

**IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO 9 OF 2013**

It is hereby notified for general information that, with effect from 2 December 2013, the Subordinate Courts Practice Directions will be amended as follows:

- (a) the existing paragraph 12 will be deleted;
- (b) the existing Part X (consisting of the existing paragraphs 81 to 116), Part XA (consisting of the existing paragraphs 116A to 116R) and Part XB (consisting of the existing paragraphs 116S to 116X) will be deleted and replaced by the following new Part X (consisting of the new paragraphs 81 to 114);

New Part X

- (c) the existing Forms 18 to 39N in Appendix B will be deleted and replaced by the following new Forms:

New Forms 18 to 39B

2. These amendments to the Subordinate Courts Practice Directions relate to the paragraphs that are applicable to proceedings in the Family and Juvenile Justice Division. They serve to rationalise, streamline and re-organise the relevant practice directions and in particular to —

- (a) update the relevant practice directions in accordance with the amendments made to the Women’s Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) by the Women’s Charter (Matrimonial Proceedings) (Amendment) Rules 2013; and
- (b) incorporate new practice directions for the implementation of the new Integrated Electronic Litigation System (eLitigation) in the Family and Juvenile Justice Division of the Subordinate Courts with effect from 2 December 2013.

3. For ease of reference, the table below sets out the —

- (a) new paragraphs in which certain provisions of the existing practice directions will be relocated; and
- (b) changes that will be made to the numberings of the relevant Forms in Appendix B.

Paragraph		Form in Appendix B	
<i>Old number</i>	<i>New number</i>	<i>Old number</i>	<i>New number</i>
12	98	Form 18	Form 23A
81	81	Form 19	Form 23B
82	82	Form 20	Form 23C

Paragraph		Form in Appendix B	
<i>Old number</i>	<i>New number</i>	<i>Old number</i>	<i>New number</i>
83	83	Form 21	Form 23D
84	99	Form 21(I)	Form 24A
84A	87	Form 21(II)	Form 24B
85	97	Form 21(III)	Form 24C
86	-	Form 21A	Form 25A
87	100	Form 21B	Form 25B
88	101	Form 21C	Form 26A
89	90	Form 21D	Form 26B
90	91	Form 22	Form 19B
91	93	-	Form 21A
91A	92	Form 22A	Form 21B
92	102	-	Form 22
92A	102	Form 23	Form 31
92B	103	Form 24	Form 31A
93	108	Form 25	-
94	107	Form 26	-
95	95	Form 27	Form 29A
96	109	Form 28	Form 29A(I)
97	-	Form 29	Form 29B
98	96	Form 30	Form 29B(I)
99	94	Form 31	Form 30A
100	106	Form 31A	Form 32
100A	110	Form 32	Form 29C
101	104	Form 33	Form 29C(I)
101A	105	Form 34	Form 30B
102	90	Form 35	Form 27
103	111	Form 35A	Form 19A
104	88	Form 35B	Form 28
105	89	Form 35C	Form 28A
106	84	Form 35D	Form 28B
107	85	Form 36	Form 20
108	86	Form 37	-
109	97	Form 38	Form 33
110	85	Form 39	Form 18
111	90	Form 39A	Form 35
112	91	Form 39B	Form 35A
113	93	Form 39C	Form 35B
114	95	Form 39D	Form 35C
115	89	Form 39E	Form 35D

Paragraph		Form in Appendix B	
<i>Old number</i>	<i>New number</i>	<i>Old number</i>	<i>New number</i>
116	112	Form 39F	Form 35E
116A	113A	Form 39G	Form 36
116B	113B	Form 39H	Form 37
116C	113C	Form 39I	Form 38A
116D	113D	Form 39J	Form 38B
116E	113E	Form 39K	Form 38C
116F	113F	Form 39L	Form 38D
116G	113G	Form 39M	Form 39A
116H	113H	Form 39N	Form 39B
116I	113I	Annex A of existing paragraph 116	34A
116J	113J	Form 1 of Annex B of existing paragraph 116	34B
116K	113K	Form 2 of Annex B of existing paragraph 116	34C
116L	113L	Form 3 of Annex B of existing paragraph 116	34D
116M	113M	Form 4 of Annex B of existing paragraph 116	34E
116N	113N	Form 5 of Annex B of existing paragraph 116	34F
116O	113O	Form 6 of Annex B of existing paragraph 116	34G
116P	113P	Form 7 of Annex B of existing paragraph 116	34H
116Q	113Q		
116R	113R		
116S	114		
116T	114		
116U	114		
116V	114		
116W	114		
116X	114		

Dated this 1st day of November 2013.



JENNIFER MARIE
REGISTRAR
SUBORDINATE COURTS

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 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 (which took effect from 1 January 2008) 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 a 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 the following:

- (a) all originating processes to commence family proceedings before 1 April 1996;
- (b) all subsequent applications and documents in or ancillary to family proceedings commenced before 1 April 1996;
- (c) 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;
- (d) 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
- (e) all applications and documents to vary any Order of the High Court in the proceedings referred to in sub-paragraphs (a) to (d).

83. Documents to be filed at the sub-registry at the Family and Juvenile Court

(1) All documents relating to family proceedings which are to be heard and determined by the Subordinate Courts shall be filed at the sub-registries at the Family and Juvenile Court.

(2) All processes to commence family proceedings on or after 1 April 1996 shall be filed at the sub-registry of the Supreme Court and shall bear the title “In the High Court of the Republic of Singapore”.

(3) As regards the documents accompanying a writ that is filed on or after 1 April 2006 —

(a) the following documents shall bear the title “In the High Court of the Republic of Singapore”:

- (i) Statement of Claim (Form 6 of the Women’s Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4);
- (ii) Statement of Particulars (Form 8 of the Women’s Charter (Matrimonial Proceedings) Rules);
- (iii) Agreed Parenting Plan (Form 9 of the Women’s Charter (Matrimonial Proceedings) Rules) or Plaintiff’s Proposed Parenting Plan (Form 10 of the Matrimonial Proceedings Rules); and
- (iv) Agreed Matrimonial Property Plan (Form 11 of the Women’s Charter (Matrimonial Proceedings) Rules) or Plaintiff’s Proposed Matrimonial Property Plan (Form 12 of the Women’s Charter (Matrimonial Proceedings) Rules);

(b) the following documents shall bear the title “In the Subordinate Courts of the Republic of Singapore”: and

- (i) Notice to a Co-Defendant / Defendant in Counterclaim / Person Entitled to Intervene / Other Party (Form 16 of the Women’s Charter (Matrimonial Proceedings) Rules);
- (ii) Acknowledgment of Service (Defendant) (Form 14 of the Women’s Charter (Matrimonial Proceedings) Rules);
- (iii) Acknowledgment of Service (Co-Defendant / Defendant in Counterclaim / Person Entitled to Intervene / Other Party) (Form 17 of the Women’s Charter (Matrimonial Proceedings) Rules);
- (iv) Memorandum of Appearance (Defendant) (Form 15 of the Women’s Charter (Matrimonial Proceedings) Rules); and

- (v) Memorandum of Appearance (Co-Defendant / Defendant in Counterclaim / Person Entitled to Intervene / Other Party) (Form 18 of the Women’s Charter (Matrimonial Proceedings) Rules),

and the references to the “Registrar of the Supreme Court” in these forms shall be replaced by references to the “Registrar of the Subordinate Courts” and the references to “the High Court” shall be replaced by references to “the Subordinate Courts”.

(4) Subject to Paragraph 82(c) of these Practice Directions, all subsequent applications and documents in or ancillary to these family 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”, except for any counterclaim or defence and counterclaim, which shall be filed at the sub-registry of the Supreme Court and shall bear the title “In the High Court of the Republic of Singapore”.

(5) Subject to Paragraph 82(d) of these Practice Directions, all applications and documents to vary any order of the Subordinate Courts in family 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”.

84. 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 (Cap. 322) (hereafter 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:

- (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 took 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.

85. 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 (Form 9 of the Women's Charter (Matrimonial Proceedings) Rules) (Cap. 353, R 4) or Plaintiff's Proposed Matrimonial Property Plan (Form 10 of the Women's Charter (Matrimonial Proceedings) Rules)) 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".

86. 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 the following:

- (a) 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;
- (b) 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;
- (c) all applications and documents to vary any Order of the High Court in the proceedings referred to in sub-paragraphs (a) and (b).

87. Amendment of documents originally filed in Court by entering relevant information in an electronic template

(1) This Paragraph applies to documents that have originally been filed in Court via the Electronic Filing Service.

(2) Where such a document is to be amended, whether pursuant to rule 22 of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) or, with leave of court, the amended document is to be prepared and filed by entering the relevant amendments in the appropriate electronic template. The amended document need not be filed in PDF format. In this respect, Paragraph 13(2)(c), (4) and (5) of these Practice Directions shall not apply.

88. Request for urgent hearing dates or urgent hearings prior to the filing of the application through the Electronic Filing Service

Counsel requesting an urgent hearing before the Duty Registrar or Duty District Judge, or an urgent hearing date, in respect of an application that has not yet been filed through the Electronic Filing Service, shall submit a hard copy of the proposed application and any supporting affidavit to the Duty Registrar or Duty District Judge for the Court's retention and shall give an undertaking to file the application and supporting affidavit using the Electronic Filing Service by the next working day.

89. Correspondence and request for re-fixing of hearing dates

(1) All correspondence relating to or in connection with any family 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 shall be captioned with the number of the cause to which they relate and the names of the parties. For example:

“DIVORCE WRIT NO 1234 of 2012

Between ABC and DEF”

(3) 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 JANUARY 2013 AT 2:30PM.”

(4) For cases which have been commenced electronically, a letter shall be sent to the Court by a law firm only using the Electronic Filing Service. If a letter is sent to the Court by a law firm in any other way, it is liable to be rejected. This subparagraph does not apply to litigants in person.

(5) A request for a hearing date to be re-fixed shall be in Form 18 in Appendix B to these Practice Directions and sent to the sub-registry of the Subordinate Courts at the Family and Juvenile Court as soon as possible and at least 7 working days prior to the hearing date.

(6) Where the reason for re-fixing of the hearing is a conflict of court dates, the following information relating to both court cases must be stated in the request:

- (a) the case number;
- (b) the date and time of the hearing;
- (c) the nature of hearing;
- (d) the date when the applicant was informed of the hearing date or agreed to accept the hearing date (e.g. date of Registrar’s Notice or date of pre-trial conference or Court mentions when the date was taken);
- (e) in the event the family proceedings hearing date was fixed earlier, whether the court subsequently giving the same hearing date was informed of the family proceedings hearing already fixed; and
- (f) in the event the family proceedings hearing date was fixed later, whether the Family Court was informed of the earlier hearing date and the reasons for the earlier date.

(7) If a letter is sent to the Court by a law firm without the information specified in sub-paragraph (2) and (3), it is also liable to be rejected.

(8) Registrar's Directions and Notices from the Registry will be sent to law firms who are registered users of the Electronic Filing Service through the Electronic Filing Service.

(9) Registered users are to ensure that the inbox of their Electronic Filing Service account(s) are checked and cleared regularly.

90. Pre-trial conferences for matrimonial proceedings under Part X of the Women's Charter (Cap. 353), section 17A(2) proceedings under the Supreme Court of Judicature Act (Cap. 322), and proceedings under the Guardianship of Infants Act (Cap 122)

(1) Pre-trial conferences will be conducted (pursuant to Order 34A of the Rules of Court (Cap. 322, R 5))—

- (a) for matrimonial proceedings under Part X of the Women's Charter after the case is set down, where the case or any of the ancillary relief claimed is contested; and
- (b) for section 17A(2) proceedings and proceedings under the Guardianship of Infants Act before a hearing date is given.

(2) At the pre-trial conference, the matters to be considered include the following, where applicable:

- (a) the service of documents;
- (b) the likelihood of settlement of the contested issues;
- (c) the ages of the child / children of the marriage;
- (d) directions for parties to attend mandatory counselling and mediation at the Child Focused Resolution Centre;
- (e) the dates of the mediation and counselling sessions;
- (f) directions on the conduct of mediation and counselling at the Family Resolution Chambers;
- (g) the witnesses who will be called and whether they need interpretation;
- (h) the filing of affidavits, reports, summonses and any other necessary documents;

- (i) the necessity (if any) for an order for the Central Provident Fund Board to furnish information relating to the utilisation of CPF monies or CPF account balances where there is a claim for the division of a matrimonial property or CPF-related assets;
- (j) the net value of the matrimonial assets for division and the necessity (if any) to transfer the proceedings to the High Court for hearing and determination;
- (k) the number of days required for the hearing and the fixing of hearing dates; and
- (l) the administrative arrangements for the next hearing (e.g. whether it will be conducted over JOL or whether interpreters are required, etc.).

(3) 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 all relevant matters as the Deputy Registrar conducting the PTC will take a holistic approach to the case and consider all relevant matters relating to the case.

(4) 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.

(5) The following sub-paragraphs shall apply in matrimonial proceedings under Part X of the Women's Charter where any of the ancillary relief claimed is contested and section 17A(2) of the Supreme Court Judicature Act.

- (a) The parties or their counsel attending the pre-trial conference shall ensure that all affidavits, reports, Ancillary Matters Fact and Position Sheet in Form 19A in Appendix B to these Practice Directions 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 ancillary matters.
- (b) Where the contested ancillary matters include the division of matrimonial assets, the parties or their counsel shall, upon the direction of the court, file the Declaration of the Value of Matrimonial Assets in Form 19B in Appendix B to these Practice Directions stating the net value of the matrimonial assets as at the date of the Declaration, and the status of the proceedings.
- (c) 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 court, file another Declaration of the Value of Matrimonial Assets in Form 19B in Appendix B to

these Practice Directions, stating the net value of the matrimonial assets as at the date of the fresh Declaration, and the status of the proceedings.

(d) A specimen Declaration illustrating the use of Form 19B is included in Appendix K to these Practice Directions for the guidance of parties and solicitors.

(6) In proceedings under the Guardianship of Infants Act, where the parties are or were married under the provisions of Muslim law or are Muslims, both parties shall notify the sub-registry of the Subordinate Courts at the Family and Juvenile Court, by way of a letter in the prescribed format in Form 20 in Appendix B to these Practice Directions, a day before each hearing as to whether proceedings involving the same parties have been commenced in the Syariah Court.

91. Mediation

(1) Subject to paragraph 92 of these Practice Directions, mediation is conducted (pursuant to section 50(1) of the Women's Charter (Cap. 353) to encourage and assist parties in reaching an agreement or to narrow the issues in contention.

(2) Counsel and parties must personally attend and 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 must be produced at the mediation, if necessary. Counsel and parties are to prepare a Summary for Mediation in the prescribed format in Form 21A in Appendix B to these Practice Directions prior to the mediation for submission and discussion during the mediation.

(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 case to proceed to trial, and the case will be heard by a Judge other than the District Judge or Deputy Registrar conducting the mediation.

92. Mandatory Counselling & Mediation

(1) Section 50(3A) of the Women's Charter (Cap. 353) provides for mandatory counselling / mediation sessions at the Child-Focused Resolution Centre ("CFRC"). The first phase, beginning in September 2011, was for divorcing parents with any child or children below 8 years of age. The second phase, involving divorcing parents with any child or children below 14 years of age, will be implemented for cases filed as from 1 July 2013.

(2) Notice(s) of attendance will be sent to the plaintiff and defendant of the divorce proceedings. Attendance at the CFRC by the parties is compulsory. Attendance by the parties' respective counsel, if any, is required only when specifically stated in the notification.

(3) Counsel and parties are required to attend a CFRC Conference for a preliminary discussion of the issues relating to the child or children of the marriage. The purpose is to crystallise the issues on matters relating to the child or children and to agree on mutually convenient dates for the parties to attend counselling / mediation at CFRC. Any unresolved issue relating to the divorce (including any ancillary issues such as the question of maintenance or the division of matrimonial assets) may also be discussed.

(4) Counsel and parties are expected to come prepared to discuss all issues relating to or impacting the child or children.

(5) Immediately after the CFRC Conference, the parties alone will attend an Intake and Assessment Session with their assigned Family Counsellor.

(6) Subsequent counselling sessions involving only the parties, may be fixed by the assigned Family Counsellor and the parties.

(7) A Mediation or Joint Conference date will be given to the parties and counsel at the CFRC Conference if appropriate for the case. It is important that parties attend on the dates given and use the opportunity to discuss and resolve the issues with the help of a Judge-Mediator and / or Family Counsellor. Counsel and parties are to prepare a Summary for Mediation in Form 21B in Appendix B to these Practice Directions prior to the mediation or joint conference for submission and discussion during the mediation or joint conference.

(8) Any consensus reached during counselling sessions will be recorded as a draft agreement. A copy of the draft will be given to the parties who are advised to consult their lawyers (if any). Where interim judgment has been granted, the agreement will be recorded as a consent order by the Judge-Mediator at a subsequent mediation session upon confirmation of the terms.

(9) Where interim judgement for divorce has been granted, any agreement reached by the parties at any time may be recorded as a consent order by the Judge–Mediator or any other Judge sitting as a Judge in Chambers.

(10) Under section 50(3B) of the Women’s Charter, the court may dispense with the attendance of the parties at mediation / counselling if it deems that it is not in the interests of the parties concerned to do so (e.g. where family violence has been committed or where Child Protection Services is involved in the case).

(11) Counsel should advise his / her client of the consequences of non-attendance under section 50(3D) and (3E) of the Women’s Charter.

93. Counselling

(1) Counselling is conducted (pursuant to section 50(2) of the Women's Charter (Cap. 353) for the purpose of exploring the possibility of reconciliation, assisting parties to deal with the emotional aspects of a divorce, facilitating an amicable settlement of the facts supporting the breakdown of a marriage, advising parties on the arrangements which can be made for the welfare of children and facilitating an amicable settlement of the arrangements to be made for the welfare of children.

(2) Counsel may attend a counselling session if the assigned counsellor considers it appropriate.

(3) 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.

94. Mareva injunctions and search orders

Paragraphs 21 and 22 of these Practice Directions shall be applicable to an application for a *Mareva* injunction and a search order. The order of court for such an application shall contain the text set out in Forms 4 to 6 in Appendix B to these Practice Directions. However, for those orders made in applications taken out in proceedings under Part X of the Women's Charter (Cap. 353), the format of the order shall comply with Form 31 of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4).

95. Draft Consent Orders

(1) In any request or application for a consent judgment or order involving any disposition or transfer of property, the parties must provide the following information to the Court:

- (a) the identity of the owner of the property subject to disposition or transfer;
- (b) whether the owner of the property is incapacitated by reason of insolvency from effecting a disposition or transfer of the property;
- (c) whether the property is subject to any encumbrance which would affect a disposition or transfer thereof; and
- (d) any other relevant information which ought to be considered by the Court in granting the consent judgment or order.

(2) The Court may require the information referred to in sub-paragraph (1) to be provided by way of an affidavit, which should exhibit the relevant searches where applicable.

(3) When an agreement has been reached between the parties on the custody of children, access to them, maintenance, division of matrimonial assets or other ancillary matters subsequent to the granting of an interim judgment (“the agreement”), counsel shall file the draft consent order incorporating the agreement in the prescribed template in the Electronic Filing Service at least 7 working days prior to the Consent Order Hearing (“the hearing”).

(4) If the parties are required to attend the hearing and the draft consent order has not been electronically filed in the Electronic Filing Service by the time of the hearing, a hard copy of the draft consent order bearing the signature of both parties or their counsel must be submitted in court for the approval of the Court during the hearing.

(5) The draft consent orders must be signed —

- (a) in the case where both parties are represented, by both parties’ counsel;
or
- (b) in the case where any party is unrepresented, by that party personally, except that the signature of that party in person must be witnessed by an advocate and solicitor or a commissioner for oaths not acting for any of the parties in the proceedings.

(6) The Court hearing the ancillary matters may consider and approve the draft consent order submitted by the parties pursuant to sub-paragraph (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.

(7) 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.

(8) The document name selected for the filing of the draft consent order in the Electronic Filing Service is “Draft Consent Order.

(9) Parties need not submit a further draft consent order for approval after the hearing.

(10) Counsel need only file the engrossed copy of the consent order after the draft consent order is approved and returned by the Registry.

96. Applications made at the Family Court pursuant to an order of court empowering the Registrar or Deputy Registrar of the Subordinate Courts to sign documents on behalf of a party to matrimonial proceedings

(1) When dealing with the ancillary matters the Court may grant orders under section 45 of the Subordinate Courts Act (Cap. 321) empowering the Registrar to sign the documents to effect the sale and transfer of matrimonial assets. These orders fall into two categories:

- (a) an order empowering the Registrar to sign the relevant documents without further notice to the party whom the Registrar is signing the documents on behalf of (“Category A orders”); and
- (b) an order empowering the Registrar to sign the relevant documents only in the event of a default by a party in signing the relevant documents (“the other party”) despite written notification to him / her to sign the relevant documents (“Category B orders”).

(2) Applications to obtain the signature of the Registrar pursuant to Category A orders and Category B orders shall be made before the Duty Registrar in the Family Court. The documents to be signed by the Duty Registrar shall contain the following endorsements:

“Signed on behalf of {insert name of party in default} by Registrar, Subordinate Courts, pursuant to order of court dated {insert date}”

(3) Counsel shall furnish the following documents to the Duty Registrar when making such applications:

- (a) For Category A orders
 - (i) The sealed copy of the order of court empowering the Registrar to sign the relevant documents; and
 - (ii) A duplicate copy of each of the documents to be signed by the Registrar, which will be retained by the Court.
- (b) For Category B orders
 - (i) The documents set out in sub-paragraph (2)(a)(i) and (ii) above.
 - (ii) An affidavit showing the other party’s default in signing the relevant documents.

(4) The sealed copy of the order of court empowering the Registrar to sign will be returned after the signing of the documents.

97. Appeals

(1) Any appeal against the decision or order of a District Judge made in any family court 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 any family court 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 and 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) For family proceedings commenced before 15 December 2003 and in relation to section 17A(2) proceedings —

(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 any family proceedings commenced on or after 15 December 2003 and in relation to any section 17(A)(2) proceedings shall be filed using the Electronic Filing Service.

98. Application for substituted service or dispensation of service for originating processes under Part X of the Women’s Charter (Cap 353)

(1) Application for substituted service by way of posting on the front door at the defendant’s last known address in Singapore (“the address”)

- (a) At least two recent attempts at personal service should be made at the address, in accordance with the directions set out in Paragraph 11 of these Practice Directions. The affidavit should state the dates, times and outcomes of the said attempts.
- (b) If there is no response for both attempts at personal service (i.e. the door was locked and no one came to the door during both attempts), the plaintiff needs to state in the affidavit —
 - (i) that to the best of the plaintiff’s knowledge, the defendant is currently residing at the address; and
 - (ii) the grounds for the plaintiff’s belief that the defendant is currently residing at the address, for example, that the plaintiff is also residing at the same address, and sees the defendant every day.
- (c) If the plaintiff is not able to state both of the matters set out in subparagraph (1)(b)(i) and (ii) above in the affidavit, he or she should make attempts to locate the defendant by contacting the defendant’s relatives, friends, and employer(s) (if any), in order to discover the address at which the defendant is currently residing. The affidavit should then include the following matters:
 - (i) details of the plaintiff’s last contact with the defendant, including the date, the mode of contact (i.e. over the telephone, a letter, or a meeting), and the contents of any communications made, whether written or oral;
 - (ii) details of the plaintiff’s knowledge of the defendant’s relatives and friends, and those person(s)’ knowledge of his / her whereabouts (“the defendant’s contacts”), including their names, addresses and their relationship to the defendant and whether they live in Singapore or overseas;
 - (iii) details of the plaintiff’s attempts to contact the defendant’s contacts, including the number of such attempts made, the dates and mode of the said attempts (i.e. whether by telephone, letter, or meeting), and the contents of any communications made, whether written or oral;

- (iv) the name and address of the defendant's last known employer (if any), and the result of enquiries the plaintiff has made of that employer as to the defendant's whereabouts, including the date of such enquiries, the mode of the said enquiries (i.e. whether by telephone, letter, or meeting), and the contents of any communications made, whether written or oral;
 - (v) details of the defendant's nationality.
- (d) If the local address at which the defendant is currently residing (not being the matrimonial home) is discovered by the plaintiff pursuant to sub-paragraph (1)(c) above, personal service on the defendant should be attempted at that address in accordance with Paragraph 11 of these Practice Directions. Details of the dates, times and outcomes of the personal service are required in the affidavit.
- (e) If the response to the attempt at personal service is that the process server is told that the defendant "is overseas", evidence is required in the affidavit as to what date the defendant will be back in the country.
- (f) If it appears from the response to the attempt at personal service that the defendant is permanently overseas, evidence is required in the affidavit as to how the documents will come to the defendant's attention by being posted on the front door.
- (g) If the response to the attempt at personal service is that the defendant has "moved away", and the plaintiff is alleging that the defendant is evading service, evidence is required in the affidavit to support the plaintiff's belief that the defendant is evading service.
- (2) **Application for substituted service by way of prepaid registered post / ordinary post**
- (a) An application for substituted service need not be made where an originating process is sent by prepaid registered post to the defendant, and the defendant returns the acknowledgement of service, signed by him, in accordance with rule 11(4) and rule 12(1B) of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4). In such a situation, the originating process would be deemed to be duly served on the defendant by registered post.
- (b) On an application for substituted service by way of prepaid registered post / ordinary post, the plaintiff must state the following matters in the affidavit—
- (i) the grounds for the plaintiff's belief that the defendant is *currently* resident at the particular address in respect of which

the plaintiff is applying for substituted service by way of prepaid registered post / ordinary post;

- (ii) if the application for substituted service by way of prepaid registered post / ordinary post is to an overseas address, that the defendant is not ordinarily resident in Singapore;
- (iii) if the application for substituted service by way of prepaid registered post / ordinary post is to an overseas address, the grounds for the plaintiff's belief as to why the defendant is not ordinarily resident in Singapore.

(3) Application for substituted service by way of advertisement

- (a) Before an application for substituted service by way of advertisement can be granted, the plaintiff should make attempts to locate the defendant by contacting the defendant's relatives, friends, and employer(s) (if any), in order to discover the address at which the defendant is currently residing.
- (b) The affidavit must include the following:
 - (i) the matters set out in sub-paragraph (1)(c)(i) to (v) above;
 - (ii) details of the defendant's literacy, and in what language;
 - (iii) if the advertisement is to be placed in an overseas newspaper, the grounds for the plaintiff's belief as to why the defendant is thought to be in that particular country.

(4) Application for dispensation of service

- (a) Before an application for dispensation of service can be granted, the plaintiff should make attempts to locate the defendant by contacting the defendant's relatives, friends, and employer(s) (if any), in order to discover the address at which the defendant is currently residing.
- (b) The affidavit must include the following:
 - (i) the matters set out in sub-paragraph (1)(c)(i) to (v) above;
 - (ii) an explanation as to why advertisement would not be effective in bringing the divorce proceedings to the defendant's notice (for example, that it is not known which country the defendant is currently residing in).

99. Particulars of Statement of Claim

Bankruptcy status of both parties

- (1) The Plaintiff must conduct a bankruptcy search on the Defendant.
- (2) If the Plaintiff is a bankrupt, the Plaintiff must obtain the Official Assignee's sanction to commence the action.
- (3) The Plaintiff must state the bankruptcy status of both parties in the Statement of Particulars with the relevant details as specified in sub-paragraph (5) below.
- (4) If the Defendant is a bankrupt and is filing a Counterclaim, the Defendant must obtain and attach the Official Assignee's sanction to file a counterclaim in the Counterclaim with the relevant details as specified in sub-paragraph (7) below.

