

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE

ePRACTICE DIRECTION NO. 2 OF 2006

**AMENDMENT OF ORIGINATING PROCESSES, PLEADINGS AND
DOCUMENTS**

Amended originating processes, pleadings and documents are presently named as “amended” documents, “re-amended” documents, “re-re-amended” documents etc. as appropriate. This Practice Direction modifies these names to “[document name] (Amendment No. 1)”, “[document name] (Amendment No. 2)” etc. as the case may be. This change will make the exact number of amendments more evident.

2. Currently, *The Subordinate Courts Practice Directions (2006 Ed.)* do not prescribe the use of colours to indicate the amendments in originating processes and pleadings. However, it has been a conventional practice to show the different generations of amendments in distinct colours, and this practice has continued in some instances. In order to indicate the history of amendments clearly, this Practice Direction sets out a colour scheme to be followed for different rounds of amendment. It is to be noted that the colour black, instead of red, is to be used for the first amendment. This will obviate the need to use colour material in electronic documents when the originating processes or pleadings are amended once only.

3. In addition, to facilitate convenient reading of originating processes and pleadings that are amended for a number of times, this Practice Direction introduces the requirement of filing a “clean” version of the amended originating process or pleading, in addition to the version showing the alterations in colour, when the originating process or pleading has been amended for three or more times.

4. This Practice Direction shall also apply to certain documents filed in proceedings in the Family Court under Part X of these Practice Directions.

5. This Practice Direction takes effect on **25 July 2006**.

6. A complete and updated version of *The Subordinate Courts Practice Directions (2006 Ed.)* may be downloaded in .PDF Adobe Acrobat format or Mobipocket format (for use on Personal Digital Assistants and Smartphones) at the Subordinate Courts website at http://www.subcourts.gov.sg/practice_directions.htm.

7. For manual and loose-leaf updating, the specific new and amended paragraphs and the directions for amendments may also be downloaded at the Subordinate Courts website at http://www.subcourts.gov.sg/practice_directions.htm.

Dated this 25th day of July 2006.

TOH HAN LI
REGISTRAR
SUBORDINATE COURTS

Directions for Amendments

- (1) The existing Part X of the Table of Contents to be removed and the new amended Part X of the Table of Contents substituted therefor.
- (2) The existing Appendix A to be removed and the new amended Appendix A substituted therefor.
- (3) The existing Paragraph 13 to be removed and the new amended Paragraph 13 substituted therefor.
- (4) The new Paragraph 84A should be inserted immediately after the existing Paragraph 84.

PART X

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

81. Transfer of divorce proceedings, matrimonial causes and matters relating to the guardianship of infants to the Family Court
82. Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building
83. Documents to be filed at the sub-registry at the Family and Juvenile Court
84. Particulars of Statement of Claim
- 84A. Amendment of documents originally filed in Court by entering relevant information in an electronic template
85. Appeals
86. Agreed Parenting Plan and Proposed Parenting Plan
87. Agreed Matrimonial Property Plan and Proposed Matrimonial Property Plan
88. Status conferences for matrimonial proceedings under Part X of the Women's Charter (Cap 353, 1997 Revised Edition)
89. Pre-trial conferences for matrimonial proceedings under Part X of the Women's Charter (Cap 353, 1997 Revised Edition)
90. Mediation
91. Counselling
92. Uncontested Matrimonial Proceedings under Part X of the Women's Charter (Cap 353, 1997 Revised Edition)
- 92A. Affidavit of Evidence in Chief for Uncontested Matrimonial Proceedings under Part X of the Women's Charter (Cap 353, 1997 Revised Edition)
93. Arrangements for the welfare of children
94. Examination of children
95. Draft Consent Orders
96. Documents required for the extraction of Certificate of Making Decree Nisi Absolute and Decree Nisi for matrimonial proceedings filed before 15 December 2003
97. Order of Court for Substituted Service or Dispensation of Service for Originating Processes under Part X of the Women's Charter (Cap 353, 1997 Revised Edition) filed before 15 December 2003

98. 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
99. Mareva injunctions and search orders
100. Discovery, inspection and interrogatories in respect of ancillary relief
101. Affidavit of Assets and Means
102. Applications under the Guardianship of Infants' Act (Cap. 122, 1985 Revised Edition)
103. Adoption
104. Request for urgent hearing dates or urgent hearings prior to the filing of the application through the Electronic Filing Service
105. Correspondence and request for re-fixing of hearing dates
106. Transfer of proceedings pursuant to section 17A(2) of the Supreme Court of Judicature Act (Cap. 322, 1999 Revised Edition) to the Family Court
107. Documents to be filed at the sub-registry at the Family and Juvenile Court for section 17A proceedings
108. Documents to be filed at the Legal Registry of the Supreme Court at the Supreme Court Building for section 17A proceedings
109. Appeals for section 17A proceedings
110. Agreed Matrimonial Property Plan and Proposed Matrimonial Property Plan for section 17A proceedings
111. Pre-trial conferences for section 17A proceedings
112. Mediation for section 17A proceedings
113. Counselling for section 17A proceedings
114. Draft Consent Orders for section 17A proceedings
115. Correspondence and request for re-fixing of hearing dates for section 17A proceedings
116. Interim Pre-trial conferences

