

**IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE**

**ePRACTICE DIRECTION NO. 4 OF 2007**

**TRANSFER OF MATRIMONIAL, DIVORCE AND GUARDIANSHIP OF  
INFANTS PROCEEDINGS, AND PROCEEDINGS PURSUANT TO SECTION  
17A(2) OF THE SUPREME COURT OF JUDICATURE ACT (CAP. 322) TO THE  
DISTRICT COURT**

Presently, matrimonial proceedings under Part X of the Women's Charter (Cap. 353) and proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap. 322) are transferred to be heard and determined by the High Court when any party to the proceedings asserts that the *gross* value of the matrimonial assets is of or above the value of \$1.5 million.

2. With effect from 1 January 2008, the Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2007 and the Supreme Court of Judicature (Transfer of Proceedings Pursuant to Section 17A(2)) Order 2007 (collectively referred to as 'the New Transfer Orders') will come into operation. Under the New Transfer Orders, in

- (a) matrimonial proceedings under Part X of the Women's Charter (Cap. 353);  
and
- (b) proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap. 322),

where there is a contested application for the division of matrimonial assets that are asserted by any party to the proceedings to be worth a *net* value of \$1.5 million or more, the proceedings shall, upon the direction of the Registrar that the ancillary issues are ready for hearing, be transferred to and be heard and determined by the High Court. Net value of the matrimonial assets is defined in the New Transfer Orders as “the total value of the assets, less any outstanding liabilities which are due to third parties”.

3. This Practice Direction sets out the procedures to be complied with in respect of the New Transfer Orders and applies to:

- (a) matrimonial proceedings under Part X of the Women’s Charter (Cap. 353) commenced on or after 15 December 2003; and
- (b) proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap. 322) commenced on or after 1 November 2004.

4. Paragraphs 81, 82, 89, 106, 108, 111 and Form 22 of Appendix B of *The Subordinate Courts Practice Directions (2006 Ed.)* have been amended accordingly to reflect the new procedures. A new Appendix K, being a specimen declaration to illustrate the calculation of the net value of matrimonial assets, is included for the guidance of parties and solicitors. Miscellaneous amendments have also been made to Paragraphs 85, 107, 109, 110, 112 to 115 of *The Subordinate Courts Practice Directions (2006 Ed.)*.

5. This Practice Direction will take effect on 1 January 2008.

6. A complete and updated version of *The Subordinate Courts Practice Directions (2006 Ed.)* may be downloaded in PDF Adobe Acrobat format at the “Legislation and Directions” section of the Subordinate Courts website at <http://www.subcourts.gov.sg>.

7. For manual and loose-leaf updating, the specific new and amended paragraphs and the directions for amendments may also be downloaded at the “Legislation and Directions” section of the Subordinate Courts website at <http://www.subcourts.gov.sg>.

Dated this 27<sup>th</sup> day of December 2007

A handwritten signature in black ink, appearing to read 'Toh Han Li', written in a cursive style.

TOH HAN LI  
REGISTRAR  
SUBORDINATE COURTS

## **Directions for Amendments**

- (1) The existing Part X of the Table of Contents to be removed and the new amended Part X of the Table of Contents substituted therefor.
- (2) The existing Table of Contents from the page containing Appendix A to be removed and the new amended pages of the Table of Contents substituted therefor.
- (3) The existing Appendix A to be removed and the new amended Appendix A substituted therefor.
- (4) The existing Paragraph 81 to 82 to be removed and the new amended Paragraph 81 substituted therefor.
- (5) The existing Paragraph 85 to be removed and the new amended Paragraph 85 substituted therefor.
- (6) The existing paragraph 89 to be removed and the new amended Paragraph 89 substituted therefor.
- (7) The existing Paragraphs 106 to 115 to be removed and the new amended Paragraphs 106 to 115 substituted therefor.
- (8) The existing Form 22 to be removed and the new amended Form 22 substituted therefor.
- (9) The new Appendix K to be inserted after the existing Appendix J.