Statement of Particulars

- (5) The Statement of Particulars to be filed pursuant to rule 7(1)(b) of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) must state the following information:

Bankruptcy Status

- (a) whether the Plaintiff is a bankrupt and if so, to state whether the Official Assignee's sanction to commence the action has been obtained;
- (b) whether there are pending bankruptcy proceedings filed against the Plaintiff and if so, to state the details of such proceedings, such as the originating summons number, the type of bankruptcy proceedings (e.g. creditor's or debtor's bankruptcy application), the creditor(s), the amount of the Plaintiff's debt, the stage of proceedings, etc.;
- (c) whether the bankruptcy search conducted in relation to the Defendant shows that he is a bankrupt or that there are pending bankruptcy proceedings filed against the Defendant;

Domicile

- (d) where the Plaintiff claims the court has jurisdiction based on domicile and neither the Plaintiff nor the Defendant is a Singapore citizen, to state the basis for claiming domicile in Singapore;

Habitual Residence

- (e) where the Plaintiff claims the court has jurisdiction based on either party's or both parties' habitual residence in Singapore, to state the

relevant details of the habitual residence, including the address(es) and duration of residence;

Separation

- (f) where a statement of claim pleads facts that are based on section 95(3)(d) or (e) of the Women's Charter (Cap. 353) (i.e. 3 years' separation with consent and 4 years' separation respectively), the Statement of Particulars must specifically contain the following particulars:
 - (i) the date which the Plaintiff and the Defendant commenced their separation;
 - (ii) the reasons for both parties' intention to commence separation;
 - (iii) the duration of the separation;
 - (iv) the residential address of each party during the period of separation (if known); and
 - (v) if the parties have been living in separate households under the same roof for the period of the separation, to give details on how the parties have been living in separate households.

- (6) The Statement of Particulars must include the following documents as annexures:
 - (a) a copy of the marriage certificate, including a translation thereof if it is not in the English language;
 - (b) a copy of the Defendant's Consent to Grant Judgment on Three Years' Separation in Form 22 of Appendix B to these Practice Directions (where relevant);
 - (c) the sanction of the Official Assignee to the Plaintiff's commencement of the action (where relevant);
 - (d) a copy of the bankruptcy search against the Plaintiff showing the results of the search (e.g. whether the search is negative or if it shows that the Plaintiff is a bankrupt or that there are pending bankruptcy proceedings against the Plaintiff); and
 - (e) a copy of the bankruptcy search against the Defendant showing the results of the search (e.g. whether the search is negative or if it shows that the Defendant is a bankrupt or that there are pending bankruptcy proceedings against the Defendant).

Counterclaim

(7) The Counterclaim to be filed pursuant to rule 18(3) of the Women's Charter (Matrimonial Proceedings) Rules must state the following information:

- (a) whether the Defendant is a bankrupt and if so, to state whether the Official Assignee's sanction to file the counterclaim has been obtained; and
- (b) whether there are pending bankruptcy proceedings filed against the Defendant and if so, to state the details of such proceedings, such as the originating summons number, the type of bankruptcy proceedings (e.g. creditor's or debtor's bankruptcy application), the creditor(s), the amount of the Defendant's debt, the stage of proceedings, etc.

(8) Where relevant, the sanction of the Official Assignee for the Defendant's filing of the Counterclaim must be included as an annexure to the Counterclaim.

100. Agreed Matrimonial Property Plan and Proposed Matrimonial Property Plan

(1) Rule 9(3)(b) of the Women’s Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) provides that the plaintiff shall serve a copy of the agreed matrimonial property plan on the Housing and Development Board (“HDB”) prior to the filing of the agreed matrimonial property plan.

(2) Where parties have agreed that the HDB matrimonial asset is to be retained by one party (that is, Option 4 or 5 in Form 13 of the Women’s Charter (Matrimonial Proceedings) Rules), the party seeking to file the agreed matrimonial property plan shall serve the “Request for Checking of Eligibility” in accordance with Form 23A in Appendix B to these Practice Directions on the HDB in addition to the agreed matrimonial property plan. The agreed matrimonial property plan and Form 23A shall be served on the HDB at —

- (a) the Branch Office which is in charge of the estate where the HDB flat is located, where the HDB matrimonial asset is an HDB flat; and
- (b) the Sales Section at HDB Centre, where the HDB matrimonial asset is an Agreement for the Lease of an HDB flat.

(3) Where the HDB matrimonial asset is an HDB flat, the HDB standard query as required under rule 9(4) of the Women’s Charter (Matrimonial Proceedings) Rules shall be in accordance with Form 23B in Appendix B to these Practice Directions and shall be served on the HDB at the Branch Office which is in charge of the estate in which the HDB flat is located. Where the HDB matrimonial asset is an Agreement for the Lease of an HDB flat, the HDB standard query shall be in accordance with Form 23C in Appendix B to these Practice Directions and shall be served on the HDB at the Sales Section at HDB Centre. The Housing and Development Board shall give the written answers to the standard query within one month of the service of the query.

(4) The relevant CPF statements referred to in rules 9 and 18 of the Women’s Charter (Matrimonial Proceedings) Rules are statements which show—

- (a) the amount of CPF monies and the amount of accrued interest thereon utilised by the party towards the purchase of any property (i.e. the Public Housing Scheme - Withdrawal Statement);
- (b) the amount of CPF monies standing in the party’s ordinary, medisave, special and retirement (if any) accounts respectively (i.e. the Statement of Account); and
- (c) whether the CPF member had pledged the flat in lieu of setting aside the Minimum Sum or any part thereof in his / her CPF Retirement Account and if yes, the amount of pledged Minimum Sum and the

accrued interest (this is applicable to CPF members aged 55 years and above only).

(5) The additional CPF information referred to in rules 9 and 18 of the Women's Charter (Matrimonial Proceedings) Rules are statements which show whether the CPF member have any Minimum Sum deficiency and if yes, the amount (this is applicable to CPF members aged 55 years and above and who are undischarged bankrupts only).

(6) The relevant CPF statements may be obtained in the following manner —

(a) by using the Statement Request, an online service provided in the CPF website at <http://www.cpf.gov.sg>, (“the CPF website”); or

(b) by attending, either personally or through an authorised representative, at any of the CPF Board offices and making a personal request for the relevant CPF statements, for which purpose a party or his authorised representative is to produce, for the CPF Board's verification —

(i) the National Registration Identity Card or passport of the party; and

(ii) where applicable, the original letter of authorisation signed by the party (i.e. the CPF member) and the National Registration Identity Card or passport of the authorised representative.

(7) The additional CPF information may be obtained by serving the original copy of Form 23D in Appendix B to these Practice Directions on the CPF Board at the Public Housing Section, Main Office of the CPF Board. Solicitors who wish to complete Form 23D on behalf of their clients shall annex a covering letter to Form 23D stating that they are the solicitors representing the CPF member for whom the enquiries are made. The CPF Board shall give the respective parties the written answers to the request for additional CPF information within one month of the service of Form 23D.

(8) The date of the relevant CPF statements obtained must be no earlier than 3 months from the date of the filing of the writ.

(9) The replies of the HDB and the relevant CPF statements shall be retained by the parties and shown to the Court at the mediation or hearing of the ancillary matters, if necessary.

101. Status conferences for matrimonial proceedings under Part X of the Women's Charter (Cap 353)

(1) Status conferences will be conducted (pursuant to Order 34A of the Rules of Court (Cap. 322, R 5)) for matrimonial proceedings under Part X of the Women's Charter before the case is set down for hearing.

(2) Status conferences are conducted for the purposes of ensuring that cases are dealt with and disposed of without delay and to assign time frames for the disposition of cases.

(3) At the status conference, the matters to be considered include the following:

- (a) service of the writ and the affidavit of service;
- (b) filing of all necessary documents;
- (c) the likelihood of settlement;
- (d) ages of the child / children of the marriage;
- (e) directions for parties to exchange a list of relevant information on the ancillary issues;
- (f) directions for parties to attend mandatory counselling and mediation at the Child Focused Resolution Centre;
- (g) the dates of the mediation and counselling sessions; and
- (h) the date of setting down.

(4) To facilitate a more effective and expedient processing of cases and to reduce the number of court attendances, a Registrar's Notice ("the First Status Conference Notice") in the format as set out in Form 24A in Appendix B to these Practice Directions will be sent to the plaintiff within 6 weeks directing the plaintiff either —

- (a) to set down the case for hearing by a stipulated date if the pleadings are closed; or
- (b) to inform the Court of the status of the matter if the pleadings are not closed, for which purpose —
 - (i) the requisite information shall be given in Form 24B in Appendix B to these Practice Directions and shall be sent to the Court within 7 days of the First Status Conference Notice; and
 - (ii) upon receipt of Form 24B, the Court will consider the reasons stated in the form and may make the appropriate directions for the matter.

(5) If the plaintiff fails to set down and to reply to the First Status Conference Notice in accordance with sub-paragraph (4) above, a Second Status Conference Notice in Form 24C in Appendix B to these Practice Directions shall be sent directing the plaintiff to set down the matter by a stipulated date, failing which the plaintiff is to attend a Status Conference.

(6) Where a case is set down for hearing before a status conference, the status conference will be vacated.

102. Uncontested Matrimonial Proceedings in Chambers

- (1) In uncontested matrimonial proceedings under section 95 and section 101, Part X of the Women's Charter (Cap 353), the Court may dispense with the attendance of counsel and parties at the uncontested divorce hearing.
- (2) The party filing the Request for Setting Down Action for Trial on an uncontested basis shall, at the same time, file the following:
 - (a) where the plaintiff is proceeding on the statement of claim, the Affidavit of Evidence in Chief in Form 25A in Appendix B to these Practice Directions to attest to the veracity of the contents found in the statement of claim and statement of particulars;
 - (b) where the defendant is proceeding on the counterclaim, the Affidavit of Evidence in Chief in Form 25B in Appendix B to these Practice Directions to attest to the veracity of the contents of the counterclaim;
 - (c) where there is a Private Investigator's (PI) report to be adduced as evidence, the Affidavit of Evidence in Chief of the PI exhibiting the PI report;
 - (d) the draft consent order incorporating the terms of the agreement, if any; and
 - (e) Form 26A in Appendix B to these Practice Directions, a copy which shall be sent to the other party at the same time by the filing party.
- (3) Where the documents are in order, the court may proceed to grant the relevant orders in chambers without requiring the attendance of the parties.
- (4) Notwithstanding the above, the Court has the discretion to fix the matter for open court hearing and require the attendance of parties.
- (5) This procedure shall be complied with by counsel acting for the party filing the Request for Setting Down Action for Trial in all applicable cases unless an application for exemption is submitted citing special grounds (for example where parties wish to make any further application related to the grant of an interim judgment, including applications for abridgment of time).
- (6) If parties are applying for an exemption under sub-paragraph (5) above, the party filing the Request for Setting Down Action for Trial on an uncontested basis shall, at the same time, file Form 26B instead of Form 26A in Appendix B to these Practice Directions.

103. Uncontested Matrimonial Proceedings in open court hearings

(1) In uncontested matrimonial proceedings under sections 105 and 106, Part X of the Women's Charter (Cap 353), the party filing the Request for Setting Down Action for Trial on an uncontested basis shall, at the same time, file the following:

- (a) where the plaintiff is proceeding on the statement of claim, the Affidavit of Evidence in Chief in Form 25A in Appendix B to these Practice Directions to attest to the veracity of the contents found in the statement of claim and statement of particulars;
- (b) where the defendant is proceeding on the counterclaim, the Affidavit of Evidence in Chief in Form 25B in Appendix B to these Practice Directions to attest to the veracity of the contents of the counterclaim;
- (c) where there is a Private Investigator's (PI) report to be adduced as evidence, the Affidavit of Evidence in Chief of the PI exhibiting the PI report;
- (d) the draft consent order incorporating the terms of the agreement, if any; and
- (e) Form 26B in Appendix B to these Practice Directions, a copy of which shall be sent to the other party at the same time by the filing party.

(2) For the open court hearings of uncontested matrimonial proceedings under section 105 and 106, Part X of the Women's Charter or pursuant to Paragraphs 101(4) and 101(5) above, there is no need for the plaintiff to be made to confirm every paragraph of the statement of claim and statement of particulars. Counsel will only need to put to the plaintiff in the witness box the questions which will prove the following matters:

- (a) the marriage;
- (b) the particulars of the children (if any);
- (c) the ground on which the action is founded; and
- (d) the reliefs claimed.

(3) For this purpose and to facilitate the proceedings, counsel should supply a copy each of the statement of claim and statement of particulars to their respective clients.

(4) If parties have reached an ancillary matters agreement, and intend to have it recorded at the open court hearing, counsel shall file the draft consent order incorporating the terms of the said agreement at least 7 working days prior to the open

court hearing. The document name selected for the draft consent order in the Electronic Filing Service shall be “Draft Consent Order”.

(5) Notwithstanding the adoption of this simplified procedure, counsel will still be expected to bring to the attention of the Court any specific matters in connection with or arising from the proceedings of which the Court should be aware. In particular, if section 123 of the Women’s Charter is applicable, the Directions set out in Paragraph 108 of these Practice Directions shall be complied with.

104. Affidavit of Assets and Means

(1) The Affidavit of Assets and Means (“AOM”) to be filed pursuant to rule 51 of the Women’s Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) shall be in Form 27 in Appendix B to these Practice Directions.

(2) The list of documents to be produced by each of the parties and exhibited to the AOM shall, where relevant, be as follows:

- (a) the party’s payslips for the last 6 months before the filing of the AOM;
- (b) the party’s evidence of employment, as well as evidence confirming his or her salary (eg. a letter from the party’s employer or a copy of an employment contract);
- (c) the party’s Notice of Assessment of Income for the past 3 years before the filing of the AOM;
- (d) if the party is an undischarged bankrupt, a letter confirming that the Official Assignee has no objections to the matrimonial proceedings, the Statement of Affairs and the latest Income and Expenditure Statement filed with the Official Assignee;
- (e) the party’s updated Central Provident Fund (“CPF”) statements (which must be dated not more than 2 weeks before the filing of the AOM), showing contributions made by the party towards the purchase of any immovable property and the balances in the party’s CPF accounts (if any);
- (f) the party’s updated CPF Investment Account statements (which must be dated not more than 2 weeks before the filing of the AOM);
- (g) the party’s Central Depository (Pte) Ltd (“CDP”) statements (if any);
- (h) a copy of an updated search result made with the Accounting and Corporate Regulatory Authority (“ACRA”) in respect of any businesses owned by the party (which must be dated not more than 2 weeks before the filing of the AOM);
- (i) a copy of any valuation report or transaction search in respect of any immovable properties owned by the party;
- (j) a copy of any tenancy agreement, hire purchase agreement, insurance policy or any letter from any insurance company showing the surrender value of any insurance policy of the party;

- (k) the party's list of monthly expenses for himself or herself and / or the parties' child(ren) such as utilities bills, telephone bills, school fees, etc.;
- (l) documents and receipts to prove the monthly expenses of the party and / or the parties' child(ren);
- (m) the party's updated bank passbooks and / or bank statements (including sole and joint accounts) showing the party's banking transactions and account balances for the last 3 months before the filing of the AOM; and
- (n) any other documents referred to or supporting the information in the AOM.

(3) In complex cases, parties may apply for further discovery under rule 25 of the Women's Charter (Matrimonial Proceedings) Rules of documents which are necessary and proportionate to the complexity and value of the case.

105. Forms of documents to be filed for proceedings under Chapter 4A of Part X of the Women's Charter (Cap. 353)

(1) An originating summons for leave under section 121D of the Women's Charter and rule 4A of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) to file an application for financial relief under section 121B of the Women's Charter shall be in Form 28 in Appendix B to these Practice Directions.

(2) The plaintiff's affidavit in support of the originating summons for leave under section 121D of the Women's Charter and rule 4A of the Women's Charter (Matrimonial Proceedings) Rules to file an application for financial relief under section 121B of the Women's Charter shall be in Form 28A in Appendix B to these Practice Directions.

(3) The plaintiff's affidavit in support of the originating summons for financial relief under section 121B of the Women's Charter shall be in Form 28B in Appendix B to these Practice Directions.

106. Discovery, inspection and interrogatories in respect of ancillary relief or financial relief

(1) Inspection of documents

- (a) The notice to be served on a party requiring him to produce any document or documents for inspection under rule 27(1) of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) shall be in Form 29A in Appendix B to these Practice Directions.
- (b) The notice to be served by a party (on whom a notice under rule 27(1) of the Women's Charter (Matrimonial Proceedings) Rules has been served) under rule 27(2) of the Women's Charter (Matrimonial Proceedings) Rules shall be in Form 29A(I) in Appendix B to these Practice Directions.

(2) Request or application for discovery and interrogatories

- (a) In any application for discovery, inspection and interrogatories in respect of ancillary relief, the particular rule, paragraph and subparagraph (where applicable) of the Women's Charter (Matrimonial Proceedings) Rules under which the application is being taken out shall be stated in the application.
- (b) A request for discovery under rule 25(4) of the Women's Charter (Matrimonial Proceedings) Rules shall be in Form 29B in Appendix B to these Practice Directions, and a notice under rule 25(6) of the Women's Charter (Matrimonial Proceedings) Rules in response to the request for discovery shall be in Form 29B(I) in Appendix B to these Practice Directions.
- (c) An application for discovery under rule 25(1) to (3) of the Women's Charter (Matrimonial Proceedings) Rules shall be in Form 30A in Appendix B to these Practice Directions.
- (d) A request for interrogatories under rule 31(1) of the Women's Charter (Matrimonial Proceedings) Rules shall be in Form 29C in Appendix B to these Practice Directions, and a notice under rule 31(3) of the Women's Charter (Matrimonial Proceedings) Rules in response to the request for interrogatories shall be in Form 29C(I) in Appendix B to these Practice Directions.
- (e) An application for interrogatories under rule 31(5) to (6) of the Matrimonial Proceedings Rules shall be in Form 30B in Appendix B.
- (f) If more than 5 items are listed in the request (under rule 25(4) or 31(1) of the Matrimonial Proceedings Rules) or application (under rule 25(1)

to (3) or rule 31(5) to (6) of the Matrimonial Proceedings Rules) for discovery or interrogatories, the request or application, as the case may be, shall comply with the following requirements:

- (i) The various items under the request or application shall be organised by theme or type (for example, all items relating to bank accounts to be grouped together, all requests relating to companies to be grouped together, all items relating to a particular property to be grouped together). Each group of items under a particular theme or type shall be preceded by a heading.
 - (ii) If there are more than 5 sub-items within each item (for example, if bank statements in relation to more than 5 accounts with the same bank are requested), the sub-items shall be organised in either chronological, numerical, or alphabetical order, or alternatively, by themes (for example, all the sub-items relating to housing loan accounts to be listed together, all the sub-items relating to fixed deposits to be listed together).
 - (iii) The time-frame requested for each discovery item shall be stated (where relevant) (for example, if bank statements for a certain bank account are requested, to state which year(s) and / or month(s) the statements are requested for).
 - (iv) The relevant paragraphs and pages in the affidavit(s) relating to the item shall be stated for each item and sub-item, where applicable.
 - (v) If discovery of bank, trading or investment account statements are being requested, then the relevant account numbers (if known) shall be set out.
- (g) A request (under rule 25(4) of the Matrimonial Proceedings Rules) or application (under rule 25(1) to (3) of the Matrimonial Proceedings Rules) for discovery and a request (under rule 31(1) of the Matrimonial Proceedings Rules) or application (under rule 31(5) to (6) of the Matrimonial Proceedings Rules) for interrogatories have to be filed through the separate prescribed templates in the Electronic Filing Service.

107. Examination of children

(1) Applicants for the leave of the Court for a child to be examined or assessed under rule 41 of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) must draft their applications in the prescribed format in Form 31 in Appendix B to these Practice Directions, with the appropriate modifications to suit the individual case.

(2) A draft Letter of Instruction to Expert Witness in the prescribed format in Form 31A in Appendix B to these Practice Directions, together with the relevant Schedules, must be annexed to the application.

(3) If parties are unable to agree on the expert to be appointed, the Court may consider appointing an expert from the panel of child psychiatrists nominated by the Institute of Mental Health.

108. Arrangements for the welfare of children

(1) Section 123 of the Women's Charter (Cap. 353) sets out the restrictions on the making of the interim judgment final for divorce or nullity of marriage or the granting of a judgment of judicial separation before proper arrangements for the welfare of the children have been made.

(2) To enable the Court to discharge its duty under section 123, counsel should, *at the hearing of the proceedings*, inform the Court —

- (a) whether there are relevant children to whom the section applies;
- (b) whether arrangements have or have not been made for the welfare of the children and that if arrangements have been made, whether they are satisfactory or are the best that can be devised in the circumstances;
- (c) whether or not it is impracticable for the party or parties appearing before the Court to make such agreements; and
- (d) whether or not the circumstances make it desirable that the interim judgment should be made final or as the case may be, that the judgment of judicial separation should be granted without delay.

109. Documents required for the extraction of Certificate of Making Decree Nisi Absolute and Decree Nisi for matrimonial proceedings filed before 15 December 2003

(1) For matrimonial proceedings filed before 14 April 2003, solicitors are required to submit the following documents when making an application for the Decree Nisi to be made Absolute:

- (a) three copies of the Certificate of Making Decree Nisi Absolute (one of which is to be stamped);
- (b) one stamped copy of the affidavit on application to search the court records (applicable only if the decree nisi was granted before 15 February 2003);
- (c) one stamped copy of the Notice of Application to Make Decree Nisi Absolute;
- (d) one copy of the Parenting Plan (where applicable);
- (e) one copy of the Order of Court granting leave to make Decree Nisi Absolute out of time (where applicable);
- (f) one copy of the Decree Nisi; and
- (g) one copy each of the Orders of Court on all ancillary matters (where applicable).

(2) The documents referred to in sub-paragraph (1)(a) to (e) above must be original documents, and not photocopies.

(3) The documents referred to in sub-paragraph (1)(f) and (g) above may be photocopies.

(4) For matrimonial proceedings filed on or after 14 April 2003 but before 15 December 2003, solicitors are required to submit the following documents when making an application for the Decree Nisi to be made Absolute:

- (a) three copies of the Certificate of Making Decree Nisi Absolute (one of which is to be stamped);
- (b) one copy of the Order of Court granting leave to make the Decree Nisi Absolute out of time (where applicable);
- (c) one copy of the Decree Nisi; and
- (d) one copy each of the Orders of Court on all ancillary matters (where applicable).

(5) The documents referred to in sub-paragraph (4)(a) and (b) above must be original documents, and not photocopies.

(6) The documents referred to in sub-paragraph (4)(c) and (d) above may be photocopies.

(7) When seeking approval of a draft Decree Nisi signed by only one party, solicitors are required to submit the following documents:

(a) one copy of the draft Decree Nisi signed by the relevant party / relevant party's solicitor; and

(b) one copy of the draft consent order recorded by the Court at the Decree Nisi hearing (where applicable).

(8) The documents listed in sub-paragraph (7)(a) and (b) may be photocopies. Upon approval and return of the draft Decree Nisi, two copies of the Decree Nisi in terms of the approved draft (one of which is to be stamped) must be submitted to the Family Registry for processing.

(9) When seeking the extraction of Decrees Nisi and Orders of Court endorsed with the signatures of all the relevant parties / relevant parties' solicitors, solicitors are required to submit the following documents:

(a) one copy of the draft Decree Nisi / Order of Court signed by all relevant parties / relevant parties' solicitors; and

(b) two copies (one of which is to be stamped) of the Decree Nisi / Order of Court (in terms of the draft Decree Nisi / Order of Court signed by all relevant parties / relevant parties' solicitors).

(10) The document listed in sub-paragraph (10)(a) above may be a photocopy.

(11) This Paragraph is only applicable to matrimonial proceedings filed before 15 December 2003.

110. Discovery and inspection in respect of maintenance proceedings under Part VIII of Women's Charter (Cap. 353)

(1) The list of documents to be provided by each of the parties under rule 2A(1) of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353, R 4) is as follows:

- (a) for applications for a maintenance order under section 69 or for the rescission or variation of a maintenance order under section 72 of the Women's Charter:
 - (i) the party's list of monthly expenses for himself or herself;
 - (ii) the party's list of monthly expenses for the parties' children;
 - (iii) documents and receipts to prove the monthly expenses;
 - (iv) documents to prove the parties' respective debts;
 - (v) the party's payslips and CPF statements for the last 6 months;
 - (vi) the party's evidence of employment (eg. employer's letter or employment contract);
 - (vii) the party's Notice of Assessment of Income for the past 3 years;
 - (viii) the party's updated bank passbooks and / or updated bank statements (including sole and joint accounts); and
 - (ix) the party's bank deposit slips to show payment / non-payment of maintenance.

- (b) for applications to enforce a maintenance order under section 71 of the Women's Charter:
 - (i) the computation of arrears of maintenance;
 - (ii) the party's updated bank passbooks and / or updated bank statements (especially for the period when the maintenance was not paid);
 - (iii) the respondent's list of monthly expenses for himself or herself;
 - (iv) the respondent's list of monthly expenses for the parties' children;
 - (v) the parties' documents and receipts to prove the monthly expenses;
 - (vi) the parties' documents to prove their respective debts;

- (vii) the respondent's payslips and CPF statements for the last 6 months;
- (viii) the respondent's evidence of employment (e.g. employer's letter or employment contract); and
- (ix) the respondent's Notice of Assessment of Income for the past 3 years.

(2) An application for discovery under rule 2A(4) of the Women's Charter (Matrimonial Proceedings) Rules shall be in Form 32 in Appendix B to these Practice Directions.

111. Adoption

Filing of commencement documents

- (1) Despite the fact that the High Court has concurrent jurisdiction to receive such processes, solicitors are requested to file all applications for adoption orders in the Subordinate Courts.
- (2) All applications for adoption orders filed on or after 1 January 2006 shall be made by originating summons in the prescribed format in Form 151 of Appendix A to the Rules of Court (Cap. 322. R 5).
- (3) The applicants shall file the following documents, together with the originating summons:
 - (a) the Statement in Form 151A of Appendix A to the Rules of Court, through the Electronic Filing Service by entering the relevant information in the appropriate electronic template (for which purpose the applicants must ensure that the particulars contained in the infant's birth certificate correspond with those in the Statement, in particular, paragraph 8(c) of the Statement);
 - (b) an affidavit in support of the originating summons; and
 - (c) the consent in the prescribed form of every person or body who is a parent or guardian of the infant, or who has actual custody of the infant, or is liable to contribute to the support of the infant (which consent is to be filed separately from the affidavit in support of the originating summons).

Contents of the affidavit in support of the originating summons

- (4) The affidavit in support of the originating summons must —
 - (a) contain the following information (where applicable):
 - (i) an averment by the applicant(s) as to the truth of the contents of the Statement;
 - (ii) the grounds in support of the prayer to dispense with the consent and / or service of documents on the natural parent(s) and / or grandparent(s) (if any) of the infant; and
 - (b) exhibit the following documents:
 - (i) a clear copy each of —
 - (A) the birth certificate or other means of identification of the infant;

- (B) the identity card or other means of identification of the applicant(s);
 - (C) the marriage certificate of the applicants;
 - (D) the consents of all relevant persons, where applicable; and
 - (E) all other documents for proving the averments in the originating summons and Statement;
- (ii) where the applicants are not Singapore citizens — valid documentary proof of their residency status in Singapore (e.g. Employment Pass; Work Permit; Dependent’s Pass; or any other evidence of permanent residency status);
 - (iii) where the infant to be adopted is not a Singapore citizen — valid documentary proof of the infant’s residency status in Singapore (e.g. Dependent’s Pass or any other evidence of permanent residency status); and
 - (iv) where the infant to be adopted was procured through an adoption agency —
 - (A) a declaration by the applicants as to the fees and expenses paid to the adoption agency;
 - (B) a detailed breakdown of the fees and expenses paid; and
 - (C) documentary evidence of the said fees and expenses.

