



THE STATUTES OF THE REPUBLIC OF SINGAPORE

FAMILY JUSTICE ACT 2014

2020 REVISED EDITION

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Family Justice Act 2014

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An Act relating to the constitution, jurisdiction and powers of the Family Justice Courts and the administration of justice therein.

[1 October 2014: Parts 1 to 4, Divisions 1 and 2 of Part 5, sections 46, 47(1), (4), (9), (10), (11), (12) and (13) and the Schedule ;
1 January 2015: Sections 47(2), (3), (5), (6), (7) and (8)]

PART 1
PRELIMINARY

Short title

1. This Act is the Family Justice Act 2014.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“District Judge” means a District Judge appointed under section 9(1) of the State Courts Act 1970;

“Family Justice Rules” means the Family Justice Rules made under this Act and any other written law by the Family Justice Rules Committee constituted under section 46(1);

“family proceedings” means —

- (a) any civil proceedings under section 53 of the Administration of Muslim Law Act 1966;
- (b) any civil proceedings under the Adoption of Children Act 1939;
- (c) any civil proceedings under the Guardianship of Infants Act 1934;
- (d) any civil proceedings under the Inheritance (Family Provision) Act 1966;
- (e) any civil proceedings under the International Child Abduction Act 2010;
- (f) any civil proceedings for the distribution of an intestate estate in accordance with the Intestate Succession Act 1967;
- (g) any civil proceedings under the Legitimacy Act 1934;
- (h) any civil proceedings under section 10 of the Maintenance of Parents Act 1995;
- (i) [*Deleted by Act 16 of 2016*]

- (j) any civil proceedings under the Maintenance Orders (Reciprocal Enforcement) Act 1975;
- (k) any civil proceedings under the Mental Capacity Act 2008;
- (l) any civil proceedings under the Mental Health (Care and Treatment) Act 2008;
- (m) any civil proceedings under the Status of Children (Assisted Reproduction Technology) Act 2013;
- (n) any civil proceedings under section 17A(2) of the Supreme Court of Judicature Act 1969;
- (o) any civil proceedings under the Voluntary Sterilisation Act 1974;
- (oa) any civil or quasi-criminal proceedings under the Vulnerable Adults Act 2018;
- (p) any civil or quasi-criminal proceedings under the Women's Charter 1961;
- (q) on or after 1 January 2015, any civil proceedings under the Probate and Administration Act 1934; and
- (r) on or after 1 December 2016, any civil proceedings under the Wills Act 1838;

“family support programme or activity” means any programme or activity carried out for the purpose of addressing or resolving any relationship issue or relationship problem between spouses or former spouses, between siblings or between parent and child;

“judicial officer” means a District Judge or Magistrate who is designated as a judge of the Family Court or a judge of the Youth Court, or a Registrar;

“Magistrate” means a Magistrate appointed under section 10(1) of the State Courts Act 1970;

“officer”, in relation to the Family Justice Courts, means a person who is attached to the Family Justice Courts under section 17;

“registered medical practitioner” means a registered medical practitioner under the Medical Registration Act 1997 who has in force a practising certificate granted under that Act;

“Registrar” means the registrar, the deputy registrar or any assistant registrar of the Family Justice Courts;

“Rules of Court” means the Rules of Court made under the Supreme Court of Judicature Act 1969 and any other written law by the Rules Committee constituted under section 80(3) of that Act;

“Tribunal for the Maintenance of Parents” means the Tribunal for the Maintenance of Parents established under section 13 of the Maintenance of Parents Act 1995.

[16/2016; 27/2018; 40/2019]

(2) In this Act, unless the context otherwise requires, a reference to the general supervisory and revisionary jurisdiction of the General Division of the High Court is to be construed as a reference to the general supervisory and revisionary jurisdiction of the General Division of the High Court under section 27 of the Supreme Court of Judicature Act 1969, and includes a reference to all powers exercisable by the General Division of the High Court under sections 23 to 28 of that Act.

[40/2019]

PART 2

FAMILY JUSTICE COURTS

Family Justice Courts

3. The Family Justice Courts consist of —
 - (a) the Family Division of the High Court;
 - (b) the Family Courts; and
 - (c) the Youth Courts.

Family Division of High Court

4.—(1) There shall be a division of the General Division of the High Court known as the Family Division, through which the General Division of the High Court exercises —

- (a) such part of the original and appellate civil jurisdiction of the General Division of the High Court as is specified in this Act;
- (b) such part of the appellate criminal jurisdiction of the General Division of the High Court as is specified in this Act; and
- (c) the general supervisory and revisionary jurisdiction of the General Division of the High Court over the Family Courts, the Youth Courts and the Tribunal for the Maintenance of Parents.

[40/2019]

(2) Subject to this Act, the provisions of the Supreme Court of Judicature Act 1969 apply to the Family Division of the High Court.

Family Courts and Youth Courts

5. There shall be within Singapore the following subordinate courts with such jurisdiction as is conferred by this Act or any other written law:

- (a) Family Courts;
- (b) Youth Courts.

6. [Repealed by Act 25 of 2021 wef 01/04/2022]

Seals of courts

7. The Family Justice Courts are to have and use as occasion may require a seal or seals of such nature as the Chief Justice may, by notification in the *Gazette*, prescribe.

Process of courts

8. All writs, summonses, warrants, orders, notices and other mandatory processes issued by the Family Justice Courts must be

signed by a judicial officer and must bear the seal of the court issuing the same.

Sittings of Family Courts and Youth Courts

9.—(1) Subject to subsection (2), every Family Court and every Youth Court sits on every day of the year except on Saturdays, Sundays and public holidays.

(2) Despite subsection (1), a judicial officer may lawfully sit on a Saturday, Sunday or public holiday or during a vacation authorised under section 38 if —

- (a) the Presiding Judge of the Family Justice Courts, with the concurrence of the Chief Justice, has directed the judicial officer to sit on that day or during that vacation; or
- (b) in the opinion of the judicial officer, the business to be despatched is extremely urgent.

(3) Every Family Court and every Youth Court sits at such times and at such places as the Chief Justice may from time to time appoint.

[Act 25 of 2021 wef 01/04/2022]

Sittings in private, etc.

10.—(1) Subject to subsection (2), all matters and proceedings in a Family Justice Court must be heard in private.

[Act 25 of 2021 wef 01/04/2022]

(2) A Family Justice Court has power to hear any matter or any part thereof in an open and public court, or by way of an open and public hearing, to which the public generally may have access, if the Court is satisfied that it is expedient in the interests of justice, or for other sufficient reason to do so.

