2A.

E-FORM

P.2, r.2, 5, 7, 8 FJ(G)R 2024

Para 11, 12 PD 2024

**Originating Application for Divorce / Judicial Separation / Presumption of Death and Divorce**

The table in the next page sets out the sections of this Form which you must complete.

This Form contains Notes to help you in the completion of the form. Please note that the Notes are **NOT** to be construed or regarded as a substitute for legal advice or advice on Central Provident Fund Board (“CPFB”) or Housing and Development Board (“HDB”) policies. Please seek legal advice or consult CPFB / HDB if necessary.

This form, when submitted to the Court, will be generated in accordance with Form 3.

|  |
| --- |
| This Notice serves as a reminder to the Applicant and does not appear as part of the issued Originating Application (“OA”).  **IMPORTANT**: **Duty to consider amicable resolution**  Pursuant to the Family Justice (General) Rules 2024 (“FJ(G)R 2024”), you are required to consider amicable resolution of the dispute before and after commencing Court proceedings. This means that you should either:   1. explore alternative ways of settling the dispute without resorting to legal action; or 2. make an offer to the other party to settle the dispute.   For more information on your obligations, please refer to the Information Sheet on Amicable Dispute Resolution and Part 4 of the FJ(G)R 2024. |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Type of Application** | | |
|  | **Divorce (D)**  **Judicial Separation (JS)**  **Divorce and Judicial Separation (A)** | **Cross-Application** | **Presumption of Death and Divorce (P)** |
| **Applicable**  **Sections / Forms** |
| Section A | A | A | P |
| Section B | A | If the OA is inaccurate | P |
| Section 1 | A | If the OA is inaccurate | P |
| Section 2 | A | If the OA is inaccurate | P |
| Section 3  Part A | A | If the OA is inaccurate\* | P |
| Section 3  Parts B and C | D | D  (if this is NOT a simplified case) | - |
| Section 4 | A | If the OA is inaccurate | P |
| Section 5 | A | A | - |
| Section 6 | - | - | P |
| Section 7 | A | A | P |
| Section 8 | A | If the OA is inaccurate | P |
| Section 9A | A  (if this is a simplified case) | A  (if this is a simplified case) | - |
| Section 9B | A  (if this is a simplified case) | A  (if this is a simplified case) | - |
| Section 9C | A  (if this is not a simplified case) | A  (if this is not a simplified case) | P |
| Section 10 | A  (see documents below) | A  (see documents below) | P  (see documents below) |
| Copy of Marriage Certificate | A | - | P |
| Translation of Marriage Certificate (if not in English) | A | - | P |
| Deed poll to show change in the name (if applicable) | A | A | P |
| Document to show change in identification number (if applicable) | A | A | P |
| Child(ren)’s Birth Certificates | A | - | P |
| Translation of Birth Certificates (if not in English) | A | - | P |
| **If there are minor children** | | | |
| Annex A | A | If the OA is inaccurate | P |
| Party(ies)’ Parenting Programme Certificate of Attendance or Exemption Note | Documents for both Applicant and Respondent  (if this is a simplified D)  Documents for Applicant  (if this is not a simplified D) | Documents for Applicant in Cross-Application  (if this is not a simplified D) | - |
| **If there are ancillary matters** | | | |
| Annex B | A  (if there is a property in the asset pool) | If the OA is inaccurate | P |
| Bankruptcy search results from the Ministry of Law’s Insolvency Office for both parties | A | - | P |
| **If there is a complete agreement on ancillary reliefs** | | | |
| Duly signed Draft Ancillary Reliefs Order (Form 8) with relevant supporting documents | A | - | - |
| Affidavit of split care and control (Form 10) (if applicable) | A | - | - |

D: Divorce

A: Divorce and Judicial Separation

P: Presumption of Death and Divorce

\* : For a cross application to a simplified divorce, the Applicant cannot edit the answer to this question in the 1st OAD: “Is there a child below 21 years old who is: (a) born of this marriage or (b) accepted as a child of this marriage?”.

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**Section A: What are you filing?**

|  |  |  |
| --- | --- | --- |
| **I am applying for:** | | *Notes* |
| **Dissolution of marriage** | | *Simplified application is used only if your spouse has signed the consent to the application.*  *If the Cross-Application (“XOA”) is in response to a Simplified Originating Application, the XOA will take the same form as the Originating Application (“OA”) i.e. if the OA is a simplified divorce, the XOA can only be filed as a simplified divorce (and not judicial separation, for example).*  *If you do not wish to file a XOA in this way, you should do the following:*   1. *File a new OA (i.e. “2nd OA” involving the same parties) and not as a XOA to the 1st OA.* 2. *Thereafter, inform the Court that the 2nd OA has been filed. You are required to inform the Court at least* ***5 working days*** *before the FIRST hearing date of the 1st OA; failing which, the Court may proceed to hear the 1st OA without considering the 2nd OA. The notification to the Court should come as a correspondence that is electronically filed under “Other Hearing Related Request” in e-Litigation.*   *The Court will also address the ancillary matters as part of your application. Ancillary matters include:*   1. *division of matrimonial assets;* 2. *maintenance;* 3. *custody, care and control and access of your child(ren); and* 4. *costs.*   *Hence, you are not required to make a separate application for ancillary matters.* |
| *Select* ***only 1*** *option.* | |
| 1. | **Divorce**  You would like to end your marriage.  If you have been married for less than 3 years, you must have the Court’s permission to commence Divorce proceedings. |
|  | **Originating Application** for Divorce (Simplified) |
|  | **Originating Application** for Divorce |
|  | **Cross-Application** for Divorce   1. State the case number of the Originating Application: Enter case number here. 2. State the date on which the Originating Application was served: Enter date here. |
| 2. | **Judicial Separation**  You do not wish to live together with your spouse but do not want or are unable to obtain a Divorce. |
|  | **Originating Application** for Judicial Separation (Simplified) |
|  | **Originating Application** for Judicial Separation |
|  | **Cross-Application** for Judicial Separation   1. State the case number of the Originating Application: Enter case number here. 2. State the date on which the Originating Application was served: Enter date here. |
| 3. | **Presumption of Death and Divorce**  You have reasons to believe that your spouse is no longer living and would like the Court to grant a Divorce on this basis. |