Amendment of Originating Summons and Statement

(5) Where the Court makes an order granting the applicants leave to amend the originating summons, and where the amendments relate to the particulars of the applicants and / or infant or any information which also appear in the Statement, the applicants shall within 7 working days amend the Statement by amending the information in the appropriate electronic template. The applicant(s) shall also file an affidavit averring to the truth of the contents of the amended statement. The amended originating summons, Statement and the affidavit in support shall be served on the guardian in adoption.

(6) Where the Court makes an order granting the applicants leave to amend the Statement, the applicants shall within 7 working days amend the Statement by amending the information in the appropriate electronic template. The applicant(s) shall also file an affidavit averring to the truth of the contents of the amended Statement. The amended Statement and the affidavit in support shall be served on the guardian in adoption.

Dispensation of Consent and / or Service

(7) To ensure that adoption hearings are conducted more expeditiously, the applicants shall generally not be required to file separate summonses for orders such as dispensation of service of documents, dispensation of consent of the natural parents or guardian, etc. Such prayers are to be set out in the originating summons and shall be listed for hearing together with Prayer 1 (the prayer to appoint a guardian in adoption) of the said originating summons.

(8) Paragraph 12 of these Practice Directions shall apply to prayers for substituted service or dispensation of service of documents on a person whose consent is required, save for the case where the person whose consent is required consents to the summons for substituted service or dispensation of service.

(9) Before the Court dispenses with the consent of a person whose consent is required under section 4 of the Adoption of Children Act (Cap. 4) (hereafter referred to as “the person whose consent is required”), on the basis that the person cannot be found, the applicants shall make recent attempts to locate the person whose consent is required by contacting the person’s relatives, friends and employer(s) (if any), in order to discover the person’s whereabouts. The affidavit in support of the originating summons must also include the matters set out in Paragraph 12(1)(c)(i) to (v) of these Practice Directions.

(10) Where the natural parent(s) of the infant is / are below 21 years of age, the written consent of his / her parents or guardians (“the natural grandparents”) as adapted from the prescribed format in Form 152 of Appendix A to the Rules of Court is required. Where the applicants are unable to obtain the said consent(s), they shall apply to dispense with the consent of the natural grandparent(s) of the infant, and aver in an affidavit why the natural parents’ / grandparents’ consent(s) ought to be dispensed with and the recent efforts made to obtain the said consent(s).

(11) Where the particulars of the natural father of the infant are not stated on the infant’s birth certificate, the natural mother of the infant shall file an affidavit stating whether she is aware of the identity of the natural father and if so, to give brief reasons as to why his identity was not disclosed in the infant’s birth certificate. If the natural mother is unaware of the natural father’s identity, she shall aver in her affidavit why this is so.

(12) It shall not be necessary to apply for the dispensation of consent of the natural parent(s) of the infant and for the dispensation of service of documents on the natural parent(s) if the identity of the natural parent(s) is unknown.

Submission of supporting documents

(13) The original birth certificate and the original translation of the birth certificate (if any) of the infant shall be submitted to the Adoption Counter of the Family Registry at least 7 working days prior to the hearing of the prayer for the appointment

of the guardian in adoption accompanied with a cover letter in the prescribed format in Form 33 in Appendix B to these Practice Directions.

(14) The written consent of the guardian in adoption to be appointed as the guardian in adoption shall be filed at least 7 working days prior to the hearing of the prayer for the appointment of the guardian in adoption.

112. Weekend / Public Holiday Duty Judicial Officer at the Family Court

(1) The Duty Judicial Officer at the Family Court may hear an urgent application on Saturdays (from 1pm to 6pm) and on Sundays and public holidays (from 9am to 6pm) under the following circumstances:

- (a) where the applicant, being a lawful guardian or parent of a child, is seeking to restrain or injunct another party from taking the child out of jurisdiction without the consent of the applicant;
- (b) the child's departure from Singapore is so imminent that it would be too late for the application to be heard on the next working day; and
- (c) there is a strong likelihood that the child, once taken out of Singapore, will not return to Singapore.

(2) To request the urgent hearing of such an application, the applicant should contact the Weekend / Public Holiday Duty Judicial Officer at 97241402 during the following operating hours:

- (a) 1 p.m. to 6 p.m. on Saturdays; and
- (b) 9 a.m. to 6 p.m. on Sundays and public holidays.

(3) The Duty Judicial Officer will only arrange for the hearing of the application if the applicant satisfies the Duty Judicial Officer that the case meets all the criteria stipulated in sub-paragraph (1).

(4) If the applicant is unable to file the application and supporting affidavits via the electronic filing service (EFS) before the hearing, he / she must give a signed written undertaking to the Court to do so in accordance with Form 34A in Appendix B to these Practice Directions before the application will be heard. The applicant must bring three copies each of the application, the supporting affidavit and the appropriate draft orders of court (Form 34B in Appendix B to these Practice Directions) for the ex parte hearing.

(5) On an ex parte application for an injunction against the permanent removal of a child from Singapore, the Court would require the applicant, to give an undertaking to compensate any party for any loss caused as a result of the application. The Court may require the undertaking as to damages to be supported by —

- (a) making payment into Court;
- (b) furnishing a banker's guarantee; or
- (c) making payment to the applicant's solicitor to be held by the solicitor as an officer of the Court pending further order.

(6) An applicant for an order under section 14 of the Guardianship of Infants Act (Cap 122) must prepare the following documents in accordance with the appropriate forms in Appendix B to these Practice Directions and bring them along to the hearing:

- (a) the Order of Court being sought (Form 34C in Appendix B to these Practice Directions);
- (b) the Writ for Seizure (Form 34D in Appendix B to these Practice Directions);
- (c) the Request for Writ for Seizure (Form 34E in Appendix B to these Practice Directions);
- (d) the applicant's letter of undertaking to indemnify the Subordinate Courts and the Bailiff against any liabilities or claims that may arise from or in connection with the execution of the order granted by the Court to the applicant (Form 34F in Appendix B to these Practice Directions);
- (e) the applicant's letter of undertaking to pay compensation / damages and to serve the documents (Form 34G in Appendix B to these Practice Directions); and
- (f) the applicant's counsel's letter of undertaking to ensure a calm and orderly execution and to pay the costs, expenses and charges of execution should the same not be fully paid by the applicant (Form 34H in Appendix B to these Practice Directions)

(7) The forms in Appendix B to these Practice Directions are intended to make it easier for persons served with the relevant orders to understand what the orders mean. These standard form orders should be used save to the extent that an applicant is of the view that the form should be varied and the Duty Judicial Officer hearing a particular application considers that there is a good reason for adopting a different form. Any departure from the terms of the standard forms must be justified by the applicant in his / her supporting affidavit(s).

(8) If an order is granted under section 14 of the Guardianship of Infants Act (Cap 122), the applicant must do the following:

- (a) accompany the Bailiff to the place of execution;
- (b) instruct his / her solicitor (if any) to accompany the Bailiff; and
- (c) engage and pay for the costs of an auxiliary police officer to accompany the Bailiff to the place of execution, subject to the condition that where the person against whom the execution is to be carried out or the child / any of the children concerned is a female, the auxiliary police officer shall be a female officer.

(9) For the avoidance of doubt, every applicant must comply with Paragraph 21 of these Practice Directions.

113A. Proceedings under the Mental Capacity Act (Cap 177A)

(1) The Honourable the Chief Justice has made the Supreme Court of Judicature (Transfer of Mental Capacity Proceedings to District Court) Order 2010 under section 28A of the Supreme Court of Judicature Act (Cap. 322), which came into operation at 6 a.m. of 1 March 2010 (“the Transfer Order”).

(2) Pursuant to the Transfer Order —

(a) any proceedings under the Mental Capacity Act (commenced in the High Court on or after 1 March 2010 shall be transferred to and be heard and determined by a District Court; and

(b) any application under the Mental Capacity Act made, on or after 1 March 2010, in relation to any proceedings commenced in the High Court before that date under Part I of the Mental Disorders and Treatment Act (Cap. 178) in force before that date, shall be heard and determined by the High Court.

(3) A sub-registry of the Registry of the Supreme Court (referred to in these Directions as the “sub-registry of the Supreme Court”) and sub-registry of the Registry of the Subordinate Courts (referred to in these Directions 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”).

113B. Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building

All documents relating to mental capacity 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:

- (a) all applications and documents to vary any Order of the High Court in proceedings under the Mental Disorders and Treatment Act (Cap. 178) commenced before 1 March 2010;
- (b) all documents in or ancillary to any application under the Mental Capacity Act made, on or after 1 March 2010, in relation to any proceedings commenced in the High Court before that date under Part I of the Mental Disorders and Treatment Act (Cap. 178) in force before that date; and
- (c) all applications and documents to vary any Order of the High Court in proceedings referred to in sub-paragraph (b) above.

113C. Documents to be filed at the sub-registry at the Family and Juvenile Court

- (1) All documents relating to mental capacity proceedings which are to be heard and determined by the Subordinate Courts shall be filed at the Family and Juvenile Court.
- (2) All processes to commence mental capacity proceedings on or after 1 March 2010 shall bear the title “In the High Court of the Republic of Singapore”.
- (3) An originating summons to commence mental capacity proceedings in the Subordinate Courts shall be in Form 35 in Appendix B to these Practice Directions.
- (4) The following documents accompanying an originating summons shall bear the title “In the High Court of the Republic of Singapore”:
 - (a) the plaintiff’s or applicant’s affidavit in support of the Originating Summons (Form 35A in Appendix B to these Practice Directions);
 - (b) the deputy’s affidavit (Form 35B in Appendix B to these Practice Directions);
 - (c) the doctor’s affidavit; and
 - (d) the Consent to Originating Summons and Dispensation of Service of Documents (Form 35C in Appendix B to these Practice Directions).
- (5) All subsequent applications and documents in or ancillary to mental capacity proceedings shall bear the title “In the Subordinate Courts of the Republic of Singapore”.
- (6) All applications and supporting documents to vary any order of the Subordinate Courts in mental capacity proceedings shall be filed at the Family and Juvenile Court and shall bear the title “In the Subordinate Courts of the Republic of Singapore”.

113D. Where permission is not required to make an application

(1) The definition of “P” in Order 99, rule 1 of the Rules of Court (Cap. 322, R 5) shall be applicable in these Practice Directions. “P” means a person who lacks or, so far as consistent with the context, is alleged to lack capacity (within the meaning of the Mental Capacity Act) and to whom any proceedings under the Mental Capacity Act (Cap. 177A) relate.

(2) Under section 38(1) of the Mental Capacity Act and Order 99, rule 2(3) of the Rules of Court, permission to make an application to the Court for the exercise of its powers is not required where the application is made —

- (a) by P and, if P has not attained the age of 21 years, by anyone with parental rights with respect to him;
- (b) by the donor or a donee of a lasting power of attorney to which the application relates;
- (c) by a deputy appointed by the Court for P;
- (d) by a person named in an existing order of the Court, if the application relates to that order;
- (e) by the Public Guardian where it appears to him that —
 - (i) a person lacks capacity;
 - (ii) no application has been made or is likely to be made for an order under the Mental Capacity Act; and
 - (iii) an order under the Mental Capacity Act is necessary for the protection of the personal welfare, property or affairs of the person;
- (f) by a person who is related by blood or marriage to P;
- (g) for an order under section 36 of the Mental Capacity Act (interim orders and directions); and
- (h) by a person named in a lasting power of attorney under paragraph 2(1)(c)(i) of the First Schedule to the Mental Capacity Act to object to the registration of the said lasting power of attorney.

(3) If the plaintiff or applicant falls or believes himself to fall within the above categories of persons, this shall be stated at the outset in the supporting affidavit. Relevant documents, such as copies of birth certificates or marriage certificates, of the lasting powers of attorney or of the court orders appointing the deputies shall be exhibited to support the averment that no permission is required for an application under the Mental Capacity Act.

113E. Where permission is required to make an application

(1) Apart from the categories listed in Paragraph 113D(2) of these Practice Directions, permission is required for an application to the Court under the Mental Capacity Act.

(2) Where permission is required, that prayer may be included in the main application itself. There is no requirement for a separate application for permission. The grounds upon which the plaintiff or applicant is relying to obtain such permission must be stated clearly in the supporting affidavit. The Court will decide whether to grant such permission based on the grounds relied upon by the plaintiff or applicant.

113F. Service of application on named defendants and relevant persons

- (1) Order 99, rule 5 of the Rules of Court (Cap. 322, R 5) requires the plaintiff to serve the application, together with each affidavit or other document filed in support of the application, on each person named as a defendant in the proceedings and on each relevant person.
- (2) In a situation where there are no named defendants, the application shall still be served on relevant persons.
- (3) Service on a *named defendant* shall be by way of personal service. Service on *relevant* persons may be by way of ordinary service pursuant to Order 62, rule 6 of the Rules of Court, unless directed otherwise by the Court.
- (4) Subject to the timelines specified under Order 99, rule 5(2) of the Rules of Court, *one affidavit of service* may be filed in respect of service on all the named defendants and relevant persons in any application. The dates, times and manner of service for each of the named defendant and relevant person have to be stated clearly in the affidavit of service.

113G. Relevant persons

(1) P's immediate family members, by virtue of their relationship to P, are likely to have an interest in being notified that an application has been made to the Court concerning P. 'Relevant persons' for the purposes of Order 99, rule 5 of the Rules of Court (Cap. 322, R 5) will therefore include the following immediate family members:

- (a) P's spouse;
- (b) P's children (aged 21 and above);
- (c) P's parents or guardians;
- (d) P's brothers or sisters (aged 21 and above); and
- (e) P's grandparents or grandchildren (aged 21 and above).

(2) The plaintiff or applicant should serve the application, the supporting affidavits and the Notice to Relevant Person in Form 35D in Appendix B to these Practice Directions on relevant persons in *descending order according to the list above* (which is ordered according to the presumed closeness in terms of relationship to P). For example, if P is married, has children aged 21 and above and siblings but has no surviving parents, the plaintiff or applicant should serve on P's spouse, P's children (aged 21 and above) and P's siblings (aged 21 and above).

(3) The presumption that immediate family members are likely to have an interest in an application concerning P may be rebutted where the plaintiff or applicant is aware of circumstances which reasonably indicate that P's immediate family should not be served but that others should be served instead. For example, where the family member in question has had little or no involvement in P's life and has shown no inclination to do so, that family member need not be served. In some cases, P may be closer to persons who are not immediate family members and if so, it will be appropriate to effect service on them instead of the immediate family members.

(4) Where the plaintiff or applicant decides that a person listed in one of the categories in sub-paragraph (1) ought to be served, and there are other persons in that category (for example, P has three siblings), the plaintiff or applicant should serve on all persons falling within that category unless there is a good reason not to do so. For example, it may be a good reason not to serve on every person in the category if one or more of them has had little or no involvement in P's life and has shown no inclination to do so.

(5) The plaintiff or applicant *must serve on at least three categories of relevant persons* as listed in sub-paragraphs (1) who are likely to have an interest in the application concerning P. Where there are less than three categories of relevant persons, there shall be a statement in the supporting affidavit of the plaintiff or

applicant to the effect that there are no other relevant persons apart from those that have been listed in the affidavit (please refer to paragraph 8 of Form 35A in Appendix B to these Practice Directions).

(6) Apart from immediate family members, other relevant persons who are likely to have an interest in the application concerning P and who should be served the application, the supporting affidavits and the Notice to Relevant Person in Form 35D in Appendix B to these Practice Directions include:

- (a) any other relatives or friends who have a close relationship with P;
- (b) any person who has a legal duty to support P;
- (c) any person who will benefit from P's estate; and
- (d) any person who is responsible for P's care,

except that if there is no such person to the best of the plaintiff's or applicant's knowledge, he is to state this in his supporting affidavit (please refer to paragraph 8 of Form 35A in Appendix B to these Practice Directions).

(7) The details of all relevant persons who should be served are to be listed clearly in the supporting affidavit of the plaintiff or applicant. Where service would not be effected on relevant persons who should be served, the reason why this is so must be stated in the supporting affidavit.

(8) Organisations providing residential accommodation to P

- (a) If P resides at an organisation providing residential accommodation (regardless of whether it also provides care or treatment to P), the plaintiff or applicant shall serve the application, the supporting affidavits and the Notice to Relevant Person in Form 35D in Appendix B to these Practice Directions on such an organisation as soon as possible and in any event, not more than 2 working days after the application has been filed. For the purposes of the application, the organisation providing residential accommodation to P shall be considered a relevant person. However, the plaintiff or applicant need not obtain the consent of such an organisation to the application.
- (b) If the organisation providing residential accommodation to P wishes to furnish any relevant information for the Court's consideration and determination of the application in the best interests of P, it shall submit a report to the Court within 21 days after the date on which the organisation is served with the application. If such a report is submitted, the Court may require and direct for the attendance of the maker of the report at the hearing of the application.

113H. Consent of relevant persons

(1) If any relevant person to be served has consented to the application and to dispensation of service, the plaintiff or applicant shall file the consent of the relevant person in Form 35C in Appendix B to these Practice Directions together with the application. The consent given by the relevant person to the application and to dispensation of service must be attested by a solicitor, a Commissioner for Oaths, a notary public or any person for the time being authorised by law in the place where the document is executed to administer oaths.

(2) The Court may dispense with the service of the application on the relevant person on the application of the plaintiff or applicant. It should be stated clearly in the supporting affidavit that such relevant persons have given their consent to the application and to the dispensation of service.

113L. Notification of P

(1) Under Order 99, rule 6 of the Rules of Court (Cap. 322, R 5), P shall be notified of certain matters by —

- (a) the plaintiff, applicant, or appellant (as the case may be); or
- (b) such other person as the Court may direct.

(2) Where P is to be notified that an application has been filed, the person effecting notification must explain to P —

- (a) who the plaintiff or applicant is;
- (b) that the application raises the question of whether P lacks capacity in relation to a matter or matters, and what that means;
- (c) what will happen if the Court makes the order or direction that has been applied for;
- (d) where the application is for the appointment of a deputy, details of who that person is, and
- (e) the date on which the application is fixed for hearing.

(3) Where P is to be notified that an application has been withdrawn, the person effecting notification must explain to P —

- (a) that the application has been withdrawn; and
- (b) the consequences of that withdrawal.

(4) Where P is to be notified that a notice of appeal has been filed, the person effecting notification must explain to P —

- (a) who the appellant is;
- (b) the issues raised by the appeal;
- (c) what will happen if the appeal is dismissed or allowed; and
- (d) the date on which the appeal is fixed for hearing.

(5) Where P is to be notified that a notice of appeal has been withdrawn, the person effecting notification must explain to P —

- (a) that the notice of appeal has been withdrawn; and
- (b) the consequences of that withdrawal.

(6) Where P is to be notified that an order which affects P has been made by the Court, the person effecting notification must explain to P the effect of the order.

(7) In all cases of notification, the person effecting notification must provide P with the information required under Order 99, rule 6 of the Rules of Court and this Part of these Practice Directions in a way that is appropriate to P's circumstances (for example, using simple language, visual aids or any other appropriate means).

(8) The person effecting notification must also inform P that he may seek legal advice and assistance in relation to any matter of which he is notified.

(9) The certificate of notification filed under Order 99, rule 6(5) of the Rules of Court shall be in Form 35E in Appendix B to these Practice Directions.

(10) **Dispensing with notification**

(a) Under the Mental Capacity Act, notification of P shall be the norm rather than the exception. However, in certain appropriate circumstances, the person required to notify P may apply to Court for an order to dispense with the requirement to notify P. Such an application would be appropriate where, for example, P is in a permanent vegetative state or a minimally conscious state, or where notification is likely to cause significant and disproportionate distress to P. The reasons for seeking dispensation of notification shall be stated in the supporting affidavit of the plaintiff or applicant.

(b) The Court may, on its own motion, dispense with the notification of P.

113J. Responding to an application

(1) If a relevant person served with an application wishes to object to the application or any part of it, he must apply to the Court to be joined as a party to the proceedings within 21 days after the date on which he was served with the application. The application to be joined as a party to the proceedings shall be in Form 36 in Appendix B to these Practice Directions and be supported by an affidavit stating his interest in the application and the grounds of his objection.

(2) If a relevant person served with an application consents to the application, his written consent must be attested by a solicitor, a Commissioner for Oaths, a notary public or any person for the time being authorised by law in the place where the document is executed to administer oaths and must be in Form 35C in Appendix B to these Practice Directions. The written consent should be filed within 21 days after the date on which he was served with the application by him or by the plaintiff or applicant.

(3) Where a person who was not served with any application (whether listed as a relevant person or otherwise in the supporting affidavit of the plaintiff or applicant) wishes to be heard in the proceedings, he must apply to be joined as a party to the proceedings in Form 36 in Appendix B to these Practice Directions.

113K. Applications involving the appointment of deputies

(1) The prayers

- (a) The originating summons to be filed for the appointment of a deputy or deputies shall be in Form 35 in Appendix B to these Practice Directions.
- (b) It must be stated clearly in the originating summons whether the declaration sought in respect of P's lack of capacity concerns either P's personal welfare or P's property and affairs or both.
- (c) The plaintiff or applicant should ensure that the originating summons, the supporting affidavit and the doctor's affidavit exhibiting the medical report are *consistent* as to whether P lacks capacity in relation to his personal welfare or his property and affairs or both.
- (d) If there is more than one deputy sought to be appointed, the originating summons must state whether the deputies are to act jointly or jointly and severally.
- (e) The powers sought for the deputies are to be drafted appropriately to suit the purpose of each application.
- (f) Any other specific orders or reliefs that are required on the particular facts of each case are to be included.

(2) The supporting affidavits by the plaintiff or applicant and the deputy

- (a) The affidavit to be filed by the plaintiff or applicant in support of the application for the appointment of a deputy or deputies shall be in Form 35A in Appendix B to these Practice Directions.
- (b) The supporting affidavit must include but not be limited to information about P such as —
 - (i) his date of birth, marital status and current address;
 - (ii) what type of accommodation he is living in;
 - (iii) what care arrangements he currently has (if any); and
 - (iv) whether he has executed any lasting power of attorney (if so, to exhibit a copy).
- (c) If the application or any part of it is for the appointment of a deputy for the property and affairs of P, the supporting affidavit must include but not be limited to the following additional information:

- (i) whether P has executed any will or codicil (if so, to exhibit a copy);
 - (ii) a schedule of all of P's assets and properties, with up to date valuations;
 - (iii) the total value of P's assets and properties;
 - (iv) sources and quantum of P's monthly / annual income;
 - (v) current and projected expenses of caring for and maintaining P, with supporting evidence;
 - (vi) whether P has received or is going to receive any form of compensation or an award of damages (if so, to provide details);
 - (vii) whether P has any outstanding debts (if so, to provide details); and
 - (viii) an up to date report of P's present medical condition, life expectancy, likelihood of requiring increased expenses in the foreseeable future.
- (d) If the deputy(ies) sought to be appointed is(are) not the applicant(s), then for each of the deputy, a separate affidavit in Form 35B in Appendix B to these Practice Directions shall be filed. The supporting affidavit must contain information about the deputy sought to be appointed including but not be limited to the relationship to P, any personal or financial circumstances which will assist the Court in assessing his suitability or otherwise to act as deputy for P. It must also contain the deputy's declarations of his understanding of his responsibilities as a deputy and his undertaking to act in P's best interests and not be in a position of conflict. If the application is for the appointment of a deputy for the property and affairs of P, the deputy's affidavit must also include a declaration of non-indebtedness (please refer to paragraphs 9 and 10 of Form 35B in Appendix B to these Practice Directions).
- (e) If the plaintiff or applicant and the deputy sought to be appointed is the same person, the information mentioned in sub-paragraph (d) shall be included in the supporting affidavit of the plaintiff or applicant.

(3) **The doctor's affidavit exhibiting the medical report**

- (a) Under Order 40A, rule 3 of the Rules of Court (Cap. 322, R 5), expert evidence "is to be given in a written report signed by the expert and exhibited in an affidavit sworn to or affirmed by him testifying that the

report exhibited is his and that he accepts full responsibility for the report". The doctor whose medical report is being relied on should affirm or swear to an affidavit and exhibit his medical report and state his qualifications and experience in the area which he is giving the expert evidence on.

- (b) In addition, the doctor should indicate in the affidavit that he is aware that his report is being adduced for the purpose of obtaining a declaration that the person concerned, i.e. P, lacks capacity in relation to matters specified in the application.
- (c) In order to assist the Court, the medical report shall —
 - (i) distinguish clearly between observations or conclusions based on information given to the doctor and those that are based on the doctor's examination of P;
 - (ii) contain a clear opinion as to whether P lacks capacity in relation to the matters specified in the application;
 - (iii) be current and shall not be made more than 6 months before the date of the application; and
 - (iv) contain a clear opinion on P's prognosis and likelihood of requiring increased or reduced medical expenses in the foreseeable future.

(4) **The affidavit by the successor deputy or deputies**

If the plaintiff or applicant seeks to apply for the appointment of successor deputy or deputies, the application must also be accompanied by an affidavit of the proposed successor deputy or deputies in Form 35B in Appendix B to these Practice Directions.

113L. Application subsequent to the appointment of deputy

(1) An application to vary an order made in mental capacity proceedings shall be made by way of summons supported by affidavit and served on every defendant and every relevant person who had initially been served with the originating summons in accordance with Paragraph 113F of these Practice Directions.

(2) If an application under sub-paragraph (1) is filed more than 6 months from the date of the order, the application must be served personally on every defendant. If such an application is filed 6 months or less from the date of the order, the service on every party to the proceedings may be by way of ordinary service. Service of an application under sub-paragraph (1) on every relevant person shall be by way of ordinary service, unless directed by the Court. Proof of service on the defendant(s) and the relevant person(s) may be given in a manner provided for by Paragraph 113F(4) of these Practice Directions.

(3) All applications together with the supporting affidavit shall be served on the Public Guardian within 2 working days after the date on which the application is filed.

113M. Application relating to lasting power of attorney

(1) The originating summons to be filed for any application relating to a lasting power of attorney shall be in Form 35 in Appendix B to these Practice Directions and supported by an affidavit in Form 35A in Appendix B to these Practice Directions. Both forms shall be modified accordingly to suit the purpose of the application

(2) If the plaintiff or applicant knows or has reason to believe that the donor lacks capacity, he shall notify the donor in accordance with Order 99, rule 6 of the Rules of Court (Cap. 322, R 5) and Paragraph 113I of these Practice Directions.

113N. Application for statutory wills

(1) The application for a statutory will under section 23(1)(i) of the Mental Capacity Act (Cap. 177A) shall be in Form 35 in Appendix B to these Practice Directions and supported by an affidavit in Form 35A in Appendix B to these Practice Directions. Both forms shall be modified accordingly to suit the purpose of the application.

(2) The application shall be accompanied by a supporting affidavit which includes the following information and exhibits:

- (a) a copy of the draft will;
- (b) a copy of the existing will or codicil (if any);
- (c) any consents to act by proposed executors;
- (d) details of P's family, preferably in the form of a family tree, including details of the full name and date of birth of each person included in the family tree;
- (e) a schedule showing details of all of P's assets and properties, with up to date valuations;
- (f) an up to date report of P's medical condition, life expectancy, likelihood of requiring increased expenses in the foreseeable future, and testamentary capacity; and
- (g) an explanation as to why it is necessary or desirable for the Court to execute the will on behalf of P.

