by a defendant in counterclaim or by a person named in a counterclaim who has been served with the counterclaim, as it applies to the filing of a memorandum of appearance by a co-defendant or by a person named in a statement of claim who has been served with a writ, respectively.

(7) A defendant in counterclaim, or a person named in a counterclaim, who has filed a memorandum of appearance in the proceedings in Form 18 (Memorandum of Appearance (Other Party) Form) and who wishes to defend all or any of the allegations made in the counterclaim shall, within 14 days after the expiration of the time limited for the filing of the memorandum of appearance, file a defence to the counterclaim in Form 22 (Other Pleading Form).

(8) Where the defence filed by a defendant alleges that the plaintiff has committed adultery or has been guilty of an improper association (other than adultery) with a person named —

- (a) rule 10 shall apply, with the necessary modifications, to that defence as it applies to a writ or statement of claim;
- (b) rule 16 shall apply, with the necessary modifications, to the filing of a memorandum of appearance by the person named, as it applies to the filing of a memorandum of appearance by a person named in a statement of claim who has been served with a writ; and

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(c) if the person named has filed a memorandum of appearance in the proceedings in Form 18 (Memorandum of Appearance (Other Party) Form) and wishes to defend all or any of the allegations made in that defence, the person named shall, within 14 days after the expiration of the time limited for the filing of the memorandum of appearance, file a reply in Form 22 (Other Pleading Form).

(9) A defendant who has been served with a proposed parenting plan under rule 8 may, within 14 days after the expiration of the time limited for the filing of a memorandum of appearance in Form 15 (Memorandum of Appearance (Defendant) Form) and, if the court so directs shall, within the time specified by the court, file —

- (a) the defendant's agreement to the proposed parenting plan in Form 23 (Defendant's Agreement (Parenting Plan) Form); or
- (b) a proposed parenting plan in Form 24 (Defendant's Proposed Parenting Plan Form) setting out the defendant's proposed arrangements for the welfare of every dependent child of the marriage.

(10) A defendant who has been served with a proposed matrimonial property plan under rule 9 shall, within 14 days after the expiration of the time limited for the filing of a memorandum of appearance or such other time as may be specified by the court, obtain his relevant CPF statement and additional CPF information.

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(11) A defendant shall, within 14 days after having obtained his relevant CPF statement or additional CPF information under paragraph (10) —

- (a) send the defendant's agreement to the proposed matrimonial property plan in Form 25 (Defendant's Agreement (Matrimonial Property Plan) Form) and the particulars of the HDB matrimonial asset in Form 13 (Particulars of Housing Arrangement Form) to the solicitor for the plaintiff, or to the plaintiff if the plaintiff is acting in person; or
- (b) file a proposed matrimonial property plan in Form 26 (Defendant's Proposed Matrimonial Property Plan Form) setting out the defendant's proposed arrangements in respect of the HDB matrimonial asset and the particulars in Form 13 (Particulars of Housing Arrangement Form).

(12) A proposed parenting plan filed under paragraph (9)(b) and a proposed matrimonial property plan filed under paragraph (11)(b) shall be served on the plaintiff within 2 working days after it is filed.

(13) The court may, on such terms as it thinks just, grant leave to extend or shorten the period within which a person is required to file a pleading or document under this rule.

(14) When the time limited for filing a memorandum of appearance by a defendant, co-defendant, defendant in counterclaim or person named has expired, without a memorandum of appearance having been filed by that defendant, co-defendant, defendant in counterclaim or person named, the time for filing each of the following documents, as applicable, shall be deemed to have expired notwithstanding that the period of 14 days has not elapsed:

- (a) a defence (with or without a counterclaim);
- (b) a defence to a counterclaim;
- (c) a reply.”.

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**Amendment of rule 19**

**27.** Rule 19 of the principal Rules is amended —

- (a) by deleting the words “defence to counterclaim” in paragraph (4) and substituting the words “reply to defence to counterclaim”;
- (b) by inserting, immediately after paragraph (4), the following paragraph:

“(4A) The court may, on such terms as it thinks just, grant leave to extend or shorten the period within which a person is required to file a pleading or document under this rule.”; and
- (c) by deleting the words “Form 13” in paragraph (5) and substituting the words “Form 22 (Other Pleading Form)”.

**Amendment of rule 22**

**28.** Rule 22 of the principal Rules is amended —

- (a) by deleting paragraphs (1) and (2) and substituting the following paragraphs:
  - “(1) A writ, statement of claim or statement of particulars may be amended —
    - (a) without leave before service; or
    - (b) with leave after service.
  - (2) An order made under paragraph (1) shall, where a memorandum of appearance has been filed in the proceedings, fix the time within which the memorandum of appearance must be amended or the defence or any subsequent pleadings must be filed, amended or served.”;
- (b) by deleting paragraph (4);
- (c) by deleting the words “Form 15” in paragraph (5)(c) and substituting the words “Form 16 (Notice of Proceedings (Other Party) Form)”;

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- (d) by deleting the words “Form 17” in paragraph (5)(d) and substituting the words “Form 17 (Acknowledgment of Service (Other Party) Form)”;
  - (e) by deleting the words “Form 19” in paragraph (5)(e) and substituting the words “Form 18 (Memorandum of Appearance (Other Party) Form)”;
  - (f) by inserting, immediately after paragraph (7), the following paragraphs:

“(8) Notwithstanding anything in this rule, if the parties have agreed that the divorce shall proceed on an uncontested basis, any pleading may, by written consent between the parties, be amended once at any time without the leave of court before the setting down of the action for hearing on an uncontested basis.

(9) The amended pleadings shall be filed within 14 days after the date on which the written consent of the parties is obtained.”.

### **Amendment of rule 23**

**29.** Rule 23 of the principal Rules is amended —

- (a) by deleting the words “entered an appearance” in paragraph (1) and substituting the words “filed a memorandum of appearance”;
- (b) by deleting the words “Form 21” in paragraphs (2) and (3) and substituting in each case the words “Form 27 (Notice of Discontinuance Form)”;
- (c) by inserting, immediately after paragraph (7), the following paragraphs:

“(8) An action begun by writ is deemed to have been discontinued against a defendant if —

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- (a) an affidavit of service and acknowledgment of service referred to in rule 13 are not filed in respect of the service of the writ on that defendant before the expiry of 6 months after the validity of the writ for the purpose of service has expired; and
- (b) within that time, a memorandum of appearance has not been filed in the action by that defendant.

(9) Paragraph (8) shall not apply where the action has been stayed pursuant to an order of court.

(10) Where an action has been discontinued under paragraph (8), the court may, on application, reinstate the action and allow it to proceed on such terms as it thinks just.

(11) Nothing in this rule shall prejudice the court's power to strike out any action begun by writ due to the plaintiff's failure to take any step in the proceedings directed by the court."

#### **Amendment of rule 24**

**30.** Rule 24 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

"(2) Rules 25 to 39 shall apply to all matters involving ancillary or financial relief, as the case may be, in any proceedings commenced by writ or originating summons under Part X of the Act."

#### **Amendment of rule 25**

**31.** Rule 25 of the principal Rules is amended —

- (a) by deleting the words "paragraph (9)" in paragraph (1) and substituting the words "paragraphs (7A) and (9)";

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(b) by deleting paragraphs (4) and (5) and substituting the following paragraph:

“(4) Before an application under paragraph (1) may be filed, the party making the application must serve a written request on the other party —

(a) seeking discovery of the said document or class of documents, in such form as the Registrar may direct; and

(b) setting out in respect of each of such document or class of documents, the reasons for requesting discovery.”;

(c) by deleting the words “within 7 days of having been served with the said request” in paragraph (6) and substituting the words “within 14 days after having been served with the said request”;

(d) by deleting the words “within 14 days of the service of the written request for discovery” in paragraph (7) and substituting the words “within 28 days after the service of the written request for discovery”; and

(e) by inserting, immediately after paragraph (7), the following paragraph:

“(7A) No application under paragraph (1) may be made unless —

(a) the time specified in paragraph (6) to serve the notice has elapsed, and the party who is served with a written request for discovery has not served such notice;

(b) the time specified in paragraph (7) to provide or make available the document or class of documents that the party who is served with a written request for discovery has notified he is willing to provide discovery of has elapsed, and he has not provided or made available such document or class of documents; or

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- (c) the party who is served with a written request for discovery has notified that he is not willing or not able to provide discovery of the document or class of documents specified in the written request.”.

### **Amendment of rule 31**

**32.** Rule 31 of the principal Rules is amended —

- (a) by deleting the words “within 7 days of having been served” in paragraph (3) and substituting the words “within 14 days after having been served”; and
- (b) by deleting the words “within 14 days of the service of” in paragraph (4) and substituting the words “within 28 days after the service of”.

### **Amendment of rule 33**

**33.** Rule 33(2) of the principal Rules is amended by inserting, immediately after the word “proceedings”, the words “by way of ordinary service in accordance with Order 62, Rule 6 of the Rules of Court”.

### **Amendment of rule 40**

**34.** Rule 40 of the principal Rules is amended by deleting paragraph (1) and substituting the following paragraph:

“(1) In an action for nullity of marriage on the grounds of impotence or incapacity, the plaintiff shall apply to the Registrar for the determination of the question as to whether Medical Inspectors should be appointed to examine the parties —

- (a) after a defence has been filed; or
- (b) if no defence or memorandum of appearance has been filed in the proceedings, after the expiration of the time allowed for filing a defence or a memorandum of appearance, as the case may be.”.

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**Amendment of rule 41**

**35.** Rule 41 of the principal Rules is amended —

(a) by inserting, immediately after paragraph (4), the following paragraph:

“(5) For the avoidance of doubt, no application for the leave of court shall be made —

(a) for the examination or assessment of a child by a psychologist, psychiatrist, counsellor or other social work professional or mental health professional who is —

(i) a public officer in the Subordinate Courts;  
or

(ii) a person who is involved in the examination or assessment of the child pursuant to a direction of the court under rule 41A; and

(b) in respect of any examination or assessment of a child directed by the court under rule 41A.”; and

(b) by deleting the rule heading and substituting the following rule heading:

**“Examination of children with leave of court”.**

**New rule 41A**

**36.** The principal Rules are amended by inserting, immediately after rule 41, the following rule:

**“Examination of children directed by court**

**41A.** When considering any question relating to the custody, care and control of and access to any child, the court may, on its own motion and with a view to obtaining a report on the welfare of the child, direct that the child be examined or assessed by a person, whether or not a public officer, who is trained or has experience in matters relating to child welfare.”.

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**Amendment of rule 42**

37. Rule 42(4) of the principal Rules is amended by deleting the word “Judge” and substituting the word “court”.

**Deletion and substitution of rule 43**

38. Rule 43 of the principal Rules is deleted and the following rule substituted therefor:

**“Trial of issues**

43. The court may direct, and a plaintiff and any party to proceedings under Part X of the Act who has filed a memorandum of appearance may apply to the court for directions for, the separate trial of any issue of fact or any question as to the jurisdiction of the court.”.

**Amendment of rule 44**

39. Rule 44 of the principal Rules is amended by deleting paragraph (3) and substituting the following paragraph:

“(3) Notwithstanding paragraphs (1) and (2), the court may —

- (a) where the trial is to proceed on an uncontested basis, dispense with the attendance of all parties and solicitors acting for the parties; or
- (b) give such directions as to the hearing of any proceedings or application for ancillary relief as may be necessary.”.

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**Amendment of rule 45**

**40.** Rule 45 of the principal Rules is amended —

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

“(1) The plaintiff shall set the action down for trial or hearing by filing a notice in Form 28 (Request for Setting Down Form) within 14 days after the expiry of the time for the filing of the last pleading or within such other time as the court may direct.”;

(b) by inserting, immediately after the word “trial” in paragraph (2), the words “or hearing”;

(c) by deleting paragraph (3) and substituting the following paragraphs:

“(3) If the plaintiff fails to set the action down within the time specified in paragraph (1) or within such extended time as the court allows, any party defending the action may set it down for trial or hearing and shall, within 24 hours after having done so, give the plaintiff and all other parties in the action who have filed a memorandum of appearance notice of his having done so.

(3A) In a case where an action is proceeding only in respect of a counterclaim, a reference to the plaintiff in relation to the setting down of the action for trial or hearing shall be read as a reference to the defendant.”;

(d) by deleting the words “or by leave of the Judge” in paragraph (4) and substituting the words “and by leave of the court”; and

- 
- 
- (e) by deleting the rule heading and substituting the following rule heading:

**“Setting down for trial or hearing”.**

### **Deletion of rule 46**

- 41.** Rule 46 of the principal Rules is deleted.

### **Amendment of rule 47**

- 42.** Rule 47 of the principal Rules is amended —

- (a) by deleting the words “enter an appearance” in paragraph (1)(a) and substituting the words “file a memorandum of appearance”;
- (b) by deleting the words “Form 15” in paragraph (3) and substituting the words “Form 16 (Notice of Proceedings (Other Party) Form)”;
- (c) by deleting the words “Form 17” in paragraph (3) and substituting the words “Form 17 (Acknowledgment of Service (Other Party) Form)”;
- (d) by deleting the words “Form 19” in paragraph (3) and substituting the words “Form 18 (Memorandum of Appearance (Other Party) Form)”.

### **New rule 48A**

- 43.** The principal Rules are amended by inserting, immediately after rule 48, the following rule:

#### **“Right of defendant to be heard**

**48A.** Notwithstanding anything in these Rules, a defendant may, without filing a defence, be heard in respect of any question as to costs and any question of custody of or access to any child of the marriage, maintenance or division of matrimonial assets if he has filed a memorandum of appearance.”.

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**Amendment of rule 49**

**44.** Rule 49 of the principal Rules is amended —

- (a) by inserting, immediately after the word “defence” wherever it appears in paragraphs (1), (2) and (3), the words “and counterclaim”; and
- (b) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) An application by a defendant under paragraph (1) may be made only after the defendant has filed a memorandum of appearance.”.

**Amendment of rule 51**

**45.** Rule 51 of the principal Rules is amended —

- (a) by deleting paragraphs (1) and (2) and substituting the following paragraphs:

“(1) Where there is an application for ancillary relief by a plaintiff or defendant, the parties shall, if the court so orders, file and exchange an Affidavit of Assets and Means in such form as the Registrar may direct within such period as the court may direct.

