

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO. 2 OF 2016

It is hereby notified for general information that, with effect from 1 August 2016, the Family Justice Courts Practice Directions will be amended as follows:-

- a) The existing paragraph 14 will be deleted and replaced by the following paragraph:

paragraph 14

- b) The existing paragraph 21 will be deleted and replaced by the following paragraph:

paragraph 21

- c) the existing Forms 6, 8, 21 and 28 will be deleted and replaced by the following forms:

Form 6

Form 8

Form 21

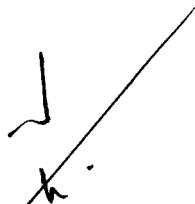
Form 28

- d) the existing Form 125 will be deleted and replaced by the following form:

Form 125

2. The amendments in (a), (b) and (c) are due to the amendment to section 131 of the Bankruptcy Act which allows a bankrupt to commence, continue or defend a matrimonial proceeding without obtaining the previous sanction of the Official Assignee.
3. The amendment in (d) amends the Order to Produce Person in Prison form to be used when the Court makes an order on its own motion or upon application under Rule 608.

Dated this 29th day of July 2016


CHIA WEE KIAT
REGISTRAR

FAMILY JUSTICE COURTS

14. Particulars of Statement of Claim

Bankruptcy status of both parties

- (1) The Plaintiff must conduct a bankruptcy search on the Defendant.
- (2) (deleted)
- (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) (deleted)

Statement of Particulars

- (5) The Statement of Particulars to be filed pursuant to rule 44(1)(b) of the Family Justice Rules must state the following information:

Bankruptcy Status

- (a) whether the Plaintiff is a bankrupt;
- (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 192 of Appendix A to these Practice Directions (where relevant);
 - (c) 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
 - (d) 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).

- (7) The bankruptcy search must be conducted for the year in which the Writ for Divorce is filed as well for the years that the search indicates that there were bankruptcy proceedings against the Plaintiff or Defendant.

Counterclaim

- (8) The Counterclaim to be filed pursuant to rule 56(4) of the Family Justice Rules must state the following information:
- (a) whether the Defendant is a bankrupt; 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.

21. Affidavit of Assets and Means

- (1) The Affidavit of Assets and Means (“AOM”) to be filed pursuant to rule 89 of the Family Justice Rules shall be in Form 206 in Appendix A 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, 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 immoveable 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 immoveable 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 63 of the Family Justice Rules of documents which are necessary and proportionate to the complexity and value of the case.

FORM 6

R. 44, 48, 83

(STATEMENT OF CLAIM (DIVORCE/JUDICIAL SEPARATION) FORM)
 IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE
 Divorce Writ No.

Between

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

And

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

STATEMENT OF CLAIM FOR NULLITY*/DIVORCE*/JUDICIAL
 SEPARATION*/PRESUMPTION OF DEATH AND DIVORCE*

1. The Marriage between Plaintiff and Defendant (the marriage)
 - (a) Date and place of solemnization of the marriage:
 - (b) Date and place of registration of the marriage:
 - (c) *Marriage Certificate Number (for marriage registered in Singapore):
 - (d) *The date of the marriage is less than 3 years before the date of filing of this Writ. The court has granted leave to the Plaintiff to file this Writ before the said 3 years have passed on [*to state date*] in Originating Summons Number [*to state number*]*.

[*The Statement of Particulars shall annex a copy of the marriage certificate.*]

2. Particulars of Parties

(a) Plaintiff

Age:		Citizenship:	
Religion:		Education Level:	
Occupation:		Current address:	

(b) Defendant

Age:		Citizenship:	
Religion:		Education Level:	
Occupation:		Current address:	

- (c) The last address at which the parties to the marriage have lived together as husband and wife:

[*to state address*]

3. Jurisdiction

- (a) *The court has jurisdiction based on domicile. [Choose one of the following]
- (i) The Plaintiff/The Defendant/Both the Plaintiff and the Defendant* is a/are* Singapore citizen(s).
 - (ii) Neither the Plaintiff nor the Defendant is a Singapore citizen. [The Statement of Particulars shall set out the reasons for which the court has jurisdiction based on domicile.]
- (b) *The court has jurisdiction based on habitual residence. [Choose one of the following]
- (i) The Plaintiff has been habitually resident in Singapore for a period of 3 years immediately preceding the date of the filing of the writ.
 - (ii) The Defendant has been habitually resident in Singapore for a period of 3 years immediately preceding the date of the filing of the writ.
- [The Statement of Particulars is to state the relevant details in either case, including:
- (A) Address(es) of the place(s) of residence; and
 - (B) The length of residence at each place.]

