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No. S 996

FAMILY JUSTICE ACT 2014

FAMILY JUSTICE (GENERAL) (AMENDMENT NO. 2) RULES 2024

In exercise of the powers conferred by section 46 of the Family Justice Act 2014, section 179A of the Women’s Charter 1961 and all other powers enabling us under any written law, we, the Family Justice Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Family Justice (General) (Amendment No. 2) Rules 2024 and come into operation on 16 January 2025.

Amendment of Part 1

2. In the Family Justice (General) Rules 2024 (G.N. No. S 720/2024) (called in these Rules the principal Rules), in Part 1 —

(a) in Rule 2, after paragraph (7), insert —

“(8) Despite any provision in these Rules, the following provisions of these Rules as in force immediately before the appointed date apply to or in relation to any of the matters specified in paragraph (10):

Part 3, Rule 2 (definitions of “maintenance enforcement proceedings” and “maintenance proceedings”)

Part 3, Rule 7(2), (3)(a) and (6)

Part 3, Rule 15(3)

Part 3, Rule 20

Part 3, Rule 23(1) (definitions of “enforcement order” and “maintenance order”).

(9) The following provisions of these Rules do not apply to or in relation to any of the matters specified in paragraph (10):

Part 3, Rule 2 (definitions of “maintenance enforcement application” and “maintenance enforcement officer” or “MEO”)

Part 3, Rule 19(1A)

Part 3, Division 2C.

(10) The matters mentioned in paragraphs (8) and (9) are —

- (a) any relevant application;
- (b) any proceedings arising from any relevant application (including any appeal against any decision of the Court on any relevant application); and
- (c) any maintenance order to which section 45(13) of the Family Justice Reform Act 2023 applies.

(11) In this paragraph and paragraphs (8) and (10) —

“appointed date” means 16 January 2025;

“maintenance enforcement application” means —

- (a) any application for enforcement of the maintenance order under section 71 of the Women’s Charter 1961 as in force immediately before the appointed date; or

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- (b) any application under section 80 of the Women’s Charter 1961 as in force on or after the appointed date;

“relevant application” means —

- (a) any application for —
- (i) an order under section 69, 70, 71, 71C(2) or 121G or Part 9 of the Women’s Charter 1961 as in force immediately before the appointed date; or
 - (ii) a determination under section 87(1) of the Women’s Charter 1961 as in force immediately before the appointed date;
- (b) any maintenance enforcement application in respect of a maintenance order as defined in section 2 of the Maintenance Orders (Reciprocal Enforcement) Act 1975 and registered or confirmed by the General Division of the High Court or a Family Court under that Act;
- (c) any maintenance enforcement application made before the appointed date in respect of a relevant maintenance order; or
- (d) any maintenance enforcement application made on or after the appointed date in respect of any relevant maintenance order other than a relevant maintenance order to which section 45(13) of the Family Justice Reform Act 2023 has ceased to apply;

“relevant maintenance order” means any of the following orders:

- (a) an order for the payment of monthly sums or a lump sum for the maintenance of a wife, an incapacitated husband or a child, made or deemed to be made by the General Division of the High Court or a Family Court under Part 8 of the Women’s Charter 1961;
 - (b) an order for the payment of monthly or periodical sums or a lump sum by way of maintenance or alimony to a wife or former wife or an incapacitated husband or incapacitated former husband, or by way of maintenance for the benefit of any child, under Part 10 of the Women’s Charter 1961;
 - (c) an order for maintenance made by the Syariah Court under the Administration of Muslim Law Act 1966;
 - (d) an order for the payment of money in respect of the maintenance of an infant made under the Guardianship of Infants Act 1934;
 - (e) an order for maintenance made under the Maintenance of Parents Act 1995.”;
- (b) renumber Rule 8 as paragraph (1) of that Rule; and
- (c) in Rule 8, after paragraph (1), insert —
- “(2) Despite paragraph (1), if an application has been referred to a maintenance enforcement officer under section 84(1) of the Women’s Charter 1961, the

Court may allow a maintenance enforcement officer to be provided with a copy of any document filed or any order of the Court made —

- (a) in the proceedings arising from the referred application, including any appeal against any decision made by the Court on the referred application;
- (b) in any proceedings relating to any order sought to be enforced in the referred application; or
- (c) in the proceedings arising from an application under section 139M(1) of the Women’s Charter 1961 made by the applicant in the referred application, if a maintenance enforcement officer had prepared an interim report that was —
 - (i) relied on in the application under section 139M(1) of the Women’s Charter 1961; or
 - (ii) directed to be submitted to the Court in relation to the application mentioned in sub-paragraph (i).”

