

## **Family Justice Courts Practice Directions (Amendment No. 3 of 2017)**

### **80. Discovery, inspection and interrogatories in respect of ancillary relief or financial relief under Women's Charter**

#### **(1) Inspection of documents**

- (a) The notice to be served on a party requiring him to produce any document or documents for inspection under rule 65(1) of the Family Justice Rules shall be in Form 231 in Appendix A to these Practice Directions.
- (b) The notice to be served by a party (on whom a notice under rule 65(1) of the Family Justice Rules has been served) under rule 65(2) of the Family Justice Rules ~~Women's Charter (Matrimonial Proceedings) Rules~~ shall be in Form 232 in Appendix A to these Practice Directions.

#### **(2) Request or application for discovery and interrogatories**

- (a) In any application for discovery, inspection and interrogatories in respect of ancillary relief, the particular rule, paragraph and sub-paragraph (where applicable) of the Family Justice Rules under which the application is being taken out shall be stated in the application.
- (b) A request for discovery under rule 63(4) of the Family Justice Rules shall be in Form 233 in Appendix A to these Practice Directions, and a notice under rule 63(5) of the Family Justice Rules in response to the request for discovery shall be in Form 234 in Appendix A to these Practice Directions.
- (c) An application for discovery under rule 63(1) to (3) of the Family Justice Rules shall be in Form 237 in Appendix A to these Practice Directions.
- (d) A request for interrogatories under rule 69(1) of the Family Justice Rules shall be in Form 235 in Appendix A to these Practice Directions, and a notice under rule 69(3) of the Family Justice Rules in response to the request for interrogatories shall be in Form 236 in Appendix A to these Practice Directions.
- (e) An application for interrogatories under rule 69(5) to (6) of the Family Justice Rules shall be in Form 238 in Appendix A.
- (f) If more than 5 items are listed in the request (under rule 63(4) or 69(1) of the Family Justice Rules) or application (under rule 63(1) to (3) or rule 69(5) to (6))

of the Family Justice Rules) for discovery or interrogatories, the request or application, as the case may be, shall comply with the following requirements:

- (i) The various items under the request or application shall be organised by theme or type (for example, all items relating to bank accounts to be grouped together, all requests relating to companies to be grouped together, all items relating to a particular property to be grouped together). Each group of items under a particular theme or type shall be preceded by a heading.
  - (ii) If there are more than 5 sub-items within each item (for example, if bank statements in relation to more than 5 accounts with the same bank are requested), the sub-items shall be organised in either chronological, numerical, or alphabetical order, or alternatively, by themes (for example, all the sub-items relating to housing loan accounts to be listed together, all the sub-items relating to fixed deposits to be listed together).
  - (iii) The time-frame requested for each discovery item shall be stated (where relevant) (for example, if bank statements for a certain bank account are requested, to state which year(s) and / or month(s) the statements are requested for).
  - (iv) The relevant paragraphs and pages in the affidavit(s) relating to the item shall be stated for each item and sub-item, where applicable.
  - (v) If discovery of bank, trading or investment account statements are being requested, then the relevant account numbers (if known) shall be set out.
- (g) A request (under rule 63(4) of the Family Justice Rules) or application (under rule 63(1) to (3) of the Family Justice Rules) for discovery and a request (under rule 69(1) of the Family Justice Rules) or application (under rule 69(5) to (6) of the Family Justice Rules) for interrogatories have to be filed through the separate prescribed templates in the Electronic Filing Service.

## 169. Request for court interpreters

### Family Division of the High Court

- (1) For proceedings in the Family Division of the High Court, any party requiring the services of an interpreter of the Court for himself or any of his witnesses at a hearing is to comply with sub-paragraphs (2) to (10) below.
- (2) The directions set out in sub-paragraphs (3) to (10) below are to be followed in relation to all requests for interpretation services of interpreters from the Supreme Court's Interpreters Section, whether the services are required for hearings in open Court or in Chambers.
- (3) Not less than 7 working days before the day on which the services of an interpreter are required ("scheduled day"), the requesting party must file a Request addressed to the appropriate Head Interpreter through the Electronic Filing Service- and attach Form 2 of Appendix A of the Supreme Court Practice Directions in Portable Document Format (PDF) to the Request in electronic form.
- (4) The Request in sub-paragraph (3) must be filed for hearings of matters which have been adjourned or part-heard, even if the services of an interpreter were requested and provided at an earlier hearing of the same matter. In the event that a Request is made in respect of an adjourned or part-heard matter, the Request should also state the date of the earlier hearing in addition to the scheduled day.
- (5) The requesting party shall make payment of any prescribed fee for interpretation services under the Family Justice Rules upon approval of the Request.
- (6) In the event that the services of the interpreter are for any reason not required on any of the scheduled days specified in the Request, the requesting party shall immediately notify the appropriate Head Interpreter either by letter, facsimile transmission or email. This shall serve as a notice of cancellation.
- (7) Any request for refund of the fee paid under sub-paragraph (5) must be submitted to the Registrar through the Electronic Filing Service- within one month from the date on