(2) Upon the exchange of the Affidavits of Assets and Means, a party may file and serve on the other party a reply affidavit to the other party’s Affidavit of Assets and Means within such time as the court may direct.

(2A) Upon the service of a reply affidavit, a party may, unless the court directs otherwise, file and serve on the other party a further reply affidavit to the other party’s reply affidavit within such time as the court may direct.

(2B) No further affidavit by either party shall be received in evidence without the leave of court.

(2C) An application for leave under paragraph (2B) shall be by way of summons.”; and

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(b) by deleting the rule heading and substituting the following rule heading:

**“Filing of Affidavit of Assets and Means and reply affidavit”.**

### **Amendment of rule 53**

46. Rule 53(2) of the principal Rules is amended by deleting the words “rule 11” and substituting the words “rule 11 or 12”.

### **Amendment of rule 55**

47. Rule 55(1) of the principal Rules is amended by deleting the words “a Judge” and substituting the words “the court”.

### **Deletion and substitution of rule 57**

48. Rule 57 of the principal Rules is deleted and the following rule substituted therefor:

#### **“Appeal**

57. An appeal shall be made in accordance with the applicable provisions in the Rules of Court governing appeals.”.

### **Amendment of rule 58**

49. Rule 58 of the principal Rules is amended —

- (a) by deleting the words “Form 23 or 24” in paragraph (1) and substituting the words “Form 29 (Interim Judgment Form) or Form 30 (Judgment of Judicial Separation Form)”;
  - (b) by deleting the words “Form 25” in paragraph (3) and substituting the words “Form 31 (Order of Court Form)”;
- and

- 
- (c) by inserting, immediately after paragraph (3), the following paragraphs:

“(4) An order of court in respect of ancillary relief shall be extracted by the party in whose favour the interim judgment was pronounced.

(5) Where the party referred to in paragraph (4) fails to extract the order of court within 14 days after the order was made, any other party affected by the order may extract the order.”.

### **Amendment of rule 59**

**50.** Rule 59 of the principal Rules is amended —

- (a) by inserting, immediately after the word “concluded” in paragraph (3)(a), the words “at first instance without the leave of court”;
- (b) by inserting, immediately after the word “defence” in paragraph (3)(b), the words “and counterclaim (including the last hearing of any appeal)”;
- (c) by inserting, immediately after paragraph (3), the following paragraph:

“(3A) An application for leave under paragraph (3) shall be made by summons which shall be served on the party against whom the interim judgment was pronounced.”;

- (d) by inserting, immediately after the word “application” in paragraph (4), the words “referred to in paragraph (1) and subject to the requirements of section 123 of the Act”;
- (e) by deleting paragraph (5) and substituting the following paragraphs:

“(5) A spouse may make an application to make final an interim judgment pronounced against him —

- (a) without leave if no application is made under paragraph (1) within the time specified in paragraph (3)(b); or

(b) with leave in any other case.

(5A) An application for leave under paragraph (5)(b) shall be made by summons which shall be served on the party in whose favour the interim judgment was pronounced.”; and

(f) by deleting the words “Form 26” in paragraph (7) and substituting the words “Form 32 (Certificate of Final Judgment Form)”.

### **Amendment of rule 60**

**51.** Rule 60 of the principal Rules is amended —

(a) by deleting the word “Judge” wherever it appears in paragraphs (2) and (3) and substituting in each case the word “court”; and

(b) by deleting the word “Registrar” in paragraphs (4) and (5) and substituting in each case the word “court”.

### **Amendment of rule 61**

**52.** Rule 61 of the principal Rules is amended by deleting the words “a Judge” wherever they appear and substituting in each case the words “the court”.

### **New Part IV heading and rule 63A**

**53.** The principal Rules are amended by inserting, immediately after rule 63, the following Part heading and rule:

“PART IV

MISCELLANEOUS

#### **Practice directions**

**63A.** Practice directions may make additional provisions in relation to the requirements for any application in proceedings under Part VIII or X of the Act which is specified in those practice directions.”.

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**Deletion and substitution of rule 65**

54. Rule 65 of the principal Rules is deleted and the following rule substituted therefor:

**“Fees in matrimonial proceedings (including appeals)**

65.—(1) The fees chargeable in respect of matrimonial proceedings under the Act (including appeals in matrimonial proceedings) shall be as specified in —

- (a) the Second Schedule; and
- (b) Appendix B of the Rules of Court.

(2) For the avoidance of doubt, the fees specified in items 27 to 42, 54 to 60, 62 and 63 of Appendix B of the Rules of Court shall apply in respect of such matrimonial proceedings.

(3) For the purposes of paragraphs (1)(b) and (2) —

- (a) in any case where such matrimonial proceedings are heard in the High Court or the Court of Appeal, and any fee specified in items 29 to 36, 54 to 60, 62 or 63 of Appendix B of the Rules of Court is chargeable in respect of those proceedings, a reference to that fee shall be read as a reference to that fee in accordance with the applicable Supreme Court scale; and
- (b) in any other case, a reference to a fee specified in Appendix B of the Rules of Court, in so far as that fee is applicable to such matrimonial proceedings, shall be read as a reference to that fee in accordance with the District Court scale.”.

**Deletion of rule 66**

55. Rule 66 of the principal Rules is deleted.

**Deletion and substitution of First Schedule**

56. The principal Rules are amended by deleting the First Schedule and substituting the following Schedule:

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“FIRST SCHEDULE

Rule 2(2)

FORMS

FORM 1

Rule 4(1)

(SECTION 94 ORIGINATING SUMMONS FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons

No.

Between

[*Plaintiff's Name*] (ID No.   )   *Plaintiff*

And

[*Defendant's Name*] (ID No.   )   *Defendant*ORIGINATING SUMMONS FOR THE DISSOLUTION OF MARRIAGE  
PURSUANT TO SECTION 94 OF THE WOMEN'S CHARTER (CAP. 353)

To:

[*Defendant*][*Defendant's address*]

The Plaintiff applies for the following orders

1. That the Plaintiff be at liberty to file a writ of summons for dissolution of the marriage notwithstanding that 3 years have not passed since the marriage was registered on [*date of registration of marriage*].

[*Please specify if any other order(s) is/are sought*]\*This Summons is taken out by [*to state name*], solicitor for the abovenamed Plaintiff whose particulars are as follows [*to state address*].\*(*If the Plaintiff is unrepresented*) This Summons is taken out by the abovenamed Plaintiff who resides at [*to state address*]/(*and if the Plaintiff does not reside within the jurisdiction*) whose address for service is [*to state address*].

\*Delete where inapplicable.

## FORM 2

Rule 4(4)

(NOTICE OF SECTION 94 ORIGINATING SUMMONS FORM)  
 IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons

No.

Between

[*Plaintiff's Name*] (ID No.   )   *Plaintiff*

And

[*Defendant's Name*] (ID No.   )   *Defendant*

NOTICE TO DEFENDANT OF ORIGINATING SUMMONS  
 FOR THE DISSOLUTION OF MARRIAGE

Take Notice that the Plaintiff has taken out an Originating Summons in court seeking an order that he/she\* be at liberty to file a writ of summons for dissolution of the marriage notwithstanding that 3 years have not passed since the date of the marriage.

You are required to complete the acknowledgment below and send it to the Plaintiff's solicitor/Plaintiff\*.

If you wish to be heard on the application, you must attend at the time and place specified on the front cover of the Originating Summons. If you do not attend, the court may proceed to hear the application in your absence and make such order as it thinks just and expedient.

## Acknowledgment

I, the Defendant, acknowledge that I have received a copy of the Originating Summons and the affidavit filed in support of the Originating Summons.

Signed (Defendant):

Name:

ID No.:

Date:

\*Delete where inapplicable.

## FORM 3

Rule 5(1)

(WRIT FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.   )   *Plaintiff*

And

[*Defendant's Name*] (ID No.   )   *Defendant*

WRIT FOR

DIVORCE/PRESUMPTION OF DEATH AND DIVORCE/JUDICIAL  
SEPARATION/NULLITY OF MARRIAGE/RESCISSION OF JUDGMENT  
OF JUDICIAL SEPARATION\*

The Defendant

[*Defendant's name*][*Defendant's address*]

\*Defendant is a person under disability

[*To state particulars of disability*]

THIS WRIT OF SUMMONS has been issued against you by the Plaintiff in respect of the claim endorsed herein. Copies of the following documents are delivered with this Writ:

- (a) Statement of Claim
- (b) Statement of Particulars
- (c) Acknowledgment of Service
- (d) Memorandum of Appearance
- (e) Agreed/Proposed\* Parenting Plan\*
- (f) Agreed/Proposed\* Matrimonial Property Plan (For Housing Development Board flats only)\*
- (g) Instructions to the Defendant on obtaining the relevant CPF statement and additional CPF information (if applicable)\*

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[Plaintiff's Solicitor's name]	Registrar
[Plaintiff's Law Firm's name]	Supreme Court
Solicitor for the Plaintiff	Singapore

This Writ may not be served more than 12 calendar months after the date of its issue unless renewed by order of court.

#### Notice to Defendant

1. You must complete the following documents which are annexed to this Writ:
  - (a) the *Acknowledgment of Service (Defendant) Form* and return it immediately to the Plaintiff's solicitor or the Plaintiff (if unrepresented).
  - (b) the *Memorandum of Appearance (Defendant) Form* (MOA), and file\*\* it in court within 8/21\* days from the day on which you have received this Writ. If you do not file the MOA within the time-frame above, you are NOT entitled to be heard in these proceedings. This means that the court may, without notice to you, proceed to hear the action and pronounce judgment in your absence, and make all further orders in the proceedings without further reference to you.
2. If you intend to defend the Writ, you must file a Defence or a Defence and Counterclaim in court within 22/35\* days from the day on which you have received this Writ. You must serve a copy of the said document on the Plaintiff's solicitor or the Plaintiff (if unrepresented) within 2 working days after filing the Defence or Defence and Counterclaim.
3. \*You have been served with a *Plaintiff's Proposed Parenting Plan*. You must complete one of the following:
  - (a) If you agree to the arrangements set out in *the Plaintiff's Proposed Parenting Plan*, you should sign the appropriate section in the form set out in Annex A [*Defendant's Agreement (Parenting Plan) Form*]. You must return the signed relevant page to the Plaintiff's solicitor or the Plaintiff (if unrepresented) within 22/35\* days from the day on which you have received it.
  - (b) If you do not agree to the arrangements set out in the *Plaintiff's Proposed Parenting Plan*, you must file a *Defendant's Proposed Parenting Plan* (in the form set out in Annex B) to state your proposed arrangements for the children of the family. Your plan must be filed in court within 22/35\* days from the day on which you have received this Notice. If you do so, you must serve a copy of the said document on the Plaintiff's solicitor or the Plaintiff (if unrepresented) within 2 working days after filing it in court.

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4. \*You have been served with a *Plaintiff's Proposed Matrimonial Property Plan (for Housing Development Board flats only)*. You must comply with the following:
- (a) You must obtain the relevant CPF statements and additional CPF information (if applicable) within 22/35\* days from the day on which you have received it. Please read the instructions delivered with this Writ on how to do this.
  - (b) If you agree to the arrangements set out in the *Plaintiff's Proposed Matrimonial Property Plan (for Housing Development Board flats only)*, you should sign the appropriate section in the form set out in Annex A [*Defendant's Agreement (Matrimonial Property Plan) Form*]. You must return the said document to the Plaintiff's solicitor or the Plaintiff (if unrepresented) within 14 days from the day on which you have obtained the relevant CPF statements and additional CPF information (if applicable).
  - (c) If you do not agree to the arrangements set out in the said *Plaintiff's Proposed Matrimonial Property Plan (for Housing Development Board flats only)*, you must file a *Defendant's Proposed Matrimonial Property Plan* to state your proposed arrangements in respect of the matrimonial property. Your plan must be filed in court, within 14 days from the day on which you have obtained the relevant CPF statements and additional CPF information (if applicable). If you do so, you must serve a copy of the said document on the Plaintiff's solicitor or the Plaintiff (if unrepresented) within 2 working days after filing it in court.
5. If you intend to instruct a solicitor to act for you, you should at once give him all the documents which have been served on you, so that he may complete the relevant forms on your behalf within the time specified in paragraphs 1/2/3/4\* above.

Plaintiff's Address for Service

*[The Plaintiff's address for service, if the Plaintiff sues by a solicitor, shall be the solicitor's name or firm and address, or, if the Plaintiff sues in person, shall be his place of residence as given under paragraph 2(a) of the Statement of Claim or, if no place of residence in Singapore is given, the address of a place in Singapore at or to which documents for him may be delivered or sent.]*

\*Delete where inapplicable.

\*\*All references to the filing of documents in court shall refer to filing by using the electronic filing service.

## FORM 4

Rules 5(2) and 5A(1)

## (SUMMONS FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE  
Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## SUMMONS (EX-PARTE\*)

1. Orders Applied For
2. Grounds of application  
[*Choose one of the following.*]  
(a) The grounds of the application are set out in the affidavit(s)\* filed in support of this application.  
(b) The grounds of the application are set out herein.
3. Party Filing this Summons (e.g. Plaintiff, Defendant, Co-Defendant, etc.)
4. Party/Parties\* to be Served with this Summons (e.g. Plaintiff, Defendant, Co-Defendant, etc.)
5. Consent\*  
I/We\* hereby consent to this Summons.

Signature:

Name and ID No. of Party consenting to this Summons/Name of the Solicitor of Party consenting to this Summons\*:

Date:

This Summons is taken out by [*to state name of party taking out this summons*]

[*to state Plaintiff's solicitor's name and name and address of law firm (if Plaintiff represented by solicitor) or Plaintiff's address for service in Singapore*]

\*Delete where inapplicable.

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FORM 5

Rule 6(4)

(NOTICE OF RENEWAL FORM)

NOTICE OF RENEWAL OF WRIT OF SUMMONS/ORIGINATING  
SUMMONS\*

Renewed for [*to state number*] months from [*to state date*] by an order of  
court dated [*to state date*].