4. Children

[To state, in respect of each living child of the marriage]

S/N	Name of child:	BC/ID number:
	Date of Birth:	Gender:
	Any disability or illness?	[If the child is suffering from serious disability or chronic illness or from the effects of that illness, state the nature of the disability or illness and in the Statement of Particulars, attach a copy of any up-to-date medical report which is available.]
	Child over 21 (whether in educational institution, national service, or mentally/physically disabled	[In the case of a child above the age of 21 years, to state whether he is receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation and whether he is suffering from a mental or physical disability and whether he is or will be serving full-time national service.*]
	Is child under care?	[If the child is under the care or custody of an approved school or approved home established under the Children and Young Persons Act (Cap. 38), give details, and state the date of any order for care or custody and the circumstances which gave rise to its being made.]

The following child(ren) are born to the wife during the marriage:

S/N.	Name of child:		BC/ID number:	
	Date of Birth:		Gender:	
	Is there a dispute whether the living child is a child of the marriage?			

5. Related Proceedings

To state if there are or have been other proceedings in [Singapore/elsewhere (to specify)] with reference to the marriage, or to any children of the marriage, or between the Plaintiff and the Defendant with reference to maintenance or to any property of either or both of them.

If there are or have been such proceedings, to complete the following section:

S/N	Nature of proceedings:			
	Suit number:		Date of Decree/order/judgment:	
	Date of application		Country where proceedings filed:	
	Details of Order applied/made:			
	Status of Proceedings if no Decree/order/judgment made:			
	Plaintiff Bankruptcy Details:			
	Pending Bankruptcy Details:	[The Statement of Particulars is to state details of the pending bankruptcy proceedings.]		

6. Ground on which Relief is Sought [Choose one of the following]

The marriage is void

(a) *(For marriages that took place after 1st June 1981) The marriage is not valid under section 105 of the Women's Charter: [Choose one or more of the following]

- (i) by virtue of section 3(4)/5/9/10/11/12/22* of the Women's Charter
- (ii) (for marriages celebrated outside Singapore) for the lack of capacity

- (iii) *(for marriages celebrated outside Singapore)* under the law of the place in which the marriage was celebrated.
- (b) *(For marriages that took place on or before 1st June 1981) The marriage is not valid for the reasons stated in the Statement of Particulars.
- (c) *(For marriages that took place on or after 1 July 2016) The marriage is not valid by virtue of s11A of the Women's Charter.

OR

The marriage is voidable

- (a) *(For marriages that took place after 1st June 1981) The marriage is voidable under section 106 of the Women's Charter on the following ground(s): [*Choose one or more of the following*]
 - (i) That the marriage has not been consummated owing to the incapacity of either party [*please specify*] to consummate it.
 - (ii) That the marriage has not been consummated owing to the wilful refusal of the Defendant to consummate it.
 - (iii) That the Plaintiff/Defendant* did not validly consent to the marriage, in consequence of duress and/or mistake* and/or unsoundness of mind/lack of capacity* and/or the facts stated in the Statement of Particulars [*please specify in the Statement of Particulars*].
 - (iv) That at the time of the marriage the Plaintiff/Defendant* though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder within the meaning of the Mental Health (Care and Treatment) Act (Cap. 178A) of such a kind or to such an extent as to be unfit for marriage.
 - (v) That at the time of the marriage the Defendant was suffering from venereal disease in a communicable form, and the Plaintiff was at the time of the marriage ignorant of the facts alleged.
 - (vi) That at the time of the marriage the Defendant was pregnant by some person other than the Plaintiff and the Plaintiff was at the time of the marriage ignorant of the facts alleged.
- (b) *(For marriages that took place on or before 1st June 1981) The marriage is voidable for the reasons stated in the Statement of Particulars.
[Full particulars of the individual facts relied on but not the evidence by which they are to be proved, and any other relevant information, to be stated in the Statement of Particulars.]