## **PART X**

### **PROCEEDINGS IN THE FAMILY COURT: DIVORCE, MATRIMONIAL CAUSES, GUARDIANSHIP OF INFANTS, ADOPTION AND PROCEEDINGS PURSUANT TO SECTION 17A(2) OF THE SUPREME COURT OF JUDICATURE ACT**

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### ***PRACTICE DIRECTIONS ISSUED TO AMEND THE SUBORDINATE COURTS PRACTICE DIRECTIONS (2006 ED.)***

As at 27<sup>th</sup> December 2007

*The following Practice Directions are issued to amend The Subordinate Courts  
Practice Directions (2006 Ed.):*

1. ePD 1 of 2006 Change to Mode of Commencement of Matrimonial Proceedings
2. ePD 2 of 2006 Amendment of Originating Processes, Pleadings and Documents
3. ePD3 of 2006 (1) Amendments to the Rules of Court  
(2) Pre-action Protocol for Medical Negligence Claims
4. ePD1 of 2007 Interest on Judgments, Costs and under Order 30, Rule 6(2)
5. ePD2 of 2007 Request for Digital Audio Recording and Transcription Service
6. ePD3 of 2007 Service, Adjournment/Vacation, Attendance before Duty Registrar & Affidavits for Ancillary Matters Hearing
7. ePD4 of 2007 Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings, and Proceedings Pursuant to Section 17A(2) of the Supreme Court of Judicature Act (Cap. 322) to the District Court

## **PART X**

### **PROCEEDINGS IN THE FAMILY COURT: DIVORCE, MATRIMONIAL CAUSES, GUARDIANSHIP OF INFANTS, ADOPTION AND PROCEEDINGS PURSUANT TO SECTION 17A(2) OF THE SUPREME COURT OF JUDICATURE ACT**

#### **81. Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to the Family Court**

- (1) The Honourable the Chief Justice has made the following orders under section 28A of the Supreme Court of Judicature Act (Cap. 322):
  - (a) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 1996, which came into operation on 1 April 1996 (“the 1996 Transfer Order”);
  - (b) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2003, which came into operation on 15 December 2003 (“the 2003 Transfer Order”);
  - (c) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2005, which came into operation on 1 April 2006 (“the 2005 Transfer Order”); and
  - (d) The Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2007, which came into operation on 1 January 2008 (“the 2007 Transfer Order”).
- (2) Pursuant to the 1996 Transfer Order -
  - (a) all proceedings under section 59 and Part X of the Women’s Charter (Cap. 353, 1985 Edition) and the Guardianship of Infants Act (Cap. 122, 1985 Revised Edition) (referred to in this Part as “family proceedings”), commenced in the High Court on or after

1 April 1996, shall be transferred to and be heard and determined by a District Court; and

- (b) all family proceedings commenced before 1 April 1996 as well as any proceedings ancillary thereto shall continue to be heard and determined by the High Court.
- (3) The 2003 Transfer Order and the 2005 Transfer Order provide that proceedings under Part X of the Women’s Charter (Cap. 353, 1997 Revised Edition), in which there is a contested application for the division of matrimonial assets asserted by any party to the proceedings to be worth a gross value of \$1.5 million or more, shall be transferred from the District Court to the High Court to be heard and determined. This “transfer back” to the High Court based on the gross value of assets applied to proceedings under Part X of the Women’s Charter (Cap. 353, 1997 Revised Edition) commenced on or after 15 December 2003.
- (4) The 2007 Transfer Order provides that the net value instead of the gross value shall be used to determine whether the proceedings should be transferred from the District Court to the High Court.
- (5) The new jurisdictional threshold based on net value takes effect from 1 January 2008 and applies to proceedings under Part X of the Women’s Charter (Cap. 353, 1997 Revised Edition) commenced on or after 15 December 2003. Proceedings under Part X of the Women’s Charter (Cap. 353, 1997 Revised Edition) which have already been transferred to the High Court based on the gross value threshold, pursuant to 2003 Transfer Order or the 2005 Transfer Order, will not be affected and will remain in the High Court.
- (6) Pursuant to the 2007 Transfer Order, proceedings under Part X of the Women’s Charter (Cap 353, 1997 Revised Edition) in which there is a contested application for the division of matrimonial assets asserted by any party to the proceedings to be worth a net value of \$1.5 million or more shall, upon the direction of the Registrar of the Subordinate Courts that the ancillary issues are ready for hearing, be transferred to and be heard and determined by the High Court.