**Section B: The Parties**

Please use **Section B** in the **Originating Application: Generic Sections (Form 53B)** to provide the Parties’ information.

**Section 1: Your Marriage Details**

|  |  |  |
| --- | --- | --- |
| The question in blue box is applicable only if you are applying for **Divorce**. | | |
|  |  | *Notes* |
| 1. | Date of solemnisation of marriage   |  | | --- | | Enter date here. | | *You must exhibit a copy of the marriage certificate in your application. If your marriage was before 16 September 1961 and not registered, provide details in question 5.* |
| 2. | Country of solemnisation   |  | | --- | | Enter country here. | |  |
| 3. | Marriage certificate number(if registered in Singapore)   |  | | --- | | Enter marriage certificate number here. | |  |
| 4. | If you are applying for a Divorce or Simplified Divorce and the duration of your marriage is less than 3 years, state the case number in which permission was granted to commence divorce proceedings:   |  | | --- | | Enter case number here. | | *If you (or your spouse) do not have the Court’s permission, you must first obtain the Court’s permission. You must file the Permission to Apply for Divorce within 3 years (Form 22).* |
| 5. | If your marriage took place **in Singapore** before 16 September 1961 and was not registered, provide details of your wedding ceremony:   |  | | --- | | Enter details here. | | *To provide details of your wedding ceremony, you may*   1. *state the names of witnesses,* 2. *describe the wedding celebration,* 3. *describe any customary rites.*   *You may also exhibit wedding photos.* |
| *Proceed to* [***Section 2***](#_Section_7:_Jurisdiction)*.* | | |

**Section 2: Jurisdiction**

|  |  |
| --- | --- |
|  | *Notes* |
| The Family Justice Courts of Singapore has jurisdiction to grant my application because:  *Select* ***only 1*** *option.*  **Singapore Citizen(s)**  I am a  My spouse is a  My spouse and I are  Singapore citizen(s). | *This section explains why this Court has the legal power to deal with your application.* |
| **Habitual Residence**  I am  My spouse is  My spouse and I are  habitually resident in Singapore in the last 3 years before the application date as follows: | *If you are or your spouse is a Singapore Permanent Resident, select the option “habitual residence” and provide the requested details.*  *Please seek legal advice if none of the options apply to you.* |
| |  |  | | --- | --- | | **My address** | | | *Singapore residential address:* | *Period of residence:* | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | |
|  |  |
| |  |  | | --- | --- | | **My spouse’s address** | | | *Singapore residential address:* | *Period of residence:* | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | |  |
| **Others**  Other reasons:   |  | | --- | | Enter details here. | | *If you do not satisfy the above criteria but believe that Singapore has jurisdiction based on domicile or habitual residence, explain why.* |
| *Proceed to*[***Section 3***](#_Section_3:_About)*.* | |