(3) The Court may direct that any other material or information is to be filed by the plaintiff and if it does, the material or information is to be set out in a supplementary affidavit.

(4) The application shall also be accompanied by a doctor's affidavit and medical report; both of which must comply with Paragraph 113K(3) of these Practice Directions.

(5) The plaintiff must name as a defendant —

- (a) any beneficiary under an existing will or codicil who is likely to be materially or adversely affected by the application;
- (b) any beneficiary under the proposed will or codicil who is likely to be materially or adversely affected by the application;
- (c) any prospective beneficiary under P's intestacy where P has no existing will; and

- (d) any donee under a lasting power of attorney executed by P or any Court-appointed deputy of P.
- (6) Once an order is made for a statutory will, the applicant must file a copy of the will for sealing by the Court. The statutory will is considered valid only with the seal of Court.

1130. Litigation Representative in mental capacity proceedings

- (1) Where P is a party to any mental capacity proceedings with a litigation representative, P should be referred to in the proceedings as “P (by A.B., his litigation representative)”.
- (2) The application to be the litigation representative of P shall be in Form 36 in Appendix B to these Practice Directions. The supporting affidavit must satisfy the Court of the matters set out in Order 99, rule 8(5)(a) of the Rules of Court (Cap. 322, R 5).
- (3) Under Order 99, rule 8(2) of the Rules of Court, the Court may, on its own motion or on the application of any person (including P), permit P to conduct any mental capacity proceedings without a litigation representative. An application made to permit P to conduct mental capacity proceedings without a litigation representative must be supported by a medical report stating that P does not lack capacity to conduct proceedings himself.
- (4) The Court may either on its own motion, or on the application of any person –
 - (a) direct that a person may not act as litigation representative;
 - (b) terminate a litigation representative’s appointment, or
 - (c) appoint a new litigation representative in place of an existing one.
- (5) An application for any of the orders referred to in sub-paragraph (4) must be supported by affidavit. If the order sought is the substitution of a new litigation representative for an existing one, the evidence must satisfy the Court of the matters set out in Order 99, rule 8(5)(a) of the Rules of Court.

113P. Where P ceases to lack capacity or dies

(1) Where P ceases to lack capacity or dies, steps may need to be taken to finalise the court's involvement in P's affairs.

(2) Application to end proceedings

(a) Where P ceases to lack capacity in relation to the matter or matters to which the proceedings relate, an application may be made by any of the following people to the Court to end the proceedings and discharge any orders made in respect of that person:

(i) P;

(ii) his litigation representative; or

(iii) any other person who is a party to the proceedings.

(b) The application should be supported by evidence that P no longer lacks capacity to make decisions in relation to the matter or matters to which the proceedings relate.

(3) Applications where proceedings have concluded

(a) Where P ceases to lack capacity after proceedings have concluded, an application may be made to the Court to discharge any orders made (including an order appointing a deputy or an order in relation to security).

(b) The affidavit filed in support should exhibit the orders sought to be discharged and contain evidence that P no longer lacks capacity to make decisions in relation to the matter or matters to which the proceedings relate.

(4) Procedure to be followed when P dies

An application for final directions (including discharging an order appointing a deputy or discharging the security) may be made following P's death. The application should be supported by an affidavit exhibiting a copy of P's death certificate.

(5) Final report by deputy

The Public Guardian may require a deputy to submit a final report upon P ceasing to lack capacity or P's death. If security has been ordered by the Court, the Court must be satisfied that the Public Guardian either does not require a final report or is satisfied with the final report provided by the deputy before the said security can be discharged.

113Q. Applications subsequent to the filing of the originating summons in mental capacity proceedings

All applications subsequent to the filing of the originating summons in any mental capacity proceedings shall be made by way of Form 36 in Appendix B to these Practice Directions.

113R. Order of Court

- (1) An order of Court shall be in Form 37 in Appendix B to these Practice Directions and shall be signed by the Registrar.
- (2) An order of Court shall be drawn up and filed in accordance with Order 42, Rule 10 of the Rules of Court (Cap. 322, R 5) within 7 days after the date on which the order was made.

114. Proceedings under the International Child Abduction Act (Cap. 143C)

Transfer of proceedings to District Court

(1) The Honourable the Chief Justice has made the Supreme Court of Judicature (Transfer of International Child Abduction Proceedings to District Court) Order 2011 under section 28A of the Supreme Court of Judicature Act (Cap. 322), which came into operation on 1 March 2011 (“the Transfer Order”).

(2) Pursuant to the Transfer Order, any proceedings under the International Child Abduction Act (hereafter referred to as “the ICAA”) commenced in the High Court on or after 1 March 2011 shall be transferred to and be heard and determined by a District Court.

(3) A sub-registry of the Registry of the Supreme Court (referred to in these Directions as the “sub-registry of the Supreme Court”) and a sub-registry of the Subordinate Courts (referred to in these Directions 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”).

Documents to be filed at the sub-registries at the Family and Juvenile Court

(4) All documents relating to proceedings under the ICAA which are to be heard and determined by the Subordinate Courts shall be filed at the sub-registries at the Family and Juvenile Court.

(5) All processes to commence proceedings under the ICAA on or after 1 March 2011 shall be filed at the sub-registry of the Supreme Court and shall bear the title “In the High Court of the Republic of Singapore”.

(6) An originating summons to commence proceedings under section 8 of the ICAA in the Subordinate Courts shall be in Form 38A in Appendix B to these Practice Directions.

(7) An originating summons to commence proceedings under section 14 of the ICAA in the Subordinate Courts shall be in Form 38B in Appendix B to these Practice Directions.

(8) The plaintiff’s or applicant’s affidavit in support of the originating summons under both section 8 (Form 38C in Appendix B to these Practice Directions) and section 14 (Form 38D in Appendix B to these Practice Directions) shall bear the title “In the High Court of the Republic of Singapore”.

(9) All subsequent applications and documents in or ancillary to proceedings under the ICAA 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”.

(10) All applications and supporting documents to vary any order of the Subordinate Courts in proceedings under the ICAA 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”.

Service of application on named defendants

(11) Order 102, rule 7 of the Rules of Court (Cap. 322, R 5) requires the plaintiff to serve the application, together with each affidavit or other document filed in support of the application, on each person named as a defendant in the proceedings.

(12) Service on a named defendant shall be by way of personal service, unless directed otherwise by the Court.

The plaintiff’s supporting affidavit

(13) The affidavit to be filed by the plaintiff or applicant in support of an application under section 8 of the ICAA shall be in Form 38C in Appendix B to these Practice Directions.

(14) The affidavit to be filed by the plaintiff or applicant in support of an application under section 14 of the ICAA shall be in Form 38D in Appendix B to these Practice Directions.

Applications subsequent to the filing of the originating summons in proceedings under the ICAA

(15) All applications subsequent to the filing of the originating summons in any ICAA proceedings shall be made by way of Summons in Form 39A in Appendix B to these practice Directions.

Form of Order of Court

(16) An order of Court in any ICAA proceedings shall be in Form 39B in Appendix B to these Practice Directions and shall be signed by the Registrar.

Form 18

REQUEST FOR RE-FIXING OF HEARING DATE

Case No: D/OS* No. _____	
Type of Hearing (please tick)	<input type="checkbox"/> Contested divorce <input type="checkbox"/> Uncontested divorce <input type="checkbox"/> Ancillary matters <input type="checkbox"/> Recording of consent orders <input type="checkbox"/> OS Hearing <input type="checkbox"/> SUM Hearing <input type="checkbox"/> Status Conference <input type="checkbox"/> Pre-trial conference <input type="checkbox"/> Registrar's Appeal / Taxation / Further Arguments* <input type="checkbox"/> Others (please specify) _____
Date / Time of Hearing	(To indicate if it is a special date)
A. Particulars of party making the request	
Name of solicitor	_____
Name of law firm	_____
Tel No.	_____ Fax No. _____
B. Particulars of the other parties	
Name of solicitor	_____
Name of law firm	_____
Tel No.	_____ Fax No. _____
C. Reason for Request	
<i>(Please state (with documentary evidence if relevant) why an adjournment is warranted. If the reason is a conflict of court dates, please explain how this situation arose and when and how dates for the relevant hearings were given The case number, nature of hearing, date and time of hearing and the relevant Court are also to be stated. All supporting documents are to be submitted.)</i>	
D. Has the other party been informed? <input type="checkbox"/> Yes <input type="checkbox"/> No	E. Has the other party consented to this Request? <input type="checkbox"/> Yes <input type="checkbox"/> No
Name and Signature of lawyer making request	

FOR OFFICIAL USE ONLY	
Request is approved: Yes / No / Further information required *	
Date	_____ District Judge / Deputy Registrar

Form 19A

ANCILLARY MATTERS FACT AND POSITION SHEET

(Title as in action)

Party Filing this Ancillary Matters Fact and Position Sheet: Plaintiff/Defendant*

A. DIVISION OF MATRIMONIAL ASSETS

I. Matrimonial Home (See Annex A for Other Real Property)

Address of matrimonial home:

[to specify]

S/No.	Item	Information	Affidavit reference or supporting document
1	Valuation/Surrender value		[In this column, state exactly where the document may be found, giving the page number of the relevant affidavit or bundle of documents, as appropriate.]
2	Current outstanding loan (state amount and date on which that amount is outstanding)		
3	Plaintiff's total CPF contributions	Principal: Interest: Total:	
4	Defendant's total CPF contributions	Principal: Interest: Total:	
5	Plaintiff's total cash contributions towards purchase		
6	Defendant's total cash contributions towards purchase		
7	Any other contributions towards this property by Plaintiff, e.g. renovations, furniture, etc.		

S/No.	Item	Information	Affidavit reference or supporting document
8	Any other contributions towards this property by Defendant, e.g. renovations, furniture, etc.		

State what party wants in respect of the matrimonial home, and how sale proceeds, if any, are to be split between parties:

[to specify]

II. Other Property Owned By This Party (Excluding Real Property)

S/No.	Item	Value of property	Affidavit reference or supporting document
	<i>[In this column, state the nature of the property: i.e. CPF monies in the party's Ordinary Account, insurance policies, etc. For example, ABC Bank account no. 1111111.]</i>	<i>[In this column, also state the date for which the value of the property is given. For example, S\$400 as at 1 January 2006.]</i>	<i>[In this column, state exactly where the document may be found, giving the page number of the relevant affidavit or bundle of documents, as appropriate.]</i>

State what this party wants as regards above assets:

[to specify]

III. Other Property Owned By the Other Party (Plaintiff/Defendant*)

S/No.	Item	Value of property	Affidavit reference or supporting document
	<i>[In this column, state the nature of the property: i.e. CPF monies in party's Ordinary Account, insurance policies, etc. For example, ABC Bank account no. 1111111.]</i>	<i>[In this column, also state the date for which the value of the property is given. For example, S\$400 as at 1 January 2006.]</i>	<i>[In this column, state exactly where the document may be found, giving the page number of the relevant affidavit or bundle of documents, as appropriate.]</i>

State what this party wants as regards the other party's above assets:

[to specify]

B. MAINTENANCE

S/No.	Item	Information	Affidavit reference or supporting document
1	Party's income		<i>[In this column, state exactly where the document may be found, giving the page number of the relevant affidavit or bundle of documents, as appropriate.]</i>
2	Party's occupation		
3	Party's total monthly expenses		<i>[State where the breakdown of the party's expenses can be found.]</i>
4	Children's total monthly expenses	<i>[State sub-total for each child, followed by the total amount for all children.]</i>	<i>[State where the breakdown of the children's expenses can be found.]</i>
5	Existing maintenance order/existing voluntary payment for wife*		
6	Existing maintenance order/existing voluntary payment for children*		
7	Existing maintenance order/existing voluntary payment for household*		

I. Maintenance of children

State how the children's total expenses should be divided (i.e. whether parties are to bear them equally, whether one party is to bear all the expenses, whether the expenses are to be divided 70:30, etc.):

[to specify]

II. Maintenance of wife

State the amount the wife is asking for maintenance: *[to specify]*

State the amount being offered (if any) for the wife's maintenance: *[to specify]*

C. ISSUES RELATING TO THE CHILDREN

Number of children: *[to specify]*

Names and ages of each child:

Name of child	Age

I. Custody

State what this party wants regarding custody: *[to specify]*

II. Care and Control

State what this party wants regarding care and control: *[to specify]*

III. Access

1. State what this party wants regarding access if:

a. he/she* is the parent with care and control

School term access:

School holiday access:

Public holiday access:

Others:

b. he/she* is not the parent with care and control

School term access:

School holiday access:

Public holiday access:

Others:

2. Proposed handover venue and person to hand over the children: *[to specify]*

3. State the terms of any interim custody and access order/who presently has care and control of children and any existing access arrangements*: *[to specify]*

* Delete where inapplicable.

Annex A - Other Real Property

State, in respect of each property:

Address:

Valuation/Surrender value:

S/No.	Item	Information	Affidavit reference or supporting document
1	Valuation/Surrender value		<i>[In this column, state exactly where the document may be found, giving the page number of the relevant affidavit or bundle of documents, as appropriate.]</i>
2	Current outstanding loan (state amount and exact date on which that amount is outstanding)		
3	Plaintiff's total CPF contributions	Principal: Interest: Total:	
4	Defendant's total CPF contributions	Principal: Interest: Total:	
5	Plaintiff's total cash contributions towards purchase		
6	Defendant's total cash contributions towards purchase		
7	Any other contributions towards this property by Plaintiff, e.g. renovations, furniture, etc.		
8	Any other contributions towards this property by Defendant, e.g. renovations, furniture, etc.		

State what this party wants in respect of the property, and how sale proceeds, if any, are to be divided between parties:

Form 19B

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:
Net Value of the Matrimonial Assets: _____		

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.

Form 20

LETTER FOR NOTIFICATION OF SYARIAH COURT PROCEEDINGS

Date

To: Officer-in-charge

Originating Summons Section

Family and Juvenile Court

ORIGINATING SUMMONS NO _____ OF _____

(Plaintiff) v (Defendant)

HEARING ON _____ AT _____

Pursuant to Paragraph 90(6) of the Practice Direction, I hereby inform the Registry that:-

- () No proceedings for divorce between the Plaintiff and the Defendant in the above application have been commenced in the Syariah Court.
- () Proceedings for divorce between the Plaintiff and the Defendant in the above application have been commenced in the Syariah Court on _____. The summons number is _____.
- () A decree or order for divorce between the Plaintiff and the Defendant in the above application has been made by the Syariah Court on _____.
- () A divorce between the Plaintiff and the Defendant in the above application has been registered under section 102 of the Administration of Muslim Law Act on _____.

Signature

Name of Solicitor for Plaintiff/Defendant

Name of Law Firm

Form 21A

**SUMMARY FOR MEDIATION AT
FAMILY RESOLUTIONS CHAMBERS (FRC)**

_____ (Plaintiff) vs _____ (Defendant)
(Title as in action)

Party Filing this Summary: Plaintiff / Defendant*

A. CHILDREN ISSUES:

No of Children: _____

Age of Children: _____

(1) Custody

State what this party wants regarding custody: Sole / Joint*

(2) Care and Control

State which party to be awarded care and control: Plaintiff / Defendant*

(3) Access

(a) State what this party wants regarding access if:

(i) he / she* is the parent with care and control

(ii) he/she* is not the parent with care and control

(b) Proposed handover venue and person to hand over the children:

B. DIVISION OF MATRIMONIAL ASSETS:

(1) Matrimonial Home

Address of matrimonial home: _____

Current value: _____

(Estimated Value/Valuation Report Value)

Outstanding loan amount: _____

CPF - Plaintiff _____ (Principal) _____ (Interest) = _____ (Total)

CPF - Defendant _____ (Principal) _____ (Interest) = _____ (Total)

(2) **Direct financial contributions towards purchase, mortgage, renovations, property tax, conservancy, maintenance, repairs:**

(3) **Indirect contributions:**

State other payments made (e.g. towards household bills, groceries, children's expenses): _____

(4) **Length of marriage:** _____ years _____ months

(5) **Proposal for Division:** _____

(6) **Other Assets**

State other assets and nature of claim: _____

State what percentage or monetary amount or claim this party wants as regards above assets: _____

C. MAINTENANCE

State occupation: _____

State income (nett): _____

(1) **Maintenance of children**

State expenses and amount claimed/proposed: _____

(2) **Maintenance of wife**

State expenses and amount claimed/proposed: _____

D. OTHER ISSUES (IF ANY)

Family Resolutions Chambers

Family Court

Form 21B

**SUMMARY FOR MEDIATION AT
CHILD-FOCUSED RESOLUTION CENTRE (CFRC)**

_____ (Plaintiff) vs _____ (Defendant)
(Title as in action)

Party Filing this Summary: Plaintiff / Defendant*

A. CHILDREN ISSUES:

No of Children: _____

Age of Children: _____

(1) Custody

State what this party wants regarding custody: Sole / Joint*

(2) Care and Control

State which party to be awarded care and control: Plaintiff / Defendant*

(3) Access

(b) State what this party wants regarding access if:

(i) he / she* is the parent with care and control

(ii) he/she* is not the parent with care and control

(b) Proposed handover venue and person to hand over the children:

B. DIVISION OF MATRIMONIAL ASSETS:

(1) Matrimonial Home

Address of matrimonial home: _____

Current value: _____

(Estimated Value/Valuation Report Value)

Outstanding loan amount: _____

CPF - Plaintiff _____ (Principal) _____ (Interest) = _____ (Total)

CPF - Defendant _____ (Principal) _____ (Interest) = _____ (Total)

- (2) **Direct financial contributions towards purchase, mortgage, renovations, property tax, conservancy, maintenance, repairs:**
-

- (3) **Indirect contributions:**

State other payments made (e.g. towards household bills, groceries, children's expenses): _____

- (4) **Length of marriage:** _____ years _____ months

- (5) **Proposal for Division:** _____

- (6) **Other Assets**

State other assets and nature of claim: _____

State what percentage or monetary amount or claim this party wants as regards above assets: _____

C. MAINTENANCE

State occupation: _____

State income (nett): _____

- (1) **Maintenance of children**

State expenses and amount claimed/proposed: _____

- (2) **Maintenance of wife**

State expenses and amount claimed/proposed: _____

D. OTHER ISSUES (IF ANY)

Child Focused Resolution Centre (CFRC)

Family & Juvenile Court

Form 22

CONSENT TO GRANT JUDGMENT ON THREE YEARS' SEPARATION

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Suit)
No. of 20)

Between

(NRIC NO.)

...Plaintiff

And

(NRIC No.)

...Defendant

CONSENT TO GRANT JUDGMENT ON THREE YEARS' SEPARATION

I, _____ (NRIC No.) of _____ (*address*) am
the Defendant and confirm that I have lived separate and apart from the Plaintiff for a
continuous period of at least 3 years immediately preceding the filing of this Writ, i.e. since
_____ (date) and I consent to an Interim Judgment being granted.

Signed by the abovenamed)
_____ (*name*))
On this (*date*))

Before me,

Commissioner for Oaths

Form 23A

REQUEST FOR CHECKING ELIGIBILITY OF PROPOSED PURCHASER(S)/TRANSFEREE(S) UNDER OPTIONS 4 & 5 OF THE AGREED MATRIMONIAL PROPERTY PLAN

Important: To be completed by the proposed purchaser/transferee.

No space is to be left blank. The word "Nil" or "NA" should be filled where appropriate.

I ADDRESS OF FLAT: _____

Option 4 of the Agreed Matrimonial Property Plan is selected: the Plaintiff's share in the flat will be sold/transferred* to the Defendant and/or others.

Option 5 of the Agreed Matrimonial Property Plan is selected: the Defendant's/ share in the flat will be sold/transferred* to the Plaintiff and/or others.

II PARTICULARS OF PROPOSED PURCHASER(S)/TRANSFEREE(S)

	Name	NRIC/ FIN	Relationship	Marital Status	Date of Birth	Age (Years)	Citizen- ship	Occupa- tion	Gross Monthly Income	Contact No
1			Self							
2										
3										
4										

III PARTICULARS OF PROPOSED OCCUPIER(S) IN THE FLAT

	Name	NRIC/ FIN	Relationship	Marital Status	Date of Birth	Age (Years)	Citizen- ship	Occupa- tion	Gross Monthly Income	Contact No
5										
6										
7										
8										

IV OTHER INFORMATION

	Yes	No
a Do you have the sole custody of the child, or if joint custody is agreed upon, the care and control of the child?	<input type="checkbox"/>	<input type="checkbox"/>
b Do you or any person listed above own or have any share or interest in any HDB flat and/or private property# (whether in Singapore or overseas)? (If so state address, property type, share and value): _____	<input type="checkbox"/>	<input type="checkbox"/>
c Have you or any person listed above disposed of any private property# (whether in Singapore or overseas) within the last 30 months? (If so state address, property type, share and value) _____	<input type="checkbox"/>	<input type="checkbox"/>
d Have you or any person listed above previously sold two or more HDB flats in the open market?	<input type="checkbox"/>	<input type="checkbox"/>

Includes HUDC and Executive Condominiums

* Delete where inapplicable.

Signature of Plaintiff/Defendant *

Form 23B

**STANDARD QUERY TO HOUSING & DEVELOPMENT BOARD ON HDB
MATRIMONIAL ASSET (HDB FLAT)**

AT -

(state address of HDB matrimonial asset)

(hereinafter called "the flat")

PART 1 – PARTICULARS OF PARTIES (To be completed by party making the enquiry)	
Name of Plaintiff	
NRIC No.	
Name of Defendant	
NRIC No.	
Nature of writ	Writ for Divorce / Annulment *
Name of Solicitor for Plaintiff/ Defendant (specify the name of the solicitor representing the party who is making the enquiry)	
Solicitor's address (if there is no solicitor, state the address of the party who is making the enquiry)	
Fax No. (HDB's replies will be sent by fax or ordinary post to this address and number.)	
Contact No.	

* Delete where inapplicable.

Instruction to party making the enquiry: Please complete the address of the flat in subsequent pages.

Address of the Flat: _____

PART 2 - PARTICULARS OF THE FLAT (to be completed by HDB)														
Names of lessee(s)	<i>Name</i>	<i>Relationship with Lessee</i>												
	1	Self												
	2													
	3													
	4													
Names of permitted occupiers and their relationship with Lessee 1.	<i>Name</i>	<i>Relationship with Lessee</i>												
	5													
	6													
	7													
	8													
Holding Type	<input type="checkbox"/> Sole owner/tenant <input type="checkbox"/> Joint Tenancy <input type="checkbox"/> Tenancy in common in the following shares: <div style="text-align: right; margin-right: 20px;"><u>Share</u></div> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Lessee 1</td> <td style="width: 5%;"></td> <td style="width: 35%; text-align: center;">_____</td> </tr> <tr> <td>Lessee 2</td> <td></td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Lessee 3</td> <td></td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Lessee 4</td> <td></td> <td style="text-align: center;">_____</td> </tr> </table> <input type="checkbox"/> Others (please specify): _____		Lessee 1		_____	Lessee 2		_____	Lessee 3		_____	Lessee 4		_____
Lessee 1		_____												
Lessee 2		_____												
Lessee 3		_____												
Lessee 4		_____												
Type of Flat	<input type="checkbox"/> 1-room <input type="checkbox"/> 2-room <input type="checkbox"/> 3-room <input type="checkbox"/> 4-room <input type="checkbox"/> 5-room <input type="checkbox"/> Executive <input type="checkbox"/> Others (please specify): _____													

Address of the Flat: _____

PART 3 - PARTICULARS OF OWNERSHIP (to be completed by HDB)			
Effective date of ownership		Eligibility scheme under which the flat was purchased/ transferred*	<input type="checkbox"/>
Direct purchase from HDB	<input type="checkbox"/> YES <input type="checkbox"/> NO	Original selling price: \$ _____	
Amount of premium on purchase price (if any)	<input type="checkbox"/> \$ _____ <input type="checkbox"/> Not applicable		
Purchase from resale market	<input type="checkbox"/> YES <input type="checkbox"/> NO	Transacted resale price: \$ _____ Purchased with/without* CPF Housing Grant Amount of Grant: \$ _____	
CPF Housing Grant, if applicable, credited to Lessees' CPF accounts	Lessee 1		Lessee 2
	CPF: \$ _____		CPF: \$ _____
	Lessee 3		Lessee 4
	CPF: \$ _____		CPF: \$ _____
Initial capital payment	Lessee 1	Lessee 2	Cash
	CPF: \$ _____	CPF: \$ _____	
	Lessee 3	Lessee 4	
	CPF: \$ _____	CPF: \$ _____	
Conveyancing, stamp, registration and administrative fees	Lessee 1	Lessee 2	Cash
	CPF: \$ _____	CPF: \$ _____	
	Lessee 3	Lessee 4	
	CPF: \$ _____	CPF: \$ _____	

* Delete where inapplicable.

Address of the Flat: _____

PART 4 - PARTICULARS OF LOAN <i>(to be completed by HDB)</i>			
Amount of Loan granted	\$ _____		
Amount of outstanding loan	\$ _____ as at _____		
Instalment per month	Lessee 1	Lessee 2	Cash \$ _____
	CPF: \$ _____	CPF: \$ _____	
	Lessee 3	Lessee 4	
	CPF: \$ _____	CPF: \$ _____	

Signature, name & designation of HDB officer

Date

Address of the Flat: _____

PART 5 – SURRENDER OF FLAT TO HDB *(to be completed by HDB)*

- | | |
|--|--|
| <p>1. Are the parties required to surrender the flat to HDB?</p> <p>2. If the flat is surrendered to HDB, what is the compensation upon the surrender of the flat?</p> | <p><input type="checkbox"/> Yes.</p> <p><input type="checkbox"/> No.</p> |
|--|--|

Signature, name & designation of HDB officer

Date

Address of the Flat: _____

PART 6 - SALE OF FLAT IN THE OPEN MARKET *(to be completed by HDB)*

- | | |
|---|--|
| <p>(1) Are the parties eligible to sell the flat in the open market?</p> <p>(2) If the answer is “yes”:
(a) is resale levy, upgrading levy or any other monies payable to HDB?
(b) if so, what is the amount of monies payable?</p> <p>(3) If the answer is “no”, state why parties are not eligible to sell the flat in the open market.</p> | <p><input type="checkbox"/> Yes.</p> <p><input type="checkbox"/> No.</p> |
|---|--|

Signature, name & designation of HDB officer

Date

Address of the Flat: _____

PART 7 - SALE OF INTEREST IN THE FLAT										
Part 7.1 - Sale of interest in the flat from one party to the other <i>(to be completed by the party making the enquiry)</i>										
(i) Where the parties have agreed on custody of the children, state which parent has the sole custody of the children.	<input type="checkbox"/> Plaintiff.					<input type="checkbox"/> Defendant.				
(ii) Where the parties have agreed on joint custody of the children, state which parent has care and control of the children	<input type="checkbox"/> Plaintiff.					<input type="checkbox"/> Defendant.				
(iii) If the proposed purchaser(s) of the flat is/are known, furnish the following information:	<input type="checkbox"/> No agreement has been reached.					<input type="checkbox"/> No agreement has been reached.				
<i>Proposed Purchasers:</i>										
Name	NRIC/ FIN	Relation- ship	Marital status	Date of birth	Age	Citizen- ship	Occupa- tion	In- come@	Contact No.	
1		Self								
2										
3										
4										
<i>Proposed occupiers who will be residing in the flat:</i>										
Name	NRIC/ FIN	Relation- ship	Marital status	Date of birth	Age	Citizen- ship	Occupa- tion	In- come@	Contact No.	
5										
6										
7										
8										
(iv) Has any of the proposed purchasers or occupiers disposed of any private property#, whether in Singapore or overseas, within the last 30 months? If so, state the address, property type, share and value.	<input type="checkbox"/> Yes (<i>give details</i>): _____					_____				
(v) Has any of the proposed purchasers or occupiers previously sold two or more HDB flats in the open market?	<input type="checkbox"/> No.					<input type="checkbox"/> Yes (<i>specify who</i>): _____				
(vi) Has any of the proposed purchasers or occupiers inherited any share/interest in any HDB flat or private property#, whether in Singapore or overseas? If so, state the address, property type, share and value.	<input type="checkbox"/> No.					<input type="checkbox"/> Yes (<i>give details</i>): _____				

					<input type="checkbox"/> No.					