[Act 25 of 2021 wef 01/04/2022]

(3) A Family Justice Court may, in any matter or proceeding or any part thereof tried or held or to be tried or held before it, if satisfied that it is expedient in the interests of justice, public safety, public security or propriety, the national interest or national security of Singapore, or for other sufficient reason to do so, order that any of the following, which is contained in any court document or intended to be produced before the Court, be removed or be sufficiently redacted:

- (a) the name, address or photograph of any witness in that matter or proceeding;
- (b) any evidence or any other thing likely to lead to the identification of any such witness by any person other than a party to that matter or proceeding;
[Act 25 of 2021 wef 01/04/2022]
- (c) any information that, if disclosed, may be prejudicial to the national interest or national security of Singapore.
[Act 25 of 2021 wef 01/04/2022]
- (4) A Family Justice Court may at any time order that no person is to —
- (a) publish the name, address or photograph of any witness in any matter or proceeding or any part thereof tried or held or to be tried or held before it, or any evidence or any other thing likely to lead to the identification of any such witness;
[Act 25 of 2021 wef 01/04/2022]
- (b) do any other act which is likely to lead to the identification of any witness mentioned in paragraph (a); or
[Act 25 of 2021 wef 01/04/2022]
- (c) publish any information relating to any matter or proceeding before the court that, if disclosed, may be prejudicial to the national interest or national security of Singapore.
[Act 25 of 2021 wef 01/04/2022]
- (5) Any person who acts in contravention of any order under subsection (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.
- (6) Section 8 of the Supreme Court of Judicature Act 1969 does not apply to the Family Division of the High Court.

Court may conduct hearing through electronic means of communication

11.—(1) Without limiting section 10, a Family Justice Court may conduct the hearing of any matter or proceeding (other than a matter

or proceeding prescribed by the Criminal Procedure Rules or the Family Justice Rules) through a live video link, a live television link, a live audio link or any other electronic means of communication approved by the Chief Justice.

(2) Subsection (1) does not affect the operation of section 26A of the Administration of Justice (Protection) Act 2016, section 62A of the Evidence Act 1893* and section 281 of the Criminal Procedure Code 2010*.

*[*Updated to be consistent with the 2020 Revised Edition]*

(3) A Family Justice Court must not conduct any part of a hearing of a matter through a live audio link only, without an accompanying live video link or live television link —

- (a) where oral evidence is given during that part of the hearing (including in a trial of an offence) in a criminal or quasi-criminal proceeding;
- (b) where oral evidence is given during that part of the hearing (including in a trial of an action) in a civil proceeding, unless all the parties consent; or
- (c) where the matter is prescribed by the Criminal Procedure Rules or the Family Justice Rules.

(4) For the purposes of subsection (3), a court is not considered to have conducted a part of a hearing of a matter through a live audio link only and without an accompanying live video link or live television link, by reason only of a temporary disruption in the accompanying live video link or live television link that was insignificant and which did not affect the court's duty to conduct proceedings fairly.

(5) A Family Justice Court must not conduct a hearing of a matter or proceeding in the manner provided under subsection (1), if to do so would be inconsistent with the court's duty to ensure that the hearing is conducted fairly to all parties.

(6) A Family Court or a Youth Court is deemed to be sitting at a place appointed under section 9(3) when the court conducts a hearing of a matter or proceeding in the manner provided under subsection (1)

(whether any judicial officer of the court is situated in Singapore or outside Singapore).

[Act 25 of 2021 wef 01/04/2022]

PART 3

APPOINTMENTS, POWERS AND DUTIES

Appointment of Presiding Judge of Family Justice Courts

12.—(1) For the purposes of the administration of this Act, the President may, on the recommendation of the Chief Justice, appoint a Supreme Court Judge or a Judicial Commissioner to be the Presiding Judge of the Family Justice Courts for such period as the Chief Justice may recommend.

[40/2019]

(2) Despite any other written law, the Presiding Judge of the Family Justice Courts may sit in any Family Court or Youth Court and act as a judge thereof, in which case he or she has all the jurisdiction, power and privileges of such a judge.

(3) A Supreme Court Judge or a Judicial Commissioner may, during the period of his or her appointment as the Presiding Judge of the Family Justice Courts, continue to sit in the General Division of the High Court, the Appellate Division of the High Court or the Court of Appeal in accordance with the Constitution.

[40/2019]

(4) Any person appointed to be the Presiding Judge of the Family Justice Courts must, although the period of his or her appointment as such has expired or his or her appointment as such has been revoked, in relation to any case heard by him or her as a judge of a Family Court or Youth Court, continue to sit as such a judge for the purpose of giving judgment or otherwise.

Designation of judges of Family Courts

13.—(1) A Family Court is presided over by a District Judge, or a Magistrate, who is designated by the Chief Justice as a judge of the Family Court.

(2) A person is designated as a judge of the Family Court for such period as the Chief Justice may determine.

(3) Any person designated as a judge of the Family Court must, although the period of his or her designation as such has expired or his or her designation as such has been revoked, in relation to any case heard by him or her as a judge of a Family Court, continue to sit as such a judge for the purpose of giving judgment or otherwise.

Designation of judges of Youth Courts

14.—(1) A Youth Court is presided over by a District Judge, or a Magistrate, who is designated by the Chief Justice as a judge of the Youth Court.

(2) A person is designated as a judge of the Youth Court for such period as the Chief Justice may determine.

(3) Any person designated as a judge of the Youth Court must, although the period of his or her designation as such has expired or his or her designation as such has been revoked, in relation to any case heard by him or her as a judge of a Youth Court, continue to sit as such a judge for the purpose of giving judgment or otherwise.

Appointments and qualifications of registrar, deputy registrar and assistant registrars

15.—(1) The President may, on the recommendation of the Chief Justice, appoint a registrar, a deputy registrar and assistant registrars of the Family Justice Courts.

(2) A person must not be appointed to be or to act as the registrar, the deputy registrar or an assistant registrar unless he or she is a qualified person as defined in section 2 of the Legal Profession Act 1966.

(3) The registrar, deputy registrar and assistant registrars are ex officio commissioners for oaths.

Jurisdiction, powers and duties of registrar, deputy registrar and assistant registrars

16.—(1) The registrar, deputy registrar and assistant registrars of the Family Justice Courts have, subject to this Act and any other written law, such jurisdiction, powers and duties as may be prescribed by the Family Justice Rules or, prior to their enactment, the Rules of Court.

(2) Subject to this Act and any other written law, all powers and duties conferred and imposed on the registrar, whether by this Act or any other written law, may be exercised and performed by the deputy registrar or any assistant registrar.

Officers of Family Justice Courts

17. There are to be attached to the Family Justice Courts such commissioners for oaths, interpreters, clerks, bailiffs, process servers, counsellors, social workers, psychologists and other officers as, from time to time, may appear to the Chief Justice to be necessary for the administration of justice and the due execution of all powers and duties which are vested in the Family Justice Courts.

Powers and duties of certain officers of Family Justice Courts

18.—(1) The bailiffs and process servers must —

- (a) execute all writs, summonses, warrants, orders, notices and other processes of the Family Justice Courts given to them; and
- (b) make a return of the same together with the manner of the execution thereof to the court from which the process issued.

(2) The bailiffs in executing any writ of seizure and sale or any other writ of execution or of distress may effect an entry into any building, and for that purpose (if necessary) may break open any outer or inner door or window of the building or any receptacle therein, using such force as is reasonably necessary to effect an entry.

(3) The bailiffs must arrest and receive all such persons and property as are committed to the custody of the Family Justice Courts.

(4) The Registrar may engage any auxiliary police officer appointed under the Police Force Act 2004*, any security agency, a provider of transport and of warehousing, a valuer, an estate agent, a broker, a solicitor or any other appropriate person to assist the bailiff in the discharge of the bailiff's duties.