*Solicitor for the Plaintiff/Name of Plaintiff (if unrepresented)\**

*Name and address of Law Firm/Address of Plaintiff\**

\*Delete where inapplicable.

## FORM 6

Rules 7(1)(a) and 11(1)(a)(i) and (b)(i)

(STATEMENT OF CLAIM (DIVORCE/JUDICIAL SEPARATION) FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*STATEMENT OF CLAIM FOR NULLITY\*/DIVORCE\*/JUDICIAL  
SEPARATION\*/PRESUMPTION OF DEATH AND DIVORCE\*

1. The Marriage between Plaintiff and Defendant (the marriage)
  - (a) Date and place of solemnization of the marriage:
  - (b) Date and place of registration of the marriage:
  - (c) \*Marriage Certificate Number (for marriage registered in Singapore):
  - (d) \*The date of the marriage is less than 3 years before the date of filing of this Writ. The court has granted leave to the Plaintiff to file this Writ before the said 3 years have passed on [*to state date*] in Originating Summons Number [*to state number*]\*.

[*The Statement of Particulars shall annex a copy of the marriage certificate.*]

2. Particulars of Parties

- (a) Plaintiff

Age:

Citizenship:

Religion:

Educational Level:

Occupation:

Current address:

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(b) Defendant (if particulars are known)

Age:

Citizenship:

Religion:

Educational Level:

Occupation:

Current address:

(c) The last address at which the parties to the marriage have lived together as husband and wife:

*[to state address]*

### 3. Jurisdiction

(a) \*The court has jurisdiction based on domicile. [*Choose one of the following*]

(i) The Plaintiff/The Defendant/Both the Plaintiff and the Defendant\* is a/are\* Singapore citizen(s).

(ii) Neither the Plaintiff nor the Defendant is a Singapore citizen. [*The Statement of Particulars shall set out the reasons for which the court has jurisdiction based on domicile.*]

(b) \*The court has jurisdiction based on habitual residence. [*Choose one of the following*]

(i) The Plaintiff has been habitually resident in Singapore for a period of 3 years immediately preceding the date of the filing of the writ.

(ii) The Defendant has been habitually resident in Singapore for a period of 3 years immediately preceding the date of the filing of the writ.

*[The Statement of Particulars is to state the relevant details in either case, including:*

(A) *Address(es) of the place(s) of residence; and*

(B) *The length of residence at each place.]*

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4. Children

- (a) Particulars of each living child of the marriage [*To state, in respect of each living child of the marriage*]
- (i) Name:
  - (ii) Birth Certificate/ID number:
  - (iii) Date of birth:
  - (iv) Gender:
  - (v) Disability:  
*[If the child is suffering from serious disability or chronic illness or from the effects of that illness, state the nature of the disability or illness and in the Statement of Particulars, attach a copy of any up-to-date medical report which is available.]*
  - (vi) *[In the case of a child above the age of 21 years, to state whether he is receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation and whether he is suffering from a mental or physical disability and whether he is or will be serving full-time national service.\*]*
  - (vii) Under Care:  
*[If the child is under the care or custody of an approved school or approved home established under the Children and Young Persons Act (Cap. 38), give details, and state the date of any order for care or custody and the circumstances which gave rise to its being made.]*
- (b) To state, whether (to the knowledge of the Plaintiff in the case of a writ filed by the husband) any other living child has been born to the wife during the marriage\* and if so, to state:
- (i) Full name (including surname) and Birth Certificate/ID number of the child:
  - (ii) Date of birth:
  - (iii) Gender:
- (c) To state, if it be the case, that there is a dispute as to whether a living child is a child of the marriage\*.

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5. Related Proceedings

To state if there are or have been other proceedings in [*Singapore/elsewhere (to specify)*] with reference to the marriage, or to any children of the marriage, or between the Plaintiff and the Defendant with reference to maintenance or to any property of either or both of them.

If there are or have been such proceedings, to complete the following section:

- (a) Nature of the proceedings: [*Choose one or more of the following*]
- (i) Matrimonial proceedings;
  - (ii) Family violence (between the Plaintiff, Defendant and any children of the marriage);
  - (iii) Custody, care and control and/or access to the children of the marriage;
  - (iv) Proceedings in any juvenile or youth court in respect of the children of the marriage;
  - (v) Maintenance (between the Plaintiff, Defendant and any children of the marriage);
  - (vi) Matrimonial Property; or
  - (vii) Other proceedings which may be relevant to these proceedings (such as bankruptcy proceedings) [*please specify*]:
- (b) Details of the proceedings
- [*to state in relation to each of the proceedings set out in paragraph 5(a) above*]
- (i) The suit number:
  - (ii) The date of any decree or order or judgment:
  - (iii) Decree or order or judgment made:
  - (iv) If no decree or order or judgment has been made, the status of the proceedings:
- (c) \*The Plaintiff is a bankrupt and has obtained the previous sanction of the Official Assignee to commence this action. [*The Statement of Particulars shall annex a copy of the document bearing the sanction of the Official Assignee.*]

- (d) There are bankruptcy proceedings against the Plaintiff/the Defendant/both the Plaintiff and the Defendant\* pending as at [*to state date, which shall not be later than 7 days immediately preceding the date of filing this Writ*]. (Exhibit [*to state number*])

[*The Statement of Particulars is to state details of the pending bankruptcy proceedings.*]

6. Ground on which Relief is Sought [*Choose one of the following*]

The marriage is void

- (a) \*(For marriages that took place after 1st June 1981) The marriage is not valid under section 105 of the Women's Charter: [*Choose one or more of the following*]
- (i) by virtue of section 3(4)/5/9/10/11/12/22\* of the Women's Charter
  - (ii) (*for marriages celebrated outside Singapore*) for the lack of capacity
  - (iii) (*for marriages celebrated outside Singapore*) under the law of the place in which the marriage was celebrated.
- (b) \*(For marriages that took place on or before 1st June 1981) The marriage is not valid for the reasons stated in the Statement of Particulars.

OR

The marriage is voidable

- (a) \*(For marriages that took place after 1st June 1981) The marriage is voidable under section 106 of the Women's Charter on the following ground(s): [*Choose one or more of the following*]
- (i) That the marriage has not been consummated owing to the incapacity of either party [*please specify*] to consummate it.
  - (ii) That the marriage has not been consummated owing to the wilful refusal of the Defendant to consummate it.
  - (iii) That the Plaintiff/Defendant\* did not validly consent to the marriage, in consequence of duress and/or mistake\* and/or unsoundness of mind/lack of capacity\* and/or the facts stated in the Statement of Particulars [*please specify in the Statement of Particulars*].

- (iv) That at the time of the marriage the Plaintiff/Defendant\* though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder within the meaning of the Mental Health (Care and Treatment) Act (Cap. 178A) of such a kind or to such an extent as to be unfit for marriage.
  - (v) That at the time of the marriage the Defendant was suffering from venereal disease in a communicable form, and the Plaintiff was at the time of the marriage ignorant of the facts alleged.
  - (vi) That at the time of the marriage the Defendant was pregnant by some person other than the Plaintiff and the Plaintiff was at the time of the marriage ignorant of the facts alleged.
- (b) \*(For marriages that took place on or before 1st June 1981) The marriage is voidable for the reasons stated in the Statement of Particulars.

*[Full particulars of the individual facts relied on but not the evidence by which they are to be proved, and any other relevant information, to be stated in the Statement of Particulars.]*

OR

The marriage has broken down irretrievably\*

Fact(s) relied upon for the irretrievable breakdown of the marriage (for the purposes of section 95(3) of the Women's Charter): *[Choose one or more of the following]*

- (a) That the Defendant has committed adultery and the Plaintiff finds it intolerable to live with the Defendant.
- (b) That the Defendant has behaved in such a way that the Plaintiff cannot reasonably be expected to live with the Defendant.
- (c) That the Defendant has deserted the Plaintiff for a continuous period of at least 2 years immediately preceding the filing of the writ.
- (d) That the parties to the marriage have lived apart for a continuous period of at least 3 years immediately preceding the filing of the writ and the Defendant consents to a judgment being granted. *[The Statement of Particulars is to annex a copy of the Defendant's consent if available.]*

- (e) That the parties to the marriage have lived apart for a continuous period of at least 4 years immediately preceding the filing of the writ.

*[Full particulars of the individual facts relied on but not the evidence by which they are to be proved, and any other relevant information, to be stated in the Statement of Particulars.]*

OR

That the Defendant be presumed dead and the divorce be granted\*

- (a) Circumstances in which Parties Ceased to Cohabit

*[To state the circumstances in which the parties ceased to cohabit, and the last place at which they cohabited.]*

- (b) Last Contact with Defendant

(i) Date when the Defendant was last heard of:

(ii) Place where the Defendant was last seen:

- (c) Steps Taken to Trace the Defendant

*[To state particulars of steps taken to trace the Defendant and any other relevant information in the Statement of Particulars.]*

In the circumstances, from *[to state date]* until now, the Defendant has been continually absent from the marriage life with the Plaintiff and the Plaintiff has no reason to believe that the Defendant has been living within this time.

## 7. Relief Claimed

To state the particulars of relief claimed by the Plaintiff, including any claim for ancillary relief. *[Choose one or more of the following]*

- (a) That the marriage be declared null and void\*.

OR

That the marriage be dissolved\*.

OR

That a judgment of judicial separation be granted\*.

OR

That a judgment of presumption of death and divorce be granted\*.

- (b) Custody\* of and/or care and control\* of the child/children\* of the marriage

That the Plaintiff/Defendant\* be granted sole/joint\* custody of the child/children\* of the marriage with care and control to the Defendant/Plaintiff\*.

- (c) Access to the child/the children\* of the family

That the Plaintiff/Defendant\* be granted reasonable/liberal\* access to the child/children\* of the marriage or access as follows: [*to state terms of access*]

- (d) Division of the matrimonial home

That the matrimonial home at [*to state the address of the matrimonial home*] be sold in the open market and the sale proceeds/loss\*, after deducting the outstanding loan and costs and expenses of sale are to be divided [*to state the manner of division*]. Parties are to refund moneys into their respective CPF accounts from their own share of the sale proceeds.

OR

That Plaintiff's/Defendant's\* right, title and interest in the matrimonial flat at [*to state the address of the matrimonial home*] shall be transferred (other than by way of a sale) to the Defendant/Plaintiff\* upon the Plaintiff/Defendant\* [*to state the consideration for the transfer*]. The Plaintiff/Defendant\* is to bear the cost and expenses of the transfer.

OR

That Plaintiff's/Defendant's\* right, title and interest in the matrimonial flat at [*to state the address of the matrimonial home*] shall be sold to the Defendant/Plaintiff\* upon the Plaintiff/Defendant\* [*to state the consideration for the sale*]. The Plaintiff/Defendant\* is to bear the cost and expenses of the sale.

OR

That the matrimonial home at [*to state the address of the matrimonial home*] be surrendered to the Housing Development Board and any proceeds/loss\* to be divided [*to state the manner of division*] between the parties.

OR

Others [*please specify*]

- 
- (e) Division of the matrimonial assets (other than the matrimonial home)

*[To specify the asset and the nature of division]*

- (f) Maintenance for the wife

That the Plaintiff/Defendant\* shall pay \$*[to state the amount]* each month as maintenance for the Plaintiff/Defendant\* with effect from *[date]* and thereafter on the *[day of the month]* of each month. Payment into the Plaintiff's/Defendant's *[to state name of bank]* bank account number *[to state the bank account number]*.

OR

That there be no maintenance for Plaintiff/Defendant\*.

OR

Others *[please specify]*

- (g) Maintenance for the child/children\* of the marriage

That the Plaintiff/Defendant\* shall pay \$*[to state the amount]* each month as maintenance for the child/children\* of the marriage with effect from *[date]* and thereafter on the *[day of the month]* of each month. Payment into the Plaintiff's/Defendant's/Child's *[to state the name of the child]* *[to state name of bank]* bank account number *[to state the bank account number]*.

- (h) Costs

That there is no order as to costs.

OR

That the Defendant pay costs of the divorce proceedings fixed at *[to state amount of costs]*.

- (i) Others *[please specify]*:

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8. Housing and Development Board (HDB) flat

One of the matrimonial assets in respect of which relief is being sought is an HDB flat.

- (a) The Agreed/Proposed\* Matrimonial Property Plan (For Housing and Development Board flats only) is filed together with this Writ.
- (b) The Plaintiff/Plaintiff's Solicitor\* has made enquiries with HDB/HDB and the Central Provident Fund Board (CPFBoard)\* on [to set out respective dates] and has not received any reply from HDB/CPFBoard/HDB and CPFBoard\*. [*The Statement of Particulars shall annex copies of the said letters.*]

\*Delete where inapplicable.

## FORM 7

Rules 7(1)(a) and 11(1)(a)(i) and (b)(i)

## (STATEMENT OF CLAIM (RESCISSION OF JUDGMENT OF JUDICIAL SEPARATION) FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## STATEMENT OF CLAIM FOR THE RESCISSION OF JUDGMENT OF JUDICIAL SEPARATION (BY SPOUSE AGAINST WHOM JUDGMENT OF JUDICIAL SEPARATION IS MADE)

1. Proceedings in which the Plaintiff is seeking the Rescission of Judgment of Judicial Separation
  - (a) Petition/Divorce Suit\* Number:
  - (b) Date of Grant of Judgment of Judicial Separation:
2. Grounds for Rescission of Judgment of Judicial Separation
  - (a) \*Judgment of Judicial Separation obtained in the absence of the Plaintiff.
  - (b) \*The ground of the Judgment of Judicial Separation was desertion and the Plaintiff had reasonable cause for the alleged desertion.

*[Full particulars of the individual facts relied on but not the evidence by which they are to be proved, together with any other relevant information, to be stated in the Statement of Particulars.]*
3. Relief Claimed
 

To state the particulars of relief claimed by the Plaintiff, including any claim for ancillary relief.

  - (a) That the Judgment of Judicial Separation be rescinded
  - (b) Costs
  - (c) Others [*please specify*]:

\*Delete where inapplicable.

