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FAMILY JUSTICE ACT 2014
(ACT 27 OF 2014)

FAMILY JUSTICE (AMENDMENT) RULES 2017

In exercise of the powers conferred on us 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) Rules 2017 and come into operation on 10 July 2017.

Amendment of rule 37

2. Rule 37(2) of the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) is amended —

- (a) by deleting the words “and 5” and substituting the words “, 5 and 6”; and
- (b) by deleting the words “and 65” in sub-paragraph (b) and substituting the words “, 65, 68A and 69A”.

Amendment of rule 102

3. Rule 102(4) of the principal Rules is amended by inserting, immediately after the words “sworn statement” in sub-paragraph (b), the words “confirming the contents of the relevant form, and”.

New rules 131BA and 131BB

4. The principal Rules are amended by inserting, immediately after rule 131B, the following rules:

“Examination of complaint filed using electronic filing service under Division 68A of Part 18

131BA.—(1) Despite section 151(2) of the Criminal Procedure Code (Cap. 68) and rule 131B, where an application under Part VII or VIII of the Act is made by or on behalf of a complainant using the electronic filing service under Division 68A of Part 18 of these Rules, the Magistrate to whom the complaint is made may, instead of complying with section 151(2)(a) of that Code —

- (a) allow the complainant to file a written complaint that complies with paragraph (2); and
 - (b) examine that written complaint.
- (2) The written complaint —
- (a) if made by the complainant, must contain a declaration by the complainant that —
 - (i) the matters stated in the written complaint are true and correct; and
 - (ii) the complainant understands that the complainant commits an offence under section 199 of the Penal Code (Cap. 224) if the complainant makes, in the written complaint, any statement which is false, and which the complainant knows or believes to be false or does not believe to be true, touching any point material to the object for which the written complaint is made or used; or
 - (b) if made on behalf of the complainant, must contain a declaration by an authorised agent of an authorised user that —
 - (i) the authorised agent has verified the identity of the complainant; and
 - (ii) the authorised agent has read the matters stated in the written complaint over to the complainant in a language that the complainant understands,

and the complainant has confirmed that those matters are true and correct.

(3) After examining the written complaint under paragraph (1)(b), the Magistrate may —

(a) postpone consideration of the matter until after the Magistrate has examined the complainant in person on oath or affirmation; or

(b) if the written complaint is made by the complainant for an application under Part VIII of the Act, exercise any of the powers under section 151(2)(b) or 153 of the Criminal Procedure Code.

(4) In this rule, “authorised agent” and “authorised user” have the same meanings as in rule 929B.

Declaration of service of Court process servers

131BB.—(1) A process server attached to the Family Justice Courts must, as soon as practicable after service of a summons issued under Part VII or VIII of the Act, file a declaration to the Registrar of such service using the electronic filing service under Division 68A of Part 18 of these Rules.

(2) Despite section 119 of the Criminal Procedure Code (Cap. 68), a declaration mentioned in paragraph (1) that has been filed in accordance with that paragraph is admissible in evidence.”.

Amendment of rule 444

5. Rule 444(1) of the principal Rules is amended by deleting the word “certificate” and substituting the words “Grant of Aid”.

New Division 68A of Part 18

6. The principal Rules are amended by inserting, immediately after rule 929, the following Division:

“Division 68A — Electronic filing service for certain specified proceedings and matters

Application

929A.—(1) This Division applies to —

- (a) the following proceedings which are commenced in a Family Court in the same manner as an application for a summons is made under the Criminal Procedure Code (Cap. 68):
 - (i) an application for an order under Part VII, VIII or IX of the Women’s Charter (Cap. 353);
 - (ii) an application to enforce, under section 10 of the Maintenance of Parents Act (Cap. 167B), a maintenance order made under that Act;
 - (iii) an application for a provisional maintenance order under section 4(1) of the Maintenance Orders (Reciprocal Enforcement) Act (Cap. 169);
 - (iv) an application to enforce, under section 8 of the Maintenance Orders (Reciprocal Enforcement) Act, a maintenance order registered or confirmed under that Act by a court in Singapore;
 - (v) an application to enforce, under section 53(1) of the Administration of Muslim Law Act (Cap. 3), an order of the Syariah Court; and
- (b) all matters (other than appeals) arising from those proceedings.

(2) To avoid doubt, in the case of proceedings under Part VII, VIII or IX of the Women’s Charter, the matters mentioned in paragraph (1)(b) include —

- (a) any matter relating to bails and bonds under Division 5 of Part VI of the Criminal Procedure Code; and

(b) any matter relating to warrants of arrests under section 120 of the Criminal Procedure Code.

Definitions

929B. In this Division, unless the context otherwise requires —

“authorised agent”, in relation to an authorised user that is a qualifying entity, means a person who is designated under rule 929E(2) by the authorised user as its authorised agent;

“authorised user” means any individual or qualifying entity that is granted access by the Registrar under rule 929E(1) to use the electronic filing system;

“confirmation receipt” means a confirmation that is transmitted to an authorised user, or an authorised agent of an authorised user, after the authorised user or authorised agent has filed any application or document through the electronic filing service;

“court” means a Family Court;

“document” has the same meaning as in section 3(1) of the Evidence Act (Cap. 97);

“electronic filing” means the process by which an authorised user or an authorised agent files any application or document by means of an electronic transmission;

“electronic filing service” means the electronic filing service established under rule 929C;

“electronic filing service provider” means the electronic filing service provider appointed under rule 929D;

“electronic transmission” means electronic transmission by an authorised user or an authorised agent through the electronic filing service;