- (7) Solicitors and parties shall be responsible for identifying the correct Transfer Order applicable to their case.
- (8) A sub-registry of the Registry of the Supreme Court (referred to in this Direction as the “sub-registry of the Supreme Court”) and sub-registry of the Registry of the Subordinate Courts (referred to in this Direction as the “sub-registry of the Subordinate Courts”) have been set up in the Family and Juvenile Court Building at No. 3 Havelock Square (“the Family and Juvenile Court”).

**82. Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building**

All documents relating to family proceedings which are to be heard and determined by the High Court shall be filed at the Legal Registry of the Supreme Court at the Supreme Court Building. These include:

- (1) all originating processes to commence family proceedings before 1 April 1996;
- (2) all subsequent applications and documents in or ancillary to family proceedings commenced before 1 April 1996;
- (3) all applications and documents in or ancillary to family proceedings commenced on or after 15 December 2003 involving the division of matrimonial assets with a gross value of \$1.5 million or more, which have been transferred to the High Court before 1 January 2008 upon the direction of the Registrar of the Subordinate Courts;
- (4) all applications and documents in or ancillary to family proceedings commenced on or after 15 December 2003 involving the division of matrimonial assets with a net value of \$1.5 million or more, which have been transferred to the High Court from 1 January 2008 upon the direction of the Registrar of the Subordinate Courts; and
- (5) all applications and documents to vary any Order of the High Court in the proceedings referred to in sub-paragraphs (1) to (4).

## **85. Appeals**

- (1) Any appeal against the decision or order of a District Judge made in family proceedings shall be made to the High Court; and any appeal against the decision or order of the Registrar or a Deputy Registrar of the Subordinate Courts made in family proceedings shall be made to a District Judge in chambers.
- (2) Pursuant to the Supreme Court of Judicature (Transfer of Matrimonial, Divorce and Guardianship of Infants Proceedings to District Court) Order 2007, an appeal shall lie to the High Court from a decision of a District Court regardless of the amount in dispute or the value of the subject-matter.
- (3) For family proceedings commenced before 15 December 2003:
  - (a) any document in relation to an appeal against the decision of a District Judge made in family proceedings shall be filed at the Registry of the Subordinate Courts at No. 1 Havelock Square; and
  - (b) any document in relation to an appeal against the decision of the Registrar or a Deputy Registrar of the Subordinate Courts made in family proceedings shall be filed at the sub-registry of the Subordinate Courts at the Family and Juvenile Court.
- (4) All documents in relation to appeals arising from family proceedings commenced on or after 15 December 2003 shall be filed by the Electronic Filing Service.

**89. Pre-trial conferences for matrimonial proceedings under Part X of the Women's Charter (Cap. 353, 1997 Revised Edition)**