## FORM 8

Rules 7(1)(b) and 11(1)(a)(ii) and (b)(ii)

## (STATEMENT OF PARTICULARS FORM)

## IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## STATEMENT OF PARTICULARS

1. The particulars of paragraph(s) [*to state the relevant paragraphs*] of the Statement of Claim are set out below:  
[*to state particulars*]
2. \*If there are any pending bankruptcy proceedings stated in paragraph 5 of the Statement of Claim, to state the following particulars of the bankruptcy proceedings:
  - (a) The suit number:
  - (b) Whether creditor's bankruptcy application or debtor's bankruptcy application:
  - (c) Name of Creditor:
  - (d) Amount of debt claimed:
  - (e) Status of proceedings:
3. The following documents are annexed herein:
  - (a) Copy of the Marriage Certificate (Exhibit [*to state number*])
  - (b) \*Consent of the Defendant to a judgment being granted on the ground of 3 years' separation (Exhibit [*to state number*])
  - (c) Copy of the search result on information relating to bankruptcy proceedings against the Plaintiff and the Defendant pending as at (*to state date, which shall not be later than 7 days immediately preceding the date of filing of this Writ*). (Exhibit [*to state number*])
  - (d) \*Sanction of the Official Assignee to the Plaintiff's commencement of the action\* (Exhibit [*to state number*])

(e) \*Any other document(s) [*please specify*] (Exhibit [*to state number*])

4. The Plaintiff is aware of\*, or has been informed by the solicitor acting for him about\*, the options of family mediation or counselling, before filing the writ.

Signature:

Name of Plaintiff/Plaintiff's Solicitor\*

Date:

\*Delete where inapplicable.

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FORM 9

Rule 8(1)(a)

(AGREED PARENTING PLAN FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

AGREED PARENTING PLAN

1. Particulars of the child/children\* of the Marriage

[*to state, in respect of each child*]:

(a) Name:

(b) Birth Certificate/ID Number:

2. Agreement in Respect of Arrangements for the child/children\*

(a) The following arrangements have been agreed for the children:

[*to state, in respect of each child*]

- (i) Residence [*state where the child is to live with particulars of accommodation and what other persons live there, with their names and relationship to the child stated*]
- (ii) Care giver [*state who is to look after the child during the day, at night, during weekends and school holidays*]
- (iii) Education, etc. [*state the school or other educational establishment which the child will attend, or if he is working, his place of employment, the nature of his work and details of any training he will receive*]

**(b) Orders Sought**

I am seeking, with the Defendant's consent, the following orders to be made by the court:

- (i) *[Set out details of any agreement between parties regarding custody, care and control of and access to the children of the marriage.]*

*If orders for split care and control of the children of the marriage are being sought, e.g. for care and control of one child to be granted to one parent, and for care and control of the other child to be granted to the other parent, to set out the reasons why such orders for split care and control are in the best interests of the children of the marriage in an affidavit, which should be attached to this Parenting Plan]*

- (ii) *[Set out details of any agreement between parties regarding maintenance for the children of the marriage]*

**3. Defendant's Agreement**

*[The Defendant's agreement can be confirmed by completing either option (a) or option (b) below.]*

- (a) I, the Defendant, agree with the arrangements set out in this paragraph.

Signature of Defendant:

Name:

ID No.:

Date:

Signed by the Defendant before me, a Commissioner for Oaths:

- (b) The Defendant agrees with the arrangements set out in this paragraph.

Signed on behalf of the Defendant by the Defendant's solicitor:

Signed (Plaintiff/Plaintiff's Solicitor\*):

Date:

\*Delete where inapplicable.

## FORM 10

Rule 8(1)(b)

## (PLAINTIFF'S PROPOSED PARENTING PLAN FORM)

## IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## PLAINTIFF'S PROPOSED PARENTING PLAN

## 1. Particulars of the Child/Children\* of the Marriage

*[to state, in respect of each child]:*

(a) Name:

(b) Birth Certificate/ID Number:

## 2. Current Arrangements

The current arrangements for the child/children\* of the marriage are as follows:

*[to state, in respect of each child]*(a) Residence [*state where the child is currently living with particulars of accommodation and what other persons live there, with their names and relationship to the child stated*]

(b) Care arrangements (this section need not be completed if the child is already working at the present time)

(i) \*If the child is presently not attending school on a daily basis, to complete the following section:

(A) Are both parents working?

(B) Who looks after the child during the day and at night?

(i.e. father/mother/maid/elder siblings/relatives [*to specify nature of relationship to the child*]/a combination of the above/others [*to specify*]\*)

- 
- 
- (C) Where is the child cared for during the day and at night?  
 (i.e. at the matrimonial home/childcare centre/babysitter/relative's home [*to specify nature of person's relationship to the child*]/others [*to specify*]\*)
- (D) For how long has this arrangement been in place?  
 [*State estimated period of time, i.e. from which date till the present date*]
- (ii) \*If child is presently attending school on a daily basis, to state:
- (A) The child's school hours.
- (B) Where and by whom is the child being cared for before and after school hours?
- (iii) \*Where parties are no longer residing at the same address, to state:
- (A) Who is the parent who does NOT live with the child (the non-custodial parent)?
- (B) When was the last time the non-custodial parent visited the child?
- (C) How often does the non-custodial parent visit the child?
- (D) Does the child sometimes stay overnight with the non-custodial parent?
- (c) Education/Employment\* [*state the school or other educational establishment which the child has been and is currently attending, or if he is working, his place of employment, the nature of his work and details of any training he is receiving*]
- (d) Financial provision [*state who has been and is presently supporting the child or contributing to his support and the extent thereof*]
- (e) Access [*state what are the current arrangements for access and the extent to which access has been given*]

(f) Other relevant information

*[State any other information which is relevant to the matters concerning the arrangements for the child, for example, whether the Plaintiff or Defendant is suffering from any physical or mental disability, whether the Plaintiff or Defendant has any previous convictions and if so, the nature of the conviction, and whether the Plaintiff or Defendant has been committed to a drug rehabilitation centre and if so, when and for how long.]*

3. Proposed Arrangements

The proposed arrangements for the child/children\* of the marriage are as follows:

*[State, in respect of each child, for those matters which have not been agreed]*

- (a) Residence *[state where the child is to live with particulars of accommodation and what other persons live there, with their names and relationship to the child stated]*
- (b) Care giver *[state who is to look after the child during the day, at night, during weekends and school holidays]*
- (c) Education, etc. *[state the school or other educational establishment which the child will attend, or if he is working, his place of employment, the nature of his work and details of any training he will receive]*

4. Orders Sought

I am seeking the following orders to be made by the court:

- (a) *[Set out details of any orders sought regarding custody, care and control of and access to the children of the marriage.*

*If orders for split care and control of the children of the marriage are being sought, e.g. for care and control of one child to be granted to one parent, and for care and control of the other child to be granted to the other parent, to set out the reasons why such orders for split care and control are in the best interests of the children of the marriage.]*

- (b) *[Set out details of any orders sought regarding maintenance for the children of the marriage.]*

I confirm that all the matters set out in this Proposed Parenting Plan are true and correct.

Signed (Plaintiff):

Name:

ID Number:

Date:

\*Delete where inapplicable.

[Attach Annexes A and B to this form on separate pages.]

Annex A — Defendant's Agreement (Parenting Plan) Form

[Set out Form 23]

Annex B — Defendant's Proposed Parenting Plan Form

[Set out Form 24]

## FORM 11

Rule 9(1)(a)

(AGREED MATRIMONIAL PROPERTY PLAN FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*AGREED MATRIMONIAL PROPERTY PLAN  
(FOR HOUSING AND DEVELOPMENT BOARD FLATS ONLY)

## 1. Particulars of the Property

- (a) Address of matrimonial property (the Flat):
- (b) Sales Registration Number\* [*if there is only an Agreement for Lease and the buyers have not taken possession of the flat*]:
- (c) Name of lessee(s):
- (d) Names of permitted occupiers and relationship with each lessee:
- (e) Sole tenancy/Joint tenancy/Tenancy in common [*please specify shares*]\*:
- (f) Type of flat [*i.e. whether 3-room, 4-room, 5-room, Executive, etc.*]:

## 2. Agreed Arrangements

The parties' agreement with respect to the Flat is as follows:

[*Choose one of the following*]

- (a) Option 1: The Flat will be surrendered to the HDB.
- (b) Option 2: The Agreement for Lease with the HDB will be terminated.
- (c) Option 3: The Flat will be sold in the open market.
- (d) Option 4: The Plaintiff's share in the Flat will be sold/transferred\* to:
  - (i) The Defendant

- 
- 
- (ii) The Defendant and [*state name and relationship with the Defendant*]
  - (iii) [*state name and relationship with the Plaintiff/the Defendant*]
- (e) Option 5: The Defendant's share in the Flat will be sold/transferred\* to:
- (i) The Plaintiff
  - (ii) The Plaintiff and [*state name and relationship with the Plaintiff*]
  - (iii) [*state name and relationship with the Defendant/the Plaintiff*]
- (f) Option 6: Others [*please state brief details*]

Particulars of the agreement are attached as Annex [*to state number*].

[*To fill in the details of Option 1, 2, 3, 4, 5 or 6 as set out in Form 32, and to attach only the relevant pages to this form.*]

### 3. Defendant's Agreement

[*The Defendant's agreement can be confirmed by completing either option (a) or option (b) below.*]

- (a) I, the Defendant, agree with the arrangements set out in this paragraph.

Signature of Defendant:

Name:

ID No.:

Date:

Signed by the Defendant before me, a Commissioner for Oaths:

- (b) The Defendant agrees with the arrangements set out in this paragraph.

Signed on behalf of the Defendant by the Defendant's solicitor:

4. HDB's Approval for Option

The agreed arrangements between parties have been approved by the HDB.

5. CPF Information

The relevant CPF statement and additional CPF information (if applicable) of each party are annexed to this plan as Annex [*to state number*].

Signed (Plaintiff/Plaintiff's Solicitor\*):

Date:

\*Delete where inapplicable.

## FORM 12

Rule 9(1)(b)

(PLAINTIFF'S PROPOSED MATRIMONIAL PROPERTY PLAN FORM)

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*PLAINTIFF'S PROPOSED MATRIMONIAL PROPERTY PLAN  
(FOR HOUSING AND DEVELOPMENT BOARD FLATS ONLY)

## 1. Particulars of the Property

- (a) Address of matrimonial property (the Flat):
- (b) Sales Registration Number\*: [*if there is only an Agreement for Lease and the buyers have not taken possession of the flat*]:
- (c) Name of lessee(s):
- (d) Names of permitted occupiers and relationship with each lessee:
- (e) Sole tenancy/Joint tenancy/Tenancy in common [*please specify shares*]\*:
- (f) Type of flat [*i.e. whether 3-room, 4-room, 5-room, Executive, etc.*]:
- (g) Date of purchase of flat:
- (h) Purchase price of flat:

## 2. Proposed Arrangements

- (a) Payments made by each lessee towards the purchase of the Flat.

[*To state in respect of each lessee*]

- (i) Initial capital payment [*to state whether in Central Provident Fund (CPF) moneys or cash*]:
- (ii) Conveyancing, stamp, registration and administrative fees [*to state whether in CPF moneys or cash*]:
- (iii) Instalments per month [*to state whether in CPF moneys or cash*]:

(iv) Indirect contributions:

- (b) Amount of loan granted by the HDB/Financial institution:
- (c) Amount of outstanding loan due to the HDB/Financial institution as at date of reply to enquiry from the HDB/Financial institution, i.e. *[to state exact date]*:
- (d) The relevant CPF statements and additional CPF information (if applicable) dated *[to state date]* are annexed to this plan as Annex *[to state number]*.
- (e) *\*(For Plaintiffs who are above the age of 55) I am/The Plaintiff is\** above the age of 55 years and the amount required to be refunded into my/his/her\* CPF account in the event of a sale of the flat/transfer in ownership of the flat:
- (f) Amount of CPF Housing grant credited to Lessee's CPF account *[to state in respect of each lessee]*:

Lessee 1:

Lessee 2:

Etc.

- (g) Parties are required/not required\* to surrender the Flat to the HDB. *[If parties are required to surrender the Flat to the HDB, state the estimated surrender value of the Flat (if known)]*
- (h) Parties are eligible/not eligible\* to sell the Flat on the open market. *[If parties are not eligible to sell the Flat on the open market, state the reasons why]*.
- (i) Parties are liable/not liable\* to pay resale levy, upgrading levy or other moneys to the HDB. *[If parties are liable to pay the resale levy, etc., to state the amount of moneys payable.]*
- (j) Valuation of the Flat  
The estimated value of the Flat is: *[to state estimated value of the Flat and the basis of the valuation]*
- (k) Plaintiff's proposal with respect to the Flat

The Plaintiff's proposal with respect to the Flat is as follows:

*(Choose one or more of the following options. If more than one option is chosen, state the order of preference in brackets beside the option.)*

- (i) Option 1: The Flat will be surrendered to the HDB.

- 
- 
- (ii) Option 2: The Agreement for Lease with the HDB will be terminated.
  - (iii) Option 3: The Flat will be sold in the open market.
  - (iv) Option 4: The Plaintiff's share in the Flat will be sold/transferred\* to:
    - (A) The Defendant
    - (B) The Defendant and [*state name and relationship with the Defendant*]
    - (C) [*state name and relationship with the Plaintiff/the Defendant*]
  - (v) Option 5: The Defendant's share in the Flat will be sold/transferred\* to:
    - (A) The Plaintiff
    - (B) The Plaintiff and [*state name and relationship with the Plaintiff*]
    - (C) [*state name and relationship with the Defendant/the Plaintiff*]
  - (vi) Option 6: Others [*please state brief details*]

Particulars of my/the Plaintiff's\* proposal (for each option selected) are attached as Annex [*to state number*]. [*To fill in Option 1, 2, 3, 4, 5 or 6 as set out in Form 32, and to attach only the relevant pages to this form.*]

### 3. Confirmation Statement

I confirm/The Plaintiff confirms\* that enquiries have been made with the HDB/HDB and the Central Provident Fund Board (CPFBoard)\* on [*to state date*], and that the contents of this document are a true and accurate reflection of the replies from the HDB/CPFBoard/HDB and CPFBoard\* which I have/the Plaintiff has\* received pursuant to the said enquiries, on [*to state date*].