**Section 3: About the Child(ren)**

|  |  |  |
| --- | --- | --- |
| The questions in blue boxes are applicable only if you are applying for: (a) Originating Application for Divorce (simplified or non-simplified), or (b) Cross Application for Divorce (non-simplified). | | |
| **Part A** | | |
|  | | *Notes* |
| |  |  | | --- | --- | | Number of living child(ren): | Enter no. of child(ren) here. |   *(including those above the age of 21 years)* | | *You must attach the birth certificates for each child.* |
| Do you have a child below 21 years old who is  (a) born of this marriage; or  (b) accepted as a child of this marriage?  No.  Yes. *Complete* [***Annex A***](#_Annex_A:_Details_1) *for every child below 21 years old.* | | *Select “Yes” as long as you have a child who is below 21 years old at the time of filing this application.* |
| If you are applying for: | | Proceed to: |
| 1. Judicial Separation 2. Presumption of Death and Divorce 3. Cross Application for Simplified Divorce (with or without complete agreement on ancillary matters) | | [**Section 4**](#_Section_9:_Existing)  For option (c), please ensure that all parenting programme requirements are addressed in the first Originating Application for Simplified Divorce. |
| 1. Divorce | | **Part B *(below)*** |
| **Part B** | | |
| Indicate if you have the following:   |  |  | | --- | --- | | **Documents** | | |  | **Parenting Programme** Certificate of Attendance | |  | Note exemptingme from the **Parenting Programme** | |  | None of the above  If “None of the above” is selected, select either option 1 or 2 in **Part C**. | | **For Simplified Divorce (with or without complete agreement on ancillary matters) only**  Indicate if your **SPOUSE** has the following: | | |  | **Parenting Programme** Certificate of Attendance | |  | Note exemptingmy spouse from the **Parenting Programme** | |  | None of the above  If “None of the above” is selected, complete option 3 in **Part C**. | | | *Refer to the Ministry of Social and Family Development’s (MSF) website at https://familyassist.msf.gov.sg/content/proceeding-with-divorce/divorce-proceedings/mandatory-co-parenting-programme-cpp/ for more information on the Parenting Programme.* |
|  | |  |
| **Part C** | | |
| **Only if the Applicant has not satisfied the parenting programme** | |  |
| 1. | I have applied for the Court’s permission to proceed with my application without my attendance at the Parenting Programme.    *Provide the details of the permission application:*  Did the Court grant permission to proceed with this application?  Yes. *Provide the following case details:*  Case number: Enter case no. here.  Date of order: Enter date here.  No. *This application* ***cannot*** *be submitted to the Court.* |  |
| 2. | I would like to seek the Court’s permission to proceed with my application without my attendance at the Parenting Programme.  The reasons for my application are:   |  | | --- | | Enter reasons here. |   Indicate when you will attend the programme:   |  | | --- | | Enter details here. | | *Select option 2 if you require the Court’s permission to proceed with this application if you have not satisfied the Parenting Programme requirements.*  *If you are unable to secure an appointment to attend the Parenting Programme,* *include any supporting document(s) such as the programme appointment date.* |
| **Only if the Respondent has not satisfied the parenting programme** | |  |
| 3. | Did your spouse apply for the Court’s permission for you to proceed with this application without your spouse’s attendance at the Parenting Programme?  Yes  Did the Court grant permission to proceed with this application?  Yes. *Please provide the following case details.*  Case number: Enter case no. here.  Date of order: Enter date here.  No. *This application* ***cannot*** *be submitted to the Court.*  No. This application cannot be submitted to the Court. | *If your spouse does not have the Court’s permission, he or she must first obtain the Court’s permission.* |
| **Important notes to Applicant**   1. **Filing Fees:** If you are seeking permission under this Part, the relevant filing fees for the Originating Application and application for permission will apply, irrespective of the outcome of your application for permission.   If you are unsure whether the reasons to support your application for permission are sufficient or you prefer to incur the filing fees separately, **y**ou may consider applying for permission using the Generic Originating Application (Form 53) prior to filing the Originating Application for Divorce.   1. **Service of Document(s):** If you are seeking permission under this Part, do **not** serve the Originating Application and its accompanying document(s) on the other party until the permission has been granted by the Court. | | |
| *Proceed to*[***Section 4***](#_Section_4:_Existing_1). | | |

**Section 4: Existing Court Case**

|  |  |
| --- | --- |
|  | *Notes* |
| Do you have any pending or concluded Court proceedings in Singapore or elsewhere relating to: (a) the marriage, (b) child(ren) of the marriage (c) spousal or child(ren) maintenance (d) a property belonging to either you or your spouse?  No.  Yes. *Complete the information below.* | *If you are filing this application after you have been served with your spouse’s application for dissolution of marriage, select “Yes”.* |
| **Local proceedings**   |  |  |  |  | | --- | --- | --- | --- | | **No.** | **Case number** | **Status**  **(Pending / Concluded)** | **If pending, date of next Court event:**  **If concluded, outcome of case:** | | 1. | Enter case no. here. | Enter status here. | Enter details here. | | 2. | Enter case no. here. | Enter status here. | Enter details here. | | 3. | Enter case no. here. | Enter status here. | Enter details here. | | 4. | Enter case no. here. | Enter status here. | Enter details here. | | 5. | Enter case no. here. | Enter status here. | Enter details here. | | *For concluded cases, briefly state the final orders made to describe the outcome.* |
|  |  |
| **Overseas proceedings**  *State details of the overseas application:*   |  | | --- | | Enter details here. | | *The details to be included are:*   * *Case number* * *Country of proceedings* * *Nature of proceedings* * *Status of proceedings (i.e. pending or concluded). If pending, state the date of the next Court event. If concluded, state outcome of the case.* |
| If you are applying for: | Proceed to: |
| 1. Divorce 2. Judicial Separation | [**Section 5**](#_Section_5:_Facts) |
| 1. Presumption of Death and Divorce | [**Section 6**](#_Section_11:_Application) |