[Act 25 of 2021 wef 01/04/2022]

*[*Updated to be consistent with the 2020 Revised Edition]*

Solicitor, etc., authorised to act as bailiff

19.—(1) Subject to such directions as may be given by the Presiding Judge of the Family Justice Courts, the Registrar may authorise a solicitor or a person employed by a solicitor to exercise the powers and perform the duties of a bailiff during such period or on such occasion as the Registrar thinks fit and subject to such terms and conditions as the Registrar may determine.

(2) Section 45(2) applies to a solicitor or person authorised under subsection (1) as it applies to an officer of the Family Justice Courts.

Oaths of officers

20.—(1) The registrar, deputy registrar and assistant registrars of the Family Justice Courts and such other officers of the Family Justice Courts as may be required by the Chief Justice must, before exercising the functions of their respective offices, take and subscribe the appropriate oath of office set out in the First Schedule.

[16/2016]

(2) The oath mentioned in subsection (1) may be taken and subscribed before the Presiding Judge of the Family Justice Courts or a Supreme Court Judge or a Judicial Commissioner.

[40/2019]

(3) Where the oath is taken before the Presiding Judge of the Family Justice Courts, he or she must —

- (a) enter in the record of the Family Justice Courts that the oath was duly administered and taken before him or her; and
- (b) transmit a certified copy of the entry to the Registrar of the Supreme Court.

Appointments and revocations to be published in *Gazette*

21. All appointments and revocations made under this Part must be published in the *Gazette*.

PART 4

JURISDICTION

*Division 1 — Jurisdiction of Family Division of High Court***Original civil jurisdiction of General Division of High Court exercisable through Family Division**

22.—(1) The part of the civil jurisdiction of the General Division of the High Court which is exercised through the Family Division consists of —

- (a) the jurisdiction conferred on the General Division of the High Court by sections 17(1)(a), (d), (e) and (f) and 17A of the Supreme Court of Judicature Act 1969; and
- (b) such other jurisdiction relating to family proceedings as is vested in or conferred on the General Division of the High Court by any written law.

[40/2019]

(2) To avoid doubt, the Family Division of the High Court has, when exercising any jurisdiction mentioned in subsection (1)(a) or (b), all the powers of the General Division of the High Court in the exercise of its original civil jurisdiction.

[40/2019]

Appellate civil jurisdiction of General Division of High Court exercisable through Family Division

23.—(1) The part of the appellate civil jurisdiction of the General Division of the High Court which is exercised through the Family Division consists of —

- (a) the hearing of appeals from Family Courts when exercising jurisdiction of a quasi-criminal or civil nature; and

- (b) the hearing of appeals and special cases from the Tribunal for the Maintenance of Parents.

[40/2019]

(2) Subject to subsection (2A), an appeal lies to the General Division of the High Court from any decision of a Family Court exercising jurisdiction of a quasi-criminal or civil nature.

[16/2016; 40/2019]

(2A) An appeal lies to the General Division of the High Court from a decision of a Family Court only with the leave of that Family Court or the General Division of the High Court in any case specified in the Second Schedule subject to any exception specified in that Schedule.

[40/2019]

(3) An appeal to the General Division of the High Court from a decision of a Family Court —

- (a) may be heard before one Judge or 3 Judges; and
- (b) if heard before 3 Judges, must be decided in accordance with the opinion of the majority of the Judges composing the General Division of the High Court.

[40/2019]

(4) No Judge is to sit in the General Division of the High Court on the hearing of, or determine any application in proceedings incidental or preliminary to —

- (a) an appeal from a judgment or an order made by him or her as the Presiding Judge of the Family Justice Courts; or
- (b) any proceedings relating to any judgment, order or direction made by him or her as the Presiding Judge of the Family Justice Courts.

[40/2019]

Appellate criminal jurisdiction of General Division of High Court exercisable through Family Division

24.—(1) The part of the appellate criminal jurisdiction of the General Division of the High Court which is exercised through the Family Division consists of —

- (a) the hearing of appeals from Family Courts when exercising criminal jurisdiction; and

(b) the hearing of appeals from Youth Courts.

[40/2019]

(2) An appeal lies to the General Division of the High Court from any decision of a Family Court exercising criminal jurisdiction or any decision of a Youth Court.

[40/2019]

(3) An appeal to the General Division of the High Court from a decision of a Family Court or Youth Court —

(a) may be heard before one Judge or 3 Judges according to the provisions of the law for the time being in force relating to criminal procedure; and

(b) if heard before 3 Judges, must be decided in accordance with the opinion of the majority of the Judges composing the General Division of the High Court.

[40/2019]

(4) No Judge is to sit in the General Division of the High Court on the hearing of, or determine any application in proceedings incidental or preliminary to —

(a) an appeal against a conviction before him or her, or a sentence passed by him or her, as the Presiding Judge of the Family Justice Courts;

(b) any application made under section 400 of the Criminal Procedure Code 2010 in relation to any judgment or order made, or sentence passed, by him or her as the Presiding Judge of the Family Justice Courts; or

(c) any proceedings relating to any judgment, order or direction made by him or her as the Presiding Judge of the Family Justice Courts.

[40/2019]

Family Division may exercise entire jurisdiction of General Division of High Court

25. To avoid doubt, the Family Division of the High Court may exercise the entire original and appellate civil and criminal jurisdiction of the General Division of the High Court under the

Supreme Court of Judicature Act 1969 and under any other written law.

[40/2019]

Division 2 — Jurisdiction of Family Courts

Jurisdiction of Family Courts

26.—(1) A Family Court is a court of record.

(2) Subject to subsections (4), (5) and (6), a Family Court has —

(a) all the civil jurisdiction of the General Division of the High Court mentioned in section 22(1)(a) and (b);

(b) when exercising any jurisdiction mentioned in section 22(1)(a) or (b), all the powers of the General Division of the High Court in the exercise of the original civil jurisdiction of the General Division of the High Court; and

(c) such other jurisdiction relating to family proceedings as is conferred on a Family Court by any written law.

[40/2019]

(3) Without limiting subsection (2), the jurisdiction of a Family Court to hear and try any civil proceedings which come within the jurisdiction of the Syariah Court constituted under the Administration of Muslim Law Act 1966 is the same as that of the General Division of the High Court, as if section 17A of the Supreme Court of Judicature Act 1969 applies to a Family Court with the modification that any reference in that section to the General Division of the High Court is a reference to a Family Court.

[40/2019]

(3A) If any family proceedings may be heard and determined by a Family Court or by the Family Division of the High Court, those proceedings must in the first instance be commenced in a Family Court.

[16/2016]

(4) Despite subsections (2), (3) and (3A), the Chief Justice may by order in the *Gazette* direct that any class or description of family

proceedings specified in the order are to be heard and determined by the Family Division of the High Court.

[16/2016]

(5) Subject to section 28A of the Supreme Court of Judicature Act 1969 and any order made under subsection (1) of that section, the jurisdiction of a Family Court under subsection (2) does not include —

- (a) any supervisory jurisdiction or revisionary jurisdiction;
- (b) any jurisdiction relating to the judicial review of any act done or decision made by any person or authority, including the issue of any of the following prerogative orders:
 - (i) a Mandatory Order;
 - (ii) a Prohibiting Order;
 - (iii) a Quashing Order;
 - (iv) an Order for Review of Detention;
- (c) any jurisdiction vested exclusively in the General Division of the High Court, in a Youth Court, in any State Court, or in any judicial, quasi-judicial or administrative tribunal, by written law; and
- (d) any jurisdiction expressly excluded by written law.