Signature (Plaintiff/Plaintiff's Solicitor\*):

Date:

\*Delete where inapplicable.

[Attach Annexes A and B to this form on separate pages.]

Annex A — Defendant's Agreement (Matrimonial Property Plan) Form

[Set out Form 25]

Annex B — Defendant's Proposed Matrimonial Property Plan Form

[Set out Form 26]

## FORM 13

Rules 9(1)(a) and (b) and 18(11)(a) and (b)

## (PARTICULARS OF HOUSING ARRANGEMENT FORM)

## PARTICULARS OF ARRANGEMENTS FOR HOUSING

Plaintiff's/Defendant's*
Particulars of Proposed/Agreed* Arrangements for Housing
Housing and Development Board (HDB) Flat — List of Options
<p><i>Select one or more options and complete the details in the following pages for the option(s) selected.</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Option 1:</b> The flat will be surrendered to the HDB.</li> <li><input type="checkbox"/> <b>Option 2:</b> The Agreement for Lease with the HDB will be terminated.</li> <li><input type="checkbox"/> <b>Option 3:</b> The flat will be sold in the open market.</li> <li><input type="checkbox"/> <b>Option 4:</b> The Plaintiff's share in the flat will be sold/transferred* to: <ul style="list-style-type: none"> <li><input type="checkbox"/> the Defendant</li> <li><input type="checkbox"/> the Defendant and a third party</li> <li><input type="checkbox"/> a third party</li> </ul> </li> <li><input type="checkbox"/> <b>Option 5:</b> The Defendant's share in the flat will be sold/transferred* to: <ul style="list-style-type: none"> <li><input type="checkbox"/> the Plaintiff</li> <li><input type="checkbox"/> the Plaintiff and a third party</li> <li><input type="checkbox"/> a third party</li> </ul> </li> <li><input type="checkbox"/> <b>Option 6:</b> Others:</li> </ul>

---

 Plaintiff\*

Date: \_\_\_\_\_

---

 Defendant\*

Date: \_\_\_\_\_

\*Delete where inapplicable.

**Option 1:** The flat will be surrendered to the HDB.

1. The compensation for the surrender of the flat will be used to [please tick if applicable]:
  - (a) repay the outstanding HDB mortgage loan and all moneys due to the HDB.
  - (b) refund the Plaintiff's CPF moneys used for the flat and the accrued interest\*.
  - (c) refund the Defendant's CPF moneys used for the flat and the accrued interest\*.
  - (d) others [please specify] \_\_\_\_\_.
2. [If 1(a) above is not selected and there is an outstanding mortgage loan or moneys due to the HDB]. The outstanding mortgage loan or moneys due to the HDB will be borne by:
 

Plaintiff _____ %	\$ _____	*
Defendant _____ %	\$ _____	*
3. If 1(b) or (c) above is not selected and the CPF moneys of the Plaintiff and/or the Defendant have been used for the flat [please tick if applicable]:
  - (a) The Plaintiff/The Defendant\* will refund the Plaintiff's CPF moneys used for the flat and the accrued interest.
  - (b) The Plaintiff/The Defendant\* will refund the Defendant's CPF moneys used for the flat and the accrued interest.
4. The conveyancing, stamp, registration and administrative fees of the surrender will be borne by:
 

Plaintiff _____ %	\$ _____	*
Defendant _____ %	\$ _____	*
5. The balance or shortfall will be divided in the following manner:
 

Plaintiff _____ %	\$ _____	*
Defendant _____ %	\$ _____	*

---



---

**Time Frame**

The parties will apply to the HDB to surrender the flat:

- by [please specify the date] \_\_\_\_\_;
- within \_\_\_\_\_ weeks/months of the order of court on the HDB flat;
- within \_\_\_\_\_ weeks/months of the grant of the Final Judgment;
- others [*please specify*] \_\_\_\_\_.

\_\_\_\_\_  
Plaintiff\*

\_\_\_\_\_  
Defendant\*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Delete where inapplicable.

**Option 2:** The Agreement for Lease will be terminated.

1. The deposit to be refunded by the HDB will be used to [please tick if applicable]:
  - (a) pay all moneys due to the HDB.
  - (b) refund the Plaintiff's CPF moneys used for the flat and the accrued interest\*.
  - (c) refund the Defendant's CPF moneys used for the flat and the accrued interest\*.
  - (d) others [please specify] \_\_\_\_\_.
2. [If 1(a) above is not selected and there are moneys due to the HDB]. The moneys due to the HDB will be borne by:
 

Plaintiff _____ %	\$ _____ *
Defendant _____ %	\$ _____ *
3. If 1(b) or (c) above is not selected and the CPF moneys of the Plaintiff and/or the Defendant have been used for the flat [please tick if applicable]:
  - (a) The Plaintiff/The Defendant\* will refund the Plaintiff's CPF moneys used for the flat and the accrued interest.
  - (b) The Plaintiff/The Defendant\* will refund the Defendant's CPF moneys used for the flat and the accrued interest.
4. The conveyancing, stamp, registration and administrative fees of the termination of the Agreement for Lease will be borne by:
 

Plaintiff _____ %	\$ _____ *
Defendant _____ %	\$ _____ *
5. The balance or shortfall will be divided in the following manner:
 

Plaintiff _____ %	\$ _____ *
Defendant _____ %	\$ _____ *

Time Frame
------------

The parties will apply to the HDB to terminate the Agreement for Lease:
---

- |   |
|---|
| <input type="checkbox"/> by [ <i>please specify the date</i> ] _____;<br><input type="checkbox"/> within _____ weeks/months of the order of court on the HDB flat;<br><input type="checkbox"/> within _____ weeks/months of the grant of the Final Judgment;<br><input type="checkbox"/> others [ <i>please specify</i> ] _____ . |
|---|

\_\_\_\_\_  
Plaintiff\*

\_\_\_\_\_  
Defendant\*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Delete where inapplicable.

**Option 3:** The flat will be sold in the open market.

1. The selling price shall be determined in the following manner [please tick where appropriate]:
  - By mutual agreement;
  - Not lower than \$\_\_\_\_\_;
  - Not lower than \_\_\_\_\_% of the valuation and the valuation is to be determined by:
    - A valuer appointed by the HDB on a loan basis;
    - Others [*please specify*] \_\_\_\_\_ on:
      - An open market basis;
      - A loan basis;
      - others [*please specify*] \_\_\_\_\_.
2. The sale proceeds will be used to [please tick if applicable]:
  - (a) repay the outstanding mortgage loan;
  - (b) pay all moneys due to the HDB (including resale levy and upgrading levy, if applicable, but excluding the conveyancing, stamp, registration and administrative fees of the sale);
  - (c) refund the Plaintiff's CPF moneys used for the flat and the accrued interest\*;
  - (d) refund the Defendant's CPF moneys used for the flat and the accrued interest\*;
  - (e) others [*please specify*] \_\_\_\_\_.
3. If 2(a) or (b) above is not selected and there is an outstanding mortgage loan or moneys due to the HDB [please tick if applicable]:
  - The outstanding mortgage loan will be repaid by:
 

Plaintiff _____%	\$ _____*
Defendant _____%	\$ _____*
  - The moneys due to the HDB will be repaid by:
 

Plaintiff _____%	\$ _____*
Defendant _____%	\$ _____*

4. If 2(c) or (d) above is not selected and the CPF moneys of the Plaintiff and/or the Defendant have been used for the flat [please tick if applicable]:
- (a) The Plaintiff/The Defendant\* will refund the Plaintiff's CPF moneys used for the flat and the accrued interest.
  - (b) The Plaintiff/The Defendant\* will refund the Defendant's CPF moneys used for the flat and the accrued interest.
5. The conveyancing, stamp, registration and administrative fees of the sale will be borne by:
- Plaintiff \_\_\_\_\_ %      \$ \_\_\_\_\_ \*
- Defendant \_\_\_\_\_ %      \$ \_\_\_\_\_ \*
6. The balance of the proceeds/shortfall will be divided in the following manner:
- Plaintiff \_\_\_\_\_ %      \$ \_\_\_\_\_ \*
- Defendant \_\_\_\_\_ %      \$ \_\_\_\_\_ \*

Time Frame

The parties will apply to the HDB to sell the flat in the open market:

- by [*please specify the date*] \_\_\_\_\_;
- within \_\_\_\_\_ weeks/months of the order of court on the HDB flat;
- within \_\_\_\_\_ weeks/months of the grant of the Final Judgment;
- others [*please specify*] \_\_\_\_\_.

\_\_\_\_\_  
Plaintiff\*

\_\_\_\_\_  
Defendant\*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Delete where inapplicable.

**Option 4:** The Plaintiff's share in the flat will be sold/transferred\* to the Defendant and/or other(s).

1. The sale/transfer\* is [please tick one]:

- with no cash consideration.
- with cash consideration and the Defendant will pay the Plaintiff [please tick where applicable]:
  - \$ \_\_\_\_\_
  - \_\_\_\_\_ % of the net value:

(a) the net value is:

\$ \_\_\_\_\_ /the valuation/others [please specify]\* \_\_\_\_\_ less the following:

- Plaintiff's CPF moneys used for the flat;
- Plaintiff's accrued interest on CPF moneys used;
- Defendant's CPF moneys used for the flat;
- Defendant's accrued interest on CPF moneys used;
- the amount of outstanding mortgage loan;
- the moneys due to the HDB;
- the conveyancing, stamp, registration and administrative fees of the sale/transfer\*;
- others [please specify] \_\_\_\_\_.

(b) \*the valuation is to be determined by:

- a valuer appointed by the HDB on a loan basis;
- others [please specify] \_\_\_\_\_ on:
  - an open market basis;
  - a loan basis;
  - others [please specify] \_\_\_\_\_.

2.  The Plaintiff/Defendant\* will refund the Plaintiff's CPF moneys used for the flat.
- The Plaintiff/Defendant\* will refund the accrued interest on the Plaintiff's CPF moneys used for the flat.

<p>3. The outstanding mortgage loan will be borne by:</p> <p style="padding-left: 40px;">Plaintiff _____ %     \$ _____ *</p> <p style="padding-left: 40px;">Defendant _____ %     \$ _____ *</p> <p>4. All moneys due to the HDB, if any, will be borne by:</p> <p style="padding-left: 40px;">Plaintiff _____ %     \$ _____ *</p> <p style="padding-left: 40px;">Defendant _____ %     \$ _____ *</p> <p>5. The conveyancing, stamp, registration and administrative fees of the sale/transfer* will be borne by:</p> <p style="padding-left: 40px;">Plaintiff _____ %     \$ _____ *</p> <p style="padding-left: 40px;">Defendant _____ %     \$ _____ *</p> <p>6. Other details [please specify] _____.</p>
<b>Time Frame</b>
<p>The parties will apply to the HDB to sell or transfer the Plaintiff's share in the flat:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> by [<i>please specify the date</i>] _____;</li> <li><input type="checkbox"/> within _____ weeks/months of the order of court on the HDB flat;</li> <li><input type="checkbox"/> within _____ weeks/months of the grant of the Final Judgment;</li> <li><input type="checkbox"/> others [<i>please specify</i>] _____.</li> </ul>

\_\_\_\_\_  
Plaintiff\*

\_\_\_\_\_  
Defendant\*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Delete where inapplicable.

**Option 5:** The Defendant's share in the flat will be sold/transferred\* to the Plaintiff and/or other(s).

1. The sale/transfer\* is [please tick one]:

- with no cash consideration.
- with cash consideration and the Plaintiff will pay the Defendant [please tick where applicable]:

- \$ \_\_\_\_\_

- \_\_\_\_\_% of the net value:

(a) the net value is:

\$ \_\_\_\_\_/the valuation/others [*please specify*]\*  
 \_\_\_\_\_ less the following:

- Plaintiff's CPF moneys used for the flat;
- Plaintiff's accrued interest on CPF moneys used;
- Defendant's CPF moneys used for the flat;
- Defendant's accrued interest on CPF moneys used;
- the amount of outstanding mortgage loan;
- the moneys due to the HDB;
- the conveyancing, stamp, registration and administrative fees of the sale/transfer\*;
- others [*please specify*] \_\_\_\_\_.

(b)\* the valuation is to be determined by:

- a valuer appointed by the HDB on a loan basis;
- others [*please specify*] \_\_\_\_\_ on:
  - an open market basis;
  - a loan basis;
  - others [*please specify*] \_\_\_\_\_.

2.  The Plaintiff/Defendant\* will refund the Defendant's CPF moneys used for the flat.
- The Plaintiff/Defendant\* will refund the accrued interest on the Defendant's CPF moneys used for the flat.

3. The outstanding mortgage loan will be borne by:
- Plaintiff \_\_\_\_\_ % \$ \_\_\_\_\_ \*
- Defendant \_\_\_\_\_ % \$ \_\_\_\_\_ \*
4. All moneys due to the HDB, if any, will be borne by:
- Plaintiff \_\_\_\_\_ % \$ \_\_\_\_\_ \*
- Defendant \_\_\_\_\_ % \$ \_\_\_\_\_ \*
5. The conveyancing, stamp, registration and administrative fees of the sale/transfer\* will be borne by:
- Plaintiff \_\_\_\_\_ % \$ \_\_\_\_\_ \*
- Defendant \_\_\_\_\_ % \$ \_\_\_\_\_ \*
6. Other details [*please specify*] \_\_\_\_\_.

#### Time Frame

The parties will apply to the HDB to sell or transfer the Defendant's share in the flat:

- by [*please specify the date*] \_\_\_\_\_;
- within \_\_\_\_\_ weeks/months of the order of court on the HDB flat;
- within \_\_\_\_\_ weeks/months of the grant of the Final Judgment;
- others [*please specify*] \_\_\_\_\_.

\_\_\_\_\_  
Plaintiff\*

\_\_\_\_\_  
Defendant\*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Delete where inapplicable.

**Option 6: Others**

Please state the full details of the agreement.