Amendment of Part 3

3. In the principal Rules, in Part 3 —

- (a) in Rule 2, replace the definition of “maintenance enforcement proceedings” with —

““maintenance enforcement application” means any application under section 80 of the Women’s Charter 1961;

“maintenance enforcement officer” or “MEO” has the meaning given by section 76(1) of the Women’s Charter 1961;

“maintenance enforcement proceedings” means the proceedings in court arising from any application under Part 9 of the Women’s Charter 1961, including any appeal against any decision made by the court on the application;”;

- (b) in Rule 2, in the definition of “maintenance proceedings”, in paragraph (a), delete “(excluding section 71)”;
- (c) in Rule 4 (as amended by rule 9 of the Family Justice (General) (Amendment) Rules 2024 (G.N. No. S 902/2024)), in paragraph (1), replace “section 79(4)(b)(ii)” with “section 179A(4)(b)(ii)”;
- (d) in Rule 7(2), replace “Form 23 or Form 35” with “Forms 23A to 23D or Forms 35A to 35F”;
- (e) in Rule 7(3)(a), replace “Part 7 or 8” with “Part 7, 8 or 9”;
- (f) in Rule 7(6), after “Part 8”, insert “or 9”;
- (g) in Rule 12(1), after sub-paragraph (e), insert —
 - “(ea) an application for an order under section 29C(1) of the Family Justice Act 2014 to be made in relation to any Category 1 proceedings;
 - (eb) an application under section 29C(2) of the Family Justice Act 2014 to stay or suspend any judgment or order given or made in any Category 1 proceedings;
 - (ec) an application for a determination under section 91H(1) of the Women’s Charter 1961;
 - (ed) an application under section 91N(3) of the Women’s Charter 1961 to rescind a community service order;
 - (ee) an application for any order under section 139O(2) or 139P(1) of the

Women’s Charter 1961 to be made in relation to any Category 1 proceedings;

- (ef) an application under rule 2(b) of the Women’s Charter (Community Service Order) Rules 2011 (G.N. No. S 268/2011) to be allowed a longer period of time to complete performing community service;”;
- (h) in Rule 15(3), replace “under section 71(1)(b) of the Women’s Charter 1961” with “mentioned in section 91B(1)(b) of the Women’s Charter 1961”;
- (i) in Rule 19, after paragraph (1), insert —
 - “(1A) Despite paragraphs (1) and (3), in any maintenance enforcement proceedings, the Court may dispense with the filing of affidavits if an MEO has submitted to the Court an MEO’s report (within the meaning of section 76(1) of the Women’s Charter 1961) in relation to the proceedings.”;
- (j) delete Rule 20;
- (k) before Division 3, insert —

“Division 2C — Maintenance enforcement proceedings

Prescribed circumstances in section 81(1)(b) and (e) of Women’s Charter 1961 (P. 3, r. 22K)

22K.—(1) For the purposes of section 81(1)(b) and (e) of the Women’s Charter 1961, the Court on a maintenance enforcement application may vary, suspend, discharge, rescind, set aside or revoke the maintenance order in question —

- (a) on the application of the applicant or respondent, if —
 - (i) both the applicant and respondent consent to the application; and

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- (ii) the application is made before the Court does anything under section 81(1)(a), (c) or (d) of the Women's Charter 1961 on the maintenance enforcement application; or
- (b) on the respondent's application, if —
- (i) the application is for either of the following:
 - (A) a reduction in the amount of maintenance under the maintenance order;
 - (B) the suspension, discharge, rescission, setting aside or revocation of the maintenance order; and
 - (ii) the application is made before the Court does anything under section 81(1)(a), (c) or (d) of the Women's Charter 1961 on the maintenance enforcement application.

(2) The application for the Court to vary, suspend, discharge, rescind, set aside or revoke the maintenance order mentioned in paragraph (1) may be made orally.