[40/2019]

(6) A Family Court has jurisdiction to grant relief by way of interpleader, and to order the sale of any property subject to interpleader proceedings, only in either of the following circumstances:

- (a) where a bailiff of the Family Justice Courts is charged with the execution of any process of a Family Justice Court, and claim is made to any money or other movable property taken or intended to be taken in execution of the process, or to the proceeds or value of any such property, by any person other than the person against whom the process is issued;

(b) where the person seeking relief —

- (i) is a party to any proceedings before a Family Justice Court; and
- (ii) is under liability for any debt, money or other movable property for or in respect of which the person has been or expects to be sued by 2 or more parties making adverse claims thereto.

(7) The criminal jurisdiction of a Family Court is the same as that of a District Court under section 50 of the State Courts Act 1970 and section 8 of the Criminal Procedure Code 2010.

(8) When a Family Court exercises criminal jurisdiction, or jurisdiction of a quasi-criminal nature, in any proceedings —

- (a) the Family Court has all the powers of a District Court exercising criminal jurisdiction; and
- (b) the provisions of the Criminal Procedure Code 2010 apply to the Family Court and those proceedings with the following modifications:
 - (i) except as provided in sub-paragraph (iii), any reference to a District Court or a State Court is a reference to a Family Court;
 - (ii) any reference to a District Judge is a reference to a judge of a Family Court;
 - (iii) any reference to the Registrar of the State Courts is a reference to the Registrar.

(9) Subject to any other written law, a Family Court may, either on its own motion or on the application of any person, order any party to any proceedings in a Family Court, or any child who is a subject of such proceedings, to undergo such mediation or counselling, or to participate in such family support programme or activity, as the Family Court may direct.

Assessors to assist Family Court

27.—(1) In any proceedings before a Family Court, the Court may, if it thinks fit on the application of any party, or on its own motion,

summon to its assistance, in such manner as may be prescribed by the Family Justice Rules or, prior to their enactment, the Rules of Court, one or more persons of skill and experience in the matter to which the proceedings relate who may be willing to sit with the Court and act as assessors.

(2) The remuneration of assessors for sitting under this section is to be at such rate as may be prescribed by the Family Justice Rules or, prior to their enactment, the Rules of Court and is to be costs in the proceedings unless otherwise ordered by the Family Court.

(3) Where any person is proposed to be summoned as an assessor, objection to him or her, either personally or in respect of his or her qualification, may be taken by any party in such manner as may be prescribed by the Family Justice Rules or, prior to their enactment, the Rules of Court.

Examination and assessment of child, etc.

28.—(1) In any proceedings before a Family Court involving the custody or welfare of a child or involving a person, the Court may, on the application of any party to those proceedings or on its own motion, appoint a registered medical practitioner, psychologist, counsellor, social worker or mental health professional to examine and assess the child or person (as the case may be) for the purposes of preparing expert evidence for use in those proceedings.

(2) Where a registered medical practitioner, psychologist, counsellor, social worker or mental health professional who is not appointed by the Family Court under subsection (1) examines or assesses the child or person, no evidence arising out of that examination or assessment is to be adduced in those proceedings without the leave of the Court.

(3) A registered medical practitioner, psychologist, counsellor, social worker or mental health professional appointed under subsection (1) may make such enquiries relevant to the examination and assessment of the child or person as may be provided for under the Family Justice Rules or, prior to their enactment, the Rules of Court.

General power to transfer proceedings from Family Court to General Division of High Court, and vice versa

29.—(1) The General Division of the High Court or a Family Court may, either on its own motion or on the application of any party, order any proceedings in a Family Court to be transferred to the General Division of the High Court, if it appears to the General Division of the High Court or Family Court (as the case may be) that those proceedings, by reason of involving some important question of law or of being a test case, or for any other sufficient reason, should be tried in the General Division of the High Court.

[40/2019]

(2) The General Division of the High Court may, if it thinks fit, and either on its own motion or on the application of any party, order any proceedings in the General Division of the High Court to be transferred to a Family Court.

[40/2019]

(3) An order made by the General Division of the High Court under subsection (1) or (2), or by a Family Court under subsection (1), may be made on such terms as the General Division of the High Court or Family Court (as the case may be) sees fit.

[40/2019]

Oral hearing not needed generally

29A.—(1) Subject to subsection (2), a Family Court may decide any matter in its civil or quasi-criminal jurisdiction without hearing oral arguments, other than a matter prescribed by the Family Justice Rules.

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given (including any part of a trial of an action) to be conducted without an oral hearing, unless all the parties consent.

(3) Subject to subsection (4), a Family Court may, in any matter that the court may decide without hearing oral arguments, direct that the matter be heard in an asynchronous manner by exchange of written correspondence with the party or parties using such means of communications as directed by the court.

(4) A Family Court must not hear a matter in an asynchronous manner if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to all parties.

(5) To avoid doubt, this section does not affect the power of a Family Court to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.

[Act 25 of 2021 wef 01/04/2022]

Summary dismissal of certain matters

29B.—(1) A District Judge sitting in a Family Court may, on his or her own motion, summarily dismiss any appeal made against a decision of the Registrar relating to civil or quasi-criminal proceedings, if the District Judge is satisfied of any of the following:

(a) every issue in the appeal has already been decided by a Family Court or a higher court in an earlier matter in which the appellant was involved, and the appeal therefore has no merit;

(b) such conditions as may be prescribed by the Family Justice Rules are met.

(2) Before summarily dismissing any appeal under subsection (1), a District Judge sitting in a Family Court must —

(a) give the appellant a reasonable opportunity to show cause why the appeal should not be summarily dismissed; and

(b) consider any representations of the appellant.

(3) In this section, “appeal” includes part of an appeal.

[Act 25 of 2021 wef 01/04/2022]

Division 3 — Jurisdiction of Registrar

Jurisdiction of Registrar

30. Any jurisdiction and powers conferred on the Family Division of the High Court or a Family Court by this Act or any other written law may be exercised, to the extent authorised by this Act, the Family Justice Rules or any other written law, by a Registrar.

Execution of deed, signing of document or indorsement of negotiable instrument

31.—(1) If any judgment or order of the Family Division of the High Court or a Family Court is for the execution of a deed, the signing of a document or the indorsement of a negotiable instrument, and the party ordered to execute the deed, sign the document or indorse the instrument is absent, or neglects or refuses to do so —

- (a) any party interested in having the deed executed, the document signed or the instrument indorsed may prepare a deed, a document or an indorsement of the instrument in accordance with the terms of the judgment or order, and tender the same to a Registrar for execution upon the proper stamp, if any is required by law; and
- (b) the signature of the Registrar on the deed, document or indorsement, by order of the Family Division of the High Court or the Family Court (as the case may be), has the same effect as the execution of the deed, signing of the document or indorsement of the instrument by the party ordered to execute the deed, sign the document or indorse the instrument.