OR

The marriage has broken down irretrievably*

Fact(s) relied upon for the irretrievable breakdown of the marriage (for the purposes of section 95(3) of the Women's Charter): [*Choose one or more of the following*]

- (a) That the Defendant has committed adultery and the Plaintiff finds it intolerable to live with the Defendant.
- (b) That the Defendant has behaved in such a way that the Plaintiff cannot reasonably be expected to live with the Defendant.
- (c) That the Defendant has deserted the Plaintiff for a continuous period of at least 2 years immediately preceding the filing of the writ.
- (d) That the parties to the marriage have lived apart for a continuous period of at least 3 years immediately preceding the filing of the writ and the Defendant consents to a judgment being granted. [*The Statement of Particulars is to annex a copy of the Defendant's consent if available.*]
- (e) That the parties to the marriage have lived apart for a continuous period of at least 4 years immediately preceding the filing of the writ.

[Full particulars of the individual facts relied on but not the evidence by which they are to be proved, and any other relevant information, to be stated in the Statement of Particulars.]

OR

That the Defendant be presumed dead and the divorce be granted*

- (a) Circumstances in which Parties Ceased to Cohabit
[To state the circumstances in which the parties ceased to cohabit, and the last place at which they cohabited.]
- (b) Last Contact with Defendant
 - (i) Date when the Defendant was last heard of:
 - (ii) Place where the Defendant was last seen:
- (c) Steps Taken to Trace the Defendant
[To state particulars of steps taken to trace the Defendant and any other relevant information in the Statement of Particulars.]

In the circumstances, from [*to state date*] until now, the Defendant has been continually absent from the marriage life with the Plaintiff and the Plaintiff has no reason to believe that the Defendant has been living within this time.

7. Relief Claimed

To state the particulars of relief claimed by the Plaintiff, including any claim for ancillary relief. [*Choose one or more of the following*]

- (a) That the marriage be declared null and void*.

OR

That the marriage be dissolved*.

OR

That a judgment of judicial separation be granted*.

OR

That a judgment of presumption of death and divorce be granted*.

- (b) Custody* of and/or care and control* of the child/children* of the marriage

That the Plaintiff/Defendant* be granted sole/joint* custody of the child/children* of the marriage with care and control to the Defendant/Plaintiff*.

- (c) Access to the child/the children* of the family

That the Plaintiff/Defendant* be granted reasonable/liberal* access to the child/children* of the marriage or access as follows: *[to state terms of access]*

- (d) Division of the matrimonial home

That the matrimonial home at *[to state the address of the matrimonial home]* be sold in the open market and the sale proceeds/loss*, after deducting the outstanding loan and costs and expenses of sale are to be divided *[to state the manner of division]*. Parties are to refund moneys into their respective CPF accounts from their own share of the sale proceeds.

OR

That Plaintiff's/Defendant's* right, title and interest in the matrimonial flat at *[to state the address of the matrimonial home]* shall be transferred (other than by way of a sale) to the Defendant/Plaintiff* upon the Plaintiff/Defendant* *[to state the consideration for the transfer]*. The Plaintiff/Defendant* is to bear the cost and expenses of the transfer.

OR

That Plaintiff's/Defendant's* right, title and interest in the matrimonial flat at *[to state the address of the matrimonial home]* shall be sold to the Defendant/Plaintiff* upon the Plaintiff/Defendant* *[to state the consideration for the sale]*. The Plaintiff/Defendant* is to bear the cost and expenses of the sale.

OR

That the matrimonial home at *[to state the address of the matrimonial home]* be surrendered to the Housing Development Board and any proceeds/loss* to be divided *[to state the manner of division]* between the parties.

OR

Others *[please specify]*

- (e) Division of the matrimonial assets (other than the matrimonial home)

[To specify the asset and the nature of division]

- (f) Maintenance for the wife / incapacitated husband*

That the Plaintiff/Defendant* shall pay \$*[to state the amount]* each month as maintenance for the Plaintiff/Defendant* with effect from *[date]* and thereafter on the *[day of the month]* of each month. Payment into the Plaintiff's/Defendant's *[to state name of bank]* bank account number *[to state the bank account number]*.

OR

That there be no maintenance for Plaintiff/Defendant*.