(3) Before varying, suspending, discharging, rescinding, setting aside or revoking the maintenance order mentioned in paragraph (1) on the application of a party, the Court must allow the other party to the proceedings to respond to the application.

Change of solicitor (P. 3, r. 22L)

22L.—(1) This Rule applies if, in any maintenance enforcement proceedings —

- (a) a party’s solicitor changes;
- (b) a solicitor is appointed to represent a party who was previously not represented by any solicitor; or
- (c) a party who was previously represented by a solicitor is no longer represented by any solicitor.

(2) The party mentioned in paragraph (1) must inform the relevant MEO of the following:

- (a) the change in the party’s representation;
- (b) if the party’s solicitor is changed or appointed — the name, business address, mobile telephone number and electronic mail address of the solicitor who will represent the party upon the change or appointment;
- (c) if the party is no longer represented by any solicitor — the party’s mobile telephone number and electronic mail address and the address of the party’s place of residence.

(3) In this Rule, “relevant MEO” —

- (a) in relation to any maintenance enforcement proceedings arising from a maintenance enforcement application that has been referred to an MEO under section 84(1) of the Women’s Charter 1961 — means any MEO performing a function of an MEO under Part 9 of the Women’s Charter 1961 in relation to the referred application; and
- (b) in relation to any other maintenance enforcement proceedings — means the

chief maintenance enforcement officer appointed under section 77(1) of the Women's Charter 1961.

Appointment or authorisation of deputy or donee (P. 3, r. 22M)

22M.—(1) This Rule applies if —

- (a) a deputy is appointed under the Mental Capacity Act 2008 to conduct any maintenance enforcement proceedings in a party's name or on a party's behalf; or
- (b) a donee under a lasting power of attorney registered under the Mental Capacity Act 2008 becomes authorised to conduct any maintenance enforcement proceedings in a party's name or on a party's behalf.

(2) The deputy or donee mentioned in paragraph (1) (as the case may be) must inform the relevant MEO of the following:

- (a) the deputy's appointment or the donee's authorisation, as the case may be;
- (b) any term or variation in the terms of the deputy's appointment or the donee's authorisation (as the case may be) that affects the deputy or donee's powers in relation to the maintenance enforcement proceedings.

(3) In this Rule, "relevant MEO" has the meaning given by Rule 22L(3).

Provision of information to MEO (P. 3, r. 22N)

22N.—(1) In this Rule —

"electronic address" includes a mobile telephone number and an account name;

“information order” means an order under section 86(2), (3) or (4)(c) of the Women’s Charter 1961 that a party, bank or third party (as the case may be) must provide information to an MEO;

“information permission” means permission granted by the Court to an MEO to direct a third party to provide information to the MEO;

“information source” —

(a) in relation to an information order — means the party, bank or third party who is ordered to provide information to an MEO in the order or who will be ordered to provide information to an MEO if the order is made; and

(b) in relation to an information permission — means the third party from whom the MEO is permitted by the information permission to direct the provision of information;

“information subject”, in relation to the information sought by an MEO from an information source, means the party to the proceedings to whom the information relates;

“messaging system” means an information system that enables the transmission, through the Internet or a mobile telephone network, of messages (in whatever form);

“System for Tracking, Reporting and Enforcement of Arrears for Maintenance” or “STREAM” has the meaning given by regulation 2(1) of the Women’s Charter (Enforcement of Maintenance Orders under

Division 3 of Part 9) Regulations 2024 (G.N. No. S 995/2024).

(2) Where this Rule requires an MEO to serve any document on any person, the MEO may, subject to paragraph (3), serve the document on the person —

- (a) by transmitting an electronic record of the document to the person's STREAM account (if the person is not legally represented) or the business STREAM account used by the person's solicitor (if the person is legally represented); or
- (b) by transmitting a copy of the document to the person's electronic address in any other messaging system.

(3) An MEO must not serve a document on a person —

- (a) by transmitting an electronic record of the document to the person's STREAM account, unless —
 - (i) the person gives prior written consent to be served documents in that manner; and
 - (ii) an MEO has made reasonable efforts to notify the person how the person may retrieve electronic records of documents from the person's STREAM account; and
- (b) by transmitting a copy of the document to the person's electronic address in any messaging system, unless —
 - (i) the person gives prior written consent to be served documents in that manner;

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- (ii) the person specifies the messaging system in the written consent; and
 - (iii) the person provides the person's electronic address for the purpose of the service of documents in that manner.