**Time Frame**

The parties will apply to the HDB to surrender/sell in the open market/sell or transfer a party's share in\* the flat:

- by [*please specify the date*] \_\_\_\_\_;
- within \_\_\_\_\_ weeks/months of the order of court on the HDB flat;
- within \_\_\_\_\_ weeks/months of the grant of the Final Judgment;
- others [*please specify*] \_\_\_\_\_.

\_\_\_\_\_  
Plaintiff\*

\_\_\_\_\_  
Defendant\*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Delete where inapplicable.

## FORM 14

Rules 11(1)(a)(iii), (2) and (4),  
12(1B) and 13(b)(ii)

(ACKNOWLEDGMENT OF SERVICE (DEFENDANT) FORM)  
IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE  
Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## ACKNOWLEDGMENT OF SERVICE (DEFENDANT)

1. I acknowledge that I am [*state name*]
2. I acknowledge that I have received the following documents: [*Choose one or more of the following*]
  - (a) Writ of Summons
  - (b) Statement of Claim
  - (c) Statement of Particulars
  - (d) Agreed/Proposed\* Parenting Plan (By Plaintiff)\*
  - (e) Agreed/Proposed\* Matrimonial Property Plan (By Plaintiff)\*
  - (f) Other documents [*please specify*]

(Collectively, the documents)
3. I received the documents on [*to state date*] at [*to state address*]

Signed (Defendant):

Name:

ID No.:

Date:

\*Delete where inapplicable.

## FORM 15

Rules 11(1)(a)(iv), 16(2)(a) and (3)(a)  
and 18(1), (4), (8)(c) and (9)

(MEMORANDUM OF APPEARANCE (DEFENDANT) FORM)  
IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE  
Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

MEMORANDUM OF APPEARANCE (DEFENDANT)

1. I am the Defendant and I intend/do not intend\* to defend the action.

I am/am not\* a bankrupt.

I received the Writ of Summons (Writ) and Statement of Claim on [*to state date*] at [*to state address*]:

2. \*The Statement of Claim alleges that there has been 3 years' separation and that you the Defendant consent to a judgment being granted. I consent/do not consent\* to a judgment being granted.

*(Note: Before you answer this question, you should understand that —*

*(a) if the Plaintiff satisfies the court that the Plaintiff and you have lived apart for 3 years immediately before the filing of the Writ and that you consent to a judgment being granted, the court will grant one unless it considers that the marriage has not broken down irretrievably; and*

*(b) a final judgment will end your marriage and may have consequences in your case depending on your particular circumstances. If you are unsure about the consequences, you should consult a lawyer.*

*If after consenting you wish to withdraw your consent, you must immediately inform the court and give notice to the Plaintiff.)*

3. \*The Plaintiff is also making various claims for relief in this Writ. I wish to be heard on all these claims/some of these claims\*.

*(To choose one or more of the following, circle the relevant item(s))*

- 
- 
- (a) Custody\* of and/or care and control\* of the child/children\* of the marriage
  - (b) Access to the child/children\* of the marriage. I will be filing my Agreement to Plaintiff's Proposed Parenting Plan/Defendant's Proposed Parenting Plan\*
  - (c) Division of the matrimonial home. I will be filing my Agreement to Plaintiff's Proposed Matrimonial Property Plan/Defendant's Proposed Matrimonial Property Plan\*
  - (d) Division of the matrimonial assets (other than the matrimonial home)
  - (e) Maintenance for the wife
  - (f) Maintenance for the child/children\* of the marriage
  - (g) Costs
  - (h) Others [*to specify*]:

*(Please note that you may be heard on these claims even if you do not defend the action and do not file a Defence or Defence and Counterclaim in court.)*

4. \*I wish to make claims for relief in the following matters, which have not been dealt with in the Writ:

*(To choose one or more of the following, circle the relevant item(s))*

- (a) Custody\* of and/or care and control\* of the child/children\* of the marriage
- (b) Access to the child/children\* of the marriage
- (c) Division of the matrimonial home
- (d) Division of the matrimonial assets (other than the matrimonial home)
- (e) Maintenance for the wife
- (f) Maintenance for the child/children\* of the marriage
- (g) Costs
- (h) Others [*to specify*]:

5. \*I am a wife Defendant.

I wish to/do not wish to\* make a claim for maintenance for myself.

6. The address to which communications to me should be sent is:

*(Note: This must be an address in Singapore. If a solicitor is acting for you, give the name and address of your solicitor in Singapore. If you do not give an address in Singapore, you will have no right to be heard in these proceedings.)*

7. My other contact particulars are:

Telephone:

Handphone Number:

Fax:

Signed (Defendant/Defendant's solicitor\*):

Name:

ID No.:

Date:

\*Delete where inapplicable.

## FORM 16

Rules 7(1)(c), 10(3)(c) and (4)(c),  
11(1)(b)(iii), 22(5)(c) and 47(3)

## (NOTICE OF PROCEEDINGS (OTHER PARTY) FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

NOTICE TO A CO-DEFENDANT/DEFENDANT IN  
COUNTERCLAIM/PERSON ENTITLED TO  
INTERVENE/OTHER PARTY

(TO SPECIFY)\*

(in the case of a Writ of Summons and Statement of  
Claim/Defence/Counterclaim based on adultery or improper association)

1. NOTICE OF PROCEEDINGS
2. ACKNOWLEDGMENT OF SERVICE/MEMORANDUM OF APPEARANCE

To: [*state name and ID number of Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party (To specify)\**]

1. NOTICE OF PROCEEDINGS
  - (a) Take Notice that a Writ of Summons and Statement of Claim/Defence/Defence and Counterclaim/Other Document [*please specify*]\* has been filed in the High Court by [*Plaintiff's/Defendant's Name*].
  - (b) A copy of the Writ of Summons and Statement of Claim/Defence/Defence and Counterclaim/Other Document [*please specify*]\* is delivered with this Notice.
  - (c) Please read the instructions set out in Part 2 of this Notice carefully.

\*Delete where inapplicable.

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2. ACKNOWLEDGMENT OF SERVICE/MEMORANDUM OF APPEARANCE

- (a) You must complete the form in Annex A which is known as the *Acknowledgment of Service (Other Party) Form* and return it immediately to the Plaintiff's solicitor or the Plaintiff (if unrepresented).
- (b) You must also complete the form in Annex B which is known as the *Memorandum of Appearance (Other Party) Form* (MOA), and file\*\* it within 8/21\* days from the day on which you have received this Writ/Defence/Defence and Counterclaim/Other Document [*please specify*]\*. If you do not file the MOA within such time, you are NOT entitled to be heard in these proceedings. This means that the court may, without notice to you, proceed to hear the action and pronounce judgment in your absence, and make all further orders in the proceedings without further reference to you.
- (c) If you intend to instruct a solicitor to act for you, you should at once give him all the documents which have been served on you, so that he may complete the relevant forms on your behalf within the time specified in paragraphs (a) and (b) above.

\*Delete where inapplicable.

\*\*All references to the filing of documents in court shall refer to filing by using the electronic filing service.

[Attach Annexes A and B to this form on separate pages.]

Annex A — Acknowledgment of Service (Other Party) Form

[Set out Form 17]

Annex B — Memorandum of Appearance (Other Party) Form

[Set out Form 18]

## FORM 17

Rules 10(3)(d) and (4)(d), 11(1)(b)(iv) and (4),  
12(1B), 13(b)(ii), 22(5)(d) and 47(3)

(ACKNOWLEDGMENT OF SERVICE (OTHER PARTY) FORM)  
IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE  
Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

ACKNOWLEDGMENT OF SERVICE  
(CO-DEFENDANT/DEFENDANT IN COUNTERCLAIM/PERSON  
ENTITLED TO INTERVENE/OTHER PARTY [TO SPECIFY]\*)

1. I acknowledge that I am [*state name*]
2. I acknowledge that I have received the following documents: (*Choose one or more of the following*)
  - (a) Writ of Summons
  - (b) Statement of Claim
  - (c) Statement of Particulars
  - (d) Defence/Defence and Counterclaim
  - (e) Other documents [*please specify*]\*
 (Collectively, the documents)
3. I received the documents on [*to state date*] at [*to state address*].

Signed (Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party [*to specify*]\*):

Name:

ID No.:

Date:

\*Delete where inapplicable.

## FORM 18

Rules 10(3)(e), (4)(e) and (5), 11(1)(b)(v), 16(2)(b)  
and (3)(b), 18(3) and (7), 22(5)(e) and 47(3)

(MEMORANDUM OF APPEARANCE (OTHER PARTY) FORM)  
IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE  
Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

MEMORANDUM OF APPEARANCE  
(CO-DEFENDANT/DEFENDANT IN COUNTERCLAIM/PERSON  
ENTITLED TO INTERVENE/OTHER PARTY [TO SPECIFY]\*)

1. I am the Co-Defendant/Defendant in Counterclaim/Other Party [*to specify*]\* and I intend/do not intend\* to defend the action by denying the following allegations:

- (a) adultery\*  
(b) any other allegation [*to specify*]\*

OR

I am the person entitled to intervene in this matter, and I intend/do not intend\* to intervene in this matter and defend the action by denying the following allegations:

- (a) adultery\*  
(b) any other allegation [*to specify*]\*

2. I received the Writ of Summons and Statement of Claim/Defence/Defence and Counterclaim/Other Document [*please specify*]\* on [*to state date*] at [*to state address*].

(*Note: You must, within 22/35\* days after receiving the Writ and Statement of Claim, file a Defence in court and serve a copy of the same on all the other parties to these proceedings within 2 working days of filing the Defence, unless you do not intend to defend the action.*)

3. I wish/do not wish\* to be heard on the claim for costs against me.

4. The address to which communications to me should be sent is:

*(Note: This must be an address in Singapore. If a solicitor is acting for you, give the name and address of your solicitor. If you do not give an address in Singapore, you will have no right to be heard in these proceedings.)*

5. My other contact particulars are:

Telephone:

Handphone Number:

Fax:

Signed (Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party [*please specify*]\*):

Name:

ID No.:

Date:

\*Delete where inapplicable.

## FORM 19

Rule 12A(2)

## (NOTICE OF PROCEEDINGS (ADVERTISEMENT) FORM)

NOTICE OF PROCEEDINGS FOR ADVERTISEMENT  
IN THE NEWSPAPERS

## NOTICE OF PROCEEDINGS

To: [*State name and ID number of the Defendant/Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party [to specify]\**]

1. Take Notice that a Writ of Summons and Statement of Claim/Defence/Defence and Counterclaim/other document [*to specify*]\* in Divorce Writ No. [*to state number*] has been filed in court by [*Plaintiff's/Defendant's Name*] on [*date*]. You are the Defendant/Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party [*to specify*]\* in these proceedings.
2. It has been ordered that service of the abovementioned document on you be effected by this advertisement. If you intend to defend this action, you must file the Memorandum of Appearance (Defendant) Form/Memorandum of Appearance (Other Party) Form\* (MOA) within 8/21\* days from the publication of this advertisement. If you do not file the MOA within such time, you are NOT entitled to be heard in these proceedings. This means that the court may, without notice to you, proceed to hear the action and pronounce judgment in your absence, and make all further orders in the proceedings without further reference to you.

Contact particulars of Plaintiff/Plaintiff's Solicitor\*:

1. Name and ID Number of Plaintiff/Plaintiff's Solicitor\*:
2. Contact Particulars of Plaintiff/Plaintiff's Solicitor's Firm\*:
  - Firm name\*:
  - Address:
  - Telephone Number:
  - Fax Number\*:
  - File Reference Number\*:

\*Delete where inapplicable.

## FORM 20

Rule 13(b)(i)

## (AFFIDAVIT OF SERVICE FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.   )   *Plaintiff*

And

[*Defendant's Name*] (ID No.   )   *Defendant*

## AFFIDAVIT OF SERVICE

## \*Affidavit of Personal Service

I, [*to state name and ID No.*] of [*to state address*], make oath and say/affirm\* as follows:

The following document(s) was/were\* duly served by me on [*to state name of recipient of documents*] by delivering to him/her\* personally a copy/copies\* of the same on [*to state date and time of service*] at [*to state address*]:

(*Please choose one or more of the following*)

- (a) Writ of Summons
- (b) Statement of Claim
- (c) Statement of Particulars
- (d) Notice to a Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party [*to specify*]\*
- (e) Agreed/Proposed\* Parenting Plan (By Plaintiff)\*
- (f) Agreed/Proposed\* Matrimonial Property Plan (For Housing Development Board flats Only) (By Plaintiff)\*
- (g) Defence
- (h) Defence and Counterclaim
- (i) Other documents [*please specify*]

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The person served with the document(s), [*to state name of recipient of documents*], is known to me/was pointed out to me by [*to state name*]/admitted to me that he/she\* was [*to state name of recipient of documents*]\*.

[Sworn (or affirmed) as in Form 78 in Appendix A of the Rules of Court (Cap. 322, R 5).]

OR

\*Affidavit of Substituted Service by Post or other Process (Excluding Newspaper Advertisement)

I, [*to state name and ID No.*] of [*to state address*], make oath and say/affirm\* as follows:

The following document(s) was/were\* duly served by me on [*to state name of recipient of documents*] by [*to state mode of service and date and time of service*], in accordance with the order for substituted service dated [*to state date of substituted service order*]:

- (a) Order of Court for Substituted Service of Documents
- (b) Writ of Summons
- (c) Statement of Claim
- (d) Statement of Particulars
- (e) Notice to a Co-Defendant/Defendant in Counterclaim/Person Entitled to Intervene/Other Party [*to specify*]\*
- (f) Agreed/Proposed\* Parenting Plan (By Plaintiff)\*
- (g) Agreed/Proposed\* Matrimonial Property Plan (For Housing Development Board flats Only) (By Plaintiff)\*
- (h) Defence
- (i) Defence and Counterclaim
- (j) Other documents [*please specify*]

[Sworn (or affirmed) as in Form 78 in Appendix A of the Rules of Court (Cap. 322, R 5).]

OR

**\*Affidavit of Service by Advertisement**

I, [*to state name and ID No.*] of [*to state address*], make oath and say/affirm\* as follows:

The Writ of Summons and Statement of Claim/Defence/Defence and Counterclaim\* and Order of Court for Substituted Service were duly served by me on [*to state name of recipient of documents*] by causing to be inserted in [*name of paper or papers as ordered*] an advertisement on [*to state date*].