(2) Nothing in this section is to be held to abridge the powers of the Family Division of the High Court or a Family Court to proceed by attachment against any person neglecting or refusing to execute, sign or indorse any such deed, document or instrument.

*Division 4 — Appeals from Family Court***General provision relating to appeals from Family Court exercising quasi-criminal or civil jurisdiction**

32. Subject to section 23, the Family Justice Rules or, prior to their enactment, the Rules of Court regulate and prescribe the procedure on appeals from a Family Court exercising jurisdiction of a quasi-criminal or civil nature to the General Division of the High Court.

[40/2019]

Agreement not to appeal from Family Court exercising civil jurisdiction

33.—(1) An appeal cannot be brought against a decision of the Family Court exercising civil jurisdiction, where the parties have agreed in writing signed by or on behalf of each party that the decision is final, unless the party seeking to appeal proves that —

- (a) the decision is affected by fraud or illegality; or
- (b) there was a fundamental breach of the rules of natural justice in the proceedings resulting in the decision.

(2) An agreement mentioned in subsection (1) —

- (a) may be made before or after the decision to which the agreement relates is made; and
- (b) may relate to part of a decision, in which case references in subsection (1) to a decision are to be read as references to that part of the decision.

[Act 25 of 2021 wef 01/04/2022]

Appeal from Family Court exercising civil jurisdiction not to operate as stay of execution

34.—(1) An appeal from a Family Court exercising civil jurisdiction does not operate as a stay of execution or of proceedings under the judgment or order appealed from, unless the Family Court or the General Division of the High Court so orders.

[40/2019]

(2) No intermediate act or proceeding is invalidated except so far as the General Division of the High Court may direct.

[40/2019]

*Division 5 — Jurisdiction of Youth Courts***Jurisdiction of Youth Courts**

35.—(1) A Youth Court has the jurisdiction and powers conferred on it by the Children and Young Persons Act 1993.

(2) When a Youth Court exercises criminal jurisdiction, or jurisdiction of a quasi-criminal nature, in any proceedings —

- (a) the Youth Court has all the powers of a District Court exercising criminal jurisdiction; and
- (b) subject to the Children and Young Persons Act 1993, the provisions of the Criminal Procedure Code (Cap. 68) apply to the Youth Court and those proceedings with the following modifications:
 - (i) except as provided in sub-paragraph (iii), any reference to a District Court or a State Court is a reference to a Youth Court;
 - (ii) any reference to a District Judge is a reference to a judge of a Youth Court;
 - (iii) any reference to the Registrar of the State Courts is a reference to the Registrar.

(3) Subject to any other written law, a Youth Court may, either on its own motion or on the application of any person, order any party to any proceedings in a Youth Court to undergo such mediation or counselling, or to participate in such family support programme or activity, as the Youth Court may direct.

Oral hearing not needed generally

35A.—(1) Subject to subsection (2), a Youth Court may decide any matter in its jurisdiction without hearing oral arguments, other than a matter prescribed by the Criminal Procedure Rules or the Family Justice Rules.

(2) Subsection (1) does not allow any part of a proceeding where oral evidence is given (including any part of a trial of an offence) to be conducted without an oral hearing.

(3) Subject to subsection (4), a Youth Court may, in any matter that the court may decide without hearing oral arguments, direct that the matter be heard in an asynchronous manner by exchange of written correspondence with the party or parties, using such means of communication as directed by the court.

(4) A Youth Court must not hear a matter in an asynchronous manner if to do so would be inconsistent with the court's duty to ensure that the proceedings are conducted fairly to all parties.

(5) To avoid doubt, this section does not affect the power of a Youth Court to hear oral arguments before deciding any matter that may be decided without hearing oral arguments.

[Act 25 of 2021 wef 01/04/2022]

PART 5

MISCELLANEOUS PROVISIONS

Division 1 — Administration

Registry of Family Justice Courts

36.—(1) There shall be an office of the Family Justice Courts called the Registry of the Family Justice Courts, comprising such departments as the Presiding Judge of the Family Justice Courts, with the concurrence of the Chief Justice, may from time to time determine.

(2) The Registry is under the control and supervision of the registrar of the Family Justice Courts.

(3) The Registry is open on every day of the year except on Saturdays, Sundays and public holidays.

(4) Despite subsection (3), a Registrar may lawfully sit or carry out the business of the Registry on a Saturday, Sunday or public holiday if —

(a) the Presiding Judge of the Family Justice Courts, with the concurrence of the Chief Justice, has directed the Registrar to do so on that day; or

(b) in the Registrar's opinion, the business to be despatched is extremely urgent.

(5) The office hours of the Registry are such times as the Presiding Judge of the Family Justice Courts, with the concurrence of the Chief Justice, may from time to time direct.

Distribution of business

37. The distribution of business in the Family Justice Courts must be made in accordance with such directions, which may be of a general or a particular nature, as may be given, with the concurrence

of the Chief Justice, by the Presiding Judge of the Family Justice Courts.

Vacations for Family Courts

38. The Chief Justice may authorise vacations for Family Courts not exceeding 15 days in any calendar year.

List of touts

39.—(1) The registrar of the Family Justice Courts may publish a list of persons proved to his or her satisfaction, by evidence of general repute or otherwise, to act as touts or unauthorised advisers to suitors or other persons, and may alter and amend the list.

(2) The registrar of the Family Justice Courts may, by general or special order, exclude from the precincts of the Family Justice Courts any person whose name is included in the list, except when that person is a party to or a witness in any proceedings in a Family Justice Court, when he or she is allowed to remain for such time as is necessary.

(3) A person's name must not be included in the list until he or she has been heard or had an opportunity of being heard against such inclusion.

(4) An appeal lies to a Judge of the Family Division of the High Court in chambers from an order made by the registrar of the Family Justice Courts to include a person's name in the list.

(5) The decision of the Judge of the Family Division of the High Court is final.

(6) A copy of the list must be kept hung up in the Registry of the Family Justice Courts and must be published in the *Gazette*.

(7) A person whose name appears in the list of touts under section 73 of the Supreme Court of Judicature Act 1969, or the list of touts under section 62 of the State Courts Act 1970, is deemed to be included in the list under this section, and vice versa.

Impounding documents

40.—(1) A Family Court or Youth Court may order any document produced before it in any proceedings to be impounded.

(2) The document which has been impounded must not be delivered out of the custody of the Family Court or Youth Court or inspected except on an order signed by a judicial officer.

(3) The Family Court or Youth Court that impounded the document may direct the document to be sent to the Attorney-General, the Commissioner of Stamp Duties or any other officer of the Government.

Division 2 — Disabilities and protection of officers

Disqualification of judicial officers

41.—(1) Except with the approval of the Chief Justice, a judicial officer —

(a) shall not be capable of —

- (i) accepting or taking any other office of emolument; or
- (ii) carrying on any business either directly or indirectly;
and

(b) must not accept any fees of office, perquisites, emoluments or advantages, other than his or her salary and allowances.

(2) Without limiting subsection (1), a judicial officer may, with the approval of the Chief Justice —

(a) be appointed to any commission of inquiry, committee of inquiry or other judicial, quasi-judicial or administrative tribunal, or hold any office in any institution or society for charitable purposes or for the advancement or encouragement of art, science, education or other knowledge; and

(b) receive an allowance or other honorarium in respect of that appointment or office.