OR

Others [*please specify*]

- (g) Maintenance for the child/children* of the marriage

That the Plaintiff/Defendant* shall pay \$[*to state the amount*] each month as maintenance for the child/children* of the marriage with effect from [*date*] and thereafter on the [*day of the month*] of each month. Payment into the Plaintiff's/Defendant's/Child's [*to state the name of the child*] [*to state name of bank*] bank account number [*to state the bank account number*].

- (h) Costs

That there is no order as to costs.

OR

That the Defendant pay costs of the divorce proceedings fixed at [*to state amount of costs*].

- (i) Others [*please specify*]:

8. Housing and Development Board (HDB) flat

One of the matrimonial assets in respect of which relief is being sought is an HDB flat.

- (a) The Agreed/Proposed* Matrimonial Property Plan (For Housing and Development Board flats only) is filed together with this Writ.
- (b) The Plaintiff/Plaintiff's Solicitor* has made enquiries with HDB/HDB and the Central Provident Fund Board (CPFBoard)* on [*to set out respective dates*] and has not received any reply from HDB/CPFBoard/HDB and CPFBoard*. [*The Statement of Particulars shall annex copies of the said letters.*]

*Delete where inapplicable.

FORM 8

R. 44, 48, 83

(STATEMENT OF PARTICULARS FORM)
IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF
SINGAPORE

Divorce Writ No.

Between

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

And

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

STATEMENT OF PARTICULARS

1. The particulars of paragraph(s) [*to state the relevant paragraphs*] of the Statement of Claim are set out below:
[*to state particulars*]
2. *If there are any pending bankruptcy proceedings stated in paragraph 5 of the Statement of Claim, to state the following particulars of the bankruptcy proceedings:
 - (a) The suit number:
 - (b) Whether creditor's bankruptcy application or debtor's bankruptcy application:
 - (c) Name of Creditor:
 - (d) Amount of debt claimed:
 - (e) Status of proceedings:
3. The following documents are annexed herein:
 - (a) Copy of the Marriage Certificate (Exhibit [*to state number*])
 - (b) *Consent of the Defendant to a judgment being granted on the ground of 3 years' separation (Exhibit [*to state number*])
 - (c) Copy of the search result on information relating to bankruptcy proceedings against the Plaintiff and the Defendant pending as at (*to state date, which shall not be later than 7 days immediately preceding the date of filing of this Writ*). (Exhibit [*to state number*])
 - (d) *Any relevant up-to-date medical report for a maintenance claim by an incapacitated husband (Exhibit [*to state number*])
 - (e) Any other document(s) [*please specify*] (Exhibit [*to state number*])

4. The Plaintiff is aware of*, or has been informed by the solicitor acting for him about*, the options of family mediation or counselling, before filing the writ.

Signature:

Name of Plaintiff/Plaintiff's Solicitor*

Date:

*Delete where inapplicable.

FORM 21

R. 56

(DEFENCE AND/OR COUNTERCLAIM FORM)
IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF
SINGAPORE

Divorce Writ No.

Between

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

And

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

DEFENCE* AND COUNTERCLAIM*

1. Particulars of Defendant

Age:

Citizenship:

Religion:

Educational Level:

Current occupation:

Current address:

2. Defence

- (a) To deny or admit the paragraphs of the Statement of Claim (and Statement of Particulars). To state full particulars of the facts relied on but not the evidence by which they are to be proved.
- (b) To state whether any, and if so what, agreement or arrangement has been made or is proposed to be made between the parties for the support of the wife or any child of the marriage.
- (c) If any statements set out in the Statement of Claim concerning the living children of the marriage are disputed, full particulars of the facts relied on are to be stated in the Defence.
- (d) If any information on the following matters has not been provided in the Statement of Claim, or if any statement set out in relation to the following matters in the Statement of Claim is disputed, the Defence is to furnish information on the same, with the details as set out in sub-paragraphs (i) and (ii) below:

Whether there are or have been other proceedings in Singapore or elsewhere with reference to the marriage, or to any children of the marriage, or between the Plaintiff and the Defendant with reference to maintenance or to any property of either or both of them.