A copy of the said advertisement is annexed to this affidavit.

[Sworn (or affirmed) as in Form 78 in Appendix A of the Rules of Court (Cap. 322, R 5).]

\*Delete where inapplicable.

## FORM 21

Rule 18(1), (3) and (4)

## (DEFENCE AND/OR COUNTERCLAIM FORM)

IN THE HIGH COURT\*/SUBORDINATE COURTS\* OF THE REPUBLIC  
OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## DEFENCE\* AND COUNTERCLAIM\*

## 1. Particulars of Defendant

Age:

Citizenship:

Religion:

Educational Level:

Current occupation:

Current address:

## 2. Defence

- (a) To deny or admit the paragraphs of the Statement of Claim (and Statement of Particulars). To state full particulars of the facts relied on but not the evidence by which they are to be proved.
- (b) To state whether any, and if so what, agreement or arrangement has been made or is proposed to be made between the parties for the support of the wife or any child of the marriage.
- (c) If any statements set out in the Statement of Claim concerning the living children of the marriage are disputed, full particulars of the facts relied on are to be stated in the Defence.

- 
- (d) If any information on the following matters has not been provided in the Statement of Claim, or if any statement set out in relation to the following matters in the Statement of Claim is disputed, the Defence is to furnish information on the same, with the details as set out in sub-paragraphs (i) and (ii) below:

Whether there are or have been other proceedings in Singapore or elsewhere with reference to the marriage, or to any children of the marriage, or between the Plaintiff and the Defendant with reference to maintenance or to any property of either or both of them.

- (i) Nature of the proceedings, i.e. whether:
- (A) Matrimonial proceedings; and/or
  - (B) Family violence (between the Plaintiff, Defendant and any children of the marriage); and/or
  - (C) Custody, care and control and/or access to the children of the marriage; and/or
  - (D) Proceedings in any juvenile or youth court in respect of the children of the marriage; and/or
  - (E) Maintenance (for wife and any children of the marriage); and/or
  - (F) Matrimonial Property; and/or
  - (G) Other proceedings which may be relevant to the present proceedings (such as bankruptcy proceedings).
- (ii) Details of the proceedings
- [to state in relation to each of the proceedings set out in paragraph (i) above]*
- (A) The suit number:
  - (B) The date of any decree or order or judgment:
  - (C) Decree or order or judgment made:
  - (D) If no decree or order or judgment has been made, the status of the proceedings:

(iii) There are bankruptcy proceedings against the Defendant pending as at [*to state date, which shall not be later than 7 days immediately preceding the filing of the Defence and/or Counterclaim*]:

- (A) The suit number:
- (B) Whether creditor's bankruptcy application or debtor's bankruptcy application:
- (C) Name of Creditor:
- (D) Amount of debt claimed:
- (E) Status of proceedings:

3. Counterclaim\*

- (1) The Defendant repeats paragraph(s) [*to state the numbers of the relevant paragraphs*] of the Statement of Claim.
- (2) The Defendant is a bankrupt and has/has not\* obtained the previous sanction of the Official Assignee to file a Counterclaim in this action. [*The counterclaim shall annex a copy of the document bearing the sanction of the Official Assignee.*]
- (3) Ground on which Relief is Sought.

The marriage is void

- (a) \*(For marriages that took place after 1st June 1981) The marriage is not valid under section 105 of the Women's Charter: (*Choose one or more of the following*)
  - (i) by virtue of section 3(4)/5/9/10/11/12/22\* of the Women's Charter
  - (ii) (*for marriages celebrated outside Singapore*) for the lack of capacity
  - (iii) (*for marriages celebrated outside Singapore*) under the law of the place in which the marriage was celebrated.
- (b) \*(For marriages that took place on or before 1st June 1981) The marriage is not valid for the reasons stated in the Counterclaim.

OR

The marriage is voidable

- 
- (a) \*(For marriages that took place after 1st June 1981) The marriage is voidable under section 106 of the Women's Charter on the following ground(s): (*Choose one or more of the following*)
- (i) That the marriage has not been consummated owing to the incapacity of either party [*please specify*] to consummate it.
  - (ii) That the marriage has not been consummated owing to the wilful refusal of the Plaintiff to consummate it.
  - (iii) That the Plaintiff/Defendant\* did not validly consent to the marriage, in consequence of duress\* and/or mistake\* and/or unsoundness of mind/lack of capacity\* and/or the facts stated in the Statement of Particulars [*please specify in the Statement of Particulars*]\*.
  - (iv) That at the time of the marriage the Plaintiff/Defendant\* though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder within the meaning of the Mental Health (Care and Treatment) Act (Cap. 178A) of such a kind or to such an extent as to be unfit for marriage.
  - (v) That at the time of the marriage the Plaintiff was suffering from venereal disease in a communicable form, and the Defendant was at the time of the marriage ignorant of the facts alleged.
  - (vi) That at the time of the marriage the Plaintiff was pregnant by some person other than the Defendant and the Defendant was at the time of the marriage ignorant of the facts alleged.
- (b) \*(For marriages that took place on or before 1st June 1981) The marriage is voidable for the reasons stated in the Counterclaim.

[*Full particulars of the individual facts relied on but not the evidence by which they are to be proved.*]

OR

The marriage has broken down irretrievably

Fact(s) relied on for the irretrievable breakdown of the marriage (for the purposes of section 95(3) of the Women's Charter):

(*Choose one of the following*)

- (a) That the Plaintiff has committed adultery and the Defendant finds it intolerable to live with the Plaintiff.
- (b) That the Plaintiff has behaved in such a way that the Defendant cannot reasonably be expected to live with the Plaintiff.

- (c) That the Plaintiff has deserted the Defendant for a continuous period of at least 2 years immediately preceding the filing of the writ.
- (d) That the parties to the marriage have lived apart for a continuous period of at least 3 years immediately preceding the filing of the writ and the Plaintiff consents to a judgment being granted. The Plaintiff's consent is exhibited at Annex [*to state number*]\* (if available).
- (e) That the parties to the marriage have lived apart for a continuous period of at least 4 years immediately preceding the filing of the writ.

*[Full particulars of the individual facts relied on to be stated but not the evidence by which they are to be proved.]*

#### 4. Relief Claimed

*[To state the particulars of relief claimed by the Defendant.]*

- (a) That the claim be dismissed
- (b) Costs
- (c) Others [*please specify*]

For cases where a Counterclaim has been filed\*:

*(Choose one or more of the following, providing particulars of the relief claimed where possible.)*

- (a) That the claim be dismissed.
- (b) On the counterclaim: That the marriage be declared null and void\*.  
OR  
That the marriage be dissolved\*.  
OR  
That a judgment of judicial separation be granted\*.
- (c) Custody\* of and/or care and control\* of the child/children\* of the marriage
- (d) Access to the child/children\* of the marriage
- (e) Division of the matrimonial home
- (f) Division of the matrimonial assets (other than the matrimonial home)
- (g) Maintenance for the wife

- 
- (h) Maintenance for the child/children\* of the marriage
- (i) Costs
- (j) Others [*please specify*]
5. Persons to be served with this Defence/Defence and Counterclaim\*
- (a) Plaintiff
- Name:
- Address: Plaintiff is a person under a disability\*.  
 [*To state particulars of Plaintiff's disability*]
- (b) Co-Defendant/Defendant in Counterclaim/Other Party (*please specify*)\*
- Name:
- Address:
- Co-Defendant/Defendant in Counterclaim/Other Party (*please specify*)\* is a person under a disability\*.  
 [*To state particulars of Co-Defendant's/Defendant in Counterclaim's/Other Party's disability*]
6. The Defendant is aware of\*, or has been informed by the solicitor acting for him about\*, the options of family mediation or counselling, before filing the defence.

Signature:

Name of Defendant/Defendant's Solicitor\*:

Date:

\*Delete where inapplicable.

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FORM 22

Rules 18(7) and (8)(c) and 19(5)

(OTHER PLEADING FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

DEFENCE TO COUNTERCLAIM\*/REPLY\*/REPLY AND DEFENCE TO  
COUNTERCLAIM\*/REPLY TO DEFENCE TO  
COUNTERCLAIM\*/OTHER PLEADING (TO SPECIFY)\*

1. [*To deny or admit the paragraphs of the previous pleading. To state full particulars of the facts relied on but not the evidence by which they are to be proved.*]
2. Persons to be served with this pleading\*

(a) Plaintiff/Defendant\*

Name:

Address:

Plaintiff/Defendant\* is a person under a disability\*.

[*To state particulars of Plaintiff's/Defendant's\* disability.*]

(b) Co-Defendant/Defendant in Counterclaim/Other Party [*please specify*]\*

Name:

Address:

Co-Defendant/Defendant in Counterclaim/Other Party [*please specify*]\* is a person under a disability\*.

[*To state particulars of Co-Defendant's/Defendant in Counterclaim's/Other Party's disability*]

Signature:

Name of Party/Party's Solicitor\*:

Date:

\*Delete where inapplicable.

FORM 23

Rule 18(9)(a)

(DEFENDANT’S AGREEMENT (PARENTING PLAN) FORM)  
IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE  
Divorce Writ No.

Between

[*Plaintiff’s Name*] (ID No.    )    *Plaintiff*

And

[*Defendant’s Name*] (ID No.    )    *Defendant*

DEFENDANT’S AGREEMENT TO PLAINTIFF’S PROPOSED  
PARENTING PLAN

Defendant’s Agreement

[*The Defendant’s agreement can be confirmed by completing either option (a) or option (b) below.*]

(a) I, the Defendant, agree with the following order(s) sought in paragraph 4 of the Plaintiff’s Proposed Parenting Plan  
[*to state the specific order(s) agreed to*]

Signature (Defendant):

Name:

ID No.:

Date:

(b) The Defendant agrees with the following order(s) sought in paragraph 4 of the Proposed Parenting Plan (By Plaintiff).  
[*to state the specific order(s) agreed to*]

Signed on behalf of the Defendant by the Defendant’s solicitor:

## FORM 24

Rule 18(9)(b)

## (DEFENDANT'S PROPOSED PARENTING PLAN FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## PROPOSED PARENTING PLAN (BY DEFENDANT)

I, the Defendant, do not agree with the orders sought in paragraph 4 of the Proposed Parenting Plan (by Plaintiff), and I wish to be heard by the court on the issues of custody, care and control and access. I set out my position on the current arrangements as well as my proposed arrangements for the children of the marriage below.

## 1. Current Arrangements

The current arrangements for the child/children\* of the marriage are as follows:

[*to state in respect of each child*]

- (a) Residence [*state where the child is currently living with particulars of accommodation and what other persons live there, with their names and relationship to the child stated.*]
- (b) Care arrangements (this section need not be completed if the child is already working at the present time)
  - (i) \*If the child is presently not attending school on a daily basis, to complete the following section:
    - (A) Are both parents working?
    - (B) Who looks after the child during the day and at night?
      - (i.e. father/mother/maid/elder siblings/relatives [*to specify nature of relationship to the child*]/a combination of the above/others [*to specify*]\*)

- 
- (C) Where is the child cared for during the day and at night?  
 (i.e. at the matrimonial home/childcare centre/babysitter/relative's home [*to specify nature of person's relationship to the child*]/others [*to specify*]\*)
- (D) For how long has this arrangement been in place?  
 [*State estimated period of time, i.e. from which date till the present date*]
- (ii) \*If child is presently attending school on a daily basis, to state:
- (A) The child's school hours.
- (B) Where and by whom is the child being cared for before and after school hours?
- (iii) \*Where parties are no longer residing at the same address, to state:
- (A) Who is the parent who does NOT live with the child (the non-custodial parent)?
- (B) When was the last time the non-custodial parent visited the child?
- (C) How often does the non-custodial parent visit the child?
- (D) Does the child sometimes stay overnight with the non-custodial parent?
- (c) Education/Employment\* [*state the school or other educational establishment which the child has been and is currently attending, or if he is working, his place of employment, the nature of his work and details of any training he is receiving.*];
- (d) Financial provision [*state who has been and is presently supporting the child or contributing to his support and the extent thereof.*]; and
- (e) Access [*state what are the current arrangements for access and the extent to which access has been given.*]

(f) Other relevant information

*[State any other information which is relevant to the matters concerning the arrangements for the child, for example, whether the Plaintiff or Defendant is suffering from any physical or mental disability, whether the Plaintiff or Defendant has any previous convictions and if so, the nature of the conviction, and whether the Plaintiff or Defendant has been committed to a drug rehabilitation centre and if so, when and for how long.]*

2. Proposed Arrangements

The proposed arrangements for the child/children\* of the marriage are as follows:

*[State in respect of each child for those matters which have not been agreed]*

- (a) Residence *[state where the child is to live with particulars of accommodation and what other persons live there, with their names and relationship to the child stated.]*
- (b) Care giver *[state who is to look after the child during the day, at night, during weekends and school holidays.]*
- (c) Education, etc. *[state the school or other educational establishment which the child will attend, or if he is working, his place of employment, the nature of his work and details of any training he will receive.]*

3. Orders Sought

I am seeking the following orders to be made by the court:

- (a) *[Set out details of any orders sought regarding custody, care and control of and access to the children of the marriage. If orders for split care and control of the children of the marriage are being sought, e.g. for care and control of one child to be granted to one parent, and for care and control of the other child to be granted to the other parent, to set out the reasons why such orders for split care and control are in the best interests of the children of the marriage.]*

(b) *[Set out details of any orders sought regarding maintenance for the children of the marriage]*

I confirm that all the matters set out in this Proposed Parenting Plan are true and correct.

Signed (Defendant):

Name:

ID Number:

Date:

\*Delete where inapplicable.

## FORM 25

Rule 18(11)(a)

(DEFENDANT'S AGREEMENT  
(MATRIMONIAL PROPERTY PLAN) FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*DEFENDANT'S AGREEMENT TO PLAINTIFF'S PROPOSED  
MATRIMONIAL PROPERTY PLAN  
(FOR HOUSING AND DEVELOPMENT BOARD FLATS ONLY)

## 1. Defendant's Agreement

*[The Defendant's agreement can be confirmed by completing either option (a) or option (b) below.]*

- (a) I, the Defendant, agree with the proposed arrangements set out in the Plaintiff's Proposed Matrimonial Property Plan (For Housing Development Board flats Only).