(4) An MEO may request an information order or information permission by filing a request in Form 29-A or submitting a request using STREAM, and may do so without notice to the information source.

(5) An MEO who obtains an information order or information permission must, within 14 days from the date on which the order or permission (as the case may be) is made or given, serve the order or permission, as the case may be —

- (a) on the parties to the proceedings; and
- (b) unless otherwise agreed with the information source — on the information source.

(6) An MEO may appeal against the Court's decision to refuse the MEO's request for an information order or information permission, and may do so without notice to the parties to the proceedings and the information source.

(7) An MEO who obtains an information order or information permission on an appeal under paragraph (6) must, within 14 days from the date on which the order or permission (as the case may be) is made or given, serve the order or permission, as the case may be —

- (a) on the parties to the proceedings; and

(b) unless otherwise agreed with the information source — on the information source.

(8) An information source or information subject may apply to set aside an information order or information permission within 14 days from the date on which the information order or information permission (as the case may be) is served on the information source or information subject, as the case may be.

(9) A person who applies to set aside an information order or information permission must serve copies of the application, the supporting affidavit and any decision made by the Court on the application —

(a) on the parties to the proceedings and the MEO who obtained the information order or information permission, as the case may be; and

(b) unless the person is the information source — on the information source.

(10) An information source or information subject may appeal against the Court's decision on an application to set aside an information order or information permission, as the case may be.

(11) A person who appeals against the Court's decision on an application to set aside an information order or information permission must serve copies of the Notice of Appeal and any decision made by the Court on the appeal —

(a) on the parties to the proceedings and the MEO who obtained the information order or information permission, as the case may be; and

(b) unless the person is the information source — on the information source.

(12) Neither an application to set aside an information order or information permission, nor an appeal against the Court's decision on that application, operates as a stay of the information order or information permission, as the case may be.

(13) Unless the Court otherwise directs, the request under paragraph (4) and the application under paragraph (8) may be —

- (a) heard and determined by the Registrar in Chambers;
- (b) decided without hearing oral arguments; and
- (c) subject to the Court's duty to ensure that the proceedings are conducted fairly to all parties — heard in an asynchronous manner.

(14) Unless the Court otherwise directs, the appeals under paragraphs (6) and (10) may be —

- (a) heard and determined by a Judge in Chambers; and
- (b) decided without hearing oral arguments.

Force and effect of order under section 86(2) of Women's Charter 1961 (P. 3, r. 22O)

22O.—(1) If a party to any maintenance enforcement proceedings (called in this Rule the defaulter) fails to comply with an order under section 86(2) of the Women's Charter 1961, the Court may make any order it thinks just, including one or more of the following orders:

- (a) an order that the maintenance enforcement application be struck out;

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- (b) if a claim for relief is made in any affidavit filed in the proceedings — an order that the claim be struck out;
 - (c) an order that the maintenance enforcement application be fixed for hearing without further reference to the parties;
 - (d) an order that the defaulter do any thing specified by the Court that may be required for an MEO to obtain from any other person the information ordered to be provided under the order under section 86(2) of the Women’s Charter 1961;
 - (e) an order that the defaulter may not rely on any information ordered to be provided under the order under section 86(2) of the Women’s Charter 1961 unless the Court approves;
 - (f) an order that an adverse inference be drawn against the defaulter;
 - (g) if a claim for relief is struck out pursuant to sub-paragraph (b) — any order that the Court thinks just in respect of the maintenance enforcement application.

(2) The Court must, when exercising the power under paragraph (1)(a), (b), (f) or (g), have regard to any reason specified by the defaulter for not providing any information to the MEO.

Submission of MEO’s interim report (P. 3, r. 22P)

22P. For the purposes of section 89(5)(a) of the Women’s Charter 1961, the Court may direct an MEO to submit the MEO’s interim report in relation to a

referred application in either of the following circumstances:

- (a) the applicant in the referred application has made an application under section 139M(1) of the Women's Charter 1961 without including a copy of the interim report in the application, after the interim report was provided to the applicant;
- (b) the applicant in the referred application has made the application mentioned in paragraph (a) without relying on the interim report, and the Court is satisfied that the applicant has *prima facie* grounds for the application.