- (1) Pre-trial conferences will be conducted (pursuant to Order 34A of the Rules of Court) for matrimonial proceedings under Part X of the Women's Charter (Cap. 353, 1997 Revised Edition) after the case is set down, where the case or any of the ancillary relief claimed is contested.
- (2) At the pre-trial conference, the matters to be considered include the following:
  - (a) the likelihood of settlement of the contested issues;
  - (b) directions on the conduct of mediation and counselling;
  - (c) the witnesses who will be called;
  - (d) the filing of affidavits, reports, summonses and any other necessary documents;
  - (e) the net value of the matrimonial assets for division and the necessity to transfer the proceedings to the High Court for hearing and determination; and
  - (f) the number of days required for hearing and the fixing of hearing dates.
- (3) The Deputy Registrar shall, before fixing a date for the hearing of the ancillary matters, ensure that all affidavits, reports and any other necessary documents have been filed and all interlocutory applications and appeals therefrom have been dealt with. The parties or their counsel attending the pre-trial conference shall ensure that such documents have been filed and all such matters dealt with before seeking a date for the hearing of the ancillary matters.
- (4) Unless otherwise directed by the Deputy Registrar, for the purpose of expediting the hearing of contested ancillary matters, the parties or their counsel shall file and exchange an Ancillary Matters Fact and Position Sheet in Form 35A of Appendix B at least 5 working days prior to the hearing of the contested ancillary matters.

- (5) Where the contested ancillary matters include the division of matrimonial assets, the parties or their counsel shall, upon the direction of the Deputy Registrar, file the Declaration of the Value of Matrimonial Assets in Form 22 of Appendix B stating the net value of the matrimonial assets as at the date of the Declaration, and the status of the proceedings.
- (6) At any time before the commencement of the hearing of the contested ancillary matters, where it is necessary to do so, the parties or their counsel shall, upon the direction of the Deputy Registrar, file another Declaration of the Value of Matrimonial Assets in Form 22 of Appendix B, stating the net value of the matrimonial assets as at the date of the fresh Declaration, and the status of the proceedings.
- (7) A specimen Declaration illustrating the use of Form 22 of Appendix B is included in Appendix K for the guidance of parties and solicitors.
- (8) The principal solicitors having conduct of the case are to personally attend the pre-trial conference. They are expected to be thoroughly prepared to discuss the matters listed in sub-paragraphs (2), (3), (4), (5) and (6) above.
- (9) Solicitors should ensure that their clients are fully informed of the option of using alternative dispute resolution before attending the pre-trial conference. They are expected to advise their clients and to take instructions on the desirability of referring the dispute for mediation and/or counselling.
- (10) The Forms prescribed in this Paragraph are applicable to matrimonial proceedings filed before 1 April 2006 as if any reference therein to the writ, summons, plaintiff and defendant were a reference to the petition, summons-in-chambers, petitioner and respondent respectively.

**106. Transfer of Section 17A(2) Supreme Court of Judicature Act Proceedings to the Family Court**

- (1) In relation to proceedings which may be heard and determined by the High Court pursuant to section 17A(2) of the Supreme Court of Judicature Act (referred to in this Part as “section 17A(2) proceedings”), the Honourable the Chief Justice has made the following orders under section 28A of the Supreme Court of Judicature Act (Cap. 322):
  - (a) The Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 1999, which came into operation on 1 August 1999 (“the 1999 Transfer Order”);
  - (b) The Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 2004, which came into operation on 1 November 2004 (“the 2004 Transfer Order”); and
  - (c) The Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 2007, which came into operation on 1 January 2008 (“the 2007 Transfer Order for section 17A(2) proceedings”).
- (2) Pursuant to the 1999 Transfer Order, all section 17A(2) proceedings shall be transferred to and be heard and determined by a District Court.
- (3) The 2004 Transfer Order provides that section 17A(2) proceedings, in which there is a contested application for the division of matrimonial assets asserted by any party to the proceedings to be worth a gross value of \$1.5 million or more, shall be transferred from the District Court to the High Court to be heard and determined. This transfer back to the High Court based on the gross value of assets applies to section 17A(2) proceedings commenced on or after 1 November 2004.
- (4) The 2007 Transfer Order for section 17A(2) proceedings provides that the net value instead of the gross value shall be used to determine whether the proceedings should be transferred from the District Court to the High Court.