**Section 5: Facts for Divorce / Judicial Separation**

|  |  |  |
| --- | --- | --- |
| *Select* ***at least 1*** *option.* | | *Notes* |
| **I am applying for a Divorce / Judicial Separation as my marriage has** **broken down irretrievably (i.e. the marriage cannot be saved) due to:** | | *Please refer to Section 95A of the Women’s Charter 1961 for the facts for Divorce / Judicial Separation.*  *When providing the details of the breakdown in the marriage, refer to yourself as the Applicant and your spouse as the Respondent.* |
| **1.** | **Mutual agreement** | *Provide the written agreement duly signed by both parties with your application at Section 10.* |
|  | My spouse and I agree that the marriage has irretrievably broken down. |
| **2.** | **Adultery** | ***Adultery*** *cannot be used if, once you became aware of it, you lived together as a couple for a period, or combination of periods, exceeding 6 months.*  *If you know the person with whom your spouse has allegedly committed adultery with, that person(s) will be added as a Co-Respondent and has to be served with your application.*  *Exception: If you claim that your spouse has committed such acts within the meaning of section 375 of the Penal Code 1871, you are* ***not*** *required to name that individual under the FJ(G)R 2024.*  *If this is a Simplified Divorce or Simplified Judicial Separation and the Co-Respondent is known, the consent of the Co-Respondent is required at Section 9B.*  *If this is not a Simplified Divorce or Simplified Judicial Separation and the Co-Respondent is known, the consent of the Co-Respondent can be filed using the Consent (General) (Form 108A).* |
|  | My spouse has committed adultery and I find it intolerable to live with him/her.  The brief details of my spouse’s adultery are:   |  | | --- | | Enter details here. | |
|  | Do you know the person with whom your spouse has committed adultery with?  No.  ☐ Yes. *State the following details of that person:*  Name:   |  | | --- | | Enter name here. |   NRIC/FIN/Passport number *(if known)*:   |  | | --- | | Enter NRIC/ FIN/ Passport number here. |   Address *(if known)*:   |  | | --- | | Enter address and contact details here. |   [Add more person(s)] |
|  |  |  |
| **3.** | **Unreasonable behaviour** | ***Unreasonable behaviour*** *cannot be used if you lived together as a couple for a period, or periods, totalling more than 6 months after the date of the last incident which you are relying on as evidence of your spouse’s unreasonable behaviour.*  *You can describe your spouse’s unreasonable behaviour and include the most recent incidents as examples of your spouse’s behaviour. You must provide sufficient details to show that you cannot reasonably be expected to live with your spouse.* |
|  | My spouse has behaved in such a way that I cannot reasonably be expected to live with him/her.  The brief details of my spouse’s unreasonable behaviour are:   |  | | --- | | Enter details here. | |
|  | I would like to include a Co-Respondent to this proceeding.  *State the following details of the Co-Respondent:*  Name:   |  | | --- | | Enter name here. |   NRIC/FIN/Passport number *(if known)*:   |  | | --- | | Enter NRIC/Passport number here. |   Address *(if known)*:   |  | | --- | | Enter address and contact details here. |   [Add more person(s)] | *If you know the person with whom your spouse allegedly has an improper association with, and you intend to rely on the improper association as facts of your spouse’s unreasonable behaviour, add that person as a Co-Respondent.*  *If you have selected both “Adultery” and “Unreasonable behaviour”, you only need to provide the information on the Co-Respondent once.*  *If this is a Simplified Divorce or Simplified Judicial Separation and the Co-Respondent is known, the consent of the Co-Respondent is required.* |
|  | I have named a person in the details of unreasonable behaviour but do not wish to add the person as a Co-Respondent.  Number of persons named: Enter number here. | *Select this option if the person is sufficiently identified (E.g., a colleague by the name of Ms Claire).*  *A Notice of Proceeding will be generated for service on each Named Person.* |
| **4.** | **Desertion** |  |
|  | My spouse has deserted me for a continuous period of at least 2 years immediately preceding this application.  My spouse has deserted me since:   |  | | --- | | Enter details here. |   The brief details of the desertion are:   |  | | --- | | Enter details here. |   During the period of desertion, my spouse and I resumed living with each other during these period(s):   |  |  |  |  | | --- | --- | --- | --- | | from | Enter date here | to | Enter date here. |   (*Add more if required.*)  The combined period of reconciliation is:   |  | | --- | | Enter number of months here. | |  |
| **5.** | **3 years separation with consent** | *You must have your spouse’s consent to this application if your application is based on separation of 3 years.* |
|  | My spouse and I have lived apart for a continuous period of at least 3 years immediately preceding this application and my spouse consents to a Divorce/Judicial Separation.  *Proceed to question 5A/6A below.* |
| **6.** | **4 years separation** |  |
|  | My spouse and I have lived apart for a continuous period of at least 4 years immediately preceding this application.  *Proceed to question 6A below.* |  |
| 5A  6A | My spouse and I have separated since:   |  | | --- | | Enter details here. | |  |
|  |  |  |
| 5B  6B | I formed the intention to separate from my spouse from:   |  | | --- | | Enter details here. | |  |
|  |  |  |
|  | State your living arrangements during the separation: |  |
| 5C  6C | My spouse and I resided at the same address but maintained separate households   |  |  |  |  | | --- | --- | --- | --- | | during the period of our separation. | | | | | from | Enter date here | to | Enter date here. | | *You may choose more than one option if the living arrangements changed during the separation period.* |
|  |  |  |
|  | My spouse and I resided at different addresses   |  |  |  |  | | --- | --- | --- | --- | | during the period of our separation. | | | | | from | Enter date here | to | Enter date here. | |  |
|  |  |  |
| 5D  6D | My address is as follows:   |  |  | | --- | --- | | **Residential address** | **Period of residence** | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | *Provide the relevant information for the period of separation which you are proceeding on, eg. 3 years immediately preceding this application* |
|  | My spouse’s address is as follows:   |  |  | | --- | --- | | **Residential address** | **Period of residence** | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | |  |
| 5E  6E | Describe how your spouse and you lived separate lives:   |  | | --- | | Enter details here. | | *Describe how you and your spouse lived separate lives during the period of separation. If you selected “My spouse and I resided at the same address but maintained separate households”, describe how you and your spouse lived in separate households.* |
|  | *Select the options in 5F/6F if the parties reconciled during separation.* |  |
| 5F  6F | During the separation, my spouse and I resumed living with each other during these periods:   |  |  |  |  | | --- | --- | --- | --- | | from | Enter date here | to | Enter date here. |   (*Add more if required.*) |  |
|  | The combined period of reconciliation is:   |  | | --- | | Enter number of months here. | |  |
| *Proceed to* [***Section 7***](#_Section_7:_Ancillary)*.* | | |