- (i) Nature of the proceedings, i.e. whether:
 - (A) Matrimonial proceedings; and/or
 - (B) Family violence (between the Plaintiff, Defendant and any children of the marriage); and/or

- (C) Custody, care and control and/or access to the children of the marriage; and/or
- (D) Proceedings in any juvenile or youth court in respect of the children of the marriage; and/or
- (E) Maintenance (for wife and any children of the marriage); and/or
- (F) Matrimonial Property; and/or
- (G) Other proceedings which may be relevant to the present proceedings (such as bankruptcy proceedings).

(ii) Details of the proceedings

[to state in relation to each of the proceedings set out in paragraph (i) above]

- (A) The suit number:
- (B) The date of any decree or order or judgment:
- (C) Decree or order or judgment made:
- (D) If no decree or order or judgment has been made, the status of the proceedings:

(iii) There are bankruptcy proceedings against the Defendant pending as at *[to state date, which shall not be later than 7 days immediately preceding the filing of the Defence and/or Counterclaim]*:

- (A) The suit number:
- (B) Whether creditor's bankruptcy application or debtor's bankruptcy application:
- (C) Name of Creditor:
- (D) Amount of debt claimed:
- (E) Status of proceedings:

3. Counterclaim*

- (1) The Defendant repeats paragraph(s) *[to state the numbers of the relevant paragraphs]* of the Statement of Claim.
- (2) The Defendant is/is not* a bankrupt.
- (3) Ground on which Relief is Sought.

The marriage is void

- (a) *(For marriages that took place after 1st June 1981) The marriage is not valid under section 105 of the Women's Charter: *(Choose one or more of the following)*
 - (i) by virtue of section 3(4)/5/9/10/11/12/22* of the Women's Charter
 - (ii) *(for marriages celebrated outside Singapore)* for the lack of capacity
 - (iii) *(for marriages celebrated outside Singapore)* under the law of the place in which the marriage was celebrated.

- (b) *(For marriages that took place on or before 1st June 1981) The marriage is not valid for the reasons stated in the Counterclaim.
- (c) *(For marriages that took place on or after 1 July 2016) The marriage is not valid by virtue of s11A of the Women's Charter.

OR

The marriage is voidable

- (a) *(For marriages that took place after 1st June 1981) The marriage is voidable under section 106 of the Women's Charter on the following ground(s): (*Choose one or more of the following*)
 - (i) That the marriage has not been consummated owing to the incapacity of either party [*please specify*] to consummate it.
 - (ii) That the marriage has not been consummated owing to the wilful refusal of the Plaintiff to consummate it.
 - (iii) That the Plaintiff/Defendant* did not validly consent to the marriage, in consequence of duress* and/or mistake* and/or unsoundness of mind/lack of capacity* and/or the facts stated in the Statement of Particulars [*please specify in the Statement of Particulars*]*.
 - (iv) That at the time of the marriage the Plaintiff/Defendant* though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder within the meaning of the Mental Health (Care and Treatment) Act (Cap. 178A) of such a kind or to such an extent as to be unfit for marriage.
 - (v) That at the time of the marriage the Plaintiff was suffering from venereal disease in a communicable form, and the Defendant was at the time of the marriage ignorant of the facts alleged.
 - (vi) That at the time of the marriage the Plaintiff was pregnant by some person other than the Defendant and the Defendant was at the time of the marriage ignorant of the facts alleged.
- (b) *(For marriages that took place on or before 1st June 1981) The marriage is voidable for the reasons stated in the Counterclaim.

[*Full particulars of the individual facts relied on but not the evidence by which they are to be proved.*]

OR

The marriage has broken down irretrievably

Fact(s) relied on for the irretrievable breakdown of the marriage (for the purposes of section 95(3) of the Women's Charter):

(*Choose one of the following*)

- (a) That the Plaintiff has committed adultery and the Defendant finds it intolerable to live with the Plaintiff.
- (b) That the Plaintiff has behaved in such a way that the Defendant cannot reasonably be expected to live with the Plaintiff.

- (c) That the Plaintiff has deserted the Defendant for a continuous period of at least 2 years immediately preceding the filing of the writ.
- (d) That the parties to the marriage have lived apart for a continuous period of at least 3 years immediately preceding the filing of the writ and the Plaintiff consents to a judgment being granted. The Plaintiff's consent is exhibited at Annex [to state number]* (if available).
- (e) That the parties to the marriage have lived apart for a continuous period of at least 4 years immediately preceding the filing of the writ.

[Full particulars of the individual facts relied on to be stated but not the evidence by which they are to be proved.]