- (5) The new jurisdictional threshold based on net value takes effect from 1 January 2008 and applies to section 17A(2) proceedings commenced on or after 1 November 2004. Section 17A(2) proceedings which have already been transferred to the High Court based on the gross value threshold, pursuant to 2004 Transfer Order, will not be affected and will remain in the High Court.
- (6) Pursuant to the 2007 Transfer Order, section 17A(2) proceedings, in which there is a contested application for the division of matrimonial assets asserted by any party to the proceedings to be worth a net value of \$1.5 million or more shall, upon the direction of the Registrar of the Subordinate Courts that the proceedings are ready for hearing, be transferred to and be heard and determined by the High Court.
- (7) Solicitors and parties shall be responsible for identifying the correct Transfer Order applicable to their case.

**107. Documents to be filed at the sub-registry at the Family and Juvenile Court for section 17A(2) proceedings**

- (1) All documents relating to section 17A(2) proceedings which are to be heard and determined by the District Court shall be filed at the sub-registries at the Family and Juvenile Court.
- (2) All processes to commence section 17A(2) proceedings (including the Agreed Matrimonial Property Plan or Proposed Matrimonial Property Plan) shall be filed at the sub-registry of the Supreme Court at the Family and Juvenile Court and shall bear the title “In the High Court of the Republic of Singapore”.
- (3) All subsequent applications and documents in or ancillary to these proceedings shall be filed at the sub-registry of the Subordinate Courts and shall bear the title “In the Subordinate Courts of the Republic of Singapore”.



**108. Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building for section 17A(2) proceedings**

All documents relating to section 17A(2) proceedings which are to be heard and determined by the High Court shall be filed at the Legal Registry of the Supreme Court at the Supreme Court Building. These include:

- (1) all applications and documents in or ancillary to proceedings commenced on or after 1 November 2004 involving the division of matrimonial assets asserted by any party to the proceedings to be worth a gross value of \$1.5 million or more, which have been transferred to the High Court before 1 January 2008 upon the direction of the Registrar of the Subordinate Courts;
- (2) all applications and documents in or ancillary to proceedings commenced on or after 1 November 2004 involving the division of matrimonial assets asserted by any party to the proceedings to be worth a net value of \$1.5 million or more, which have been transferred to the High Court from 1 January 2008 upon the direction of the Registrar of the Subordinate Courts;
- (3) all applications and documents to vary any Order of the High Court in the proceedings referred to in sub-paragraphs (1) to (2).

**109. Appeals for section 17A(2) proceedings**

- (1) Any appeal against the decision or order of a District Judge made in the transferred section 17A(2) proceedings shall be made to the High Court; and any appeal against the decision or order of the Registrar or a Deputy Registrar of the Subordinate Courts made in these proceedings shall be made to a District Judge in chambers.
- (2) Pursuant to the Supreme Court of Judicature (Transfer of Proceedings pursuant to section 17A(2)) Order 2007, an appeal shall lie to the High Court from a decision of a District Court regardless of the amount in dispute or the value of the subject-matter.
- (3) Any document in relation to an appeal against the decision of a District Judge made in the transferred section 17A(2) proceedings shall be filed at the Registry of the Subordinate Courts at No. 1 Havelock Square.
- (4) Any document in relation to an appeal against the decision of the Registrar or a Deputy Registrar of the Subordinate Courts made in the transferred section 17A(2) proceedings shall be filed at the sub-registry of the Subordinate Courts at the Family and Juvenile Court.

**110. Agreed Matrimonial Property Plan and Proposed Matrimonial Property Plan for section 17A(2) proceedings**

- (1) Pursuant to Order 84A Rule 3 of the Rules of Court, Rules 9, 18(9) and 18(10) of the Matrimonial Proceedings Rules 2005 shall apply to section 17A(2) proceedings.
- (2) The Directions set out in Paragraph 87 above (Agreed Matrimonial Property Plan and Proposed Matrimonial Property Plan) shall be applicable, with the appropriate modifications, to section 17A(2) proceedings.