**Section 6: Application for Presumption of Death and Divorce**

|  |  |
| --- | --- |
|  | *Notes* |
| **I am applying for my spouse to be presumed dead and to dissolve my marriage**. |  |
| My spouse has been continually absent from me since:   |  | | --- | | Enter details here. | |  |
| My last contact with my spouse was on:   |  | | --- | | Enter details here. |   at:   |  | | --- | | Enter address here. | |  |
| My last contact with my spouse happened in the following manner:   |  | | --- | | Enter details here. | |  |
| I have taken the following steps to find my spouse:   |  | | --- | | Enter details here. | |  |
| I believe my spouse is no longer living because:   |  | | --- | | Enter details here. | |  |
| *Proceed to*[***Section 7***](#_Section_12:_Fact)*.* | |

**Section 7: Ancillary Reliefs**

|  |  |  |
| --- | --- | --- |
| If ALL ancillary reliefs are agreed, proceed to Part A.  Otherwise, proceed to Part B. | | |
| **Part A** (**All** ancillary reliefs agreed) | | |
|  | | |
| **Select either option 1, 2 or 3:** | | **Next steps to take:** |
| 1. | This is a Cross-Application for a Simplified Divorce / Simplified Judicial Separation.  I ask for the same ancillary reliefs as my spouse’s Simplified Divorce / Simplified Judicial Separation. | *If you have selected option 1, proceed to* [***Section 8***](#_Section_14A:_Bankruptcy)*.*  *If you have selected option 2, proceed to* [***Section 9A***](#_Section_9A:_Applicant’s)*.* |
| 2. | I am NOT asking for any ancillary reliefs. |
| 3. | I am filing a Simplified Divorce / Simplified Judicial Separation and all ancillary reliefs are agreed.  I ask for the following ancillary reliefs  Custody of, care and control of, access to the minor child(ren)  Division of the matrimonial assets  Maintenance for the wife  Maintenance for the incapacitated husband  Maintenance for the child(ren) of the marriage  Others:   |  | | --- | | Enter details here. | | *If you have selected option 3:*   1. *complete the Draft Ancillary Reliefs Order (Form 8); and* 2. *proceed to* [***Section 9A***](#_Section_14B:_Draft).   *Notes*  *“Minor child(ren)” refers to those aged below 21 years.* |
| **Part B** (Ancillary reliefs **NOT** agreed) | | |
|  | |  |
| **Select either option 4, 5 or 6:** | | **Next steps to take:** |
| 4. | I am NOT asking for any ancillary reliefs. | *If you have selected either option 4 or 5, proceed to:*   * [***Section 9A***](#_Section_14B:_Draft) *if you are applying for Simplified Divorce or Simplified Judicial Separation.* * [***Section 9C***](#_Section_9C:_Signature) *for all other types of application.* |
| 5. | I am ONLY asking for costs for the dissolution of marriage. |
| 6. | I am asking for the following ancillary reliefs:  Custody of, care and control of, access to the minor child(ren)  Division of the matrimonial assets  Maintenance for the wife  Maintenance for the incapacitated husband  Maintenance for the child(ren) of the marriage  Others:   |  | | --- | | Enter details here. | | *If you have selected option 6, proceed to* [***Section 8***](#_Section_8:_Bankruptcy)*.*  *Notes*  *If you have minor child(ren) (i.e. aged below 21 years) of the marriage, options for “Custody of, care and control of, access to the minor child(ren)” and “Maintenance for child(ren) of the marriage” will be selected for you by default.* |