Judicial officers not to act where interested

42. A judicial officer must not, except with the approval of the Chief Justice and with the consent of the parties, investigate, try or commit for trial any proceedings to which he or she is a party or in which he or she is personally interested.

Officers not to bid at sales under any written law

43. Any officer of the Family Justice Courts having any duty to perform in connection with the sale of any property under any written law must not, directly or indirectly, purchase or bid for the property.

Misconduct of officers

44.—(1) Without affecting any written law and rules governing the conduct and discipline of public officers, if any officer of the Family Justice Courts is charged —

- (a) with extortion or misconduct while acting under colour of the process of the Family Justice Courts; or
- (b) with not duly paying or accounting for any money levied by him or her under the authority of this Act, the Supreme Court of Judicature Act 1969, the Family Justice Rules or the Rules of Court,

it is lawful for a District Judge designated as a judge of the Family Court or judge of the Youth Court, and nominated by the Presiding Judge of the Family Justice Courts, to inquire into the matter in a summary manner.

(2) For the purpose of any such inquiry, the District Judge may summon and enforce the attendance of all necessary parties in the like manner as the attendance of witnesses in any case may be enforced.

(3) On any such inquiry, the District Judge may make such order as he or she thinks just for the repayment of the money extorted or the due payment of the money levied, and for the payment of damages and costs, and also, if he or she thinks fit, may impose such fine upon the officer, not exceeding \$100 for each offence, as appears to the District Judge to be adequate.

(4) If it is found by the District Judge that any officer, while employed in carrying out the officer's duties under this Act, the Supreme Court of Judicature Act 1969, the Family Justice Rules or the Rules of Court or in exercising any of the powers thereof, has wilfully and corruptly exacted or accepted any fee or reward, other than such fees as are for the time being allowed under this Act, the Supreme Court of Judicature Act 1969, the Family Justice Rules or the Rules of Court, that officer shall, in addition to being liable for damages under subsection (3), be incapable of being an officer of the Family Justice Courts.

(5) An appeal lies to the Chief Justice from an order made by the District Judge under this section.

(6) The decision of the Chief Justice is final.

Protection of judicial and other officers

45.—(1) A judicial officer shall not be liable to be sued for any act done by him or her in the discharge of his or her judicial duty whether or not within the limits of his or her jurisdiction, provided that he or she at the time in good faith believed himself or herself to have jurisdiction to do or order the act complained of.

(2) No officer of the Family Justice Courts charged with the duty of executing any writ, summons, warrant, order, notice or other mandatory process of the court shall be liable to be sued for the execution of or attempting to execute such writ, summons, warrant, order, notice or other mandatory process, or in respect of any damage caused to any property in effecting or attempting to effect execution, unless he or she knowingly acted in excess of the authority conferred upon him or her by such writ, summons, warrant, order, notice or other mandatory process of the court.

(3) An officer of the Family Justice Courts is not to be deemed to have acted knowingly in excess of his or her authority merely by reason of the existence of a dispute as to the ownership of any property seized under any writ or order of execution.

(4) No judicial officer, officer of the Family Justice Courts or court-appointed mediator shall be liable to be sued for an act done by him or her for the purposes of any court proceedings, or any

mediation or other alternative dispute resolution process conducted by him or her, in the Family Division of the High Court, a Family Court or a Youth Court, if the act —

- (a) was done in good faith; and
- (b) did not involve any fraud or wilful misconduct on his or her part.

(5) A child representative appointed to represent the interests of a child in any proceedings involving the child, or the custody and welfare of the child, shall not be liable to be sued for an act done by the child representative for the purposes of those proceedings, or any mediation or other alternative dispute resolution process related to those proceedings, if the act —

- (a) was done in good faith; and
- (b) did not involve any fraud or wilful misconduct on the part of the child representative.

[16/2016]

(6) Where a registered medical practitioner, psychologist, counsellor, social worker or mental health professional is appointed by a Family Court to examine and assess a child or person for the purposes of preparing expert evidence for use in any proceedings involving the custody or welfare of that child or involving that person (as the case may be), the registered medical practitioner, psychologist, counsellor, social worker or mental health professional (as the case may be) shall not be liable to be sued for an act done by him or her for the purposes of the examination or assessment, or the preparation of the expert evidence for use in those proceedings, if the act —

- (a) was done in good faith; and
- (b) did not involve any fraud or wilful misconduct on his or her part.

[16/2016]

*Division 3 — Other matters***Family Justice Rules**

46.—(1) There is a Family Justice Rules Committee consisting of —

- (a) the Chief Justice, who is the Chairperson of the Committee;
- (b) a Supreme Court Judge to be appointed by the Chief Justice for such period as the Chief Justice may specify in writing;
- (c) the Presiding Judge of the Family Justice Courts;
- (d) the registrar of the Family Justice Courts;
- (e) the Director of Legal Aid; and
- (f) 2 practising advocates and solicitors to be appointed by the Chief Justice for such period as the Chief Justice may specify in writing.

[40/2019]

(2) The Family Justice Rules Committee may make Family Justice Rules regulating and prescribing the procedure (including the method of pleading) and the practice to be followed in the Family Division of the High Court, the Family Courts and the Youth Courts in all causes and matters whatsoever in or with respect to which those Courts respectively have for the time being jurisdiction (including the procedure and practice to be followed in the Registry of the Family Justice Courts) and any matters incidental to or relating to any such procedure or practice.

(3) Without limiting subsection (2), Family Justice Rules may be made for the following purposes:

- (a) prescribing the manner in which, and the time within which, any application, which under this Act or any other written law is to be made to the Family Division of the High Court, a Family Court or a Youth Court, must be made;
- (b) prescribing what part of the business which may be transacted and of the jurisdiction and powers which may be

exercised by a Judge, or a judge of a Family Court or Youth Court, in court or in chambers, may be transacted or exercised by the Registrar (including provisions for appeals against decisions of the Registrar);

- (c) regulating and prescribing the procedure to be followed on appeals from a Family Court or Youth Court to the General Division of the High Court, and the procedure in connection with the transfer of any proceedings from a Family Court to the General Division of the High Court or from the General Division of the High Court to a Family Court;
- (d) prescribing the scales of allowances, costs and fees to be taken, or paid to any party or witness, in any proceedings in the Family Division of the High Court, a Family Court or a Youth Court, and regulating any matters relating to the costs of proceedings in such Courts;
- (e) enabling proceedings —
 - (i) to be commenced in a Family Court against the estate of a deceased person (whether by the appointment of a person to represent the estate or otherwise) where no grant of probate or letters of administration has been made;
 - (ii) purporting to have been commenced in a Family Court by or against a person to be treated, if he or she was dead at their commencement, as having been commenced by or against (as the case may be) his or her estate whether or not a grant of probate or letters of administration was made before their commencement; and
 - (iii) commenced or treated as commenced in a Family Court by or against the estate of a deceased person to be maintained (whether by substitution of parties, amendment or otherwise) by or against (as the case may be) a person appointed to represent the estate or, if a grant of probate or letters of administration is or

has been made, by or against the personal representatives;