**111. Pre-trial conferences for section 17A(2) proceedings**

- (1) Pre-trial conferences will be conducted (pursuant to Order 34A of the Rules of Court) for section 17A(2) proceedings before a hearing date is given. Pre-trial conferences will be conducted within 4 weeks of the filing of the originating summons.
- (2) At the pre-trial conference, the matters to be considered include the following:
  - (a) service of the originating summons;
  - (b) the likelihood of settlement of the contested issues;
  - (c) directions on the conduct of mediation and counselling;
  - (d) the filing of affidavits, reports and any other necessary documents;
  - (e) the net value of the matrimonial assets for division and the necessity to transfer the proceedings to the High Court for hearing and determination; and
  - (f) the number of days required for hearing and the hearing dates.
- (3) The parties or their counsel attending the pre-trial conference shall ensure that all affidavits, reports and any other necessary documents have been filed and all interlocutory applications and appeals therefrom have been dealt with before seeking a date for the hearing of the proceedings.
- (4) Where the contested application includes the division of matrimonial assets on divorce, the parties or their counsel shall, upon the direction of the Deputy Registrar, file the Declaration of the Value of Matrimonial Assets in Form 22 of Appendix B stating the net value of the property as at the date of the Declaration, and the status of the proceedings.
- (5) At any time before the commencement of the hearing of the contested application, where it is necessary to do so, the parties or their counsel shall, upon the direction of the Deputy Registrar, file another Declaration of the Value of Matrimonial Assets in Form 22 of Appendix B, stating the net value of the property as at the date of the fresh Declaration, and the status of the proceedings.

- (6) A specimen Declaration illustrating the use of Form 22 of Appendix B is included in Appendix K for the guidance of parties and solicitors.
- (7) The principal solicitors having conduct of the case are to personally attend the pre-trial conference. They are expected to be thoroughly prepared to discuss the matters listed in sub-paragraphs (2), (3), (4) and (5) above.
- (8) Solicitors should ensure that their clients are fully informed of the option of using alternative dispute resolution before attending the pre-trial conference. They are expected to advise their clients and to take instructions on the desirability of referring the dispute for mediation and/or counselling.

**112. Mediation for section 17A(2) proceedings**

- (1) Mediation is a voluntary process, conducted to encourage and assist parties in reaching an agreement or to narrow the issues in contention. Where a mediation session has been fixed, counsel and parties must personally attend mediation on the date appointed by the Court. Any request for a change or vacation of the mediation appointment shall be made at least 3 working days before the appointed date.
- (2) Counsel and parties are expected to be prepared to discuss their respective cases during the mediation. All relevant documents such as the private investigator's report, medical reports, statements from the Housing and Development Board and the Central Provident Fund Board, salary slips, income tax returns, bank statements and credit card statements shall be produced at the mediation, if necessary.
- (3) Mediation will be conducted on a without prejudice basis. All communications made in the course of mediation will be treated in strict confidence and will not be admissible in any court. If the dispute is not resolved at the mediation session, the District Judge or Deputy Registrar will give the necessary directions to enable the action to proceed to hearing and the originating summons will be heard by a Judge other than the District Judge or Deputy Registrar conducting the mediation.

**113. Counselling for section 17A(2) proceedings**

- (1) Counselling is a voluntary process conducted for the purpose of advising parties on the arrangements which can be made for the welfare of their children and facilitating an amicable settlement of the arrangements to be made for the welfare of the children.
- (2) Counsel need not attend a counselling session unless their clients desire their attendance.
- (3) Any request for a change or vacation of the counselling appointment shall be made at least 3 working days before the appointed date.
- (4) Counselling sessions will be conducted on a without prejudice basis. The outcome after counselling shall be recorded by the counsellor and signed by the parties. A copy of the outcome form shall be given to each party. The outcome form and all communications made in the course of counselling will be treated in strict confidence and shall not be admissible in any court.