@ Gross monthly income

Includes HUDC and Executive Condominiums

Part 7.2 – Sale of interest in the flat from one party to the other.

(to be completed by HDB)

(1) Is the Plaintiff eligible to purchase the Defendant's interest in the flat? If not, what are the eligibility conditions for the Plaintiff to purchase the Defendant's interest in the flat?

- Yes, based on the information supplied in Part 7.1.
- No, based on the information supplied in Part 7.1 / insufficient information given*.

The general eligibility conditions for the Plaintiff to purchase the Defendant's interest in the flat are set out in: _____

(2) Is the Defendant eligible to purchase the Plaintiff's interest in the flat? If not, what are the eligibility conditions for the Defendant to purchase the Plaintiff's interest in the flat?

- Yes, based on the information supplied in Part 7.1.
- No, based on the information supplied in Part 7.1 / insufficient information given*.

The general eligibility conditions for the Defendant to purchase the Plaintiff's interest in the flat are set out in: _____

(3) If a party's interest in the flat is sold to the other party:

(a) is any resale levy, upgrading levy or any other monies payable to HDB?

- Yes, the monies payable are: _____

(b) if so, what is the amount of monies payable?

- No.

(4) Is the Plaintiff eligible to obtain a loan from HDB? If not, what are the criteria for obtaining a loan?

- Yes, based on the information supplied in Part 7.1.
- No, based on the information supplied in Part 7.1 / insufficient information given*.

The general eligibility conditions for the Plaintiff to obtain a loan are set out in: _____

(5) Is the Defendant eligible to obtain a loan from HDB? If not, what are the criteria for obtaining a loan?

- Yes, based on the information supplied in Part 7.1.
- No, based on the information supplied in Part 7.1 / insufficient information given*.

The general eligibility conditions for the Respondent to obtain a loan are set out in: _____

* Delete where inapplicable.

Signature, name & designation of HDB officer

Date

Address of the Flat: _____

PART 8 - TRANSFER OF INTEREST IN THE FLAT									
Part 8.1 – Transfer of interest in the flat from one party to the other <i>(to be completed by the party making the enquiry)</i>									
(i) Where the parties have agreed on custody of the children, state which parent has the sole custody of the children.						<input type="checkbox"/> Plaintiff. <input type="checkbox"/> Defendant. <input type="checkbox"/> No agreement has been reached.			
(ii) Where the parties have agreed on joint custody of the children, state which parent has care and control of the children.						<input type="checkbox"/> Plaintiff. <input type="checkbox"/> Defendant. <input type="checkbox"/> No agreement has been reached.			
(iii) If the proposed transferee(s) of the flat is/are known, furnish the following information:									
<i>Proposed Transferee(s):</i>									
Name	NRIC/ FIN	Relation- ship	Marital status	Date of birth	Age	Citizen- ship	Occupa- tion	In- come@	Contact No.
1		Self							
2									
3									
4									
<i>Proposed occupiers who will be residing in the flat:</i>									
Name	NRIC/ FIN	Relation- ship	Marital status	Date of birth	Age	Citizen- ship	Occupa- tion	In- come@	Contact No.
5									
6									
7									
8									
(iv) Has any of the proposed transferee(s) or occupier(s) disposed of any private property#, whether in Singapore or overseas, within the last 30 months? If so, state the address, property type, share and value.						<input type="checkbox"/> Yes (<i>give details</i>): _____ _____ <input type="checkbox"/> No.			
(v) Has any of the proposed transferee(s) or occupier(s) previously sold two or more HDB flats in the open market?						<input type="checkbox"/> Yes (<i>specify who</i>): _____ _____ <input type="checkbox"/> No.			
(vi) Has any of the proposed transferee(s) or occupier(s) inherited any share/interest in any HDB flat or private property#, whether in Singapore or overseas? If so, state the address, property type, share and value.						<input type="checkbox"/> Yes (<i>give details</i>): _____ _____ <input type="checkbox"/> No.			

@Gross monthly income

Includes HUDC and Executive Condominiums

Part 8.2 – Transfer of interest in the flat from one party to the other.

(to be completed by HDB)

(1) Is the Plaintiff eligible to retain the flat? If not, what are the eligibility conditions for the Plaintiff to retain the flat?

- Yes, based on the information supplied in Part 8.1.
- No, based on the information supplied in Part 8.1 / insufficient information given*.

The general eligibility conditions for the Plaintiff to retain the flat are set out in : _____

(2) Is the Plaintiff eligible to obtain a loan from HDB? If not, what are the criteria for obtaining a loan?

- Yes, based on the information supplied in Part 8.1.
- No, based on the information supplied in Part 8.1 / insufficient information given*.

The general eligibility conditions for the Plaintiff to obtain a loan are set out in : _____

(3) Is the Defendant eligible to retain the flat? If not, what are the eligibility conditions for the Defendant to retain the flat?

- Yes, based on the information supplied in Part 8.1.
- No, based on the information supplied in Part 8.1 / insufficient information given*.

The general eligibility conditions for the Defendant to retain the flat are set out in : _____

(4) Is the Defendant eligible to obtain a loan from HDB? If not, what are the criteria for obtaining a loan?

- Yes, based on the information supplied in Part 8.1.
- No, based on the information supplied in Part 8.1 / insufficient information given*.

The general eligibility conditions for the Defendant to obtain a loan are set out in : _____

(5) Can the party retaining the flat hold the outgoing party's interest in the flat on trust for the children of the marriage?

- Yes, provided that: _____

- No.

* Delete where inapplicable.

Signature, name & designation of HDB officer

Date

Address of the Flat: _____

PART 9 – OTHER INFORMATION (to be completed by HDB)

Part 9(1): Purchase of another HDB flat directly from HDB

- (1) Are parties eligible to buy another HDB flat directly from HDB in the event that the flat is:
- (a) surrendered to HDB?
 - (b) sold in the open market?
- (2) Where a party's share in the flat is sold or transferred to the other party, is the outgoing party eligible to buy another HDB flat directly from HDB?

(Please state the eligibility conditions, if any.)

Signature, name and designation of HDB officer

Date

Address of the Flat: _____

PART 9 – OTHER INFORMATION (to be completed by HDB) (cont'd)

Part 9(2): Purchase of another HDB flat in the open market

- (1) Are parties eligible to buy another HDB flat in the open market in the event that the flat is:
- (a) surrendered to HDB?
 - (b) sold in the open market?
- (2) Where a party's share in the flat is sold or transferred to the other party, is the outgoing party eligible to buy another HDB flat in the open market?

(Please state the eligibility conditions, if any.)

Signature, name and designation of HDB officer

Date

Address of the Flat: _____

PART 9 – OTHER INFORMATION (to be completed by HDB) (cont'd)

Part 9(3): Rental of HDB flat from HDB

- (1) Are parties eligible to rent an HDB flat from HDB in the event that the flat is:
- (a) surrendered to HDB?
 - (b) sold in the open market?
- (2) Where a party's share in the flat is sold or transferred to the other party, is the outgoing party eligible to rent an HDB flat from HDB?

(Please state the eligibility conditions, if any.)

Signature, name and designation of HDB officer

Date

Address of the Flat: _____

PART 10 – OTHER COMMENTS (to be completed by HDB)

Signature, name and designation of HDB Officer

Date

IMPORTANT NOTICE

The information provided above is:

- (1) accurate as at the date stated above and is subject to changes from time to time in accordance with HDB's prevailing policies at the relevant point in time; and*
- (2) based on the information provided by the parties.*

Form 23C

**STANDARD QUERY TO THE HOUSING & DEVELOPMENT BOARD ON HDB
MATRIMONIAL ASSET (AGREEMENT FOR LEASE OF HDB FLAT)**

AT –

(state address of the HDB matrimonial asset)

Sales Registration No.: _____

(hereinafter called “the flat”)

PART 1 – PARTICULARS OF PARTIES (To be completed by party making the enquiry)	
Name of Plaintiff	
NRIC No.	
Name of Defendant	
NRIC No.	
Nature of writ	Writ for Divorce / Annulment *
Name of Solicitor for Plaintiff /Defendant *	
(specify the name of the solicitor representing the party who is making the enquiry)	
Solicitor's address	
(if there is no solicitor, state the address of the party who is making the enquiry)	
Fax No.	
(HDB's replies will be sent by fax or ordinary post to this address and number.)	
Contact No.	

* Delete where inapplicable.

Instruction to party making the enquiry: Please complete the address and sale registration number of the flat in subsequent pages

Address & sale registration number of the flat: _____

PART 2 - PARTICULARS OF THE FLAT (to be completed by HDB)										
Names of purchaser(s)	<i>Name</i>	<i>Relationship with Purchaser 1</i>								
	1	Self								
	2									
	3									
	4									
Names of permitted occupiers and their relationship with Purchaser 1.	<i>Name</i>	<i>Relationship with Purchaser 1</i>								
	1									
	2									
	3									
	4									
Holding Type	<input type="checkbox"/> Sole owner/tenant <input type="checkbox"/> Joint Tenancy <input type="checkbox"/> Tenancy in common in the following shares: <div style="text-align: right; margin-right: 20px;"><u>Share</u></div> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding-right: 20px;">Lessee 1</td> <td>_____</td> </tr> <tr> <td style="padding-right: 20px;">Lessee 2</td> <td>_____</td> </tr> <tr> <td style="padding-right: 20px;">Lessee 3</td> <td>_____</td> </tr> <tr> <td style="padding-right: 20px;">Lessee 4</td> <td>_____</td> </tr> </table> <input type="checkbox"/> Others (<i>please specify</i>): _____		Lessee 1	_____	Lessee 2	_____	Lessee 3	_____	Lessee 4	_____
Lessee 1	_____									
Lessee 2	_____									
Lessee 3	_____									
Lessee 4	_____									
Type of Flat	<input type="checkbox"/> 1-room <input type="checkbox"/> 2-room <input type="checkbox"/> 3-room <input type="checkbox"/> 4-room <input type="checkbox"/> 5-room <input type="checkbox"/> Executive <input type="checkbox"/> Others (<i>please specify</i>): _____									

Address & sale registration number of the flat: _____

PART 3 - PARTICULARS OF THE AGREEMENT FOR LEASE (to be completed by HDB)			
Address of flat			
Selling price			
Date Agreement signed			
Estimated date of physical completion			
Keys available	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Deposit	Purchaser 1	Purchaser 2	Cash paid : \$
	CPF \$	CPF \$	
	Purchaser 3	Purchaser 4	
	CPF \$	CPF \$	
Stamp Fee	Purchaser 1	Purchaser 2	Cash paid: \$
	CPF \$	CPF \$	
	Purchaser 3	Purchaser 4	
	CPF \$	CPF \$	
Conveyancing fee (inclusive of GST)	Purchaser 1	Purchaser 2	Cash paid: \$
	CPF \$	CPF \$	
	Purchaser 3	Purchaser 4	
	CPF \$	CPF \$	

Note:

No loan has been granted by the HDB as the purchasers have not taken possession of the flat.

Address & sale registration number of the flat: _____

PART 4 - TRANSFER OF AGREEMENT FOR LEASE

**Part 4.1 – Transfer of agreement for lease
(to be completed by the party making the enquiry)**

- | | |
|--|---|
| <p>(i) Where the parties have agreed on custody of the children, state which parent has the sole custody of the children.</p> <p>(ii) Where the parties have agreed on joint custody of the children, state which parent has care and control of the children</p> <p>(iii) If the proposed purchaser(s) of the flat is/are known, furnish the following information:</p> | <p><input type="checkbox"/> Plaintiff.</p> <p><input type="checkbox"/> Defendant.</p> <p><input type="checkbox"/> No agreement has been reached.</p> <p><input type="checkbox"/> Plaintiff.</p> <p><input type="checkbox"/> Defendant.</p> <p><input type="checkbox"/> No agreement has been reached.</p> |
|--|---|

Proposed Purchasers:

Name	NRIC/ FIN	Relation- ship	Marital status	Date of birth	Age	Citizen- ship	Occupation	In- come@	Contact No.
1		Self							
2									
3									
4									

Proposed occupiers who will be residing in the flat:

Name	NRIC/ FIN	Relation- ship	Marital status	Date of birth	Age	Citizen- ship	Occupation	In- come@	Contact No.
5									
6									
7									
8									

- | | |
|---|--|
| <p>(iv) Has any of the proposed purchasers or occupiers disposed of any private property#, whether in Singapore or overseas, within the last 30 months? If so, state the address, property type, share and value.</p> <p>(v) Has any of the proposed purchasers or occupiers previously sold two or more HDB flats in the open market?</p> <p>(vi) Has any of the proposed purchasers or occupiers inherited any share/interest in any HDB flat or private property#, whether in Singapore or overseas? If so, state the address, property type, share and value.</p> | <p><input type="checkbox"/> Yes (<i>give details</i>): _____</p> <p>_____</p> <p><input type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes (<i>specify who</i>): _____</p> <p>_____</p> <p><input type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes (<i>give details</i>): _____</p> <p>_____</p> <p><input type="checkbox"/> No.</p> |
|---|--|

@ Gross monthly income

Includes HUDC and Executive Condominiums

**Part 4.2 – Transfer of the Agreement For Lease
(to be completed by HDB)**

(1) Can the agreement for lease be transferred to the Plaintiff? If not, what are the eligibility conditions for the Plaintiff to retain the agreement for lease?

- Yes, based on the information supplied in Part 4.1.
 - No, based on the information supplied in Part 4.1 / insufficient information given*.
- The general eligibility conditions for the Plaintiff to retain the agreement for lease are set out in: _____
- _____

(2) Is the Plaintiff eligible for a loan from HDB when he takes possession of the flat? If not, what are the criteria for obtaining a loan?

- Yes, based on the information supplied in Part 4.1.
 - No, based on the information supplied in Part 4.1 / insufficient information given*.
- The general eligibility conditions for the Plaintiff to obtain a loan are set out in: _____
- _____

(3) Can the agreement for lease be transferred to the Defendant? If not, what are the eligibility conditions for the Defendant to retain the agreement for lease?

- Yes, based on the information supplied in Part 4.1.
 - No, based on the information supplied in Part 4.1 / insufficient information given*.
- The general eligibility conditions for the Defendant to retain the agreement for lease are set out in: _____
- _____

(4) Is the Defendant eligible for a loan from HDB when he takes possession of the flat? If not, what are the criteria for obtaining a loan?

- Yes, based on the information supplied in Part 4.1.
 - No, based on the information supplied in Part 4.1 / insufficient information given*.
- The general eligibility conditions for the Defendant to obtain a loan are set out in: _____
- _____

* Delete where inapplicable.

Signature, name & designation of HDB officer

Date

Address & sale registration number of the flat: _____

PART 5 – TERMINATION OF AGREEMENT FOR LEASE

(to be completed by HDB)

- | | |
|---|--|
| <p>(1) Will the deposit be forfeited? If so, how much will be forfeited?</p> <p>(2) How much will be refunded to each party upon the termination of the agreement for lease?</p> <p>(3) Are there any other payments made by each party which will not be refunded?</p> | <p><input type="checkbox"/> Yes, the amount forfeited will be \$_____.</p> <p><input type="checkbox"/> No.</p> |
|---|--|

Signature, name & designation of HDB officer

Date

Address & sale registration number of the flat: _____

PART 6 – OTHER INFORMATION
(to be completed by HDB)

Part 6(1): Purchase of another HDB flat directly from HDB

- (1) Are parties eligible to buy another HDB flat directly from HDB in the event that the agreement for lease is terminated?
- (2) Where the agreement for lease is transferred to one party, is the outgoing party eligible to buy another HDB flat directly from HDB?

(Please state the eligibility conditions, if any.)

Signature, name & designation of HDB officer

Date

Address & sale registration number of the flat: _____

PART 6 – OTHER INFORMATION
(to be completed by HDB)

Part 6(2): Purchase of another HDB flat in the open market

- (1) Are parties eligible to buy another HDB flat in the open market the event that the agreement for lease is terminated?
- (2) Where the agreement for lease is transferred to one party, is the outgoing party eligible to buy another HDB flat in the open market?

(Please state the eligibility conditions, if any.)

Signature, name & designation of HDB officer

Date

Address & sale registration number of the flat: _____

PART 6 – OTHER INFORMATION
(to be completed by HDB)

Part 6(3): Rental of HDB flat from HDB

- (1) Are parties eligible to rent an HDB flat from HDB in the event that the agreement for lease is terminated?
- (2) Where the agreement for lease is transferred to one party, is the outgoing party eligible to rent an HDB flat from HDB?

(Please state the eligibility conditions, if any.)

Signature, name & designation of HDB officer

Date

Address & sale registration number of the flat: _____

PART 7 – OTHER COMMENTS (to be completed by HDB)

Signature, name & designation of HDB Officer

Date

IMPORTANT NOTICE

The information provided above is:

- (1) accurate as at the date stated above and is subject changes from time to time in accordance with prevailing HDB's policies at the relevant point in time; and*
- (2) based on the information provided by the parties.*

Form 23D

STANDARD QUERY TO THE CENTRAL PROVIDENT FUND BOARD

(Applicable for CPF Members aged 55 years and above only)

Name: _____

Address : _____

(Please specify the name and address of the CPF member or his/her solicitors. The reply from the CPF Board will be sent to this address.)

PART A *(To be completed by CPF Member or his/her solicitors.)*

Name of CPF member:	
CPF Account No:	
Name of CPF member's spouse:	
CPF Account No. of CPF member's spouse:	
Date of Birth of CPF member:	
Age of CPF member:	
The HDB matrimonial asset ("the flat")	<input type="checkbox"/> <i>(state address)</i> _____ _____ <input type="checkbox"/> The CPF member has an agreement for lease with the HDB and has not taken possession of the flat.
Name and address of CPF member's solicitors	
_____	_____
Date	Name and Signature of CPF member/solicitors

PART B (To be completed by the CPF Board)

CPF Account Number: _____

Query 1	Were CPF funds used for the purchase of the flat or for financing the purchase of the flat or for the payment of approved upgrading works carried out by HDB? If yes, what is the principal sum utilised and accrued interest on the principal sum utilised?
Answer:	No. <input type="checkbox"/>
	Yes, as at (<i>specify date</i>): _____ <input type="checkbox"/>
	<i>Amount</i>
Principal sum utilised	\$ _____
Accrued interest on the principal sum utilised	\$ _____
Query 2	Did the CPF member pledge the flat in lieu of setting aside the Minimum Sum or any part thereof in his/her CPF Retirement Account? If yes, what is the pledged Minimum Sum and accrued interest on the pledged Minimum Sum?
Answer:	No. <input type="checkbox"/>
	Yes, as at (<i>specify date</i>): _____ <input type="checkbox"/>
	<i>Amount</i>
Pledged Minimum Sum to be refunded	\$ _____
Accrued interest to be refunded	\$ _____
Query 3	Does the CPF member have any Minimum Sum deficiency (for bankrupts) and if yes, how much is it?
Answer:	No. <input type="checkbox"/>
	Yes, as at (<i>specify date</i>): _____ <input type="checkbox"/>
	<i>Amount</i>
Minimum Sum deficiency	\$ _____

⊗Notes:

1. On the refund requirements, please refer to section 21B of the Central Provident Fund Act (Cap. 36), the provisions of the Central Provident Fund (Revised Minimum Sum Scheme) Regulations/Central Provident Fund (Minimum Sum Scheme) Regulations and the relevant regulations of the Central Provident Fund (Approved Housing Schemes) Regulations.
2. Please obtain fresh statements from the CPF Board on the amount to be refunded into the CPF member's CPF account when the date of sale/transfer/assignment/otherwise disposal of the flat has been finally determined.

Other comments

Name and designation of CPF Board officer

Date

Signature of CPF Board officer

Form 24A

FIRST STATUS CONFERENCE NOTICE TO PLAINTIFF

Date:

To: Plaintiff's Solicitors

STATUS OF [*case number*]

1. You are directed to set down the above case for hearing by [*date*] if pleadings are closed¹ by then.
2. If pleadings are not likely to be closed by [*date*], you must inform the Court of the status of the case within 7 days of this Registrar's Notice. Please use the standard status form as prescribed in Form 24B of the Subordinate Courts Practice Directions.

Registrar

cc Defendant /Defendant's counsel

¹ i.e. when all the written statements regarding the parties' claims/defences have been filed.

Form 24B

**INFORMATION FROM PLAINTIFF TO FAMILY COURT
ON STATUS OF WRIT**

To: Registrar
Family & Juvenile Division
Subordinate Courts

INFORMATION ON STATUS OF WRIT	
Case Number:	D No.
Date:	
<p>The status of the case is as follows:</p> <ul style="list-style-type: none"><input type="checkbox"/> We are attempting personal service of the papers on _____ (<i>name</i>). We will complete our service attempts by _____ (<i>date</i>).<input type="checkbox"/> We will file our application for substituted service/dispensation of service by _____ (<i>date</i>).<input type="checkbox"/> Our application for substituted service/dispensation of service has been fixed for hearing on _____ (<i>date</i>).<input type="checkbox"/> We are negotiating a settlement.<input type="checkbox"/> We seek a mediation / counselling / joint conference* date. We have exchanged settlement proposals and the parties agree to attend mediation / counselling / joint conference *.<input type="checkbox"/> The parties are attempting reconciliation.<input type="checkbox"/> Others (please specify details): _____ _____	

Signature of solicitor
Name of Solicitor for Plaintiff:
Name of Law Firm:

cc Defendant / Defendant's solicitors

** Delete where inapplicable*

<p><u>FOR OFFICIAL USE ONLY</u></p> <p>We note the contents above. The Status Conference is fixed for _____ _____(<i>date, time, chamber</i>). You are required to be present in Court on the above date for directions on the further conduct of the matter.</p> <p>Deputy Registrar Family and Juvenile Justice Division Subordinate Courts</p> <p>cc Defendant / Defendant's counsel</p>
--

Form 24C

**SECOND STATUS CONFERENCE NOTICE TO PLAINTIFF
(WHERE THERE IS NO REPLY FROM PLAINTIFF)**

Date:

To: Plaintiff's Solicitors

STATUS OF [CASE NUMBER]

1. We refer to the Registrar's Notice dated _____ where you were directed to set down the above case for hearing by *[date]*.
2. We note that the case has not been set down for hearing and you have also not replied to us in the form as directed by the Registrar's Notice.
3. You are directed to set down the said case for hearing by *[date]*, failing which you is required to attend a Status Conference on *[date, time, chamber]*.

Registrar

cc Defendant / Defendant's counsel

Form 25A

**AFFIDAVIT OF EVIDENCE IN CHIEF
(FOR PLAINTIFF PROCEEDING ON THE STATEMENT OF CLAIM IN
UNCONTESTED MATRIMONIAL PROCEEDINGS)**

(Title as in action)

I, [state *name, address and description of deponent*], make oath/affirm* and say as follows:

1. I am the Plaintiff in this action.
2. Where the facts set out in this affidavit are within my personal knowledge, they are true. Where they are not within my personal knowledge, they are true to the best of my knowledge, information and belief.
3. I crave leave of this Court to refer to the Statement of Claim and Statement of Particulars filed in this action.
4. I now confirm that the facts pleaded in the Statement of Claim and Statement of Particulars are true and correct.

[Sworn (or affirmed) as in Form 78 in the Rules of Court.]

Form 25B

**AFFIDAVIT OF EVIDENCE IN CHIEF
(FOR DEFENDANT PROCEEDING ON THE COUNTERCLAIM IN
UNCONTESTED MATRIMONIAL PROCEEDINGS)**

(Title as in action)

I, [state *name, address and description of deponent*], make oath/affirm* and say as follows:

1. I am the Defendant in this action.
2. Where the facts set out in this affidavit are within my personal knowledge, they are true. Where they are not within my personal knowledge, they are true to the best of my knowledge, information and belief.
3. I crave leave of this Court to refer to the Counterclaim filed in this action.
4. I now confirm that the facts pleaded in the Counterclaim are true and correct.
5. Annexed hereto as "A" is a copy of the Marriage Certificate. (*only applicable if proceeding on the Counterclaim solely*)

[Sworn (or affirmed) as in Form 78 in the Rules of Court.]

Form 26A

**REQUEST FOR DISPENSATION OF PARTIES' ATTENDANCE AT THE
UNCONTESTED DIVORCE HEARING**

Date

To: Registrar
Family and Juvenile Court, Singapore

DIVORCE SUIT NO. _____ OF _____
TITLE AS IN ACTION

**REQUEST FOR DISPENSATION OF PARTIES' ATTENDANCE AT THE
UNCONTESTED DIVORCE HEARING**

- 1 a) We act for the Plaintiff in the above proceedings. M/s _____ acts for the Defendant or Defendant acts in person*. We write to confirm that the above divorce will proceed on an uncontested basis as (*please tick all the applicable paragraphs*)
- (i) the Defendant has filed an Memorandum of Appearance indicating the Defendant is not contesting the divorce; or
 - (ii) an Order for Dispensation of Service on the Defendant was granted on _____; or
 - (iii) Acknowledgment of Service/Affidavit of Service* has been filed on _____ and Defendant did not enter appearance; or
 - (iv) Defendant had failed to file the Defence within the timelines stated in the Matrimonial Proceedings Rules (Cap. 353 R4); or
 - (v) both parties have agreed that the divorce will proceed on an uncontested basis on the Claim/and Counterclaim*

(to use the following paragraph if proceeding on the Counterclaim only)

- b) We act for the Defendant in the above proceedings. M/s _____ acts for the Plaintiff or Plaintiff acts in person*. We write to confirm that the above divorce shall proceed on an uncontested basis as:-
- (i) both parties have agreed that the divorce will proceed on an uncontested basis on the Counterclaim; or
 - (ii) the Plaintiff has failed to file the Defence to Counterclaim within the timelines stated in the Matrimonial Proceedings Rules
- 2 We confirm as follows:
- (a) **Grounds of Divorce:**
- (i) adultery by Plaintiff and/or Defendant*
 - (ii) unreasonable behaviour by Plaintiff and/or Defendant*
 - (iii) 2 years' desertion by Plaintiff/Defendant*
 - (iv) 3 years' separation with consent

- (v) 4 years' separation.

Ancillary Matters

- (b) (i) There are no ancillary matters to be adjourned to be heard in Chambers.
(ii) All of the ancillary matters have been agreed and the Draft Consent Order has been filed on _____(date).
(iii) Some of the ancillary matters have been agreed and the Draft Consent Order has been filed on _____(date) and Prayers (__) to (__) of the Statement of Claim/Counterclaim are to be adjourned to be heard in Chambers. We request for:-
 - ___ weeks to file and exchange the Affidavit of Assets and Means and an APTC (JOL/non-JOL*) to be fixed; or
 - A mediation session as both parties have agreed to attend.(iv) The ancillary matters have not been agreed and Prayers (__) to (__) of the Statement of Claim/Counterclaim are to be adjourned to be heard in Chambers. We request for:-
 - ___ weeks to file and exchange the Affidavit of Assets and Means and an APTC (JOL/non-JOL*) to be fixed; or
 - A mediation session as both parties have agreed to attend.