- (f) regulating the means by which particular facts may be proved, and the mode in which evidence thereof may be given, in any proceedings or on any application in connection with or at any stage of any proceedings;
- (g) regulating the joinder of parties and prescribing in what cases persons absent, but having an interest in a cause or matter, are bound by any order made therein, and in what cause or matter orders may be made for the representation of absent persons by one or more parties to a cause or matter;
- (h) providing for the appointment of a child representative to represent the interests of a child in any proceedings involving the child, or the custody and welfare of the child, and for the remuneration of the child representative;
- (i) regulating the rate of interest payable on all debts, including judgment debts, or on the sums found due on taking accounts between parties, or on sums found due and unpaid by receivers or other persons liable to account to the court, except that the rate of interest must not in any case exceed 8% per annum, unless it has been otherwise agreed between the parties;
- (j) prescribing in what cases money due under a judgment or order is to be paid into court;
- (k) providing for the enforcement of any order of the Family Division of the High Court (in the exercise of its original or appellate civil jurisdiction) or of the Family Court;
- (l) regulating the modes in which a writ of seizure and sale may be executed, and the manner in which seizure may be made of any property seizable thereunder, and the mode of sale by a bailiff or any other officer of the Family Justice Courts of any property so seized, and the manner in which the right and title of purchasers of the property at any sale

by any officer of the Family Justice Courts may be secured to the purchasers;

- (m) regulating the discovery of a judgment debtor's property in aid of the execution of any judgment or order;
- (n) the taking of evidence before an examiner on commission or by letters of request, and prescribing the circumstances in which evidence so taken may be read on the trial of an action;
- (o) prescribing in what cases and on what conditions a court may act upon the certificate of accountants, actuaries or other scientific persons;

[Act 25 of 2021 wef 01/04/2022]

- (p) amending, altering or adding to the forms set out in, or in any subsidiary legislation made under, any Act mentioned in the definition of "family proceedings" in section 2(1);

[Act 25 of 2021 wef 01/04/2022]

- (q) prescribing anything that is required or permitted under this Act to be prescribed by the Family Justice Rules.

[Act 25 of 2021 wef 01/04/2022]

[40/2019]

(4) The Family Justice Rules may, instead of providing for any matter, refer to any provision made or to be made for that matter by practice directions issued for the time being by the registrar of the Family Justice Courts.

(5) At any meeting of the Family Justice Rules Committee, 5 members form a quorum and all questions must be decided by a majority of votes of the members present and voting.

(6) No Family Justice Rules may be made without the consent of the Chief Justice.

(7) All Family Justice Rules made under this section must be presented to Parliament as soon as possible after publication in the *Gazette*.

(8) Prior to the enactment of Family Justice Rules on any matter which may be dealt with under those Rules, the Rules Committee

constituted under section 80(3) of the Supreme Court of Judicature Act 1969 may make Rules of Court for dealing with that matter.

Amendment of Second Schedule

46A.—(1) The Minister may, after consulting the Chief Justice, by order in the *Gazette*, amend the Second Schedule.

[16/2016]

(2) An order under subsection (1) may contain such provisions of a saving or transitional nature as appear to the Minister, after consulting the Chief Justice, to be necessary or expedient.

[16/2016]

Saving and transitional provisions

47.—(1) Despite sections 4, 22, 23 and 24, any family proceedings (not being probate proceedings) commenced in the High Court before 1 October 2014 are, on and after that date, to be continued in and dealt with by the High Court as if those sections had not been enacted.

(2) Despite sections 4 and 22, any contentious probate proceedings commenced in the High Court before 1 January 2015 are, on and after that date, to be continued in and dealt with by the High Court as if those sections had not been enacted.

(3) Any non-contentious probate proceedings commenced in the High Court before 1 January 2015 are, on and after that date, to be continued in and dealt with by the Family Division of the High Court.

(4) Any family proceedings (not being probate proceedings) commenced in a District Court or Magistrate's Court before 1 October 2014 are, on and after that date, to be continued in and dealt with by a Family Court.

(5) Despite amendments made to the Probate and Administration Act 1934 and State Courts Act 1970 on 1 January 2015, any contentious probate proceedings commenced in a District Court before that date are, on and after that date, to be continued in and dealt with by a District Court.

(6) The following provisions continue to apply to any contentious probate proceedings commenced in a District Court before 1 January

2015 as if the Probate and Administration Act 1934 and State Courts Act 1970 had not been amended on that date:

- (a) sections 2 (definitions of “court” and “judge”), 31, 34, 36, 39, 40, 43(2), 45, 50(1), 53, 54, 66(1) and (2) and 67(1) and (2) of the Probate and Administration Act 1934 as in force immediately before 1 January 2015;
- (b) sections 2 (definition of “District Court limit”), 26(a) and 27 of the State Courts Act 1970 as in force immediately before 1 January 2015.

(7) Despite sections 4 and 23, any appeal from any contentious probate proceedings commenced in a District Court is, if the appeal is commenced in the High Court before 1 January 2015, to be continued in and dealt with by the High Court, on and after that date, as if those sections had not been enacted.

(8) Any non-contentious probate proceedings commenced in a District Court before 1 January 2015 is, on and after that date, to be continued in and dealt with by a Family Court.

(9) Any family proceedings transferred to a District Court before 1 October 2014 pursuant to an order made by the Chief Justice under section 28A of the Supreme Court of Judicature Act 1969 is, on and after that date, to be continued in and dealt with by a Family Court.

(10) Any proceedings commenced in a Juvenile Court before 1 October 2014 is, on and after that date, to be continued in and dealt with by a Youth Court.

(11) [*Omitted as having had effect*]

(12) [*Omitted as spent*]

(13) In this section, “probate proceedings” means any civil proceedings under the Probate and Administration Act 1934.

FIRST SCHEDULE

Section 20(1)

FORMS OF OATHS AND AFFIRMATIONS

1. OATHS OF OFFICE AND ALLEGIANCE OF REGISTRAR

FIRST SCHEDULE — *continued*

I,, having been appointed to the office of, do solemnly swear (or affirm) that I will faithfully discharge my judicial duties and I will do right to all manner of people after the laws and usages of the Republic of Singapore without fear or favour, affection or ill will to the best of my ability, and I will be faithful and bear true allegiance to the Republic of Singapore.

Taken and subscribed before me at this day of

Officer Administering the Oath

2. OATH OF OFFICE OF INTERPRETER

I,, having been appointed an interpreter of the Family Justice Courts, do solemnly swear (or affirm) that I will faithfully interpret, translate and transcribe from the language into the English language and from the English language into the language to the best of my knowledge, skill and ability and without fear or favour, affection or ill will.

Taken and subscribed before me at this day of

Officer Administering the Oath

3. OATH OF OFFICE OF
OTHER OFFICER OF FAMILY JUSTICE COURTS

I,, having been appointed to the office of in the Family Justice Courts, do solemnly swear (or affirm) that I will not use or exercise my office corruptly during the time that I remain therein, neither will I take or accept by any means whatsoever any fee or reward from any person or persons, but will truly and faithfully and with convenient speed execute the duties assigned to me and will make true and faithful returns as to the manner and time of the execution of all writs, summonses, warrants, orders, notices and other mandatory processes given to me.