Examination of MEO (P. 3, r. 22Q)

22Q. A party who wishes to examine an MEO at a hearing of the maintenance enforcement application must —

- (a) submit to the Court, at least 3 weeks before the hearing date, a written request in Form 30-A to examine the MEO at the hearing; and
- (b) serve a copy of the written request on the MEO and all other parties to the proceedings.

Prescribed particulars in section 91F(1)(a)(iii) of Women's Charter 1961 (P. 3, r. 22R)

22R. For the purposes of section 91F(1)(a)(iii) of the Women's Charter 1961, the prescribed particulars are the following:

- (a) the respondent's name;

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- (b) the respondent's NRIC number or any other personal identification number of the respondent;
 - (c) the address of the respondent's place of residence;
 - (d) the respondent's contact details;
 - (e) the respondent's occupation or designation in relation to the respondent's employer or, if the respondent has more than one employer, each of the respondent's employers;
 - (f) any other particulars unique to the respondent, if the Court is satisfied that the particulars may enable the respondent to be identified by any employer of his or hers.

Forms for purposes of sections 91B(1)(g) and 91E(4) of Women's Charter 1961 (P. 3, r. 22S)

22S.—(1) For the purposes of section 91E(4) of the Women's Charter 1961, the prescribed form is Form 32-A.

(2) The notification mentioned in section 91G(c) of the Women's Charter 1961 must be made in Form 32-B.”;

- (l) in Division 3, in the Division heading, replace “*under Part 8 of Women's Charter 1961*” with “*mentioned in section 91B(1)(c) of Women's Charter 1961*”;
- (m) in Rule 23(1), in the definition of “enforcement order”, replace “under section 71(1)(c) of the Women's Charter 1961” with “mentioned in section 91B(1)(c) of the Women's Charter 1961”; and
- (n) in Rule 23(1), in the definition of “maintenance order”, replace “section 80” with “section 76(1)”.

Amendment of Part 3A

4. In the principal Rules, in Part 3A (as inserted by rule 3 of the Family Justice (General) (Amendment) Rules 2024), in the following provisions, replace “section 139(3A)” with “section 179A(4)”:

Rules 2(2), 8(3), 9(3) and 10(2).

Amendment of Third Schedule

5. In the principal Rules, in the Third Schedule —

- (a) in Part 1, in Division 1, in the Division heading, replace “PARTS 7 AND 8” with “PARTS 7, 8, 9, 9A, 10, 10B, 10C AND 11”;
- (b) in Part 1, in Division 4, in the Division heading, replace “10” with “9, 9A, 10, 10B, 10C”;
- (c) in Part 1, in Division 4, in the second column, in the heading before item 1, replace “Parts 7 and 8” with “Parts 7, 8, 9, 9A, 10C and 11”;
- (d) in Part 1, in Division 4, in the second column, in the heading before item 13, replace “Part 10” with “Parts 10 and 10B”;
- (e) in Part 1, in Division 4, in item 2, replace “under section 71(1)(a)” with “mentioned in section 91B(1)(a)”;
- (f) in Part 3, in the Part heading, replace “PARTS 7 AND 8” with “PARTS 7, 8, 9 AND 9A”; and
- (g) in Part 4, in the Part heading, replace “PARTS 7 AND 8” with “PARTS 7, 8, 9 AND 9A”.

[G.N. No. S 902/2024]

Made on 19 December 2024.

SUNDARESH MENON
Chief Justice.

JUDITH PRAKASH
Senior Judge.

TEH HWEE HWEE
*Presiding Judge of the
Family Justice Courts.*

KENNETH YAP YEW CHOY
*Registrar of the
Family Justice Courts.*

LIM HUI MIN
Director of Legal Aid.

YAP TEONG LIANG
Advocate and Solicitor.

FOO SIEW FONG
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[AG/LEGIS/SL/104A/2020/1]

(To be presented to Parliament under section 46(7) of the Family Justice Act 2014 and section 179A(6) of the Women's Charter 1961).