**Section 8: Bankruptcy Status and Value of Asset Pool (No Agreement)**

|  |  |  |
| --- | --- | --- |
| **1.** | **Bankruptcy status** | *Notes* |
| 1a. | Are you an undischarged bankrupt?  Yes. *Proceed to question 1c.*  No. *Proceed to question 1b.* | *If you are or your spouse is an undischarged bankrupt, you must obtain the Official Assignee’s prior approval to any agreement on the ancillary reliefs.* |
| 1b. | Are there pending bankruptcy proceedings filed against you?  Yes.  No.  *Proceed to question 1c.* |
| 1c. | Is your spouse an undischarged bankrupt?  Yes. *Proceed to question 2.*  No. *Proceed to question 1d.* |
| 1d. | Are there pending bankruptcy proceedings filed against your spouse?  Yes.  No. |  |
| *If this is a* ***Cross-Application*** *for a Simplified Divorce / Simplified Judicial Separation proceed to* [***Section 9A***](#_Section_14B:_Draft)*.*  ***For other types of application***  *If you have selected “Division of matrimonial assets” in Section 7, proceed to* ***question 2****. Otherwise, proceed to* ***question 3****.* | | |
| **2.** | **Asset pool**  (If you have selected “Division of matrimonial assets” in Section 7) |  |
|  |  | |
| 2a. | Based on my estimate, the total **gross** value of matrimonial assets which the Court is required to determine is:  Less than S$2 million  Between S$2 million and S$4.99 million  At least S$5 million | *Gross value: Market value of all assets without deducting outstanding liabilities and debts, e.g. gross value of an immovable asset = market value without deducting the loan.* |
| 2b. | Is there an immovable asset in the asset pool?  Yes. *Complete* [***Annex B***](#_Annex_B:_Immovable_1)*.*  No. | *Examples of immovable assets are houses, land or buildings.* |
| 2c. | At least 1 **immovable asset** in the asset pool is wholly or partially owned by someone (i.e. third party) other than my spouse and I.  Yes.  No. | *If the third party holds the asset jointly with you or your spouse, select “Yes”.* |
| **3.** | **Mediation**  (Applicable only if you have no minor child(ren)) | *“Minor child(ren)” refers to those aged below 21 years.* |
|  | Do both parties agree to attend mediation?  Yes.  No. |
| *Proceed to* [***Section 9A***](#_Section_14B:_Draft) *if you are applying for* ***Simplified Divorce*** *or* ***Simplified Judicial Separation***.  *Proceed to* [***Section 9C***](#_Section_9C:_Signature) *for all other types of application.* | | |

**Annex A: Details of Child(ren)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Use a separate table for each child*.* | | | | |
| **Name** | Enter full name as per NRIC/Passport here. | | | |
| **NRIC/ FIN/**  **Passport number** | Enter NRIC/ FIN/ Passport no. here. | | **Gender** | Female  Male |
| **Date of birth** (DD/MM/YYYY) | Enter date here. | | **Age** | Enter age here. |
| **Any health condition or disability which affect the child’s living expenses or care arrangements?** | Enter details here. | | | |
| **Court orders / Proceedings relating to this Child** | | | | |
| **Is the child protected by an existing Personal Protection Order?** | Yes  No | | | |
| Case number (if issued by this Court): | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| State the brief details of the order: | | | |
| Enter details here. | | | |
| **Are there existing Youth Court order(s) or ongoing Youth Court proceedings?** | Yes  No | | | |
| Case number: | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| Nature of order / proceedings: | Enter details here. | | |
| State the person against whom the order was made: | | | |
| Enter full name as per NRIC/Passport here. | | | |
| **Is there an existing voluntary arrangement with the Child Protection Services under the Ministry of Social and Family Development?** | Yes  No | | | |
| Case number: | Enter case number here. | | |
| Date of arrangement: | Enter date here. | | |
| Expiry date of the arrangement: | Enter date here. | | |
| **Is there an existing court order for this child’s maintenance?** | Yes  No | | | |
| Case number (if issued by this Court): | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| State the brief details of the order: | | | |
| Enter details here. | | | |
| Country in which the order was made (if issued outside of Singapore): | Enter country here. | | |
| **Is there an existing court order for this child’s living and contact arrangements?** | Yes  No | | | |
| Case number (if issued by this Court): | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| State the brief details of the order: | | | |
| Enter details here. | | | |
| Country in which the order was made  (if issued outside of Singapore): | Enter country here. | | |
| **Are there other court orders such as adoption orders or orders under the Mental Capacity Act 2008?** | Enter details here. | | | |

**Annex B: Immovable Asset(s)**

Use a separate table for each immovable asset.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address of property | Enter address here. | | | | | |
| Reference name  (if there is more than 1 property, provide a short name for identification) | | | | Enter reference name here e.g. “the Siglap property”. | | |
| Is this an HDB property? | No.  Yes. I  have  have not satisfied the Minimum Occupation Period (“MOP”). | | | | | |
| **Owners of the property** | | | | | | |
| Name | | Nature of holding | | | | Share (in %)  (to complete if tenancy-in-common is selected) |
| Enter full name as per NRIC/Passport here. | | Sole tenancy  Joint tenancy  Tenancy in common | | | | Enter % of share here. |
| Enter full name as per NRIC/Passport here. | | Sole tenancy  Joint tenancy  Tenancy in common | | | | Enter % of share here. |
| Enter full name as per NRIC/Passport here. | | Sole tenancy  Joint tenancy  Tenancy in common | | | | Enter % of share here. |
| **Market value** | | | | | | |
| Complete **A** if the MOP (only for HDB flats / ECs) is not satisfied for this asset.  Complete **B** for HDB flats/ECs (which have satisfied the MOP) or non-HDB property. | | | | | | |
| 1. Purchase price | Enter amount here. | | 1. Date of purchase | | Enter date here. | |
| 1. Estimated market value (in SGD) | Enter amount here. | | 1. Basis of the value | | HDB  URA latest transaction records  Desktop  Onsite valuation  Others:   |  | | --- | | Enter details here. | | |
| **Mortgage** | | | | | | |
| Outstanding Mortgage  (in SGD) | Enter amount here. | | Name(s) of mortgagee(s) | | All legal owners  Others:   |  | | --- | | Enter details here. | | |

