

**IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE**

**PRACTICE DIRECTIONS**

**AMENDMENT NO. 3 OF 2021**

1. It is hereby notified for general information that the Family Justice Courts Practice Directions will be amended as follows with effect from 16 September 2021: -

(a) The existing subparagraph 108A(1) will be deleted and replaced and the new subparagraph 108(2A) will be inserted after subparagraph 108A(2):

[Paragraph 108A](#)

(b) The existing Form 246A will be deleted and replaced with the following new form:

[Form 246A](#)

2. The amendment in 1(a) provides for updates to the application process for leave to give evidence from outside Singapore through live video or live television link.
3. The amendment in 1(b) provides for an updated CPF checklist that parties are required to file pursuant to paragraph 116(1)(d) of the Family Justice Courts Practice Directions.

Dated this 16<sup>th</sup> day of September 2021



KENNETH YAP  
REGISTRAR  
FAMILY JUSTICE COURTS

## **108A. Giving of evidence by person outside Singapore through live video or live television link in any court proceedings (other than proceedings in a criminal matter)**

- (1) Any application for leave for any person outside Singapore to give evidence by live video or live television link in any court proceedings (other than proceedings in a criminal matter) must be made expeditiously and, in any case, unless the Court otherwise directs, not later than four weeks before the date of commencement of the hearing at which the person is to give evidence. The application is to be made by way of an *inter partes* summons with a supporting affidavit.

...

- (2A) The necessary enquiries and steps referred to at sub-paragraph (2) above must be made prior to the application referred to at sub-paragraph (1) above and evidence of the enquiries and steps taken must be given in the supporting affidavit to the application.

...

## FORM 246A

Para 116

### Checklist For Consent Orders For Disposal or Transfer of Properties

#### Funded With CPF Moneys

##### How To Use This Checklist:

1. You will have to sign this Checklist if:
  - a) You or the other party are going to apply for a **consent order** (“**Order**”) dealing with changes in ownership (e.g. sell, transfer etc.)<sup>1</sup> of a property (the “**Property**”) under section 112 or 121G of the Women’s Charter ; **and**
  - b) Central Provident Fund (“**CPF**”) moneys have been withdrawn from any CPF account(s) in respect of the Property and/or the Property has been pledged to make up your or the other party’s applicable retirement sum (applicable only if you are aged 55 and above).
2. You do **not** need to sign this Checklist if the order is for the Property to be transferred (other than by way of sale) with **partial or no CPF** refunds.
3. The signed Checklist must be submitted to the courts at the same time as when you are submitting the draft consent order.

##### Important Notes:

- A. Once the Court has granted the Order, it should be promptly served on the Central Provident Fund Board<sup>2</sup> (the “**CPF Board**”) before the change in ownership of the Property.
- B. Changes in ownership of any HDB Flats will be subject to HDB rules and regulations.
- C. For more options on the division of CPF-related matrimonial assets, e.g. transferring a property (other than by way of sale) with partial or no refunds, please refer to the CPF Board’s Suggested Clauses in Order of Court available at the Family Justice Courts’ website.

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<sup>1</sup> Including sale, surrender, assignment, transfer other than by way of sale, compulsory acquisition and other changes in ownership of the Property.

<sup>2</sup> Please refer to:

- (a) Regulation 7 of the CPF (Division of Fund-Related Assets in Matrimonial Proceedings) Regulations; and
- (b) Regulation 13 of the CPF (Lifelong Income Scheme) Regulations.

Parties/lawyers are required to serve the sealed copy of the order of court on the CPF Board in the manner stated in the Regulations. Please also refer to the CPF Board’s online service for “Submit court order for division of matrimonial assets”.

## Checklist

|  |                          |
|--|--------------------------|
| <p>1. I understand that the required CPF refunds must be made according to CPF laws dealing with refund of CPF moneys <u>at the time of completion of the transaction leading to the change in ownership of the Property</u>.</p>  | <input type="checkbox"/> |
| <p>2. I understand that the <u>transaction leading to the change in ownership</u> of the Property cannot be completed if the required CPF refunds have <u>not</u> been made. If the proceeds are not enough to make the refunds, any shortfall must be topped up in <u>one lump sum in cash</u> on the date of completion of the Property transaction.</p>   | <input type="checkbox"/> |
| <p>3. I understand that the total amount to be refunded upon sale of the Property, or transfer of the Property other than by way of sale with full CPF refunds, will generally be:</p> <p>a) the total amount(s) of CPF moneys used to buy the Property together with accrued interest; <b>and</b></p> <p>b) any amount(s) for which the Property is pledged (if applicable) in order to make up the applicable retirement sum<sup>3</sup>.</p> <p><i>Notes:</i></p> <p>i) <i>If the Property is sold at or above market value <b>and</b> the sales proceeds after paying the outstanding housing loan (and HDB resale levy if applicable) are not enough to refund (a) plus (b), the shortfall need <b>not</b> be topped up in cash.</i></p> <p>ii) <i>The amount of required CPF refunds may differ depending on the transaction leading to change in ownership of the Property. For information on the required CPF refunds from <b>sale of part share</b> of the Property or <b>other Property transactions not stated here</b> (e.g. surrender, compulsory acquisition etc.), please refer to the CPF Board's website or contact the CPF Board.</i></p> | <input type="checkbox"/> |
| <p>4. I have checked<sup>4</sup> and I know the following:</p> <p>a) the total amount(s) of CPF moneys used to buy the Property together with accrued interest;</p> <p>b) any amounts for which the Property is pledged (if applicable) in order to make up the applicable retirement sum; and</p> <p>c) that I have to share CPF information with the other party as required by the Family Justice Act, Family Court Practice Directions and the courts.</p>   | <input type="checkbox"/> |
| <p>5. I know that until the date of <u>the transaction leading to the change in ownership of the Property</u>:</p>   | <input type="checkbox"/> |

<sup>3</sup> The Property may have been pledged under the CPF Act to make up the applicable retirement sum. Please check with the other co-owners and the CPF Board as to whether any CPF refunds need to be made in respect of the pledge.

<sup>4</sup> Parties should frequently check their updated CPF Information in their CPF account(s) as all such information would be current at the date of viewing. Hence, the amounts may change over time.

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|--|--|
| <p>a) the amount of CPF moneys used for the Property may increase due to more CPF withdrawals being made or decrease due to voluntary housing refunds being made;</p> <p>b) interest will continue to accrue until the date of <u>completion of the transaction leading to the change in ownership</u>; and</p> <p>c) there may be refunds from financiers if excess CPF moneys have been paid to them.</p> <p>As a result, the amount to be refunded may be different on the date of completion of the transaction leading to the change in ownership as compared to the amount calculated as at the date I signed this Checklist</p> |  |
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**IMPORTANT:** Please note that every case depends on its facts and is subject to prevailing laws, including CPF rules and regulations, as may be amended from time to time. If you are in doubt, please contact the CPF Board for clarifications on CPF-related matters.

I have read and I understand this Checklist.

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Party's Signature

Name:

NRIC / Passport no.:

Date: