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No. S 617

FAMILY JUSTICE ACT 2014
(ACT 27 OF 2014)

FAMILY JUSTICE
(AMENDMENT NO. 4)
RULES 2017

In exercise of the powers conferred on us 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 2017 and come into operation on 1 November 2017.

New rule 114B

2. The Family Justice Rules 2014 (G.N. No. S 813/2014) (called in these Rules the principal Rules) are amended by inserting, immediately after rule 114A, the following rule:

“Maintenance record officer

114B.—(1) The Court may, for the purposes of any maintenance proceedings, appoint a public officer (called in this rule a maintenance record officer), at any stage in those proceedings, to do all or any of the following things:

- (a) interview the parties to those proceedings;
- (b) obtain documents and information, on the financial circumstances of a party to those proceedings, from that party;
- (c) obtain documents and information, on the financial circumstances of a party to those proceedings, with the consent of that party, from any other person;

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- (d) obtain from each party to those proceedings —
 - (i) information on any maintenance that has not been paid; and
 - (ii) the reasons (if any) why the maintenance was not paid;
 - (e) compile and review the documents and information mentioned in this paragraph;
 - (f) prepare for the Court a written report, in such format as the Court may determine, setting out the opinion of the maintenance record officer on the following matters:
 - (i) the financial circumstances of each party to those proceedings;
 - (ii) the amount of maintenance that has not been paid;
 - (iii) whether the party liable to pay the maintenance is able to pay that amount or any part of that amount.

(2) A maintenance record officer is an officer of the Family Justice Courts, but need not be employed by those Courts.

(3) The Court may, on its own motion or at the request of a maintenance record officer, order a party to any maintenance proceedings to produce to a maintenance record officer any document in that party's possession, custody or power that the Court considers relevant to the preparation of a report under paragraph (1)(f).

(4) A party who fails to comply with an order under paragraph (3) may have an adverse inference drawn against that party pursuant to illustration (g) to section 116 of the Evidence Act (Cap. 97).

(5) The following apply when a maintenance record officer prepares a report under paragraph (1)(f) for the purposes of any maintenance proceedings:

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- (a) the Court must make that report available to the parties to those proceedings;
 - (b) that report may be tendered, and may be relied on by the Court, as evidence of the matters stated in that report;
 - (c) the Court and the parties may examine the maintenance record officer;
 - (d) the maintenance record officer need not attend those proceedings unless the Court, or any party, wishes to examine the maintenance record officer.

(6) If a party to any maintenance proceedings wishes to examine a maintenance record officer during a hearing of those proceedings, that party must submit to the Court, at least 5 working days before the date of that hearing, a written request to examine that maintenance record officer during that hearing.”.

Amendment of rule 311

3. Rule 311 of the principal Rules is amended —

- (a) by deleting the word “or” at the end of paragraph (*p*); and
- (b) by deleting the full-stop at the end of paragraph (*q*) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(r) the claim is for an order of committal under Division 50 of Part 18 (whether or not, apart from this paragraph, an originating summons containing such a claim can be served out of Singapore under this rule).”.

Amendment of rule 611

4. Rule 611 of the principal Rules is amended —

- (a) by deleting the words “a copy or a transcript” in paragraphs (2) and (5) and substituting in each case the words “a certified transcript”; and
- (b) by deleting paragraphs (3) and (4).

Amendment of rule 612

5. Rule 612(1) of the principal Rules is amended by deleting the words “The authenticity of a” and substituting the word “A”.

Deletion of rule 614

6. Rule 614 of the principal Rules is deleted.

*[G.N. Nos. S 144/2015; S 301/2016; S 610/2016;
S 375/2017; S 416/2017; S 544/2017]*

Made on 19 October 2017.

SUNDARESH MENON
Chief Justice.

JUDITH PRAKASH
Judge of Appeal.

DEBBIE ONG
*Presiding Judge of the
Family Justice Courts.*

CHIA WEE KIAT
*Registrar of the
Family Justice Courts.*

LIM HUI MIN
Director of Legal Aid.

YAP TEONG LIANG
Advocate and Solicitor.

FOO SIEW FONG
Advocate and Solicitor.

[AG/LEGIS/SL/104A/2015/1 Vol. 4]

(To be presented to Parliament under section 46(7) of the Family Justice Act 2014).