*[to state the exact arrangements agreed to]*

Signature (Defendant):

Name:

ID No.:

Date:

- (b) The Defendant agrees with the proposed arrangements set out in the Plaintiff's Proposed Matrimonial Property Plan (For Housing Development Board flats Only).

*[to state the exact arrangements agreed to]*

Signed on behalf of the Defendant by the Defendant's solicitor.

2. The Defendant's relevant CPF statement and additional CPF information (if applicable) dated *[to state date]* are annexed to this plan as Annex *[to state number]*.

## FORM 26

Rule 18(11)(b)

(DEFENDANT'S PROPOSED  
MATRIMONIAL PROPERTY PLAN FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*DEFENDANT'S PROPOSED MATRIMONIAL PROPERTY PLAN  
(FOR HOUSING AND DEVELOPMENT BOARD FLATS ONLY)

1. I, the Defendant, disagree with the proposed arrangements set out in the Plaintiff's Proposed Matrimonial Property Plan (For Housing Development Board flats Only).
2. The relevant CPF statements and additional CPF information (if applicable) dated [*to state date*] are annexed to this plan as Annex [*to state number*].
3. *\*(For Defendants who are above the age of 55 years) I am above the age of 55 years and the amount required to be refunded into my CPF account in the event of a sale of the flat/transfer in ownership of the flat is:*
4. My proposal in relation to the matrimonial property is as follows\*:  
(*Choose one or more of the following options. If more than one option is chosen, state the order of preference in brackets beside the option.*)
  - (i) Option 1: The Flat will be surrendered to the HDB.
  - (ii) Option 2: The Agreement for Lease with the HDB will be terminated.
  - (iii) Option 3: The Flat will be sold in the open market.

- 
- 
- (iv) Option 4: The Plaintiff's share in the Flat will be sold/transferred\* to:
- (A) The Defendant
  - (B) The Defendant and [*state name and relationship with the Defendant*]
  - (C) [*state name and relationship with the Plaintiff/the Defendant*]
- (v) Option 5: The Defendant's share in the Flat will be sold/transferred\* to:
- (A) The Plaintiff
  - (B) The Plaintiff and [*state name and relationship with the Plaintiff*]
  - (C) [*state name and relationship with the Defendant/the Plaintiff*]
- (vi) Option 6: Others (please state brief details)

Particulars of my proposal (for each option selected) are attached as Annex [*to state number*].

[*To fill in Option 1, 2, 3, 4, 5 or 6 as set out in Form 32, and to attach only the relevant pages to this form.*]

Signature (Defendant):

Name:

ID No.:

Date:

\*Delete where inapplicable.

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FORM 27

Rule 23(2) and (3)

(NOTICE OF DISCONTINUANCE FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

NOTICE OF DISCONTINUANCE

Take Notice that the Plaintiff wholly discontinues this action.

Dated this     day of            20     .

*Solicitor for the Plaintiff/Name of Plaintiff (if unrepresented)*

*Name and address of Law Firm/Address of Plaintiff*

*The Defendant\*/Co-Defendant\*/Other Party [to specify]\* hereby consents to the discontinuance of this action.*

*Solicitor for the Defendant\*/Co-Defendant\*/Other Party [to specify]\**

\*Delete where inapplicable.

## FORM 28

Rule 45(1)

## (REQUEST FOR SETTING DOWN FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## REQUEST FOR SETTING DOWN ACTION FOR TRIAL

## 1. Request for Setting Down

- (a) I request that the Plaintiff/Defendant\* be at liberty to set down this action for trial.
- (b) The duration of the trial is estimated to be [*to state number of days*], and the matter will be contested/uncontested\*.

## 2. Mediation/Counselling Statement\*\*

- (a) I have informed my client about\*/I, the Plaintiff/Defendant\*, am aware of\* the options of mediation and counselling services at the court.
- (b) Parties do not have any child\*/have children\* who are \_\_\_\_ years old.
- (c) The Plaintiff and/or Defendant have:
  - (i) \*been notified to attend/are attending counselling/mediation at Child Focused Resolution Centre (the CFRC);
  - (ii) \*not been notified to attend counselling/mediation at the CFRC and are persons prescribed under section 50(3A) of the Women's Charter as persons who are required to attend mediation/counselling;
  - (iii) \*completed counselling/mediation at the CFRC or are not required to attend counselling/mediation at the CFRC\*.

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3. Particulars of Bankruptcy (if applicable)

*[State if either the Plaintiff or the Defendant is a bankrupt and if so, furnish details concerning the bankruptcy proceedings and whether the Official Assignee has been notified of the proceedings.]*

- (a) The Plaintiff\* and/or Defendant\* is a bankrupt.
- (b) Date of bankruptcy order and bankruptcy number *[please specify]*.
- (c) The Official Assignee has been notified of these proceedings in writing on *[to state date]*.
- (d) The Official Assignee has given his sanction to the Plaintiff/Defendant\* to commence/file a counterclaim/continue the claim(s)\* in this action. A copy of the document bearing the sanction of the Official Assignee is exhibited in the affidavit of evidence in chief/has been exhibited in *[state the document where the sanction had been exhibited]* dated *[state the date of the document]*.

Signature:

Name of Party/Party's Solicitor\*:

Party Type (i.e. Plaintiff or Defendant):

Date:

\*Delete where inapplicable.

\*\*If there are any outstanding issues between the parties as at the date of the filing of this Request for Setting Down Action for Trial, this section must be completed by the party filing this Request for Setting Down Action for Trial.

## FORM 29

Rule 58(1)

## (INTERIM JUDGMENT FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## INTERIM JUDGMENT

1. Particulars of Marriage to which this Interim Judgment Relates (the Marriage)
  - (a) Date and place of solemnization of marriage:
  - (b) Date and place of registration of marriage:
2. Interim Judgment Granted in Open Court/Chambers\*
  - (a) Parties present: [*Choose one or more of the following*]
    - (i) Plaintiff\*
    - (ii) Plaintiff's Counsel\*
    - (iii) Defendant\*
    - (iv) Defendant's Counsel\*
    - (v) Other Party [*to specify*]\*
  - (b) Pronouncement by the Judge:
    - (i) \*That the Plaintiff has sufficiently proven the contents of the Statement of Claim;
    - \*That the Defendant has sufficiently proven the contents of the Counterclaim;
    - \*That the Plaintiff has sufficiently proven the contents of the Statement of Claim and that the Defendant has sufficiently proven the contents of the Counterclaim; and

- (ii) that the Marriage is dissolved/is declared void\* by reason that\*:

*[To set out ground of divorce in the Statement of Claim/Counterclaim/Statement of Claim and Counterclaim\* respectively]*

OR

That the Defendant be presumed dead and that the Marriage is dissolved\* unless sufficient cause be shown to the court within *[to set out the number of weeks/months]* from the date of this Judgment why the said Judgment should not be made Final.

- 3. Further Orders Made (if applicable) (By Consent\*)

*[To set out any further orders which were made at the hearing of the Interim Judgment, including consent orders on ancillary matters]*

*[Insert Form 81 in Appendix A of the Rules of Court (Cap. 322, R 5), if necessary.]*

\*Delete where inapplicable.

## FORM 30

Rule 58(1)

## (JUDGMENT OF JUDICIAL SEPARATION FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No.    )    *Plaintiff*

And

[*Defendant's Name*] (ID No.    )    *Defendant*

## JUDGMENT OF JUDICIAL SEPARATION

1. Particulars of Marriage to which this Judgment of Judicial Separation relates (the Marriage)
  - (a) Date and place of solemnization of marriage:
  - (b) Date and place of registration of marriage:
2. Judgment of Judicial Separation Granted in Open Court/Chambers\*
  - (a) Parties present: [*Choose one or more of the following*]
    - (i) Plaintiff\*
    - (ii) Plaintiff's Counsel\*
    - (iii) Defendant\*
    - (iv) Defendant's Counsel\*
    - (v) Other Party [*to specify*]\*
  - (b) Pronouncement by the Judge:
    - (i) \*That the Plaintiff has sufficiently proven the contents of the Statement of Claim;
    - \*That the Defendant has sufficiently proven the contents of the Counterclaim;
    - \*That the Plaintiff has sufficiently proven the contents of the Statement of Claim and that the Defendant has sufficiently proven the contents of the Counterclaim; and

- (ii) that a Judgment of Judicial Separation be granted by reason that:

*[To set out ground(s) of judicial separation in the Statement of Claim/Counterclaim/Statement of Claim and Counterclaim\* respectively]*

3. Further Orders Made (if applicable) (By Consent\*)

*[To set out any further orders which were made at the hearing of the Judgment of Judicial Separation, including consent orders on ancillary matters]*

*[Insert Form 81 in Appendix A of the Rules of Court (Cap. 322, R 5), if necessary.]*

\*Delete where inapplicable.

## FORM 31

Rule 58(3)

## (ORDER OF COURT FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Date of Order:

Made by:

Between

[*Plaintiff's Name*] (ID No.   )   *Plaintiff*

And

[*Defendant's Name*] (ID No.   )   *Defendant*

## ORDER OF COURT

1. Nature of Hearing (in Open Court/Chambers\*)  
Ancillary Matters\*/Summons\* No./Nos.: [*to state number*]
2. Parties Present at the Hearing  
[*Choose one or more of the following*]  
  - (a) Plaintiff\*
  - (b) Plaintiff's Counsel\*
  - (c) Defendant\*
  - (d) Defendant's Counsel\*
  - (e) Other Party [*to specify*]\*
3. Orders Made (By Consent\*)

[*Insert Form 81 in Appendix A of the Rules of Court (Cap. 322, R 5), if necessary.*]

\*Delete where inapplicable.

FORM 32

Rule 59(7)

(CERTIFICATE OF FINAL JUDGMENT FORM)

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Writ No.

Between

[*Plaintiff's Name*] (ID No. ) *Plaintiff*

And

[*Defendant's Name*] (ID No. ) *Defendant*

CERTIFICATE OF FINAL JUDGMENT (NULLITY/DIVORCE/  
PRESUMPTION OF DEATH AND DIVORCE\*)

As no sufficient cause has been shown to the court within [*to state number of months*] months from the Interim Judgment granted on [*to state date of Interim Judgment*], why the said Interim Judgment should not be made final, it is certified that:

[*choose one of the following*]

Nullity

1. The marriage solemnized on [*to state date of marriage*] at [*to state place of solemnization of marriage*] between [*to state the Plaintiff's name and ID Number*], and [*to state the Defendant's name and ID Number*] is void in law and the Plaintiff/Defendant\* was and is free from all bond of marriage with the Defendant/Plaintiff\*.

OR

Divorce

The marriage solemnized on [*to state date of marriage*] at [*to state place of solemnization of marriage*] between [*to state the Plaintiff's name and ID Number*], and [*to state the Defendant's name and ID Number*] is dissolved.

OR

Presumption of Death and Divorce

The Defendant is presumed dead and the marriage solemnized on [*to state date of marriage*] at [*to state place of solemnization of marriage*] between [*to state the Plaintiff's name and ID Number*], and [*to state the Defendant's name and ID Number*] is dissolved.

2. The Interim Judgment granted on [*to state date of Interim Judgment*] is made final on this date.

Signed: [signature of Registrar]

Registrar: [name of Registrar]

Date: [date of order]

”.

**Amendment of Second Schedule**

**57.** The Second Schedule to the principal Rules is amended —

- (a) by deleting items 1 to 7 and substituting the following items:

“

- |    |   |      |                |
|----|---|------|----------------|
| 1. | Filing Form 3 (Writ Form) or originating summons  | \$42 | The filed copy |
| 2. | Form 9 (Agreed Parenting Plan Form), Form 10 (Plaintiff's Proposed Parenting Plan Form) or Form 24 (Defendant's Proposed Parenting Plan Form)   | \$7  | The filed copy |
| 3. | Form 11 (Agreed Matrimonial Property Plan Form), Form 12 (Plaintiff's Proposed Matrimonial Property Plan Form) or Form 26 (Defendant's Proposed Matrimonial Property Plan Form), each with Form 13 (Particulars of Housing Arrangement Form) attached | \$7  | The filed copy |

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4.	Form 2 (Notice of Section 94 Originating Summons Form) or Form 16 (Notice of Proceedings (Other Party) Form)	\$7	The filed copy
5.	Form 14 (Acknowledgment of Service (Defendant) Form) or Form 17 (Acknowledgment of Service (Other Party) Form)	\$7	The filed copy
6.	Form 15 (Memorandum of Appearance (Defendant) Form) or Form 18 (Memorandum of Appearance (Other Party) Form)	\$7	The filed copy
7.	Form 6 (Statement of Claim (Divorce/Judicial Separation) Form), Form 7 (Statement of Claim (Rescission of Judgment of Judicial Separation) Form), Form 8 (Statement of Particulars Form), Form 21 (Defence and/or Counterclaim Form) or Form 22 (Other Pleading Form)	\$7	The filed copy

”;

(b) by deleting item 12 and substituting the following item:

“

12.	Form 28 (Request for Setting Down Form)	\$63	Request
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”; and

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(c) by deleting item 14 and substituting the following item:

“

14. Form 32 (Certificate of Final Judgment Form)	\$14	Certificate
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”.

### **Miscellaneous amendments**

**58.** The principal Rules are amended by deleting the words “24 hours” in rules 20(3), 47(1)(c) and 48(1)(c) and (2) and substituting in each case the words “2 working days”.

*[G.N. No. S 269/2011]*

Made this 21st day of October 2013.

SUNDARESH MENON  
*Chief Justice.*

JUDITH PRAKASH  
*Judge.*

FOO TUAT YIEN  
*Senior District Judge.*

YAP TEONG LIANG  
*Advocate and Solicitor.*

FOO SIEW FONG  
*Advocate and Solicitor.*

[AG/LLRD/SL/353/2010/3 Vol. 7]

(To be presented to Parliament under section 139(3) of the Women’s Charter).