**Section 9A: Applicant’s Affirmation for Simplified Divorce / Simplified Judicial Separation**

|  |  |
| --- | --- |
| For the **Applicant**’s completion | *Notes* |
| |  |  | | --- | --- | | Name of maker: | Enter full name as per NRIC/ Passport here. | | Identity No.: | Enter NRIC/ FIN/ Passport no. here. | | Address: | Enter address here. | | Occupation: | Enter occupation here. | |  |
| 1. I am the Applicant in this Originating Application (“this application”). |  |
| 1. I refer to this application  and the Affidavit of Split Care and Control. Where the facts set out in these documents are within my personal knowledge, they are true. Where they are not within my personal knowledge, they are true to the best of my knowledge, information and belief. | *Tick the checkbox if you completed the Affidavit of Split Care and Control (Form 10). You do not need to affirm the Affidavit of Split Care and Control separately.* |
| 1. (a) Both parties agree to the Court dissolving the marriage on the reasons stated in this Originating Application.   (b)  Both parties agree to all ancillary matters in the Draft Ancillary Reliefs Order  and the Affidavit of Split Care and Control. | *Tick the checkbox if the parties agreed on all ancillary matters.* |
| 1. I request for a hearing date (without parties’ attendance) to be fixed for this application. |  |
| 1. I understand that I must serve the Respondent with this application and file the Affidavit of Service within 14 days of filing this application. |  |
| 1. I understand that if the documents are not in order, the Court may reject this application or adjourn the hearing at which parties’ attendance may be required. |  |

The application (and affidavit, where applicable) is/are to be sworn / affirmed in accordance with the Form of Attestation (Form 106) of the Family Justice (General) Rules 2024.

**Section 9B: Respondent’s / Co-Respondent’s / Named Person’s Consent to Simplified Divorce / Simplified Judicial Separation**

This Section may be used by more than 1 person to indicate their consent if the **same options** apply to all persons. Otherwise, use a separate Section 9B for persons with different options selected.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| For the **Respondent**’s / **Co-Respondent**’s (if any) / **Named Person**’s (if any) completion | | | | *Notes* |
| By signing this document, each person in clause 5 states as follows: | | | |  |
| 1. | I understand the nature and effect of the orders sought in this Originating Application for  Divorce  Judicial Separation (“this Originating Application”);  *Below options applicable to* ***Respondent******in an OA (not Cross-Application)*** *only*  [and] the Draft Ancillary Reliefs Order;  [and] the Affidavit of Split Care and Control. | | | *For questions 1 and 2*  *Select ALL applicable options.*  *If you select “the Affidavit of Split Care and Control”, you* ***must*** *select “the Draft Ancillary Reliefs Order” as well.* |
| 2. | I have read and understood the contents of this Originating Application;  *Below options applicable to* ***Respondent******in an OA (not Cross-Application)*** *only*  [and] the Draft Ancillary Reliefs Order;  [and] the Affidavit of Split Care and Control. | | |  |
| 3a. | I consent to the Court dissolving the marriage on the reasons stated in this Originating Application. | | |  |
| 3b. | *Below options applicable to* ***Respondent******in an OA (not Cross-Application)*** *only*  I consent to all ancillary matters set out in the Draft Ancillary Reliefs Order;  [and] the Affidavit of Split Care and Control. | | | *Select ALL applicable options.* |
| **ONLY if a Cross-Application is to be filed** | | | |  |
| 3c. | I understand that I am required to file a Cross-Application for  Divorce  Judicial Separation within 3 days and that the same hearing date will be given for both applications.  If my Cross-Application is not filed within 3 days, the Applicant’s Originating Application may be heard first without considering my Cross-Application. | | | *Select 3c only if this Consent is for Simplified Divorce or Simplified Judicial Separation, and your spouse has also consented to your Cross-Application for Divorce / Judicial Separation.* |
|  |  | | |  |
| **Correspondence address** | | | | |
| 4a. | **This question is mandatory**.  I consent for all Court documents filed in these proceedings to be served on me in this manner:  through my lawyer.  on me (provide the details below):  Mode of service: Enter details here.  Contact number / Address:   |  | | --- | | Enter details here. |     I can change these details by informing the other party. | | |  |
| 4b. | I consent for all Court correspondences to be sent to:  my email address: Enter details here.  my Singapore residential address:   |  | | --- | | Enter details here. |     I can change these details by informing the Court and the other party. | | | *You may select this option if you are not represented by a lawyer.*  *If you wish to receive Court notices at an address which is different from clause 5, select 4b. P.O. Boxes are not acceptable.* |
|  |  | | |  |
| **5.** | **Person(s) signing this consent:** | | | |
| **Name** | | **NRIC/ FIN/ Passport number** | **Singapore address or email address** | **Party type in proceedings**  (e.g. Respondent / Co-Respondent / Named Person) |
| Enter full name as per NRIC/Passport here. | | Enter NRIC/ FIN/ Passport no. here. | Enter Singapore address or email address here. | Enter party type here. |
| Enter full name as per NRIC/Passport here. | | Enter NRIC/ FIN/ Passport no. here. | Enter Singapore address or email address here. | Enter party type here. |
| Please note that each person listed here, or his/her lawyer (if any), is to provide his/her signature below. | | | | |
|  | | | | |
| To be completed if you are acting in-person | | | | |
| I acknowledge that I have considered this application and have been informed by the other party’s lawyer of my right to seek independent legal advice. | | | | *Select this option if you are* ***not*** *represented by a lawyer* ***and*** *the other party is represented by a lawyer/* |
|  | | | | |
| If you are not represented by a lawyer, you are required to sign this form before a Commissioner for Oaths.  The affidavit is to be sworn / affirmed in accordance with the Form of Attestation (Form 106) of the Family Justice (General) Rules 2024. | | | | |
| To be completed by lawyer (if any) | | | | |
| |  | | --- | | Counsel for the Select party type: | | Enter name of lawyer and law firm here. |   Date:   |  | | --- | | Enter date here. | | | | | *If you are represented by a lawyer, you are not required to sign this form. Instead, your lawyer may sign this form on your behalf.*  *Applicable options are: Respondent / Co-Respondent / Named Person.*  *If this is completed by your lawyer, your lawyer should update your records in eLitigation to ensure that he is the lawyer on record. Otherwise, the Court may require you to sign this document personally.* |