3 We confirm that parties will not be making any further applications (e.g. abridgment of time, cost, withdrawal or amendment of pleadings etc.).

4 Parties understand that the Court may not make the required orders as requested if any of the papers are not in order, in which case a further hearing (in open court or in chambers with counsels present) will be scheduled.

Signature

Name of Solicitor for the Plaintiff/Defendant*

Name of Law Firm

cc Solicitor for the Defendant/Plaintiff or Defendant-in-person/Plaintiff-in-person*

*Delete where inapplicable

Form 26B

**REQUEST FOR UNCONTESTED DIVORCE HEARING
IN OPEN COURT**

Date

To: Registrar
Family and Juvenile Court, Singapore

DIVORCE SUIT NO. _____ OF _____
TITLE AS IN ACTION

**REQUEST FOR SETTING DOWN ACTION FOR TRIAL ON AN UNCONTESTED
BASIS (FOR HEARING IN OPEN COURT)**

1. We refer to the above divorce which will be heard on an uncontested basis.
2. Parties wish to apply for an exemption pursuant to Paragraph 102 of the Subordinate Courts Practice Directions (2006 Ed.).
 - (a) The special grounds in support of our client's application for exemption are as follows:-
 - (b) The supporting documents (if any) are as follows and attached herein:-
 - (c) Please approve the aforesaid application and fix the matter for Hearing in Open Court.

Signature

Name of Solicitor for the Plaintiff/Defendant*

Name of Law Firm

cc Solicitor for the Defendant/Plaintiff or Defendant-in-person/Plaintiff-in-person*

*Delete where inapplicable

For official use: Approved/Not approved

Signed:

Date:

Form 27

AFFIDAVIT OF ASSETS AND MEANS

(Title as in action)

A. Party Swearing or Affirming this Affidavit:

Name:

Age:

Address:

Contact Number:

I am the Plaintiff/Defendant* in the above matter. I *[make oath and say/affirm that*]* the contents of this Affidavit of Assets and Means are true and correct to the best of my knowledge, information and belief. All the information stated in this Affidavit of Assets and Means is accurate as at *[to state date]*. I have made full and frank disclosure of my assets and means in this Affidavit of Assets and Means, to the best of my knowledge, information and belief, and have no other assets and means aside from what has been disclosed in this Affidavit.

Summary of Relevant Information on Ancillary Matters

1. Minor Child(ren) – *Please list down the names and ages of all your minor child(ren)*

Name of Child(ren)	Age of Child(ren)

2. Income and Occupation – *Please state your occupation and average monthly income*

Occupation	
Average monthly income	

3. List of Assets – *Please list all your assets and their value (in Singapore dollars). If you do not know the value, please provide an estimate of the value.*

Assets	Value (in Singapore dollars)
	Total:

4. List of Liabilities – *Please list all your liabilities and the amount (in Singapore dollars). If you do not know the amount, please provide an estimate of the amount.*

Liabilities	Amount (in Singapore dollars)
-------------	-------------------------------

	<u>Total:</u>

B. Financial Issues

I. Assets and Means

1. I am/am not* an undischarged bankrupt.

[If you are an undischarged bankrupt, state the date of the bankruptcy order, and the bankruptcy number.]

Work Particulars

2. My occupation is:

3. I am an employee*.

[State the following information in respect of each employer.]

(a) The name and address of my employer is:

(b) My designation is:

(c) My gross monthly income (including salary, allowances, commissions and bonuses) is:

(d) My take-home monthly income (including salary, allowances, commissions and bonuses) is:

4. I am self-employed*.

[State the following information in respect of each of your businesses.]

(a) The name and address of my business is:

(b) It is a sole proprietorship/partnership*.

(c) Nature of business:

(d) My monthly income is:

(e) The estimated value of my business is:

5. I am unemployed*.
- (a) Before becoming unemployed, I was an employee.
- (i) My last drawn gross monthly income (including salary, allowances, commissions, benefits and bonuses) on [*to state date*] was:
- (ii) The name and address of my previous employer is:
- (b) Before becoming unemployed, I was self-employed*.
- (i) The name and address of my business was:
- (ii) It was a sole proprietorship/partnership*.
- (iii) Nature of business:
- (iv) Status of business [*e.g. whether business terminated at Accounting and Corporate Regulatory Authority (ACRA), and if so, to state date of termination*]:
- (v) My monthly income on [*to state date*] was:
6. Aside from my income from my employment/business*, I have the following/I do not have any additional* sources of income²:

S/No.	Source of Income	Amount (S\$)

Particulars of my immovable properties situated in Singapore or overseas.

7. I own the following/do not own any* immovable properties:
- [*State in relation to each property*]
- (a) Address of property owned:
- (b) Whether title to the land is registered or unregistered, and if registered, the Certificate of Title (CT/SSCT/SCT*) number

² This would include rental income from any immovable property owned by you.

- (c) Names of joint-owners (if any) and the manner in which the property is held, i.e. whether as joint tenants or tenants in common:
- (d) Names of mortgagee/chargee (if any), and amounts outstanding to each mortgagee/chargee
- (e) Value/Estimated value* of property as at [*to state date*]:
- (f) Amount of monthly mortgage payment and how payment is made (i.e. CPF or cash):

Particulars of motor vehicles in Singapore or overseas*

8. I own a/do not own any* motor vehicle/more than one motor vehicle. The particulars of the motor vehicle(s) are as follows:

[State in relation to each motor vehicle.]

- (a) The registration number and make of the motor vehicle is:
- (b) The motor vehicle(s) is/are* on hire purchase.
- (c) The name of the hire purchase company is:
- (d) The estimated value of the motor vehicle as at [*to state date*] is:
- (e) The amount outstanding on the hire purchase agreement is:

9. The motor vehicle is no longer in my possession*. The reason is that:

Particulars of my insurance policies in Singapore or overseas*

10. I have the following/do not have any* insurance policies:

[State in relation to each insurance policy.]

- (a) Name of insurer:
- (b) Type of policy:
- (c) Policy Number:
- (d) Amount insured:
- (e) The beneficiary or beneficiaries under the insurance policy is/are*:
- (f) Surrender value (if any) as at [*to state date*]:

Particulars of my shares, unit trusts, etc. in Singapore or overseas*:

11. I own/do not own* shares, warrants, bonds, stock options, and/or* unit trusts.

- (a) Shares (including shares purchased with Central Provident Fund monies), warrants, bonds, stock options, etc.

The name(s) of the company/companies* in which I hold shares, warrants, bonds or stock options, and the amount of shares, warrants, bonds or stock options which I hold are as follows:

S/No.	Company Name	No. of Shares, warrants, bonds, stock options, etc.	Estimated value as at: <i>[to state date]</i>

- (b) Unit Trusts

The name of the unit trusts, the financial institution managing them, and the number of units I hold are as follows:

S/No.	Unit Trust	Financial Institution	No. of Units	Estimated value as at: <i>[to state date]</i>

Particulars of my bank accounts in Singapore or overseas*

12. I have the following/do not have any* bank accounts (held solely and/or jointly) and/or* safe deposit boxes:

S/No.	Bank Name and Account Number	Account Type ²	Balance as at <i>[to state date]</i>	Joint Account Holder's Name (if any)

² i.e. Savings, Current, Fixed Deposit, Overdraft, Safe Deposit Box, etc.

Particulars of my Central Provident Fund (“CPF”) monies

13. I have the following/do not have any* amounts in my CPF account as at *[to state date]*:
- (a) Ordinary account:
 - (b) Medisave account:
 - (c) Special account:
14. The details of the amount utilised from my CPF account towards the purchase of immovable property are as follows:
- (a) Address of immovable property:
 - (b) Amount withdrawn as at *[to state date]*:
 - (i) Principal:
 - (ii) Interest:

Other Assets

15. I own the following/do not own any* other assets:
- [(a) If you own any other assets, savings or investments not listed thus far (e.g. antiques, collectibles, jewellery, paintings), please state the same and the estimated value.*
 - (b) If you are a member (whether in Singapore or overseas) of any golf, social or recreational clubs of value, please state the same and the estimated value.]*

My Monthly Expenses

16. I have the following personal expenses each month (for example):
- (a) Food:

- (b) Transport:
- (c) Utilities (water, gas and electricity):
- (d) Telephone/Internet/mobile phone/pager charges:
- (e) Rent:
- (f) Others (please specify):

17. My monthly expenses for the children who are dependent on me are as follows:

[State in relation to each child.]

- (a) Name of Child:
- (b) Age of Child:
- (c) Food:
- (d) School Fees:
- (e) Transport:
- (f) Others (please specify):

18. I have the following persons who are financially dependent on me (excluding my children):

[State in relation to each dependent.]

- (a) Name of dependent:
- (b) Age:
- (c) Relationship:
- (d) Amount set aside each month for dependent:
- (e) Reason for dependency:
- (f) Names of other persons supporting my dependents:

Particulars of my Creditors (i.e. people whom I owe money to)

19. My creditors³ are as follows/I do not have any creditors*:

[State in relation to each creditor.]

- (a) Name of creditor:
- (b) Amount owed as at *[to state date]*:

20. Legal proceedings have been commenced against me by the following creditors:

[State in relation to each creditor.]

- (a) Name of creditor:

³ Your creditors include government bodies such as the Inland Revenue Authority of Singapore (IRAS), the Central Provident Fund Board (CPF), the Housing Development Board (HDB), etc.

- (b) Suit No.:
- (c) Status of action:

II. Contributions to the Matrimonial Assets

Direct financial contributions

21. I have made the following/I have not made any* direct financial contributions towards the acquisition or improvement of the matrimonial asset(s) :

[State in relation to each matrimonial asset.]

Indirect contributions

22. I have made the following/I have not made any* indirect financial and non-financial contributions towards the family during the course of the marriage:

[State the nature of the indirect financial and non-financial contributions made.]

III. Proposal Regarding the Division of Matrimonial Assets and Maintenance

Division of Housing Development Board Flat (if applicable) (only to be filled in if you have not filed a Proposed Property Plan, or if you would like to change your proposal from what you have originally set out in your Proposed Property Plan.)

23. My proposal for the division of the matrimonial HDB flat is as follows:
- Option 1: The flat will be surrendered to the HDB.
 - Option 2: The Agreement for Lease with the HDB will be terminated.
 - Option 3: The flat will be sold in the open market.
 - Option 4: The other party's share in the flat will be sold/transferred* to:
 - Myself
 - Myself and *[state name and relationship with yourself]*:
 - A third party *[state name and relationship with yourself/the other party]*:
 - Option 5: My share in the flat will be sold/transferred* to:
 - The other party

- The other party and [state name and relationship with the other party]:
 - A third party [*state name and relationship with the other party/yourself*]:
- Option 6: Others (please state brief details)

Particulars of my proposal are attached to this Affidavit of Means.

[To fill in Option 1, 2, 3, 4, 5 and/or 6 as set out in Form 13 of the Women's Charter (Matrimonial Proceedings) Rules (Cap. 353 R4), and to remove the relevant pages and attach the same to this Affidavit of Means.]*

Division of the matrimonial assets

24. My proposal on the division of the matrimonial assets is as follows/There are no matrimonial assets:

[State proposal on the division of the matrimonial assets, giving reasons, if any.]

Proposal on Maintenance

25. My proposal on maintenance is as follows:

[State proposal on maintenance for wife and/or children, giving reasons, if any.]

IV. Any Other Issues/Information

26. *[State any further issues and information.]*

* as amended by the Women's Charter (Matrimonial Proceedings) (Amendment) Rules 2013

C. Children's Issues

27. [State issues and information on custody, care and control of and access to the child/children.]

D. Supporting Documents

28. I am exhibiting the following documents in support of my affidavit⁴:

[Circle the relevant items and state the relevant exhibit number for each item.]

- Pay-slips for *[state time frame]*
- Contract of employment/Letter from employer confirming salary
- Notices of Assessment from the Inland Revenue Authority of Singapore (IRAS) dated *[to state date]*
- ACRA search dated *[to state date]* (in respect of the business(es) I own)
- Valuation report(s) for immovable property/properties (in respect of properties listed in paragraph 7 above)
- Tenancy agreement(s)
- Hire purchase agreement(s) (in respect of the vehicles listed in paragraph 8 above)
- Insurance policies/letters from insurance companies showing the surrender values of the insurance policies (in respect of insurance policies listed in paragraph 10 above)
- Central Depository (Pte) Ltd (CDP) statement(s) dated *[to state date]*
- Central Provident Fund (CPF) Investment account statement(s) dated *[to state date]*
- Bank statement(s) for *[state time frame]*
- CPF statement(s) dated *[to state date(s)]* on contribution to purchase of immovable property
- CPF statement(s) dated *[to state date(s)]* on balances in Special, Medisave and Ordinary Accounts

⁴ Please note that the list of documents in this section is intended as a guide only. It is not intended to set a minimum standard, nor to be an exhaustive list, in relation to each party's duty to disclose all relevant information and documents in this matter. The extent of disclosure which must be made in each case will depend on the facts of that case. Parties must exercise their own minds regarding the extent of disclosure to be made in the light of these facts, and in accordance with their duty of disclosure under Rules 25 and 31 of the Women's Charter (Matrimonial Proceedings) Rules*.

* as amended by the Women's Charter (Matrimonial Proceedings) (Amendment) Rules 2013

- Renovation receipt(s)
- Receipt(s) evidencing payment for furnishings
- Receipts supporting expenses, e.g. utilities bills, telephone bills, conservancy charges, school fees, etc.
- Others (please specify)

VI. Affidavit**

Sworn/Affirmed* at Singapore on *[to state date]* by *[to state name and NRIC Number]* through the interpretation of*: *[to state name]* in *[to state language]*

Before me,

Signed:

Commissioner for Oaths

*Delete where inapplicable

** The form of the jurat should follow the appropriate form in Form 78 of the Rules of Court

Form 28

**ORIGINATING SUMMONS FOR LEAVE UNDER SECTION 121D OF THE
WOMEN'S CHARTER (CHAPTER 353)**

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF. No.)
of 20)

In the Matter of Section 121D of the Women's Charter
(Chapter 353)

Between

(ID No.:) ... Plaintiff

And

(ID No.:) ... Defendant

ORIGINATING SUMMONS

To : The Defendant(s)
 [Name]
 of [Address]

The Plaintiff applies for the following orders :

1. That leave be granted to the Plaintiff to file an application for financial relief against the Defendant under Section 121B of the Women's Charter;
2. Any such further or other order as this Honourable Court deems fit;
3. Costs.

Dated this day of 20

Registrar

Memorandum to be subscribed on the summons

- 1. If you intend to contest the application or any part of it, you are required to file an affidavit stating the grounds of your objection within 21 days of service after the date on which you were served with this summons.*
- 2. If you do not attend personally or by your counsel or solicitor at the time and place stated in this summons, such order may be made as the Court may think just and expedient.*
- 3. This summons is filed by [name of firm], the solicitor for the said plaintiff whose address is [address].
(or where the plaintiff sues in person)
*This summons is filed by the said plaintiff who resides at [address] and is (state occupation) and (if the plaintiff does not reside within the jurisdiction) whose address for service [address].**
- 4. This summons may not be served more than 6 months after the above date unless renewed by order of the Court.*
- 5. Unless otherwise provided in any written law, where the plaintiff intends to adduce evidence in support of an originating summons he must do so by affidavit, and must file the affidavit or affidavits and serve a copy thereof on every defendant within 7 days from the service of the originating summons.*

Form 28A

**PLAINTIFF'S AFFIDAVIT FOR LEAVE UNDER SECTION 121D OF THE
WOMEN'S CHARTER (CHAPTER 353)**

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF. No.)
of 20)

In the Matter of Section 121D of the Women's Charter
(Chapter 353)

Between

(ID No.:) ... Plaintiff

And

(ID No.:) ... Defendant

AFFIDAVIT

I, (Name of deponent), of (address of deponent), do make oath (or affirm)* and say as follows:

1. I am the Plaintiff and I make this affidavit in support of my application for leave to file an application for financial relief under Section 121B of the Women's Charter.

Parties' particulars (including details of marriage)

2. (Please provide parties' particulars and details of their marriage, including date and place of marriage).

Particulars relating to divorce, annulment or judicial separation

3. (Please provide particulars relating to the divorce, annulment or judicial separation and evidence that the divorce, annulment or judicial separation is recognised as valid in Singapore under Singapore law).

Particulars of children (if any)

4. (Please provide particulars of children including age, gender, and whether children are schooling or working).

Grounds on which the Court has jurisdiction to hear the application

5. (Please state which of the parties was domiciled in Singapore on the date of this application or which of the parties was domiciled in Singapore on the date the divorce, annulment or judicial separation was granted in the foreign country. Alternatively, which of the parties was habitually resident in Singapore for a continuous period of 1 year immediately preceding the date of filing this application or was resident in Singapore for a continuous period of 1 year immediately preceding the date on which the foreign divorce, annulment or judicial separation was granted.)

Foreign orders made and financial relief received by plaintiff and children

6. (Please state if there are any orders or agreements relating to financial relief made in relation to the foreign divorce, annulment or judicial separation and the details of the orders or agreements).
7. (Please state the extent to which the order or agreement has been complied with by the defendant).
8. (Please state if the plaintiff or a child of the marriage has received or is likely to receive any financial benefit in consequence of the divorce, annulment or judicial separation, by virtue of any agreement or the operation of the law of a foreign country and the details of the financial benefit)

Financial relief which had not been dealt with by the foreign order

9. (Please state if there are any rights of the plaintiff which has been omitted in the foreign order and the reason for the omission.)
10. (Please state the availability in Singapore of any matrimonial asset in respect of which an order under section 121G of the Women's Charter in favour of the applicant could be made).

Grounds for application

11. (Please state the grounds for application).

Attachments

12. I also attach herewith the following documents in support of my application:
 - a. a draft copy of the application to be filed under Section 121B;
 - b. a copy of the foreign decree of divorce or annulment of marriage or judicial separation;

- c. any relevant decision or order made by the foreign court requiring any party to the marriage to make payment to the other party or transfer any matrimonial asset to either of the parties or to a child of the marriage; and
- d. any relevant agreement relating to financial relief between the parties. I am praying for order in terms of the prayers sought in my application.

13. I am praying for order in terms of the prayers sought in my application.

SWORN (or AFFIRMED)* by the)
 Plaintiff at)
 on the day of)
 20)
 Through the interpretation of (name and)
 designation of person who interpreted) in)
 (language of interpretation)*)

Before me,

A Commissioner for Oaths

**Delete where inapplicable*

Form 28B

**PLAINTIFF'S AFFIDAVIT FOR APPLICATION UNDER SECTION 121B OF THE
WOMEN'S CHARTER (CHAPTER 353)**

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF. No.)
of 20)

In the Matter of Section 121B of the Women's Charter
(Chapter 353)

Between

(ID No.:) ... Plaintiff

And

(ID No.:) ... Defendant

AFFIDAVIT

I, [Name of deponent], of [address of deponent], do make oath (or affirm)* and say as follows:

1. I am the Plaintiff and I make this affidavit in support of my application.

Parties' particulars (including details of marriage)

2. (Please provide parties' particulars and details of their marriage (including date and place of marriage)).

Particulars relating to divorce, annulment or judicial separation

3. (Please provide particulars relating to the divorce, annulment or judicial separation).

Particulars of children (if any)

4. (Please provide particulars of children including age, sex, whether children are schooling or working).

Connection to Singapore

5. (Please state connection which the parties to the marriage have with Singapore).

Connection with country in which marriage was dissolved or annulled or in which judicial separation was obtained

6. (Please state the connection between parties and the country in which the marriage was dissolved or annulled or judicial separation was obtained).

Connection that parties have with any other foreign country

7. (Please state the parties' connection with any other foreign country).

Foreign orders made and financial relief received by plaintiff and children

8. (Please state if there are any orders or agreements relating to financial relief made in relation to the foreign divorce, annulment or judicial separation and the details of the orders or agreements).
9. (Please state the extent to which the order or agreement has been complied with by the defendant).
10. (Please state if the applicant or a child of the marriage has received or is likely to receive any financial benefit in consequence of the divorce, annulment or judicial separation, by virtue of any agreement or the operation of the law of a foreign country and the details of the financial benefit)

Financial relief which had not been dealt with by the foreign order

11. (Please state if there are any rights of the plaintiff which has been omitted in the foreign order.)
12. (Please state the availability in Singapore of any matrimonial asset in respect of which an order under section 121G in favour of the applicant could be made).

Extent to which any order under Section 121G is likely to be enforceable

13. (Please state the extent to which any order under Section 121G is likely to be enforceable).

Length of time elapsed

14. (Please state the length of time which has elapsed since the date of the foreign divorce, annulment or judicial separation and the reason for the time taken for this application).

Grounds for application

15. (Please state the grounds for application).

Attachments

16. I also attach herewith the following documents in support of my application:-
 - a. a copy of the foreign decree of divorce or annulment of marriage or judicial separation;

- b. any relevant decision or order made by the foreign court requiring any party to the marriage to make payment to the other party or transfer any matrimonial asset to either of the parties or to a child of the marriage; and
- c. any relevant agreement relating to financial relief between the parties.

17. I am praying for order in terms of the prayers sought in my application.

SWORN (or AFFIRMED) by the)
 Plaintiff at)
 on the day of)
 20)
 Through the interpretation of (name and)
 designation of person who interpreted) in)
 (language of interpretation)*)

Before me,

A Commissioner for Oaths

**Delete where inapplicable*

Form 29A

**NOTICE TO PRODUCE DOCUMENTS REFERRED TO
IN PLEADINGS OR AFFIDAVITS**

(Title as in action)

Take notice that the Plaintiff/Defendant/Other party [*to specify*]* requires you to produce for his inspection, the following documents referred to in your pleading (or affidavit) namely:

(Describe documents required and set them out in a table).

S/No.	Document	Filing date, name of pleading/ deponent of affidavit and number of affidavit in relation to the deponent*, in which document is referred to	Page and paragraph number of pleading/affidavit* where reference to document is made

*Delete where inapplicable

Dated this day of 20 .

Solicitor for the

To the Solicitor for

Form 29A(I)

NOTICE WHERE DOCUMENTS MAY BE INSPECTED

(Title as in action)

Take notice that the following documents mentioned in your notice of [to state date] may be inspected at [to state place of inspection] on the [to state date] between the hours of [to state times].*

(Describe documents which may be inspected and set them out in table form.)

S/No.	Document	Filing date, name of pleading/ deponent of affidavit and number of affidavit in relation to the deponent*, in which document is referred to	Page and paragraph number of pleading/affidavit* where reference to document is made

Take notice that the Plaintiff/Defendant/Other Party [to specify]* objects to giving inspection of the following documents mentioned in your notice of [to state date].*

(Describe documents in respect of which inspection is objected to, and set them out in table form, setting out the grounds of objection in respect of each document).

S/No.	Document	Filing date, name of pleading/ deponent of affidavit and number of affidavit in relation to the deponent*, in which document is referred to	Page and paragraph number where reference to pleading/ affidavit is made	Reasons for objection to inspection

*Delete where inapplicable

Dated this day of 20 .

Solicitor for the

To the Solicitor for

Form 29B

REQUEST FOR DISCOVERY

(Title as in action)

The Plaintiff/Defendant/Other Party [*to specify*]* is requested to state, pursuant to Rule 25(4) of the Matrimonial Proceedings Rules (Cap. 353 R4)**, in respect of each of the following documents, whether he is willing and able to provide discovery of the same, and, if so, to specify in what mode he is willing to provide such discovery (for example, by exhibiting the documents in an affidavit to be filed in court, by forwarding copies of the documents to the other party, by making the documents available to the other party for inspection):

(Describe the documents required and set them out in table form.)

S/No.	Document	Time-frame for which documents are requested (where applicable)	Reason for request	Paragraph(s) and page(s), filing date, deponent of affidavit (which relates to the request) and number of affidavit in relation to the deponent (where applicable)

*Delete where inapplicable

** as amended by the Women’s Charter (Matrimonial Proceedings) (Amendment) Rules 2013

Dated this day of 20 .

Solicitor for the

To the Solicitor for

Form 29B(I)

NOTICE IN RESPONSE TO REQUEST FOR DISCOVERY

(Title as in action)

The Plaintiff/Defendant/Other Party [*to specify*]* is willing and able to provide discovery of the following documents:*

(Describe the documents to be discovered and set them out in table form.)

S/No.	Document	Time-frame (where applicable)	Mode in which discovery will be provided

The Plaintiff/Defendant/Other Party [*to specify*]* is not willing and/or not able to provide discovery of the following documents*:

(Describe the documents which the party is not willing and/or not able to provide discovery of and set them out in table form.)

S/No.	Document	Time-frame (where applicable)	Reason for not being willing and/or able to provide discovery

*Delete where inapplicable

Dated this day of 20 .

Solicitor for the

To the Solicitor for

Form 29C

REQUEST FOR INTERROGATORIES

(Title as in action)

The Plaintiff/Defendant/Other Party [*to specify*]* is requested to answer the following interrogatories on affidavit, to the best of his knowledge, information and belief, pursuant to Rule 31 of the Matrimonial Proceedings Rules (Cap. 353 R4)**:

(Set out the interrogatories in the form of concise questions. Each interrogatory is to be set out in a separate paragraph and numbered consecutively, in table form.)

S/No.	Interrogatory	Reason for Interrogatory	Paragraph(s) and page(s), filing date, deponent of affidavit (which relates to the request) and number of affidavit in relation to the deponent (where applicable)

*Delete where inapplicable

** as amended by the Women’s Charter (Matrimonial Proceedings) (Amendment) Rules 2013

Dated this day of 20 .

Solicitor for the

To the Solicitor for

Form 29C(I)

NOTICE IN RESPONSE TO REQUEST FOR INTERROGATORIES

(Title as in action)

*The Plaintiff/Defendant/Other Party [*to specify*]* will answer the following interrogatories on affidavit, to the best of his knowledge, information and belief:

Items [*to specify*] listed in your request for interrogatories dated [*to state date*].

*The Plaintiff/Defendant/Other Party [*to specify*]* objects to answering the following interrogatories:

(Set out the interrogatories objected to, in table form.)

S/No.	Interrogatory	Reason for objection to the interrogatory

*Delete where inapplicable

Dated this day of 20 .

Solicitor for the

To the Solicitor for

Form 30A

APPLICATION FOR DISCOVERY

(Title as in action)

SUMMONS

1. [Format as in Form 4 of Matrimonial Proceedings Rules (Cap. 353 R4)**]

2. Orders Applied For

(a) That the Plaintiff/Defendant/Other Party [to specify]* be required :

(i) To state on affidavit, pursuant to Rule 25(1) of the Matrimonial Proceedings Rules**, in respect of each of the following documents, whether the same is in his possession, custody or power, and if not then in his possession, custody or power, when he parted with it and what has become of it;

(ii) To exhibit in the affidavit a copy of each of the said documents stated to be in his possession, custody or power, pursuant to paragraph (a)(i) above; and

(iii) In respect of each of the said documents stated not to be in his possession, custody or power, pursuant to paragraph (a)(i) above, to state the reasons why, together with supporting documentation for the explanation (if any).

(b) That the affidavit under paragraph (a) above is to be filed and served by [to state date].

(Describe the documents required and set them out in table form).

