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SUPREME COURT OF JUDICATURE ACT (CHAPTER 322)

SUPREME COURT OF JUDICATURE (TRANSFER OF INTERNATIONAL CHILD ABDUCTION PROCEEDINGS TO DISTRICT COURT) ORDER 2011

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In exercise of the powers conferred by section 28A of the Supreme Court of Judicature Act, I, Chan Sek Keong, Chief Justice, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Supreme Court of Judicature (Transfer of International Child Abduction Proceedings to District Court) Order 2011 and shall come into operation on 1st March 2011.

Proceedings transferred to District Court

2. Any proceedings under the International Child Abduction Act 2010 (Act 27 of 2010) commenced in the High Court shall be transferred to and be heard and determined by a District Court.

Jurisdiction of District Court

3. For the avoidance of doubt, a District Court shall have jurisdiction to hear and determine any proceedings referred to in paragraph 2, notwithstanding that any amount involved in those proceedings exceeds the monetary limit of the ordinary jurisdiction of a District Court.

Powers of registrar of State Courts

4.—(1) For the purpose of any proceedings to be heard and determined by a District Court pursuant to this Order, the registrar and a deputy registrar of the State Courts shall have power to transact all such business and exercise all such authority and jurisdiction as may be transacted and exercised by a District Judge in chambers under this Order, except such business, authority and jurisdiction as the Presiding Judge of the State Courts may, with the concurrence of the Chief Justice, from time to time direct to be transacted or exercised by a District Judge in person.

[S 132/2014 wef 07/03/2014]

[S 272/2014 wef 14/04/2014]

(2) The registrar of the State Courts shall, in relation to any order for the execution of a deed or for the signing of a document made by a District Court in connection with any proceedings heard and determined by it pursuant to this Order, have the same powers as those conferred on the Registrar of the Supreme Court by section 14 of the Act.

[S 132/2014 wef 07/03/2014]

Modification to International Child Abduction Act 2010 for purposes of this Order

5. For the purpose of any proceedings to be heard and determined by a District Court pursuant to this Order, the reference to “the High Court or a Judge thereof” in the definition of “Court” in section 2(1) of the International Child Abduction Act 2010 (Act 27 of 2010) shall be read as a reference to “a District Court or a District Judge”.

Appeals

6.—(1) An appeal shall lie to the High Court from a decision of a District Court in any proceedings heard and determined by the District Court pursuant to this Order, regardless of the amount in dispute or the value of the subject-matter.

(2) Except with the leave of a Judge of the High Court, no appeal shall be brought to the Court of Appeal from a decision of the High Court in respect of any appeal heard and determined by the High Court pursuant to sub-paragraph (1), regardless of the amount in dispute or the value of the subject-matter.

(3) An order of a Judge of the High Court giving or refusing leave under sub-paragraph (2) shall be final.

(4) The procedures for appeals from such proceedings to the High Court and thereafter to the Court of Appeal shall be as specified in the Rules of Court (R 5).

Fees for proceedings heard and determined by District Court pursuant to this Order

7. For the purpose of any proceedings heard and determined by a District Court pursuant to this Order, the fees chargeable for any document filed in or issued by the Registry of the Supreme Court or the Registry of the State Courts shall be as prescribed in the Rules of Court.

[S 132/2014 wef 07/03/2014]

Enforcement of orders

8. Any order made by a District Court in proceedings heard and determined by it pursuant to this Order may be enforced by a District Court in the same manner as a judgment of that Court, notwithstanding that such order may involve an amount which exceeds the monetary limit of the ordinary jurisdiction of a District Court.

Made this 21st day of February 2011.

CHAN SEK KEONG
Chief Justice,
Singapore.

[RSCS R7/7 Vol. 13; AG/LLRD/SL/322/2010/5 Vol. 1]