4. Relief Claimed

[To state the particulars of relief claimed by the Defendant.]

- (a) That the claim be dismissed
- (b) Costs
- (c) Others [please specify]

For cases where a Counterclaim has been filed*:

(Choose one or more of the following, providing particulars of the relief claimed where possible.)

- (a) That the claim be dismissed.
- (b) On the counterclaim: That the marriage be declared null and void*.
 - OR
 - That the marriage be dissolved*.
 - OR
 - That a judgment of judicial separation be granted*.
- (c) Custody* of and/or care and control* of the child/children* of the marriage
- (d) Access to the child/children* of the marriage
- (e) Division of the matrimonial home
- (f) Division of the matrimonial assets (other than the matrimonial home)
- (g) Maintenance for the wife/incapacitated husband*
- (h) Maintenance for the child/children* of the marriage
- (i) Costs
- (j) Others [please specify]

5. Persons to be served with this Defence/Defence and Counterclaim*

- (a) Plaintiff

Name:

Address: Plaintiff is a person under a disability*.

[To state particulars of Plaintiff's disability]

- (b) Co-Defendant/Defendant in Counterclaim/Other Party (please specify)*

Name:

Address:

Co-Defendant/Defendant in Counterclaim/Other Party (please specify)* is a person under a disability*.

[To state particulars of Co-Defendant's/Defendant in Counterclaim's/Other Party's disability]

6. The Defendant is aware of*, or has been informed by the solicitor acting for him about*, the options of family mediation or counselling, before filing the defence.

Signature:

Name of Defendant/Defendant's Solicitor*:

Date:

*Delete where inapplicable.

FORM 28

R. 82

(REQUEST FOR SETTING DOWN FORM)
IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF
SINGAPORE

Divorce Writ No.

Between

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

And

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

REQUEST FOR SETTING DOWN ACTION FOR TRIAL

1. Request for Setting Down

- (a) I request that the Plaintiff/Defendant* be at liberty to set down this action for trial.
- (b) The duration of the trial is estimated to be [*to state number of days*], and the matter will be contested/uncontested*.

2. Mediation/Counselling Statement**

- (a) I have informed my client about*/I, the Plaintiff/Defendant*, am aware of* the options of mediation and counselling services at the court.
- (b) Parties do not have any child*/have children* who are ____ years old.
- (c) The Plaintiff and/or Defendant have:
 - (i) *been notified to attend/are attending counselling/mediation at Child Focused Resolution Centre (the CFRC);
 - (ii) *not been notified to attend counselling/mediation at the CFRC and are persons prescribed under section 50(3A) of the Women's Charter as persons who are required to attend mediation/counselling;
 - (iii) *completed counselling/mediation at the CFRC or are not required to attend counselling/mediation at the CFRC*.

3. Particulars of Bankruptcy (if applicable)

[*State if either the Plaintiff or the Defendant is a bankrupt and if so, furnish details concerning the bankruptcy proceedings and whether the Official Assignee has been notified of the proceedings.*]

- (a) The Plaintiff* and/or Defendant* is a bankrupt.
- (b) Date of bankruptcy order and bankruptcy number [*please specify*].

(c) The Official Assignee has been notified of these proceedings in writing on [*to state date*].

Signature:

Name of Party/Party's Solicitor*:

Party Type (i.e. Plaintiff or Defendant):

Date:

*Delete where inapplicable.

**If there are any outstanding issues between the parties as at the date of the filing of this Request for Setting Down Action for Trial, this section must be completed by the party filing this Request for Setting Down Action for Trial.

ORDER TO PRODUCE PERSON IN PRISON

R. 608

(Title as in action)

To the Officer-in-charge of the

You are hereby required

*upon tender made to you of a reasonable sum for the conveyance and maintenance of a proper officer and of now a prisoner in the in going to, remaining at and returning from

* to produce now a prisoner in the before

the Family Division of the High Court / Family Courts*, to bring the said on the day of 20 at a.m./p.m. to give testimony on behalf of and after the said shall have given his testimony before the Court or the Court shall have dispensed with his further attendance you are required to cause him to be conveyed under safe and sure conduct back to the said

Dated this day of 20 .

This form requires sealing by the Court and the signature of the Registrar.

* Delete where inapplicable