S/No.	Document	Time-frame for which documents are requested (where applicable)	Reason for request	Paragraph(s) and page(s), filing date, deponent of affidavit (which relates to the request) and number of affidavit in relation to the deponent (where applicable)

3. Etc. *[Format as in Form 4 of Matrimonial Proceedings Rules**]*

Dated this day of 20 .

Solicitor for the

To the Solicitor for

*Delete where inapplicable

** as amended by the Women's Charter (Matrimonial Proceedings) (Amendment) Rules 2013

Form 30B

APPLICATION FOR INTERROGATORIES

(Title as in action)

SUMMONS

1. *[Format as in Form 4 of Matrimonial Proceedings Rules** (Cap. 353 R4)]*

2. Orders Applied For

- (a) That the Plaintiff/Defendant/Other Party [*to specify*]* be required to answer the following interrogatories on affidavit, to the best of his knowledge, information and belief, pursuant to Rule 31 of the Matrimonial Proceedings Rules**.
- (b) That the affidavit under paragraph (a) above is to be filed and served by [*to state date*].

(Set out the interrogatories in the form of concise questions. Each interrogatory is to be set out in a separate paragraph and numbered consecutively, in table form.)

S/No.	Interrogatory	Reason for Interrogatory	Paragraph(s) and page(s), filing date, deponent of affidavit (which relates to the request) and number of affidavit in relation to the deponent (where applicable)

3. Etc. *[Format as in Form 4 of Matrimonial Proceedings Rules**]*

Dated this day of 20 .

Solicitor for the

To the Solicitor for

*Delete where inapplicable

** as amended by the Women’s Charter (Matrimonial Proceedings) (Amendment) Rules 2013

Form 31

**APPLICATION FOR THE APPOINTMENT OF EXPERT IN RESPECT OF
CUSTODY AND ACCESS ISSUES**

(Title as in action)

SUMMONS

1. Date and Time of Hearing before Judge in Chambers/Registrar* (*to be completed by the court*)
Date of Hearing:
Time of Hearing:

2. Orders Applied For
 - (a) A report is to be prepared by [*to state name of expert*] (“the expert”) to assist the court in resolving the custody and/or access* issues in this matter (“the report”) in relation to the following child/children* [*to state names and dates of birth of the children*]:
 - (b) The report is to be filed in court by [*to state date*], or such later time as the court may fix, upon application by any party.
 - (c) The costs of preparation of the report are to be borne by [*to state party bearing costs of preparation of the report and/or other arrangements for payment*].
 - (d) The issues to be addressed in the report, and the documents to be furnished to the expert, are to be as set out in the draft Letter of Instruction to Expert Witness annexed to this application (“the draft Letter”).
 - (e) A letter in the form of the draft Letter shall be sent to the expert by [*to state name of party*] (“the party writing to the expert”) on or before [*to state date*], which letter shall be copied to the court and all other relevant parties [*please specify*] to these proceedings.

(f) To facilitate investigations by the expert in respect of the report:

1. Each party to these proceedings is to furnish to the party writing to the expert, upon request, any information which is necessary in order to enable that party to complete Schedule 1 of the draft Letter. If the contact particulars stated in Schedule 1 change before the report is filed in court, the parties are to update the expert on the same within 3 working days of the said change(s), if this is within their knowledge.
2. The parties are to co-operate with the expert and comply with any and all requests made by the expert in the course of his/her investigations for the purposes of the report, including, but not limited to:
 - (i) allowing the other party free access to the child/children (notwithstanding any current orders for access or interim access) for the purpose of an interview by the expert;
 - (ii) attending all appointments made with the expert punctually;
 - (iii) allowing the child/children to be interviewed alone (i.e. not in the presence of any party), or with any other person as the expert sees fit, and otherwise examined or assessed by the expert; and
 - (iv) providing any information requested by the expert, for example, on one's educational history, family members, living arrangements.

If any of the orders in paragraph (f) above are not complied with, the expert may, unless the court otherwise orders, proceed to prepare the report with details of any party's non-compliance with the said orders, for the court's information, consideration and/or directions.

3. 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.

4. Party Filing this Summons (e.g. Plaintiff, Defendant, Co-Defendant, etc.)

5. Party/Parties* to be Served with this Summons (e.g. Plaintiff, Defendant, Co-

Defendant, etc.)*

6. Consent*

I/We* hereby consent to this Summons.

Signature:

Name and NRIC 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*]

Signed:

Registrar:

Date:

* Delete where inapplicable

Form 31A

LETTER OF INSTRUCTION TO EXPERT WITNESS

Dear *[To state name of expert]*

Re: *[Name of child/children]*
Divorce Suit No. *[to state number]*
Order for Custody/Access Evaluation Report

Date by which report has been ordered to be filed in court: *[to state date]*
Summary of the proceedings and applications

1. The particulars of the persons concerned in the above proceedings are listed in Schedule 1 annexed to this letter, with the date(s) of birth of the child/children, and the contact numbers of all the relevant parties. The proceedings consist of:
 - Custody and/or access issues in the ancillary matters in the divorce proceedings *[to state the orders sought by each party]*
 - Applications for custody and/or access in the divorce proceedings *[to state the numbers of the relevant Summonses and the orders sought by each party]*

Issues before the Court

2. The issues before the court are:

[To state what issues the court has to decide, for example:

- Whether the mother/father/third party [please specify] should have care and control of the child/children*
- Whether the mother/father/third party [please specify] should have access/supervised access to the child/children*

Orders Currently in Force

3. The following orders are currently in force:

[To set out the dates and details of all the court orders currently in force in respect of:

- the custody and access issues;*
- any family violence application;*
- any maintenance issues.]*

Documents

4. We enclose with this letter:
- Schedule 1 (see paragraph 1 above);
 - Schedule 2, which contains a list of the documents which you may wish to consider in preparing your report;
 - A copy of the order giving leave for you to [interview] [examine] the child/children.

Your instructions

5. You have the leave of the court to interview the child/children and any relevant family member[s].
6. Please address the following issues in your report:

[Here set out the specific questions approved by the court or agreed with the other parties in an itemised list, for example:

- (1) What is your assessment of the mother's relationship with the child and her ability to care for the child and meet his emotional needs during his childhood?*
- (2) Would the child be at risk in the father's care during contact either on daytime visits or overnight stays?]*

7. If there are any other issues which, in your opinion, need to be addressed, please state them and explain why it is necessary for the court to consider these issues.

Contact persons

8. Please contact the parties directly to arrange for interviews. Please keep a careful record of all pertinent discussions with all the parties. The contact particulars of all the relevant parties are in Schedule 1.
9. If at any time you anticipate that you will not be able to file your report by the deadline stipulated, please inform us promptly so that we may inform the other parties and the court if appropriate.

Factual issues

10. You should express your opinion regarding your findings on the facts of the case, but you must not seek to resolve disputed facts as this is, of course, to be determined by the judge at the final hearing. Where appropriate, it will be of assistance if you are able to express your opinion on the basis of alternative findings regarding the factual dispute[s].

Your report

11. The report will be disclosed to the court and to all the other parties. Once your report has been prepared, please send a copy to:

- The Plaintiff/Plaintiff's solicitors* at [*to state address*]*
- The Defendant/Defendant's solicitors* at [*to state address*]*
- The court at The Family and Juvenile Court, No. 3 Havelock Square, Singapore 059725*
- The other party/parties [*please specify*]

Please state the case number and name of the case, i.e. [*to state the case number and name of the case*] in the title on the front page of your report.

Fees

12. The fees for your report will be borne by [*to state which party will be bearing the fees for the report and any other arrangements for payment*].

Yours etc

*Delete where inapplicable

SCHEDULE 1—Name and Contact Particulars of Relevant Parties
CASE NO.: Divorce Suit * No. [to state number]

NAMES AND CURRENT CONTACT PARTICULARS OF THE PARTIES

The Plaintiff

	Name	Identity Card No.	Current address and contact no. during office hours*	Relationship to the child
Plaintiff			Tel:	

The Defendant

	Name	Identity Card No.	Current address and contact no. during office hours*	Relationship to the child
Defendant			Tel:	

The Child/Children for whom the report has been ordered (to be completed by parent having care and control of the child)

Name of the Child(ren)	Birth Cert. No.	Date of birth	Gender	Current address and contact no. during office hours*
1				Tel:
2				Tel:
3				Tel:

Other Relevant Persons

Name	Current address and contact no. during office hours*	Relationship to the child
	Tel:	
	Tel:	
	Tel:	

* Parties must inform the expert if the contact address or telephone number is changed during investigation.

SCHEDULE 2—List of Documents

CASE NO.: Divorce Suit No [to state number]

S/No.	Document	Party who had furnished the document (i.e. Plaintiff, Defendant or other party)	Date of document

Form 33

**COVER LETTER FOR SUBMISSION OF
ORIGINAL BIRTH CERTIFICATE IN ADOPTION PROCEEDINGS**

To: OFFICER-IN-CHARGE
ADOPTION SECTION

ADOPTION PETITION NO. _____ OF _____

Please find enclosed the original birth certificate of the infant in the above matter.

2 The matter has been fixed for hearing as follows:

Date: _____

Time: _____

Signature
Name of Solicitor for the Petitioner
Name of Law Firm

Form 34A

UNDERTAKING TO COURT TO E-FILE DOCUMENTS

1. I, _____ (*name of applicant/solicitor*), of _____ (*address*), do hereby undertake to the Court to file the following documents via the Electronic Filing Service (EFS)# by _____ (*date*):

- (a) the Originating Summons*;
- (b) the Summons*;
- (c) the affidavit(s) of _____ (*name of deponent*) affirmed on _____ (*date*); and
- (d) the draft and final Order of Court if granted by the Court.

2. I understand that if I should fail to carry out my undertaking, I am liable to be punished for non-compliance with an order of the Court.

(*Signature*)

Name of Applicant / Applicant's solicitor

Date : _____

For a non-EFS subscriber, the documents may be e-filed at the **LawNet & CrimsonLogic Service Bureau** located at:

133 New Bridge Road, #19-01/02 Chinatown Point, Singapore 059413.

Tel: (65) 6538 9507.

Fax: (65) 6438 6350.

The operating hours are:

Mondays to Fridays : 9.00am to 5:00pm; and

Saturdays : 9.00am to 12:30pm.

* Delete where inapplicable

Form 34B

**ORDER OF COURT TO PREVENT THE REMOVAL
OF A CHILD OUT OF JURISDICTION**

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

Divorce Suit | |
No. | |
of | |

Between

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

And

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

ORDER OF COURT

BEFORE THE DISTRICT JUDGE

IN CHAMBERS

[*Name*]_____

IMPORTANT:

Notice to the defendant/plaintiff*

This Order requires you to return one or more children to the custody of his/her/their lawful guardian/parent and prevents you from leaving Singapore with the child/children without the permission of the Court. You should read all the terms of this Order very carefully. You are advised to consult a solicitor as soon as possible. You have a right to apply to the Court to vary or discharge this Order. If you disobey this Order, you will be guilty of contempt of Court and may be sent to prison or fined. (This notice is not a substitute for the endorsement of a penal notice.)

THE ORDER

An application was made today [*date*] by [*Counsel for*] the plaintiff/defendant* to the District Judge [*name*] by way of ex-parte Originating Summons No.____ of 20__ . The District Judge [*name*] heard the application and read the affidavit(s) of [*name*] filed on [*date*].

As a result of the application —

IT IS ORDERED by the District Judge that:

- (a) the child/children [*names of child/children*] shall be returned to the custody of his/her lawful guardian/parent [*name*];
- (b) the defendant/plaintiff* shall hand over to the plaintiff/defendant* forthwith, the child/children's unexpired passport(s) of any country, visas, and other travel documents pending the outcome or further orders made on this application and/or these proceedings;
- (c) the defendant/plaintiff*, whether by herself/himself* or by her/his* servants or agents shall be restrained from removing [*name of child/children*] from Singapore pending the outcome or further orders made on this application and/or these proceedings; and
- (d) [*insert any other orders made by the Court in relation to the application*]

Effect of this Order

If you are required under this Order not to do something, you must not do it yourself or in any other way. You must not do it through others acting on your behalf or on your instructions or with your encouragement.

Third Parties

It is a contempt of Court for any person notified of this Order to knowingly assist in or permit a breach of the Order. Any person doing so may be sent to prison or fined.

Undertakings

The plaintiff /defendant* must give to the Court the undertakings set out in Schedule 1 to this order.

Duration of this Order

This Order shall remain in force until the trial or further order made by the Court.

Variation or discharge of this Order

The defendant / plaintiff* (or anyone notified of this order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but anyone wishing to do so must inform the plaintiff's/ defendant's* solicitors.

Dated the day of 20

REGISTRAR

Schedule 1

(Undertakings provided in writing by the plaintiff/defendant)*

1. If the Court later finds that this Order or the carrying out of this Order has caused loss to the plaintiff/defendant*, and decides that the plaintiff/defendant* should be compensated for that loss, the plaintiff / defendant* shall comply with any order that the Court may make with regard to the payment of such compensation.
2. The plaintiff/defendant* shall provide any form of security including a banker's guarantee for any sum as may be ordered by the Court for the purpose of securing against any loss caused to the plaintiff/defendant* arising from the Order or the carrying out of the said Order.
3. The plaintiff / defendant* shall pay the reasonable costs of anyone other than the plaintiff / defendant* which have been incurred as a result of this order and if the Court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the plaintiff/defendant* shall comply with any order the Court may make.
4. At the same time this Order is served on the defendant/plaintiff*, the plaintiff/defendant* shall serve on the defendant/plaintiff* a copy of the application, supporting affidavits and exhibits containing the evidence relied on by the plaintiff/defendant*. If the application and supporting affidavits have not been filed, the plaintiff/defendant* shall serve the same within 1 working day from the filing of the application and supporting affidavits.

Form 34C

**ORDERS MADE UNDER SECTION 14 OF THE GUARDIANSHIP OF INFANTS
ACT**

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

OSF No.

Between

[*Plaintiff's Name*] (NRIC No. _____) ... *Plaintiff*

And

[*Defendant's Name*] (NRIC No. _____) ... *Defendant*

ORDER OF COURT

BEFORE THE DISTRICT JUDGE

IN CHAMBERS

[*Name*] _____

IMPORTANT:

Notice to the defendant/plaintiff*

This Order requires you to return one or more children to the custody of his/her/their lawful guardian/parent and prevents you from leaving Singapore with the child/children without the permission of the Court. You should read all the terms of this Order very carefully. You are advised to consult a solicitor as soon as possible. You have a right to apply to the Court to vary or discharge this Order. If you disobey this Order, you will be guilty of contempt of Court and may be sent to prison or fined. (This notice is not a substitute for the endorsement of a penal notice.)

THE ORDER

An application was made today [*date*] by [*Counsel for*] the plaintiff/defendant* to the District Judge [*name*] by way of ex-parte Originating Summons No. _____ of 20___. The District Judge [*name*] heard the application and read the affidavit(s) of [*name*] filed on [*date*].

As a result of the application —

I. IT IS ORDERED by the District Judge that:

- (a) the child/children [*names of child/children*] shall be returned to the custody of his/her/their lawful guardian/parent [*name*];
- (b) the defendant/plaintiff* shall hand over to the plaintiff/defendant* forthwith, the child/children's unexpired passport(s) of any country, visas, and other travel documents pending the outcome or further orders made on this application and/or these proceedings;
- (c) the defendant/plaintiff*, whether by herself/himself* or by her/his* servants or agents shall be restrained from removing [*name of child(ren)*] from Singapore pending the outcome or further orders made on this application and/or these proceedings;
- (d) for the purposes of enforcing this Order, the Bailiff be hereby directed to seize the person(s) of the child/children [*name*] at the place of execution at [*name specific address of execution*] and the child/children be delivered into the custody of his/her/their lawful guardian/parent [*name*]; and
- (e) [*insert any other orders made by the Court in relation to the application*]

II. IT IS FURTHER ORDERED by the District Judge that —

- (a) the plaintiff/defendant* shall accompany the Bailiff to the place of execution to identify the child/children [*name*];
- (b) the Bailiff shall also be accompanied by the following persons to the place of execution:
 - (i) the plaintiff/defendant*;
 - (ii) the plaintiff's/defendant's* Counsel;
 - (iii) an auxiliary police officer engaged by the plaintiff/defendant* at the plaintiff's/defendant's* cost, subject to the condition that where the person against whom the execution is to be carried out or the child/any of the children concerned is a female, the auxiliary police officer to be engaged shall be a female officer.
- (c) as far as is practicable, the child/children shall be handed over to the plaintiff/defendant* at the place of execution;
- (d) the plaintiff/defendant* or the plaintiff's/defendant's* Counsel shall pay to the Court prior to the enforcement of this Order a deposit of S\$300 in cash or by cheque made payable to "The Registrar, Subordinate Courts";
- (e) the Bailiff shall have the absolute discretion to do any or all of the following without having to give any reasons:
 - (i) take all necessary measures to ensure the personal safety of all persons (including the child/children or the Bailiff) involved in the execution;

- (ii) postpone the execution or any part thereof; and
- (f) nothing in this Order shall be construed to empower the Bailiff to effect entry into any building or break open any outer or inner door or window of the building or any receptacle therein.

Effect of this Order

If you are required under this Order not to do something, you must not do it yourself or in any other way. You must not do it through others acting on your behalf or on your instructions or with your encouragement.

Third Parties

It is a contempt of Court for any person notified of this Order to knowingly assist in or permit a breach of the Order. Any person doing so may be sent to prison or fined.

Undertakings

The plaintiff/defendant* must give to the Court the undertakings set out in Schedule 1 to this Order. The plaintiff's counsel/defendant's counsel* must give to the Court the undertakings set out in Schedule 2 to this Order.

Duration of this Order

This Order will remain in force until the trial or further order made by the Court.

Variation or discharge of this Order

The defendant/plaintiff* (or anyone notified of this order) may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but anyone wishing to do so must inform the plaintiff's/ defendant's solicitors.

Dated the day of 20

REGISTRAR

Schedule 1

(Undertakings provided in writing by the plaintiff/defendant)*

1. If the Court later finds that this Order or the carrying out of this Order has caused loss to the plaintiff/defendant*, and decides that the plaintiff/defendant* should be compensated for that loss, the plaintiff/defendant* shall comply with any order that the Court may make with regard to the payment of such compensation.

2. The plaintiff/defendant* shall provide any form of security including a banker's guarantee for any sum as may be ordered by the Court for the purpose of securing against any loss caused to the plaintiff / defendant* arising from the Order or the carrying out of the said Order.
3. The plaintiff/defendant* shall pay the reasonable costs of anyone other than the plaintiff/defendant* which have been incurred as a result of this order and if the Court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the plaintiff/defendant* shall comply with any order the Court may make.
4. At the same time this Order is served on the defendant/plaintiff*, the plaintiff/defendant* shall serve on the defendant/plaintiff* a copy of the application, supporting affidavits and exhibits containing the evidence relied on by the plaintiff/defendant*. If the application and supporting affidavits have not been filed, the plaintiff/defendant* shall serve the same within 1 working day from the filing of the application and supporting affidavits.
5. The plaintiff/defendant* shall indemnify the Subordinate Courts and the Bailiffs and keep them indemnified at all times against —
 - (a) all claims and payments for which the Subordinate Courts or the Bailiffs may, in the course of executing this Order, be rendered legally liable, and
 - (b) all actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken or made against the Subordinate Courts or the Bailiffs or incurred or become payable by the Subordinate Courts or the Bailiffs in the course of executing this Order.
6. The plaintiff/defendant* shall pay the costs, expenses and charges which may have to be incurred by the Court and/or the Bailiffs in connection with this Order, including the execution thereof.
7. As and when required by the Court or the Bailiffs, the plaintiff/defendant* shall provide sufficient funds to the Court or the Bailiffs to meet the costs, expenses and charges which may have to be incurred by the Court and/or the Bailiffs in connection with this Order, including the execution thereof.

Schedule 2

(Undertakings provided in writing by the plaintiff's/defendant's Counsel)*

1. The plaintiff's/defendant's* Counsel shall personally ensure that this Order is executed in a calm and orderly manner respectful of the circumstances of the case.
2. The plaintiff's/defendant's* Counsel shall pay the costs, expenses and charges which may have been incurred by the Court and/or the Bailiffs in connection with this Order, including the execution thereof, if such costs, expenses and charges are not fully paid by the plaintiff/defendant*.
3. As and when required by the Court or the Bailiffs, the plaintiff's/defendant's Counsel shall provide sufficient funds to the Court or the Bailiffs to meet the costs, expenses and charges which may have to be incurred by the Court and/or the Bailiffs in connection with this Order, including the execution thereof.

Form 34D

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

OSF No.

Between

[Name] ...Plaintiff

And

[Name] ...Defendant

WRIT FOR SEIZURE

To the Bailiff

Whereas by an Order of this Court pronounced this day, it was ordered that the infant [....] be returned to the custody of his/her lawful guardian, [....].

You are directed to seize the person of the infant [...] and the infant be delivered into the custody of his/her lawful guardian.

Dated this day of 20

Registrar

Form 34E

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

OSF No.

Between

[Name] ...Plaintiff

And

[Name] ...Defendant

REQUEST FOR WRIT FOR SEIZURE

Name of person entitled to execution (applicant) :

Address of applicant :

Name of Solicitor for applicant :

Address of the Solicitor for applicant :

Hereby request the Registrar to issue a Writ for Seizure to be executed at the Address of Execution to seize the person of the infant [*name of infant*] and the infant be returned to the custody of his/her lawful guardian.

Name of person subject to execution (respondent):

Address of Execution :

Attached herewith is a copy of the Order of Court duly sealed.

UNDERTAKING AND DECLARATION

1. I/We hereby undertake to pay all your charges. Please appoint a suitable date to execute the Writ for Seizure.
2. I/We hereby declare that as at the date of this Request, the person of the infant [*name of infant*] is not subject to any other execution or order issued by the Subordinate Courts or the High Court.
3. I/We hereby declare that, as at the date of this declaration, I/we have reason to believe that the person subject to execution will be at the Address of Execution together with the infant [*name of infant*].

(State the grounds of belief)

NAME OF DECLARANT :

Date of filing :

Form 34F

APPLICANT'S LETTER OF INDEMNITY

Date:

The Bailiff

Dear Sir

1. I confirm that I have obtained a Court Order under section 14 of the Guardianship of Infants Act (Cap 122).

2 I confirm that I have placed a deposit of \$300 in cash/ by cheque no. _____ made payable to "The Registrar, Subordinate Courts" * as part of the Bailiff's expenses in executing the Order.

OR

I undertake to place a deposit of \$300 in cash / by cheque made payable to "The Registrar, Subordinate Courts"* by _____ (date) _____ as part of the Bailiff's expenses in executing the Order.

3. I understand and agree that should the bailiff's expenses of execution exceed \$300, I shall, as and when required by the Court or the Bailiff, provide sufficient funds to the Court or the Bailiff to meet the shortfall.

4. I shall pay all the costs, expenses and charges which may have to be incurred by the Court and or the Bailiff in connection with this Order including the execution thereof.

5. I shall indemnify and keep the Subordinate Courts and the Bailiffs indemnified at all times hereinafter against —

- (a) all claims and payments for which the Subordinate Courts or the Bailiffs may, in the course of executing this Order, be rendered legally liable, and
- (b) all actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken or made against the Subordinate Courts or the Bailiffs or incurred or become payable by the Subordinate Courts or the Bailiffs in the course of executing this Order.

(Signature)

Name of plaintiff/defendant*

*Delete if inapplicable

Form 34G

**UNDERTAKING TO PAY COMPENSATION/DAMAGES TO THE
PLAINTIFF/DEFENDANT/OTHER PERSON* AND TO SERVE DOCUMENTS**

I, _____ (*name of plaintiff / defendant*), of _____ (*address*), do hereby undertake to the Court as follows:

1. If the Court later finds that the Order dated _____ or the carrying out of the said Order has caused loss to the plaintiff / defendant,* and decide that the defendant / plaintiff* should be compensated for that loss, I shall comply with any order that the Court may make with regard to the payment of such compensation.
2. I shall provide any form of security including a Banker's Guarantee for any sum as may be ordered by the Court for the purpose of securing against any loss caused to the plaintiff / defendant* arising from the Order or the carrying out of the said Order.
3. If the Court later finds that this Order has caused loss to anyone other than the plaintiff / defendant* as a result of this order and decides that such person should be compensated for that loss, I shall comply with any order the Court may make with regard to the payment of such compensation and shall pay the reasonable costs of such a person.
4. At the same time this Order is served on the defendant / plaintiff*, I shall serve on the defendant / plaintiff* a copy of the application, supporting affidavits and exhibits containing the evidence relied on by the plaintiff / defendant*. If the application and supporting affidavits have not been filed, I shall serve the same within 1 working day from the filing of the application and supporting affidavits.

I understand that if I should fail to carry out my undertaking, I am liable to be punished for non-compliance with an order of the Court.

(*Signature*)

Name of plaintiff / defendant*

Date : _____

*Delete if inapplicable

Form 34H

**UNDERTAKINGS TO BE PROVIDED BY THE PLAINTIFF'S/DEFENDANT'S*
COUNSEL**

I [name of counsel] of [name of law firm] hereby undertake as follows:

1. To personally ensure that this order is executed in a calm and orderly manner respectful of the circumstances of the case.
2. To pay the costs, expenses and charges which may have been incurred by the Court and/or the Bailiff in connection with this Order including the execution thereof, if such costs, expenses and charges are not fully paid by the plaintiff / defendant*.
3. To provide as when required by the Court or the Bailiff, sufficient funds to the Court or the Bailiff to meet the costs, expenses and charges which may have to be incurred by the Court and/or the Bailiff in connection with this Order, including the execution thereof.

(Signature)

Name of Plaintiff's/Defendant's* counsel

Date : _____

*Delete if inapplicable

Form 35

ORIGINATING SUMMONS FOR MENTAL CAPACITY PROCEEDINGS

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF No.)
of 20)
(Seal))

In the Matter of Section [section no] of the Mental
Capacity Act (Cap 177A)

And

In the Matter of [*name of person alleged to lack
capacity*](ID No.:), a person alleged to lack
capacity (“P”)

Between

(Name and ID No.:) ... Plaintiff⁺

And

(Name and ID No.:) ... Defendant[#]

To THE DEFENDANT(S) [name]
of [address][#]

ORIGINATING SUMMONS

The plaintiff/applicant* prays for the following orders:-

[*Please select the relevant prayer(s) or add prayers as required.*]

1. Permission

The plaintiff/applicant* be permitted to make an application under section [*state the
section of the MCA*] of the Mental Capacity Act (Cap 177A)(“MCA”) to the Court.

2. Dispensation

- (i) The notification of [*Name of P*] (“P”) of this originating summons and of the date of the hearing for its final disposal is dispensed with.

[Note: There is a general requirement to notify P. As such, if the applicant or plaintiff seeks dispensation of notification, an explanation as to why dispensation is sought has to be included in the supporting affidavit.]

- (ii) The attendance of P at all hearings for this originating summons be dispensed with.
- (iii) The attendance of Dr [*state name of doctor*] (ID No. [*state number*]) of (*state address*) at the hearing for this originating summons is dispensed with.
- (iv) The service of this application on [*state names and ID Numbers*] be dispensed with.

3. That the Court be satisfied that:

- (i) [*Name of P*] (“P”) is unable to make various decisions for himself/herself* in relation to a matter or matters concerning P’s property and affairs because of an impairment of, or a disturbance in the functioning of, P’s mind or brain;
- (ii) The purpose for which the order is needed cannot be as effectively achieved in a way that is less restrictive of P’s rights and freedom of action.