**Section 9C: Certification by Applicant and Counsel for Non-Simplified Divorce / Non-Simplified Judicial Separation / Presumption of Death and Divorce**

|  |  |  |
| --- | --- | --- |
| To be completed by the **Applicant** | | *Notes* |
| 1. | I am aware of the options of family mediation or counselling, before filing this Originating Application. | *If you are* ***not*** *represented by a lawyer, please ensure that you have considered the mediation and/or counselling services available to you. For more information on mediation and/or counselling, visit the Singapore Courts’ website.* |
| 2. | I, Enter full name of Applicant here, certify that all the statements made in this Originating Application are true to the best of my knowledge and belief. |
| Name: Enter full name as per NRIC/Passport here.  Date:   |  | | --- | | Enter date here. | | |
| To be completed by **lawyer** (if any) | |  |
| 3. | I have informed the Applicant about the options of family mediation or counselling before filing this Originating Application. |  |
| 4. | I, Enter full name of Applicant’s counsel here, certify that I have informed the Applicant of his obligation in paragraph 2 above. |  |
| Counsel for the Applicant:  Enter name of lawyer and law firm here.  Date:   |  | | --- | | Enter date here. | | |  |

**Section 10: Supporting Documents**

|  |  |
| --- | --- |
| You must attach, with your application, a copy of the documents listed in Table 10 (where applicable) and all documents which you intend to rely on to support your position. | |
| **Table 10**  *Tick the relevant checkbox(es) to attach document(s) from related cases that had been filed previously.*   |  |  |  |  | | --- | --- | --- | --- | | **Supporting Documents** | | **Attachment(s)** | | | **Category 1: Marriage Documents** | | | | | 1 | **Copy of Marriage Certificate** |  |  | | 2 | **Translation of Marriage Certificate** (if not in English) (if applicable) |  |  | | 3 | Document(s) to show a **change in a party’s name or identification number** stated in the Marriage Certificate (if applicable) |  |  | | 4 | Copy of **child(ren)’s Birth Certificates** (if applicable) |  |  | | 5 | **Translation of child(ren)’s Birth Certificates** (if not in English) (if applicable) |  |  | | **Category 2A: Parenting Programmes**  (For **Divorce** with minor child(ren) only) | | | | | 6A | **My Parenting Programme Certificate of Attendance;** *OR* |  |  | | 6B | **My Parenting Progamme exemption note;** *OR* |  |  | | 6C | **Supporting Document(s) for Permission to proceed without Parenting Programme** (if applicable) |  |  | | **Category 2B: Parenting Programmes**  (For **Simplified Divorce** (with or without complete agreement on ancillary reliefs) with minor child(ren) only) | | | | | 7A | **My spouse’s Parenting Programme Certificate of Attendance;** *OR* |  |  | | 7B | **My spouse’s Parenting Programme exemption note** |  |  | | **Category 3: Facts for Divorce / Judicial Separation – Mutual Agreement** | | | | | 8 | **Agreement that Marriage has Irretrievably Broken Down (Form 2C)** |  |  | | **Category 4A: Bankruptcy Documents** | | | | | 9 | **My bankruptcy search results from the Ministry of Law’s Insolvency Office (if applicable)** |  |  | | 10 | **My spouse’s bankruptcy search results from the Ministry of Law’s Insolvency Office (if applicable)** |  |  | | **Category 4B: If there is complete agreement on ancillary matters** | | | | | 11 | **The relevant supporting documents in the Draft Ancillary Reliefs Order** |  | **Form 8** | | *Notes*  *The translations in items 2 and 5 must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*.  *If you have minor child(ren) (i.e. aged below 21 years) and applying for Divorce, you need item 6A or 6B.*  *If you and your spouse agree to the dissolution, you need items 7A or 7B.* |

*Please ensure that you have completed all relevant fields and attached all required documents. If there are missing information or documents, the Court may subsequently require you to provide these information or documents. You may incur additional fees as a result.*