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## **No. S 1081**

### **FAMILY JUSTICE ACT 2014 (ACT 27 OF 2014)**

### **FAMILY JUSTICE (AMENDMENT NO. 4) RULES 2020**

In exercise of the powers conferred by section 46 of the Family Justice Act 2014 and all other powers enabling us under any written law, we, the Family Justice Rules Committee, make the following Rules:

#### **Citation and commencement**

1. These Rules are the Family Justice (Amendment No. 4) Rules 2020 and come into operation on 2 January 2021.

#### **Amendment of rule 9**

2. Rule 9(6) of the Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) is amended by deleting paragraph (b) of the definition of “Court” and substituting the following paragraphs:

“(aa) the Appellate Division of the High Court, if the relevant matter or proceeding is any appeal referred to in paragraph (5)(a) to the Appellate Division of the High Court, in respect of which no leave has been given under paragraph (2) or (3), or under Order 1, Rule 9(2) or (3) of the Rules of Court, by a court below;

(b) the High Court before 2 January 2021 or the General Division of the High Court on or after that date, if the relevant matter or proceeding is —

(i) any matter, proceeding or appeal referred to in paragraph (5)(a); or

- (ii) any appeal referred to in paragraph (5)(b), (c) or (d) to the High Court before 2 January 2021 or the General Division of the High Court on or after that date, in respect of which no leave has been given under paragraph (2) or (3), or under Order 1, Rule 9(2) or (3) of the Rules of Court, by a court below; or”.

### **Amendment of rule 20**

3. Rule 20(2) of the principal Rules is amended by deleting the words “or 17” in sub-paragraph (ca) and substituting the words “, 17 or 22(4)”.

### **Amendment of rule 295E**

4. Rule 295E(1) of the principal Rules is amended —

- (a) by deleting the words “or an application under section 17” and substituting the words “an application under section 17”; and
- (b) by inserting, immediately after the words “revoke such an order,”, the words “or an application under section 22(4),”.

### **Amendment of rule 295I**

5. Rule 295I of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraph:

“(1A) Where an application under section 22(4) is made, the applicant must, unless the Court otherwise directs, serve a Notice of Application in Form 64B-1 on the respondent.”.

### **Amendment of rule 295L**

6. Rule 295L(1) of the principal Rules is amended by inserting, immediately after the words “revocation of such an order”, the words “or section 22(4)”.

### **New rule 295T**

7. The principal Rules are amended by inserting, immediately after rule 295S in Part 17B, the following rule:

**“Setting aside order under section 22(4)**

**295T.**—(1) An application to set aside an order under section 22(4) made in the absence of a respondent must be made within 5 days after the service of the order.

(2) The application must be —

(a) made by filing a notice in Form 64I setting out the grounds for setting aside the order; and

(b) supported by an affidavit.”.

**Amendment of rule 670**

**8.** Rule 670(2) of the principal Rules is amended —

(a) by deleting the words “with the consent” and substituting the words “after hearing the arguments and considering the submissions”; and

(b) by inserting, immediately after the word “determination,”, the words “in writing”.

**Amendment of rule 814**

**9.** Rule 814(4) of the principal Rules is amended by deleting the word “issued” in sub-paragraph (a) and substituting the word “filed”.

**Amendment of rule 816**

**10.** Rule 816(3) of the principal Rules is amended by deleting the word “issued” in sub-paragraph (a) and substituting the word “filed”.

**Amendment of rule 821**

**11.** Rule 821 of the principal Rules is amended by inserting, immediately after the words “Part 2” in paragraph (zf), the words “, or an order made under Part 4,”.

**Amendment of rule 827**

**12.** Rule 827 of the principal Rules is amended by deleting paragraph (6) and substituting the following paragraph:

“(6) If all the parties to an appeal that is deemed to have been withdrawn under paragraph (5) consent to the payment —

- (a) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the appellant, and the appellant files the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the appellant or any solicitor’s undertaking is to be discharged; or
- (b) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the respondent, and the respondent files the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the respondent or any solicitor’s undertaking is to be discharged.”.

### **Amendment of rule 830**

**13.** Rule 830 of the principal Rules is amended by deleting paragraph (3) and substituting the following paragraph:

“(3) If all the parties to the appeal that has been deemed withdrawn and struck out under paragraph (2) consent to the payment —

- (a) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the appellant, and the appellant files the document signifying such consent signed by the parties or by their solicitors, then any sum lodged in Court as security for the costs of the appeal is to be paid out to the appellant or any solicitor’s undertaking is to be discharged; or
- (b) of any sum lodged in Court or any sum held pursuant to a solicitor’s undertaking as security for the costs of the appeal to the respondent, and the respondent files