4. That the Court orders as follows:-

(1) **Appointment of Deputy/Deputies***

- (a) [*State name*] (ID No. [*state number*]) of [*state address*] is/are* appointed as deputy/deputies* to make decisions on behalf of P that P is unable to make for himself/herself* in relation to his/her* personal welfare/property and affairs/personal welfare and property and affairs* subject to any conditions or restrictions set out in this order.
- (b) The appointment will last until further order.
- (c) [The deputies shall act jointly/jointly and severally* in all matters]*

[Note: To also include whether or not the deputies act jointly/jointly and severally at the appropriate paragraphs on the deputies’ authority and powers in this Originating Summons.]

- (d) The deputy/deputies* must apply the principles set out in section 3 of the MCA and have regard to the guidance in the Code of Practice to the MCA.
- (e) The deputy/deputies* does/do* not have authority to make a decision on behalf of P in relation to a matter if the deputy/deputies* know(s) or has/have* reasonable grounds for believing that P has capacity in relation to the matter.
- (f) In the event the deputy or any of the deputies (where two or more deputies are appointed) dies, becomes a bankrupt (for a property and affairs deputy) or lacks mental capacity to act as deputy, the following are appointed to succeed that deputy in the stated order:
 - (i) [*State name*] (ID No. [*state number*]) of [*state address*].
 - (ii) [*State name*] (ID No. [*state number*]) of [*state address*] etc.
- (g) Upon the happening of such an event in paragraph (f), the surviving deputy or remaining deputy together with the successor deputy are to inform the Office of the Public Guardian and to apply to Court providing evidence of the event for the Court to confirm the appointment of the successor deputy.

[Note: The prayer for successor deputy or deputies should only be included if there is a need for a successor deputy or deputies to be appointed, for example, if the proposed deputy is likely to predecease P.]

(2) Authority of Deputy/Deputies* in respect of P's personal welfare:

- (a) The Court grants authority to the deputy/deputies* to make the following decisions on behalf of P, that P is unable to make for himself/herself* when the decision needs to be made:
 - (i) where P should live;
 - (ii) with whom P should live;
 - (iii) consenting to medical or dental examination and treatment on P's behalf;
 - (iv) making arrangements for the provision of care services; and
 - (v) complaints about P's care or treatment.
 - (vi) [*to state any other matters for which power is sought for deputy/deputies* to make decision*]

- (b) For the purpose of giving effect to any decision, the deputy/deputies* may execute or sign any necessary deeds or documents.
- (c) The deputy/deputies* does/do* not have the authority to make the following decisions or to do the following things in relation to P:
 - (i) to prohibit any person from having contact with P;
 - (ii) to direct a person responsible for P's health care to allow a different person to take over that responsibility;
 - (iii) to consent to specific treatment if P has made a valid and applicable advance decision to refuse that specific treatment; and
 - (iv) to do an act that is intended to restrain P otherwise than in accordance with the conditions specified in the MCA.

(3) Authority of Deputy/Deputies* in respect of the property and affairs of P

- (a) The court grants general authority to the deputy/deputies* to take possession or control of the property and affairs of P and to exercise the same powers of management (and investment*) as P has as beneficial owner, subject to the terms and conditions set out in this order.
- (b) The deputy/deputies* is/are* authorised to do the following:
[Note: To include here the relevant powers sought]

(4) Authority of Deputy/Deputies* in respect of CPF monies and accounts of P
[where applicable]

[Note: Please refer to the sample CPF orders on the website of the Subordinate Courts]

(5) Costs and Expenses

- (a) The deputy/deputies* is/are* authorised to make payment of reasonable legal costs and disbursements of and incidental to these proceedings from P's estate.

(6) Reports

- (a) The deputy/deputies* is/are* (jointly) required to keep a record of any decisions made or acts done for the personal welfare of P pursuant to this order and the reasons for making or doing them.

[For example, a decision that P will not undergo a medical procedure is to be recorded and the reason to be provided.]

- (b) The deputy/deputies* is/are* (jointly) required to keep statements, vouchers, receipts and other financial records in the administration of P's property and affairs. The deputy/deputies* is/are* also (jointly) required to keep a record of decisions made or acts done relating to P's property and affairs.

[For example, a decision not to expend monies for a medical procedure for P which is medically indicated is to be recorded and the reason to be provided.]

- (c) The deputy/deputies* must (jointly) complete and file an annual report relating to P's personal welfare and property and affairs to the Public Guardian and/or at any time as may be required by the Public Guardian, which report must contain such information and be in such form as may be required by the Public Guardian.

- (7) There be liberty to apply.

Memorandum to be subscribed on the summons[#]

1. *If you intend to contest the application or any part of it, you are required to file an affidavit stating the grounds of your objection within 21 days of service after the date on which you were served with this summons.*
2. *If you do not attend personally or by your counsel or solicitor at the time and place stated in this summons, such order may be made as the Court may think just and expedient.*
3. *This summons is filed by [name of firm], the solicitor for the said plaintiff whose address is [address].*

(or where the plaintiff sues in person)

This summons is filed by the said plaintiff who resides at [address] and is (state occupation) and (if the plaintiff does not reside within the jurisdiction) whose address for service is [address].

4. *This summons may not be served more than 6 months after the above date unless renewed by order of the Court.*
5. *Unless otherwise provided in any written law, where the plaintiff intends to adduce evidence in support of an originating summons he must do so by affidavit, and must file the affidavit or affidavits and serve a copy thereof on every defendant not later than 7 days after the service of the originating summons.*

⁺ *To use "Applicant" if this is an ex parte application.*

[#] *To delete if this is an ex parte application.*

^{*} *Delete where inapplicable.*

Form 35A

PLAINTIFF/APPLICANT'S AFFIDAVIT FOR APPOINTMENT OF DEPUTY

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF No.)
of 20)
(Seal))

In the Matter of Section [section no] of the Mental
Capacity Act (Cap 177A)

And

In the Matter of [*name of person alleged to lack
capacity*](ID No.:), a person alleged to lack
capacity ("P")

Between

(Name and ID No.:) ... Plaintiff⁺

And

(Name and ID No.:) ... Defendant[#]

AFFIDAVIT

I, [*Name of deponent*], of [*Address of Deponent*], do make oath (or affirm)* and say as follows:

1. I am the Plaintiff/Applicant* and make this affidavit in support of my application.
2. The facts contained in this affidavit are within my personal knowledge or are based on documents in my possession.
3. My personal particulars are as follows:
 - (a) Name:
 - (b) Date of Birth (Age):
 - (c) Identification Number:

- (d) Residential Address:
- (e) Telephone/handphone number:
- (f) Occupation:
- (h) Name and address of employer:
- (i) Monthly nett income:
- (i) Relationship to P (if any):

4. *[If the plaintiff/applicant falls within one of the categories of persons who do not require permission, to state that no permission is required for him to make the application pursuant to the specific provision of the Act. Please ensure that the relevant documents, such as copies of birth certificates or marriage certificates are exhibited in the affidavit. If the plaintiff/applicant is applying for permission, to state so and explain why.]*

5. P's personal particulars are as follows:

- (a) Name:
- (b) Date of Birth (Age):
- (c) Identification Number:
- (d) Residential Address:
- (e) Type of accommodation:
- (f) Marital status:
- (g) Occupation:

6. The particulars of P's children (if there are surviving children) are as follows:

Name	ID No.	Address	Date of Birth (Age)	Nature of Relationship with P	Telephone/ Handphone No.

7. The particulars of relevant persons who may be interested in this application are as follows:

Name	ID No.	Address	Date of Birth (Age)	Nature of Relationship with P	Telephone/ Handphone No.

8. *[Relevant person – If less than three categories of relevant persons are listed in the paragraph above, to state that as far as the plaintiff or applicant is aware, there are no other relevant persons who may be interested in this application. To state also whether there are:*

- (i) any other relatives or friends who have a close relationship with P;

- (ii) any other person who has a legal duty to support P;*
 - (iii) any other person who will benefit from P's estate; and*
 - (iv) any other person who is responsible for P's care.]*
9. *[Consent of relevant person - Paragraph to set out whether the consent of P's children and/or other relevant person's consent has been obtained. If so, the consents are to be filed together with this application. If not, the plaintiff/applicant to explain why such consent has not been obtained.]*
 10. *[Statement of belief - The plaintiff/applicant's statement of belief as to P's incapacity to manage himself/herself and his property and affairs.]*
 11. *[Nature of incapacity - Paragraph to set out the nature of P's incapacity to manage himself/herself and his property and affairs, with supporting medical evidence and examples of incapacity. An up to date report of P's present medical condition, life expectancy, likelihood of requiring increased expenditure in the foreseeable future must be exhibited.]*
 12. *[Notification – Paragraph to state that P will be notified of the proceedings and of the date of hearing (in which case the certificate of notification in Form 34E has to be filed separately thereafter) or to explain why dispensation of notification of P is sought]*
 13. *[P's care arrangements and monthly expenses - Paragraph to set out P's current and future care arrangements and the current and projected monthly expenses of caring for and maintaining P, with supporting documentary evidence of the said expenses.]*
 14. *[P's income - Paragraph to set out a schedule of P's sources of monthly/annual income and amount of such income.]*
 15. *[P's assets - Paragraph to set out a schedule of P's assets with up to date valuations.]*
 16. *[Disposal of P's assets - Paragraph to set out the reasons why it is necessary and in the benefit of P to sell, dispose, or otherwise deal with those assets and how the proceeds thereof are to be applied for P's maintenance and well-being.]*
 17. *[Compensation or award of damages - Paragraph to set out whether P has received or is going to receive any form of compensation or an award of damages and if so, to give details of such compensation or award.]*

18. *[P's outstanding debts or liabilities - Paragraph to set out whether P has any outstanding debts or liabilities and if so, to give details of such debts or liabilities.]*
19. *[Lasting Power of Attorney - Paragraph to state whether there is a Lasting Power of Attorney which has been made and registered by P and if so, to provide details. If there is no such Lasting Power of Attorney which has been registered, to state whether the plaintiff is aware that P has made an instrument intended to create a Lasting Power of Attorney.]*
20. *[Will or codicil - Paragraph to state whether P has made a will or codicil and if so, to exhibit a copy of the Will.]*
21. *[Paragraph to set out any other relevant facts to support this application.]*
22. There is/is no* previous or pending application relating to P under the Mental Capacity Act (Cap 177A). *[If there is previous or pending application, to state the Originating Summons number and the status of the application.]*
23. There is/is no* previous application or order made concerning P under the repealed Mental Disorders and Treatment Act. *[If there is previous application or order, to state the Originating Summons number. To also exhibit the order of court (if any).]*
24. Upon the Court declaring that P has/lacks* capacity to make decisions about his personal welfare/property and affairs,* I seek an order in terms of the prayers as set out in my application.

Sworn (or affirmed) by the
abovenamed on)
this day of 20)
at Singapore)

Through the interpretation of (name and designation of person who interpreted) in (language of interpretation)*

Before me,

Commissioner for Oaths

⁺ To use “Applicant” if this is an ex parte application.

[#] To delete if this is an ex parte application.

*Delete where inapplicable.

Form 35B

DEPUTY'S AFFIDAVIT

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF No.)
of 20)
(Seal))

In the Matter of Section [section no] of the Mental
Capacity Act (Cap177A)

And

In the Matter of [*name of person alleged to lack
capacity*](ID No.:), a person alleged to lack
capacity ("P")

Between

(Name and ID No.:) ... Plaintiff⁺

And

(Name and ID No.:) ... Defendant[#]

AFFIDAVIT

I, [*Name of deponent*], of [*Address of Deponent*] do make oath (or affirm)* and say as follows:

1. I am the Deputy/Successor Deputy* proposed to be appointed to make decisions and act on P's behalf in respect of P's personal welfare only/property and affairs only/ personal welfare and property and affairs.*
2. The facts contained in this affidavit are within my personal knowledge or are based on documents in my possession.
3. My personal particulars are as follows:
 - (a) Name:
 - (b) Date of Birth (Age):

- (c) Identification number:
- (d) Residential Address:
- (e) Telephone/handphone number:
- (f) Occupation:
- (g) Name and address of employer:
- (h) Monthly nett income:
- (i) Relationship to P (if any):

4. I am not/am* an undischarged bankrupt. [*If the proposed Deputy is a bankrupt or is facing bankruptcy action, to state date of bankruptcy order, case details and cause of the bankruptcy action.*]
5. I have not/have* been convicted of a criminal offence. [*If the proposed Deputy has been convicted of a criminal offence or is facing criminal prosecution, to state date of conviction, case details and sentence pronounced.*]
6. I have not/have* been sued as a defendant in civil proceedings and have had judgment entered against me. [*If the proposed Deputy has been sued or is facing civil claims, to state date of judgment, case details and judgment details.*]
7. I have not/have* been appointed as a donee or deputy for someone else. [*To specify the date and details of such appointment and whether such appointment has been revoked or terminated.*]
8. [*Paragraph to set out any other relevant facts to support this application e.g. why a deputy needs to be appointed for P, why the proposed deputy would be a good choice as deputy, what the proposed deputy would do for P if he is appointed.*]
9. (*If the application is for the appointment of a deputy to handle P's property and affairs, a declaration of non-indebtedness is to be included*) I declare that I do not have any outstanding loans or debts, save for:
[a list of outstanding loans or debts]
I further declare that I am able to pay my loans and debts as and when they become due and payable.
10. I declare and undertake as follows:
 - (a) I understand my responsibilities if I am appointed as Deputy/Successor Deputy*. In particular, I understand that I must act with honesty and integrity and ensure that my personal interests do not conflict with my duties as P's deputy, and I will not use my position for any personal benefit.

Form 35C

**CONSENT TO ORIGINATING SUMMONS AND
DISPENSATION OF SERVICE OF DOCUMENTS**

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

OSF No.)
of 20)
(Seal))

In the Matter of Section [section no] of the Mental
Capacity Act (Cap177A)

And

In the Matter of [*name of person alleged to lack
capacity*](ID No.:), a person alleged to lack
capacity (“P”)

Between

(Name and ID No.:) ... Plaintiff⁺

And

(Name and ID No.:) ... Defendant

CONSENT

I [*name and ID number of relevant person*], of [*state address*] being the [*state nature of
relationship with P*] of P state as follows:

OR

We, as the relevant persons whose details are listed in the table below, state as follows:

Name	ID No.	Address	Nature of relationship to P

1. I/We* understand the nature of the order which is applied for in these proceedings.

2. I/We* consent to:

[If the relevant person(s) is/are consenting to a part of the Originating summons, to state the prayers in the Originating Summons which the relevant person(s) is/are consenting to.]

[If the relevant person(s) is/are consenting to the whole of the application, to state that he/she/they had read and understood all the contents of the Originating Summons and the supporting affidavits and is/are consenting to the Originating Summons filed on (state date on which Originating Summons was filed)].

3. I/We* consent to the dispensation of service of the Originating Summons, supporting affidavits and all subsequent documents filed in these proceedings on me/us.*

Sworn (or affirmed) by the
abovenamed on)
this day of 20)
at Singapore)

Through the interpretation of (name and
designation of person who interpreted) in
(language of interpretation)*

Before me,

Commissioner for Oaths

⁺ To use “Applicant” if this is an ex parte application

[#] To delete if this is an ex parte application.

*Delete where inapplicable.

Form 35D

NOTICE TO RELEVANT PERSONS

APPLICATION UNDER MENTAL CAPACITY ACT (CAP 177A)

1. You have been served with an Originating Summons and the supporting affidavits. The plaintiff/applicant* is making an application for [*state nature of application*].
2. If you consent to the application, you are required to sign a written consent in Form 39D in Appendix B of the Subordinate Courts Practice Directions before a solicitor, a Commissioner for Oaths, a notary public or any person for the time being authorised by law in the place where the document is executed to administer oaths. You may file the written consent using the Electronic Filing Service[#] within 21 days after the date on which you were served with this Originating Summons. Alternatively, you may return the completed and signed consent form to the plaintiff/applicant* or the plaintiff's /applicant's* solicitors.

[Note: If the relevant person is an organisation providing residential accommodation to P, the above paragraph 2 is to be deleted and substituted with the following paragraph:-

If you wish to furnish any relevant information for the Court's consideration and determination of the application in the best interests of P, you may prepare a report through one of your representatives. The report shall be submitted to the Family and Juvenile Court with a cover letter addressed to the Registrar of the Subordinate Courts and stating clearly the Originating Summons number (OSF No.) and the names of P and the plaintiff/applicant*. (You may obtain a template for the cover letter from the Subordinate Court's website at <http://www.subcourts.gov.sg> or from the Community Justice Centre - HELP Services at Level 3 of the Family and Juvenile Court). The report must be submitted within 21 days after the date on which you were served with this Originating Summons. If such a report is submitted, the Court may require and direct for the attendance of the maker of the report at the hearing of the Originating Summons.]

3. If you intend to contest the application or any part of it, you are required to file an application in Form 39G in Appendix B of the Subordinate Courts Practice Directions to seek the permission of the Court to be joined as a party to the proceedings. This application must be supported by an affidavit stating your interest in the application and the grounds of your objection. The application must be filed using the Electronic Filing Service[#] within 21 days after the date on which you were served with this Originating Summons.

[Note: If the relevant person is an organisation providing residential accommodation to P, the above paragraph 3 is to be deleted.]

4. If you do not attend personally or by your solicitor at the time and place stated in the Originating Summons, such order may be made as the Court may think just and expedient.

[Note: If the relevant person is an organisation providing residential accommodation to P, the above paragraph 4 is to be deleted.]

5. This Originating Summons is filed by [name of firm], the plaintiff's/applicant's* solicitor whose address is [state address].

(or where the plaintiff/applicant* acts in person)

This Originating Summons is filed by the plaintiff/applicant* who resides at [address] and (if the plaintiff/applicant* does not reside within the jurisdiction) whose address for service is [state address].

Name and Signature

Plaintiff/Applicant* OR Solicitors for the Plaintiff/Applicant*

* To delete where inapplicable.

To file a document using the Electronic Filing Service, you may use the Lawnet and Crimsonlogic Service Bureau located at 133 New Bridge Road, Chinatown Point #19-01/02, Singapore 059413. Alternatively, you may file the document at the Lawnet Service Bureau at 1, Supreme Court Lane, Level 1, Supreme Court Building Singapore 178879.

Form 35E

CERTIFICATE OF NOTIFICATION

(Title as in cause or matter.)

CERTIFICATE OF NOTIFICATION

I, [*name of person effecting the notification*] (ID No. _____), certify that I have notified the abovenamed P of this Originating Summons on [*date*] at [*address where notification took place*]. The notification complies with Order 99, rule 6 of the Rules of Court and Paragraph 113I of the Subordinate Courts Practice Directions. In particular, P was notified of [*please specify the matters which P was notified of*].

Dated this _____ day of _____ 20____

Signature and name of person effecting notification

Form 36

SUMMONS FOR MENTAL CAPACITY PROCEEDINGS

(Title as in cause or matter.)

SUMMONS

1. Orders Applied For: [Set out 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/Parties* to be served with this Summons
[Insert party to be served with summons e.g. spouse, children, parents, etc.]

4. Consent*
I/We* hereby consent to this Summons.

Signature: [Signature of consenting party]

[Name and ID No. of Party Consenting to this Summons/Name of the Solicitor of Party Consenting to this Summons.*]:

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

**Delete where inapplicable.*

Form 37

ORDER OF COURT FOR MENTAL CAPACITY PROCEEDINGS

(Title as in cause or matter.)

ORDER OF COURT

1. 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) P*
 - (d) P's Litigation Representative*
 - (e) Other Party (to specify)*

2. Orders Made (By Consent*)

**Delete where inapplicable.*

3. That the defendant/[*name of person*]* do hand over the child to the plaintiff/applicant* or his or her appointed representative, [*name of representative*], or [*person ordered by the court*] within ____ days from the date of this order;
4. That the defendant/[*name of person*]* do hand over the child and the child's passport and all relevant travelling documents to the plaintiff/applicant* or his or her appointed representative, [*name of representative*], or [*person ordered by the court*] within ____ days from the date of this order;
5. Any such further or other order as this Honourable Court deems fit;
5. Costs.

Dated this day of 20

Registrar

Memorandum to be subscribed on the summons

1. *This summons is taken out by _____ of _____ solicitor for the said plaintiff/applicant* whose address is _____ (or where the plaintiff/applicant* sues in person) This summons is taken out by the said plaintiff/applicant* who resides at _____ and is (stated occupation) and (if the plaintiff/applicant* does not reside within the jurisdiction) whose address for service is _____*
2. *If you intend to contest the application or any part of it, you are required to file an affidavit stating the grounds of your objection within 14 days of service after the date on which you were served with this summons.*
3. *If you do not attend personally or by your counsel or solicitor at the time and place stated in this summons, such order may be made as the Court may think just and expedient.*
6. *This summons may not be served more than 6 months after the above date unless renewed by order of the Court.*
7. *Where the plaintiff/applicant* intends to adduce evidence in support of an originating summons he must do so by affidavit, and must file the affidavit or affidavits and serve a copy thereof on every defendant together with the service of the originating summons.*

**Delete where inapplicable.*

Form 38B

**ORIGINATING SUMMONS FOR PROCEEDINGS UNDER SECTION 14 OF THE
INTERNATIONAL CHILD ABDUCTION ACT**

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF. No.)
of 20)
(Seal))

In the Matter of Section 14 of the International Child
Abduction Act (Cap. 143C)

And

In the Matter of [*name of child*] (ID No.:)

Between

(ID No.:) ... Plaintiff/Applicant*

And

(ID No.:) ... Defendant*

ORIGINATING SUMMONS

To : The Defendant(s)
 [*Name*]
 of [*Address*]*

Let all parties concerned attend before the Judge on (date/time), on the
hearing of an application by the plaintiff/applicant* for:-

1. A declaration that the removal of [*name of child*] from Singapore or the retention of [*name of child*] outside Singapore was wrongful within the meaning of the Convention on the Civil Aspects of International Child Abduction (“the Convention”);

Form 38C

**PLAINTIFF/APPLICANT'S AFFIDAVIT FOR PROCEEDINGS UNDER SECTION 8
OF THE INTERNATIONAL CHILD ABDUCTION ACT**

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

OSF. No.)
of 20)
(Seal))

In the Matter of Section 8 of the International Child Abduction
Act (Cap. 143C)

And

In the Matter of [*name of child*]
(ID No.:)

Between

(ID No.:) ... Plaintiff/Applicant*

And

(ID No.:) ... Defendant*

AFFIDAVIT

I, [*Name of deponent*], of [*address of deponent*], do make oath (or affirm)* and say as follows:

1. I am the Plaintiff/Applicant* and I make this affidavit in support of my application.

Details concerning the child

2. The child, [*full name*], was born on [*date*].

3. The habitual residence of the child immediately prior to the removal or retention of the child was _____, a convention country.
4. The child has been wrongfully removed or retained from the country referred to in Paragraph 3.
5. The child is now residing with [full name], [relationship, if any, to child], at [address].

Details of parties

6. [Please state the details of parties and the relationship between the parties and the child.]

Details concerning child's custodian

7. The plaintiff/applicant* has rights of custody in respect of the child by reason of the following factual and legal circumstances :

[Include details of any custody order.]

8. The child was removed or retained on [date] in the following circumstances:

[Include details of removal or retention.]

9. The following are particulars of pending court proceedings concerning the child :

[Set out brief particulars of any court proceedings (including proceedings outside Singapore and concluded proceedings, whether in or outside Singapore) relating to the child and of any orders made in any such proceedings (including interim orders) and the court in which the proceedings are conducted.]

Or

There are no pending court proceedings concerning the child.

Attachments

10. I attach herewith a copy of the request for the return of the child filed with the Central Authority of Singapore marked “ _____ ”.

11. I also attach herewith the following documents in support of my application:-

[Identify, attach and mark relevant documents:

(a) certified copy of relevant order or judgment concerning rights of custody, care and control;

- (b) certified copy of any relevant agreement relating to the custody of the child;
- (c) certificate or affidavit as to the applicable law;
- (d) any other documents relating to the child.]

If the child has been removed or retained for more than 12 months

12. The child was removed or retained more than 12 months ago. The reason for the delay in this application is as follows:

[State reasons.]

13. I am praying for order in terms of the prayers sought in my application.

SWORN (or AFFIRMED)* by the)
 Plaintiff/Applicant* at)
 on the day of)
 20)

Through the interpretation of (name and)
 designation of person who interpreted) in)
 (language of interpretation)*)

Before me,

A Commissioner for Oaths

**Delete where inapplicable*

21. The child has been wrongfully removed or retained from the country referred to in Paragraph 3.

22. The child is now residing with [full name], [relationship, if any, to child], at [address].

Details of parties

23. [Please state the details of the parties and the relationship between the parties and the child.]

Details concerning child's custodian

24. The plaintiff has rights of custody in respect of the child by reason of the following factual and legal circumstances :

[Include details of any custody order.]

25. The child was removed or retained on [date] in the following circumstances :

[Include details of removal or retention.]

26. The following are particulars of pending court proceedings concerning the child:

[Set out brief particulars of any court proceedings (including proceedings outside Singapore and concluded proceedings, whether in or outside Singapore) relating to the child and of any orders made in any such proceedings (including interim orders) and the court in which the proceedings are conducted.]

Or

There are no pending court proceedings concerning the child.

Attachments

27. I attach herewith a copy of the request made by the requesting judicial or administrative authorities referred to in Articles 15 of the Convention marked

“ “.

28. I also attach herewith the following documents in support of my application:-

[Identify, attach and mark relevant documents:

(a) certified copy of relevant order or judgment concerning rights of custody care and control;

(b) certified copy of any relevant agreement relating to the custody of the child;

(c) *any other documents relating to the child.*]

29. I am praying for order in terms of the prayers sought in my application.

SWORN (or AFFIRMED) by the)

Plaintiff/Applicant* at)

on the day of)

20)

Through the interpretation of (name and)

designation of person who interpreted) in)

(language of interpretation)*)

Before me,

A Commissioner for Oaths

**Delete where inapplicable*

Form 39A

**SUMMONS UNDER THE INTERNATIONAL CHILD ABDUCTION
ACT**

(Title as in cause or matter.)

SUMMONS

1. Date and Time of Hearing before Judge in Chambers/Registrar*
(*to be completed by the court*)
Date of hearing: [Date]
Time of hearing: [Time]
2. Orders Applied For: [Set out orders applied for.]
3. 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.
4. Party/Parties* to be served with this Summons
[Insert party to be served with summons e.g. spouse, parents, etc.]
5. Consent*
I/We* hereby consent to this Summons.

Signature: [Signature of consenting party]

[Name and NRIC No. of Party Consenting to this Summons/Name of the Solicitor of Party Consenting to this Summons.*]:

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

Signed:

Registrar:

Date:

* Delete where inapplicable.

Form 39B

ORDER OF COURT UNDER THE INTERNATIONAL CHILD ABDUCTION ACT

(Title as in cause or matter.)

ORDER OF COURT

1. Date of order

2. Nature of Hearing (in Chambers)
Summons No./Nos*: [*to state number*]

3. Name of Registrar/Judge* Making the Order
[*to state name*]

4. Parties Present at the Hearing
[*Choose one or more of the following*]
 - (a) Plaintiff/Applicant*
 - (b) Plaintiff's/Applicant's Counsel*
 - (c) Defendant*
 - (d) Defendant's Counsel*
 - (e) Other Party (to specify)*

5. Orders Made (By Consent*)

Signed:

Registrar:

Date:

* Delete where inapplicable.