APPENDIX A

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

As at 25th July 2006

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

1. ePD 1 of 2006 Change to Mode of Commencement of Matrimonial Proceedings
2. ePD 2 of 2006 Amendment of Originating Processes, Pleadings and Documents

13. Amendment of documents

Application

- (1) Subject to sub-paragraph (2), the Directions in this Paragraph shall apply to documents, originating processes and pleadings filed in any proceedings.
- (2) The Directions in sub-paragraphs (4)(b), (6) and (7) shall not apply to the amendment of documents which were originally filed in Court by entering the relevant information in the appropriate electronic template pursuant to Paragraph 62(3)(e)(i), (iii) and (iv) of these Directions. Documents which are filed pursuant to Paragraph 62(3)(e)(i), (iii) and (iv) of these Directions are to be amended in accordance with the following paragraphs of these Directions:
 - (a) Paragraph 103 for documents in adoption proceedings filed pursuant to Paragraph 62(3)(e)(i) of these Directions;
 - (b) Paragraph 84A for documents in matrimonial proceedings under Part X of the Women’s Charter (Cap. 353, 1997 Revised Edition) commenced on or after 1 April 2006 filed pursuant to Paragraph 62(3)(e)(iii) of these Directions; and
 - (c) Paragraph 118 for documents in probate and administration proceedings filed pursuant to Paragraph 62(3)(e)(iv) of these Directions.

Amendment of any document

- (3) Where a document is required to be amended and filed in Court, a fresh copy of the document with the amendments included must be prepared, regardless of the number and length of the amendments sought to be made.
- (4) The procedure for amending a document is as follows:
 - (a) A fresh amended copy of the document should be produced. The number of times the document has been amended shall be indicated in parentheses after the name of the document. An amended document should be entitled “[document name] (Amendment No. 1)” or “[document name] (Amendment No. 2)”, or as appropriate.

- (b) The changes made in the document from the latest version of the document filed in Court should be indicated in the following way:
 - (i) deletions shall be made by drawing a single line across the words to be deleted; and
 - (ii) insertions shall be underlined.
- (c) When the amended document is forwarded to Court using the Electronic Filing Service (EFS), the appropriate version number corresponding to the amendment must be entered in the electronic template. For example, the document “[document name] (Amendment No. 1)” will have an amendment version number of 1, the document “[document name] (Amendment No. 2)” will have an amendment version number of 2, and so on.

Amendment of originating processes and pleadings, Decrees Nisi, Certificates of Making Decree Nisi Absolute, and certain orders of Court in proceedings under Part X of these Directions (“the specified documents”)

- (5) The Directions in sub-paragraphs (3) and (4) also apply to the amendment of originating processes, pleadings, Decrees Nisi, Certificates of Making Decree Nisi Absolute and orders of Court in proceedings under Part X of these Directions (save for those orders of Court to which Paragraph 84A of these Directions applies) (‘the specified documents’). A Statement of Claim which is amended for the first time should be filed as “Statement of Claim (Amendment No. 1)”, and a Defence that is amended for the second time should be filed as “Defence (Amendment No. 2)”. The terms “re-amended”, “re-re-amended” etc. should no longer be used.
- (6) **Colour scheme for amendments**

In addition, the following colours shall be used to indicate the history of the amendments in the specified documents:

- (a) black for the first round of amendments;
- (b) red for the second round of amendments;
- (c) green for the third round of amendments;
- (d) blue for the fourth round of amendments; and
- (e) brown for subsequent rounds of amendments.

Solicitors filing the amended specified documents shall comply with the Directions in Paragraph 68 and indicate if the documents have colour material.

(7) **Amendment for third time or more**

From the *third round* of amendments onwards, the amended specified document should comprise two versions of the document:

- (a) a clean version without the amendments shown; followed in the same document by
- (b) a version showing the amendments in colour.

Only one amended document consisting of these two versions is required to be filed. The fees under Item 4 of Appendix B of the Rules of Court, Item 17 of the Women's Charter (Matrimonial Proceedings - Fees) Rules 2003 and Item 8 of the Second Schedule of Women's Charter (Matrimonial Proceedings) Rules 2005 continue to apply to the filing of the amended specified documents.

(8) **Amendments made on original writ or originating summons (where amendments are not numerous or lengthy)**

This sub-paragraph applies to writs and originating summonses that have not been filed using the EFS. In addition to the usual endorsement signed by the solicitors pursuant to Paragraph 14 of these Directions, there should be re-sealing of the document as required by Order 20, Rule 10 (1), of the Rules of Court. The seal will be embossed over the endorsement.

84A. Amendment of documents originally filed in Court by entering relevant information in an electronic template

- (1) This Paragraph applies to documents that are originally filed in Court by entering the relevant information in the appropriate electronic template under Paragraph 62(3)(e)(iii) of these Directions.
- (2) Where such a document is to be amended, whether pursuant to Rule 22 of the Women's Charter (Matrimonial Proceedings) Rules 2005 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(4)(b), (6) and (7) shall not apply.