**114. Draft Consent Orders for section 17A(2) proceedings**

- (1) If an agreement has been reached between the parties in section 17A(2) proceedings (“the agreement”), Counsel shall file a copy of the draft consent order incorporating the agreement at least 5 working days prior to the hearing of the originating summons (“the hearing”). The draft consent order shall be accompanied by a cover letter in the prescribed format in Form 25 of Appendix B.
- (2) A hard copy of the draft consent order bearing the signature of both parties or their counsel, shall be submitted in court for the approval of the Court during the hearing, if parties are required to attend the hearing.
- (3) The draft consent orders shall be signed:
  - (a) in cases where both parties are represented, by both parties’ counsel; or
  - (b) in cases where any party is unrepresented, by that party personally, and the signature of that party in person must be witnessed by an advocate and solicitor or a commissioner for oaths.
- (4) The Court hearing the originating summons may consider and approve the draft consent order submitted by the parties pursuant to subparagraph (1) above, and grant an order in terms of the same before the hearing date thus obviating the need for the parties to attend the hearing for the sole purpose of recording the consent order.
- (5) The list of consent orders approved by the Court in the absence of parties will be published on the Family and Juvenile Court website (<http://www.familycourtofsingapore.gov.sg>) and the Family and Juvenile Court notice board before the day fixed for hearing, to inform the relevant parties that they need not attend Court.
- (6) For originating summonses filed before 15 December 2003, an additional copy of the draft consent order bearing the signature of both



parties or their counsel, shall be submitted in court for the approval of the Court pursuant to sub-paragraph (1) above.

- (7) For originating summonses filed on or after 15 December 2003, the document name selected for the filing of the draft consent order in the Electronic Filing Service shall be “Draft Consent Order for Hearing”.
- (8) Parties need not submit a further draft consent order for approval after the hearing. Counsel need only file the engrossed copy of the consent order after the draft consent order is approved and returned by the Registry.

**115. Correspondence and request for re-fixing of hearing dates for section 17A(2) proceedings**

- (1) All correspondence relating to or in connection with any section 17A(2) proceedings shall be addressed to the Registrar and sent to the sub-registry of the Subordinate Courts at the Family and Juvenile Court.
- (2) In addition, all letters should be captioned with the number of the cause to which they relate and the names of the parties. For example:

“ORIGINATING SUMMONS NO. 1234 OF 2003

Between ABC and DEF”

If the correspondence relates to a particular hearing, the hearing date, time and nature of the hearing should be stated below the parties’ names.

For example:

“PRE-TRIAL CONFERENCE ON 1 SEPTEMBER 2003 AT  
2:30 PM.”

- (3) A request for a hearing date to be re-fixed shall be in Form 39 of Appendix B and sent to the sub-registry of the Subordinate Courts at the Family and Juvenile Court.

**Form 22**

**DECLARATION OF THE VALUE OF MATRIMONIAL ASSETS**

(Title as in action)

1 The Plaintiff/Defendant/Other Party (to specify)\* asserts that (to the best of his/her knowledge, information and belief), the net value of the matrimonial assets# is:

- below \$1.5 million.
- \$1.5 million or above.

The Plaintiff/Defendant/Other Party (to specify)\* is aware that the appropriate cost penalties may be imposed should the High Court find the asserted net value to be unjustified.

2 The detailed breakdown of the matrimonial assets is as follows:

Assets asserted to be matrimonial assets	Please specify each asset	Current gross value of each asset
	1.	
	2.	
	3.	
	4.	
	5.	
		Total:
Outstanding liabilities due to third parties which should be deducted from value of matrimonial assets	Please specify each liability	Amount for each liability
	1.	
	2.	
	3.	
	4.	
	5.	
		Total:
<b>Net Value of the Matrimonial Assets:</b> _____		

3 The Plaintiff/Defendant/Other Party (to specify)\* has/has not\* completed filing the affidavits, reports, interlocutory applications and all other documents necessary for the hearing of the contested ancillary matters.