Taken and subscribed before me at this day of

FIRST SCHEDULE — *continued*

Officer Administering the Oath

[16/2016]

SECOND SCHEDULE

Sections 23(2A) and 46A

ORDERS MADE BY FAMILY COURT
THAT ARE APPEALABLE ONLY WITH LEAVE

An appeal lies to the General Division of the High Court from a decision of a Family Court only with the leave of that Family Court or the General Division of the High Court in any of the following cases:

- (a) where a Family Court makes an order giving unconditional leave to defend any proceedings;
- (b) where a Family Court makes an order giving leave to defend any proceedings on condition that the party defending those proceedings pays into court or gives security for the sum claimed, except if the appellant is that party;
- (c) where a Family Court makes an order setting aside unconditionally a default judgment, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise);
- (d) where a Family Court makes an order setting aside a default judgment on condition that the party against whom the judgment had been entered pays into court or gives security for the sum claimed, regardless of how the default judgment was obtained (including whether by reason of a breach of an order of court or otherwise), except if the appellant is that party.

[16/2016; 40/2019]

LEGISLATIVE HISTORY

FAMILY JUSTICE ACT 2014

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

1. Act 27 of 2014 — Family Justice Act 2014

| | | |
|----------------------|---|---|
| Bill | : | 21/2014 |
| First Reading | : | 8 July 2014 |
| Second Reading | : | 4 August 2014 |
| Notice of Amendments | : | 4 August 2014 |
| Third Reading | : | 4 August 2014 |
| Commencement | : | 1 October 2014 (except sections 47(2), (3) and (5) to (8), 48(b), 49(c), 50(c) and (d), 52(1), 55, 63(c), 64(c), 67(b) to (e) and (g), 69, 72(a), (g) and (i), 73(b), 74(e) and (m) to (p) and 76(j), (m), (u), (x), (zb), (zc), (zd), (zf), (zh) and (zi)) 1 January 2015 (sections 47(2), (3) and (5) to (8), 48(b), 49(c), 50(c) and (d), 52(1), 55, 63(c), 64(c), 67(b) to (e) and (g), 69, 72(a), (g) and (i), 73(b), 74(e) and (m) to (p) and 76(j), (m), (u), (x), (zb), (zc), (zd), (zf), (zh) and (zi)) |

2. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016

(Amendments made by section 7 of the above Act)

| | | |
|---------------------------|---|---|
| Bill | : | 15/2016 |
| First Reading | : | 14 April 2016 |
| Second and Third Readings | : | 9 May 2016 |
| Commencement | : | 10 June 2016 (section 7(d) to (k)) 1 December 2016 (section 7(b) and (c)) 1 January 2017 (section 7(a)) |

3. Act 19 of 2016 — Administration of Justice (Protection) Act 2016

(Amendments made by section 40 of the above Act)

| | | |
|------|---|---------|
| Bill | : | 23/2016 |
|------|---|---------|

| | | |
|---------------------------|---|-----------------------------|
| First Reading | : | 11 July 2016 |
| Second and Third Readings | : | 15 August 2016 |
| Commencement | : | 1 October 2017 (section 40) |

4. Act 27 of 2018 — Vulnerable Adults Act 2018
(Amendments made by section 38 of the above Act)

| | | |
|---------------------------|---|-------------------------------|
| Bill | : | 20/2018 |
| First Reading | : | 20 March 2018 |
| Second and Third Readings | : | 18 May 2018 |
| Commencement | : | 19 December 2018 (section 38) |

5. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019
(Amendments made by section 29(5) and section 28(1) read with item 56 of the Schedule to the above Act)

| | | |
|----------------------|---|--|
| Bill | : | 32/2019 |
| First Reading | : | 7 October 2019 |
| Second Reading | : | 5 November 2019 |
| Notice of Amendments | : | 5 November 2019 |
| Third Reading | : | 5 November 2019 |
| Commencement | : | 2 January 2021 (section 28(1) read with item 56 of the Schedule) |

6. 2020 Revised Edition — Family Justice Act 2014

| | | |
|-----------|---|------------------|
| Operation | : | 31 December 2021 |
|-----------|---|------------------|

7. Act 25 of 2021 — Courts (Civil and Criminal Justice) Reform Act 2021

| | | |
|---------------------------|---|-------------------|
| Bill | : | 18/2021 |
| First Reading | : | 26 July 2021 |
| Second and Third Readings | : | 14 September 2021 |
| Commencement | : | 1 April 2022 |

Abbreviations

(updated on 29 August 2022)

| | |
|--------------|--|
| G.N. | Gazette Notification |
| G.N. Sp. | Gazette Notification (Special Supplement) |
| L.A. | Legislative Assembly |
| L.N. | Legal Notification (Federal/Malaysian) |
| M. | Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia) |
| Parl. | Parliament |
| S | Subsidiary Legislation |
| S.I. | Statutory Instrument (United Kingdom) |
| S (N.S.) | Subsidiary Legislation (New Series) |
| S.S.G.G. | Straits Settlements Government Gazette |
| S.S.G.G. (E) | Straits Settlements Government Gazette (Extraordinary) |

COMPARATIVE TABLE
FAMILY JUSTICE ACT 2014

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

| 2020 Ed. | Act 27 of 2014 |
|---|-----------------------|
| [<i>Omitted as having had effect</i>] | 47—(11) |
| [<i>Omitted as spent</i>] | (12) |
| [<i>Omitted as having had effect</i>] | 48 |
| [<i>Omitted as having had effect</i>] | 49 |
| [<i>Omitted as having had effect</i>] | 50 |
| [<i>Omitted as having had effect</i>] | 51 |
| [<i>Omitted as having had effect</i>] | 52 |
| [<i>Omitted as having had effect</i>] | 53 |
| [<i>Omitted as having had effect</i>] | 54 |
| [<i>Omitted as having had effect</i>] | 55 |
| [<i>Omitted as having had effect</i>] | 56 |
| [<i>Omitted as having had effect</i>] | 57 |
| [<i>Omitted as having had effect</i>] | 58 |
| [<i>Omitted as having had effect</i>] | 59 |
| [<i>Omitted as having had effect</i>] | 60 |
| [<i>Omitted as having had effect</i>] | 61 |
| [<i>Omitted as having had effect</i>] | 62 |
| [<i>Omitted as having had effect</i>] | 63 |
| [<i>Omitted as having had effect</i>] | 64 |
| [<i>Omitted as having had effect</i>] | 65 |
| [<i>Omitted as having had effect</i>] | 66 |
| [<i>Omitted as having had effect</i>] | 67 |
| [<i>Omitted as having had effect</i>] | 68 |
| [<i>Omitted as having had effect</i>] | 69 |

| 2020 Ed. | Act 27 of 2014 |
|---------------------------------------|-----------------------|
| <i>[Omitted as having had effect]</i> | 70 |
| <i>[Omitted as having had effect]</i> | 71 |
| <i>[Omitted as having had effect]</i> | 72 |
| <i>[Omitted as having had effect]</i> | 73 |
| <i>[Omitted as having had effect]</i> | 74 |
| <i>[Omitted as having had effect]</i> | 75 |
| <i>[Omitted as having had effect]</i> | 76 |