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**No. S 676**

**WOMEN'S CHARTER  
(CHAPTER 353)**

**WOMEN'S CHARTER  
(MATRIMONIAL PROCEEDINGS)  
(AMENDMENT) RULES 2013**

In exercise of the powers conferred on us by sections 79(1A) and 139(1) and (2) of the Women's Charter, we, the committee constituted under section 139(1) of the Women's Charter, hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Women's Charter (Matrimonial Proceedings) (Amendment) Rules 2013 and shall come into operation on 2nd December 2013.

**New Part I heading**

2. The Women's Charter (Matrimonial Proceedings) Rules (R 4) (referred to in these Rules as the principal Rules) are amended by inserting, immediately above rule 1, the following Part heading:

“PART I

PRELIMINARY”.

**Amendment of rule 1**

3. Rule 1 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) Unless otherwise specified, these Rules shall apply to —

- (a) all proceedings under Parts VIII and X of the Act commenced on or after 1st April 2006; and
- (b) all applications to vary an order made in proceedings for ancillary relief under Part X of the Act commenced before, on or after 1st April 2006.”.

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**Amendment of rule 2****4. Rule 2(1) of the principal Rules is amended —**

- (a) by inserting, immediately before the definition of “Affidavit of Assets and Means”, the following definition:

“ “additional CPF information” means any information that a person is required by the Registrar to obtain from the Central Provident Fund Board which is additional to that contained in a relevant CPF statement;”;

- (b) by inserting, immediately after the definition of “arrangements for the welfare of every dependent child”, the following definition:

“ “Central Provident Fund” means the Central Provident Fund established under section 6 of the Central Provident Fund Act (Cap. 36);”;

- (c) by deleting the definition of “CPF standard query”; and

- (d) by inserting, immediately after the definition of “Registrar”, the following definition:

“ “relevant CPF statement” means a statement issued by the Central Provident Fund Board containing such information as the Registrar may require relating to —

- (a) any account maintained by the Central Provident Fund Board for any person who is a member of the Central Provident Fund; and

- (b) the amount withdrawn from any such account (including any accrued interest) for the purchase of any immovable property or in connection with withdrawals of any moneys from the Central Provident Fund;”.

**New Part II heading**

5. The principal Rules are amended by inserting, immediately above rule 2A, the following Part heading:

“PART II

PROCEEDINGS UNDER PART VIII OF ACT”.

**Deletion of rule 2M**

6. Rule 2M of the principal Rules is deleted.

**New Part III heading**

7. The principal Rules are amended by inserting, immediately above rule 3, the following Part heading:

“PART III

PROCEEDINGS UNDER PART X OF ACT”.

**Amendment of rule 4**

8. Rule 4 of the principal Rules is amended —

- (a) by deleting the words “Form 1” in paragraph (1) and substituting the words “Form 1 (Section 94 Originating Summons Form)”;
- (b) by deleting the words “made returnable for a fixed date” in paragraph (3) and substituting the words “fixed for a pre-trial conference before a Registrar or for a hearing”; and
- (c) by deleting paragraphs (4) and (5) and substituting the following paragraphs:

“(4) Unless the court directs otherwise, the originating summons, together with the affidavit in support of the originating summons and a copy of the notice of proceedings in Form 2 (Notice of Section 94 Originating Summons Form), shall be served on the defendant at least 5 clear days before the date on which the pre-trial conference or hearing is fixed.

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(5) The defendant may be heard without filing a memorandum of appearance.”.

#### **Amendment of rule 4A**

**9.** Rule 4A of the principal Rules is amended —

- (a) by deleting the words “returnable for a fixed date” in paragraph (4) and substituting the words “fixed for a pre-trial conference before a Registrar or for a hearing”; and
- (b) by deleting paragraphs (5) and (6) and substituting the following paragraphs:

“(5) Unless the court directs otherwise, the originating summons together with the affidavit in support of the originating summons, shall be served on the defendant at least 5 clear days before the date on which the pre-trial conference or hearing is fixed.

(6) The defendant may be heard without filing a memorandum of appearance.”.

#### **Deletion of rule 4B**

**10.** Rule 4B of the principal Rules is deleted.

#### **Amendment of rule 5**

**11.** Rule 5 of the principal Rules is amended —

- (a) by deleting the words “Form 3” in paragraph (1) and substituting the words “Form 3 (Writ Form)”; and
- (b) by deleting the words “Form 4” in paragraph (2) and substituting the words “Form 4 (Summons Form)”.

**New rule 5A**

12. The principal Rules are amended by inserting, immediately after rule 5, the following rule:

**“Filing of affidavits in originating summons or summons**

**5A.**—(1) Unless the court directs otherwise, where the plaintiff or applicant intends to adduce evidence in support of an originating summons or a summons in Form 4 (Summons Form), he must do so by affidavit and must file the affidavit at the time of filing the originating summons or summons, as the case may be, and serve a copy of the originating summons or summons together with the affidavit in support of the originating summons or summons, as the case may be, on every defendant or respondent.

(2) Where the defendant or respondent intends to adduce evidence with reference to the originating summons or summons served on him, he must do so by an affidavit-in-reply and must file the affidavit-in-reply and serve a copy thereof on the plaintiff or applicant not later than —

- (a) 21 days after being served a copy of the affidavit by the plaintiff or applicant under paragraph (1), in the case of an originating summons; and
- (b) 14 days after being served a copy of the affidavit by the plaintiff or applicant under paragraph (1), in the case of a summons.

(3) Where the defendant or respondent has served a copy of an affidavit-in-reply in respect of an originating summons filed by a plaintiff, the plaintiff may not file a further affidavit without leave of the court.

(4) Where the defendant or respondent has served a copy of an affidavit-in-reply in respect of a summons filed by a plaintiff, the plaintiff may file a further affidavit and serve a copy of the affidavit on the defendant or respondent within 14 days after being served with the affidavit-in-reply.