4 There is/is no\* pending interlocutory application\* in the ancillary matters proceedings. There is/is no\* pending appeal from an interlocutory application in the ancillary matters proceedings.

\_\_\_\_\_  
 Signature of Plaintiff/Solicitors for the Plaintiff/  
 Defendant/Solicitors for the Defendant/  
 Other Party/Solicitors for the Other Party (to specify)\*

Name of party making declaration/Solicitors' firm:

NRIC Number \*(for parties who are acting in-person only):

Date:

\* Delete where inapplicable

# "Net value of the matrimonial assets" means the total value of the assets, less any outstanding liabilities which are due to third parties. Such liabilities which are due to third parties may include, but are not limited to, outstanding housing and/or mortgage loans, and renovation loans.

## APPENDIX K

### SAMPLE DECLARATION OF THE VALUE OF MATRIMONIAL ASSETS

Divorce No. 9999 of 2007

Between

ABC ... Plaintiff

And

DEF ... Defendant

- 1 The Plaintiff/~~Defendant/Other Party (to specify)\*~~ asserts that (to the best of his/~~her~~ knowledge, information and belief), the net value of the matrimonial assets<sup>#</sup> is:

- below \$1.5 million  
 \$1.5 million or above

The Plaintiff/~~Defendant/Other Party (to specify)\*~~ is aware that the appropriate cost penalties may be imposed should the High Court find the asserted net value to be unjustified.

- 2 The detailed breakdown of the matrimonial assets is as follows:

Assets asserted to be matrimonial assets	Please specify each asset	Current gross value of each asset
	1. Matrimonial Home at 22 Cross Road, Singapore	
2. Apartment at 33, Hay Street, #01-01, Singapore		\$400,000
3. Family Car SAA 1234B		\$60,000
4. Joint Bank Account at XYZ Bank, account no. 12345		\$80,000
5. Defendant's Bank Account, particulars unknown		\$300,000
	Total:	\$1,840,000
Outstanding liabilities due to third parties which should be deducted from value of matrimonial assets	Please specify each liability	Amount for each liability
	1. Outstanding Mortgage Loan for 22 Cross Road, Singapore	
2. Outstanding Renovation Loan for 33 Hay Street, #01-01, Singapore		\$60,000
3. Outstanding Car Loan for SAA 1234B		\$30,000
4. Overdraft of Plaintiff with ABC Bank, account no. 6789		\$50,000
	Total:	\$840,000
<b>Net Value of the Matrimonial Assets: \$1,000,000</b> [total gross value of \$1,840,000 less total liabilities of \$840,000]		

<sup>#</sup> "Net value of the matrimonial assets" means the total value of the assets, less any outstanding liabilities which are due to third parties. Such liabilities which are due to third parties may include, but are not limited to, outstanding housing and/or mortgage loans, and renovation loans.

- 3 The Plaintiff/~~Defendant/Other Party (to specify)~~\* has/~~has not~~\* completed filing the affidavits, reports, interlocutory applications and all other documents necessary for the hearing of the contested ancillary matters.
- 4 There ~~is~~/is no\* pending interlocutory application\* in the ancillary matters proceedings. There is/is no\* pending appeal from an interlocutory application in the ancillary matters proceedings.

\_\_\_\_\_  
(signed)

~~Signature of Plaintiff/Solicitors for the Plaintiff/  
Defendant/Solicitors for the Defendant/  
Other Party/Solicitors for the Other Party (to specify)\*~~

Name of ~~party making declaration~~/Solicitors' firm: M/S PQR

~~NRIC Number \*(for parties who are acting in person only):~~

Date: 01/01/2008

\* Delete where inapplicable