which the reason for the refund arose. The supporting reasons and the amount of refund sought must be clearly specified in the request for refund.

- (8) Unless otherwise decided by the Registrar, the fee paid for any scheduled day may be refunded only if a notice of cancellation under sub-paragraph (6) is given at least 1 clear working day prior to that scheduled day.
- (9) The provision of interpretation services by the Supreme Court's Interpreters Section is subject to the availability of suitable interpreters on the day that the interpretation services are required. Failure to comply with the directions set out in sub-paragraphs (3) to (5) may result in the services of interpreters not being available or provided.
- (10) Engagement of private interpreters (i.e. interpreters not from the Supreme Court's Interpreters Section):
- (a) For the avoidance of doubt, a party may engage the services of a private interpreter for interpretation services in respect of the languages listed in Form 2 of Appendix A of the Supreme Court Practice Directions.
- (b) If a party requires the services of an interpreter in a language apart from those listed in Form 2 of Appendix A to the Supreme Court Practice Directions, it shall be the duty of the party to engage such an interpreter directly to obtain his or her services for the scheduled hearing.
- (c) Interpreters who are not from the Supreme Court's Interpreters Section must be sworn in before the Duty Registrar before they may provide interpretation services for proceedings in Court.

### **Family Courts**

(11) The directions in the following sub-paragraphs below apply to proceedings in the Family Courts.

(124) Any party requiring the services of an interpreter of the Court for himself or any of his ~~its~~ witnesses at a hearing must inform the Registrar in writing:-

(a) within 7 working days from the date of the case conference or other proceeding at which the hearing date was fixed; or

(b) 2 weeks before the day when the interpreter is required,

whichever is earlier. This practice is to be followed for all fresh and adjourned hearings, whether in open Court or in Cehambers.

(132) Where an interpreter is required and the Registrar has not been so informed, any deployment of an interpreter will be subject to availability.

(143) The Request should contain the following information:

- (a) the Case number;
- (b) the parties to the suit;
- (c) the names of witness(es) requiring an interpreter;
- (d) the Court/Chamber number;
- (e) the stage of the proceedings (e.g. fresh or adjourned hearing);
- (f) the date and time of hearing (in the event the hearing is fixed for more than 1 day, the date and time on which the interpreter's services are required);
- (g) the number of days for which the interpreter's services are required; and
- (h) the language/dialect spoken by the witness(es) requiring the services of the interpreter.

(154) Where the services of the interpreter requested are no longer required prior to the start of the hearing, such as in the event of a settlement prior to the ~~trial~~hearing, the party who has requested the services of the interpreter must inform the Registrar in writing immediately.

~~(165) This directions in this Paragraph shall apply to all proceedings in Family Justice Courts, except that for proceedings in the Family Courts and Family Division of the High Court~~For proceedings other than proceedings under Parts VII and VIII of the Women's Charter (Cap. 353), the requesting party must file the request for the services of an interpreter through a "Request for Hearing Administrative Support" through the Electronic Filing Service.

(17) Engagement of private interpreters (i.e. interpreters not from the Family Courts' Interpreters Section):

- (a) If a party requires the services of an interpreter in a language apart from Chinese, Malay or Tamil, it shall be the duty of the party to engage such an interpreter directly to obtain his or her services for the scheduled hearing.
- (c) Interpreters who are not from the Family Courts' Interpreters Section must be sworn in before the judge hearing the proceeding before they may provide interpretation services for proceedings in Court.

## **Translation**

- (18) Requests for translations of documents in Chinese, Malay or Tamil for use in proceedings in the Family Division of the High Court and/or the Family Courts should be sent using the form available at relevant counter at the Family Registry at least 6 weeks before the date the translations are required, unless there are exceptional reasons justifying non-compliance.
- (19) In the event that the Family Justice Courts' Interpreters Section is unable to accept a translation request, parties and counsel should approach a private translation service instead.