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FAMILY JUSTICE ACT 2014 (ACT 27 OF 2014)

FAMILY JUSTICE (AMENDMENT NO. 2) RULES 2020

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

Citation and commencement

1. These Rules are the Family Justice (Amendment No. 2) Rules 2020 and come into operation on 1 July 2020.

Amendment of rule 20

2. Rule 20(2) of the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) is amended by deleting the full-stop at the end of sub-paragraph (*d*) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:

“(e) an application to a Youth Court under section 49, 49B, 49C (read with section 49B) or 50 of the Children and Young Persons Act (Cap. 38).”.

New Division 1A of Part 4

3. The principal Rules are amended by inserting, immediately after rule 34, the following Division:

“Division 1A — Parenting coordination programme

Definitions

34A. In this Division —

“child” means a person who is below 21 years of age;

“parenting coordination programme” means a family support programme for the purpose of addressing or resolving any disagreement about any parenting matter between spouses or former spouses, arising from any relationship issue or relationship problem between spouses or former spouses, or between a parent and a child;

“parenting coordinator” means a person appointed by the Court under rule 34C(1);

“parenting matter” means any matter relating to —

- (a) the custody, or care and control, of a child;
- (b) the right of access to a child; or
- (c) the welfare of a child;

“proceedings” means any of the proceedings mentioned in rule 34B.

Application of Division

34B. This Division applies in relation to the following proceedings:

- (a) any proceedings in connection with an application under section 5 of the Guardianship of Infants Act (Cap. 122);
- (b) any matrimonial proceedings for which an order is sought from the Court under section 124, 128 or 129 of the Women’s Charter (Cap. 353).

Participation in parenting coordination programme

34C.—(1) For the purposes of section 26(9) of the Act, the Court may, on its own motion or on the application of any

person, order the parties to any proceedings to participate in a parenting coordination programme to be carried out by a parenting coordinator appointed by the Court.

(2) An application by a party under paragraph (1) must be made by summons and supported by an affidavit.

(3) The summons and supporting affidavit must be served on every party to the proceedings.

(4) In deciding whether to make an order under paragraph (1), the Court is to consider —

- (a) whether the participation by the parties in the parenting coordination programme is in the best interests of a child;
- (b) whether the parties will benefit from the assistance of a parenting coordinator; and
- (c) whether the fees of a parenting coordinator are within the financial means of either or both parties to the proceedings.

(5) A parenting coordinator must act in what he believes to be the best interests of a child.

(6) The Court may, when making an order under paragraph (1), make any other order as it considers necessary for the parenting coordination programme to be carried out, including orders concerning the following:

- (a) the term of appointment of the parenting coordinator and the terms of reference of his appointment;
- (b) the period during which the parties are required to participate in the parenting coordination programme;
- (c) the frequency of the sessions of the parenting coordination programme to be conducted;
- (d) the remuneration of the parenting coordinator;
- (e) the proportion of the remuneration of the parenting coordinator to be paid by each party.

Application by parties for record of consent order

34D.—(1) This rule applies where the parties to any proceedings have, pursuant to participation in a parenting coordination programme, agreed to the resolution of any issue relating to a parenting matter.

(2) The parties mentioned in paragraph (1) may make an application for the Court to record a consent order in the terms of the resolution agreed by the parties.

(3) An application under paragraph (2) must be made by summons and supported by an affidavit.

Power of Court to make subsequent order, etc.

34E.—(1) Despite the conclusion of any hearing during which any order was made under rule 34C, the Court may —

- (a) on its own motion; or
- (b) at the request of any party to the proceedings, or a parenting coordinator,

do anything mentioned in paragraph (2) to modify how the parenting coordination programme is to be carried out.

(2) The Court may —

- (a) make any order to modify the terms of the parenting coordination programme;
- (b) give any direction with respect to how the parenting coordination programme is to be carried out; or
- (c) direct that any party or the parenting coordinator, or all the parties and the parenting coordinator, attend a hearing before the Court during which the Court may make an order or give a direction mentioned in sub-paragraph (a) or (b).

(3) Without limiting paragraph (2), an order or a direction under that paragraph may extend the period of the parenting coordination programme or change the frequency of the sessions of the parenting coordination programme.

Termination of parenting coordination programme

34F.—(1) A parenting coordination programme ends after the period specified by the Court in any order or direction under this Division, unless the Court orders otherwise under paragraph (2).

(2) The Court may, on application by any party to any proceedings, or a parenting coordinator, order the termination of the parenting coordination programme if the Court considers that there is good cause to do so.

Report of parenting coordinator

34G.—(1) The Court may, not later than 12 months after the termination of a parenting coordination programme, require a report from the parenting coordinator for that programme on any parenting matter that was addressed or resolved during that programme.

(2) The Court may have regard to the report in considering any question relating to any parenting matter, in any proceedings concerning the same parties who participated in the parenting coordination programme.”.

Amendment of rule 131A**4. Rule 131A of the principal Rules is amended —**

- (a) by deleting the word “or” at the end of paragraph (1)(e);
- (b) by deleting the full-stop at the end of sub-paragraph (f) of paragraph (1) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraphs:
 - “(g) by addressing it to that person, and transmitting it to an electronic mail address specified by that person in accordance with paragraph (4); or
 - (h) by addressing it to that person, and transmitting it to an electronic address, represented by a mobile telephone number, in a messaging system specified by that