

## **APPENDIX**

### **Instructions for amendment of *The Supreme Court Practice Directions***

- 1) The existing page 54A should be replaced with the attached page 54A.
- 2) The existing page 55 should be replaced with the attached page 55.
- 3) The existing page 57 should be replaced with the attached pages 57 to 57A.
- 4) The existing pages 58 to 58B should be replaced with the attached pages 58 to 58B.

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

**47. Uncontested divorce matters**

- (1) The contents of the divorce petitions are verified by affidavit pursuant to rule 6 of the Women's Charter (Matrimonial Proceedings) Rules. As such, where a petition is uncontested, there is no need for petitioners to be made to confirm every paragraph in them. For the hearing of uncontested divorce petitions, therefore, counsel will only need to put to petitioners in the witness box the questions which will prove the following matters:

- (a) the marriage (including the production of the marriage certificate);
- (b) the particulars of children (if any);
- (c) the ground on which the petition is founded; and
- (d) the prayer.

For this purpose and to facilitate the proceedings, counsel should supply a copy of the petition to their respective petitioners.

- (2) If agreement has been reached between the parties on the custody of children, access to them, maintenance or other ancillary matters, counsel should submit draft orders incorporating the agreement for the approval of the Court. Where no agreement has been reached, these ancillary matters will normally be adjourned into Chambers for further consideration.
- (3) 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 petition of which the Court should be aware before a divorce is

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**50. Transfer of divorce proceedings, matrimonial causes, matters relating to the guardianship of infants, and proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap 322) to the Family Court of the Subordinate Courts**

- (1) The Honourable the Chief Justice had on 12 March 1996 made an order under section 28A of the Supreme Court of Judicature Act (Cap 322) for all proceedings under section 59 and Part X of the Women’s Charter (Cap 353, 1997 Revised Edition) and the Guardianship of Infants Act (Cap 122) commenced in the High Court on or after 1 April 1996 to be transferred to and be heard by a District Court (‘the 1996 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, 1997 Revised Edition) and the Guardianship of Infants Act (Cap 122) (referred to in this direction as “family proceedings”) commenced in the High Court on or after 1 April 1996 shall be transferred to and be heard 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 Honourable the Chief Justice had on 11 November 2003 made an order under section 28A of the Supreme Court of Judicature Act (Cap 322) for all family proceedings commenced in the High Court on or after 15 December 2003 to be transferred to and be heard and determined by a District Court (‘the 2003 Transfer Order’).
- (4) Pursuant to the 2003 Transfer Order –
  - (a) all family proceedings commenced in the High Court on or after 15 December 2003 shall be transferred to and be heard by a District Court; and
  - (b) proceedings under Part X of the Women’s Charter (Cap 353, 1997 Revised Edition) transferred to a District Court as stated in sub-paragraph (4)(a) above, 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, upon the direction of the Registrar of the Subordinate Courts that the ancillary issues are ready for hearing, be transferred to and be heard by the High Court.

- (5) The Honourable the Chief Justice had on 26 July 1999 made an order under section 28A of the Supreme Court of Judicature Act (Cap 322) that all proceedings which may be heard and determined by the High Court pursuant to section 17A(2) of the Supreme Court of Judicature Act (referred to in this Direction as “section 17A proceedings”) be transferred to and be heard by a District Court.
- (6) The Honourable the Chief Justice had on 8 October 2004 made an order under section 28A of the Supreme Court of Judicature Act (Cap 322) for all section 17A proceedings commenced in the High Court on or after 1 November 2004 to be transferred to and be heard by a District Court. The order was gazetted on 12 October 2004 (‘the 2004 Transfer Order’) and came into operation on 1 November 2004.
- (7) Pursuant to the 2004 Transfer Order -
  - (a) all section 17A proceedings commenced in the High Court on or after 1 November 2004 shall be transferred to and be heard by a District Court; and
  - (b) section 17A proceedings transferred to a District Court as stated in sub-paragraph 7(a) above, 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, upon the direction of the Registrar of the Subordinate Courts that the proceedings are ready for hearing, be transferred to and be heard by the High Court.
- (8) A sub-registry of the Registry of the Supreme Court (referred to in this direction as the “sub-registry of the Supreme Court”) and sub-registry of the Registry of the Subordinate Courts (referred to in this direction as the “sub-registry of the Subordinate Courts”) have been set up in the

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Family and Juvenile Court Building (at No. 3, Havelock Square) (“the Family & Juvenile Court”).

**50A. Documents to be filed at the Registry of the Supreme Court at the City Hall Building**

- (1) All documents relating to family proceedings and section 17A proceedings which are to be heard and determined by the High Court shall be filed at the Registry of the Supreme Court at the City Hall Building. These include:
  - (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 upon the direction of the Registrar of the Subordinate Courts;
  - (d) all applications and documents in or ancillary to section 17A proceedings commenced on or after 1 November 2004 involving the division of matrimonial assets with a gross value of \$1.5 million or more, which have been transferred to the High Court 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 (1)(a) to (d).
- (2) Save for the documents listed in sub-paragraph (1), the Registry of the Supreme Court in the City Hall Building will cease to accept the filing of the processes in relation to family proceedings with effect from 1 April 1996. These processes shall be filed at the sub-registry of the Supreme Court of at the Family and Juvenile Court.

- (3) For the avoidance of doubt, all documents relating to family proceedings that are filed at the Registry of the Supreme Court at the City Hall Building shall bear the title “In the High Court of the Republic of Singapore”.

**50B. Forms of orders, including *Mareva* injunctions and *Anton Piller* orders**

- (1) The format of all orders made in applications taken out in proceedings by way of a petition under Part X of the Women’s Charter (Cap 353, 1997 Revised Edition) that is commenced on or after 14 April 2003 shall comply with Form 24 of the Schedule to the Women’s Charter (Matrimonial Proceedings) Rules 2003.
- (2) Paragraphs 22A and 23 of this Practice Direction shall be applicable to an application for a *Mareva* injunction and an *Anton Piller* order. The order of court for such application shall contain the text set out in Forms 4-6 of Appendix B of this Practice Direction.

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**50C. Appeals on ancillary matters, custody matters or proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap 322) from the Family Court to the High Court**

- (1) Appeals against final orders made by the District Judge in chambers on ancillary matters in divorce proceedings under the Women's Charter, custody proceedings under the Guardianship of Infants Act, or proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act are governed by Order 55C of the Rules of Court. In practice, the District Judges furnish grounds of decision within 8 weeks of the filing of the notice of appeal although the furnishing of grounds of decision is not a requirement under the Rules.
- (2) To facilitate the conduct of appeal hearings before the Judge of the High Court in Chambers, parties are required to file the following documents prior to the appeal hearing:
  - (i) the appellant shall, within one week from the date of the release of the grounds of decision, file his Submission, the Record of Appeal, and where the Record of Appeal exceeds 1000 pages, a Core Bundle, and serve a copy thereof on every respondent to the appeal or his solicitor; and
  - (ii) the respondent shall, within one week from the date of the service of the documents referred to in sub-paragraph (2)(i), file his Submission and a supplemental Core Bundle, where necessary, and serve a copy thereof on the appellant or his solicitor.
- (3) The Submissions to be filed by parties shall set out as concisely as possible:
  - (i) the circumstances out of which the appeal arises;
  - (ii) the issues arising in the appeal;
  - (iii) the contentions to be urged by the party filing it and the authorities in support thereof; and
  - (iv) the reasons for or against the appeal, as the case may be.

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