# 2B.

E-FORM

P.2, r.2, 5 FJ(G)R 2024

## Originating Application for Nullity

This Form contains Notes to help you in the completion of the form. Please note that the Notes are **NOT** to be construed or regarded as a substitute for legal advice or advice on Central Provident Fund Board (“CPFB”) or Housing and Development Board (“HDB”) policies. Please seek legal advice or consult CPFB / HDB if necessary.

This form, when submitted to the Court, will be generated in accordance with Form 3.

|  |
| --- |
| This Notice serves as a reminder to the Applicant and does not appear as part of the issued Originating Application (“OA”).  **IMPORTANT**: **Duty to consider amicable resolution**  Pursuant to the Family Justice (General) Rules 2024 (“FJ(G)R 2024”), you are required to consider amicable resolution of the dispute before and after commencing Court proceedings. This means that you should either:   1. explore alternative ways of settling the dispute without resorting to legal action; or 2. make an offer to the other party to settle the dispute.   For more information on your obligations, please refer to the Information Sheet on Amicable Dispute Resolution and Part 4 of the FJ(G)R 2024. |

**Required Supporting Documents**

To complete the form, you will require the following documents:

|  |  |
| --- | --- |
| For all Nullity  (excluding Cross-Application) | Copy of Marriage Certificate |
| Translation of Marriage Certificate  (if not in English) |
| If applicable, deed poll to show change in the name in the Marriage Certificate |
| If applicable, document to show change in identification number in the Marriage Certificate |
| Child(ren)’s Birth Certificates |
| Translation of Birth Certificates (if not in English) |
| **If there are ancillary matters** | |
| For all Nullity  (excluding Cross-Application) | Bankruptcy search results from the Ministry of Law’s Insolvency Office for both parties |

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### Section A: What are you filing?

|  |  |  |
| --- | --- | --- |
| **I am applying for:** | | *Notes*  *If your spouse has applied for dissolution of marriage, and you want to file your own application for dissolution of marriage, select “Cross-application” unless your spouse’s application is a Simplified Originating Application (for divorce or judicial separation). In that case, you should do the following:*   1. *File a new Originating Application (i.e. “2nd OA” involving the same parties) and not as a Cross-Application to the 1st OA.* 2. *Thereafter, inform the Court that the 2nd OA has been filed. You are required to inform the Court at least* ***5 working days*** *before the FIRST hearing date of the 1st OA; failing which, the Court may proceed to hear the 1st OA without considering the 2nd OA. The notification to the Court should come as a correspondence that is e-filed under “Other Hearing Related Request” in e-Litigation.*   *The Court will also address the ancillary matters as part of your application. Ancillary matters include*   1. *division of matrimonial assets;* 2. *maintenance;* 3. *custody, care and control and access of your child(ren); and* 4. *costs.*   *Hence, you are not required to make a separate application for ancillary matters.* |
| **Dissolution of marriage** | |
| *Select* ***only one*** *option.* | |
|  | **Nullity**  Your marriage is invalid (i.e. void or voidable) under Sections 105 or 106 of the Women’s Charter 1961.  **Originating Application** for Nullity  **Cross-Application** for Nullity   1. State the case number of the Originating Application: Enter case number here. 2. State the date on which the Originating Application was served: Enter date here. |

### Section B: The Parties

Please use **Section B** in the **Originating Application: Generic Sections (Form 53B)** to provide the Parties’ information.

### Section 1: Your Marriage Details

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | Date of solemnisation of marriage   |  | | --- | | Enter date here. | | *Notes*  *You must exhibit a copy of the marriage certificate in your application. If your marriage was before 16 September 1961 and not registered, provide details in question 4.* |
|  |  |
| 2. | Country of solemnisation   |  | | --- | | Enter country here. | |
|  |  |  |
| 3. | Marriage certificate number(if registered in Singapore)   |  | | --- | | Enter marriage certificate number here. | |  |
|  |  |  |
| 4. | If your marriage took place **in Singapore** before 16 September 1961 and was not registered, provide details of your wedding ceremony:   |  | | --- | | Enter details here. | | *To provide details of your wedding ceremony, you may*   1. *state the names of witnesses,* 2. *describe the wedding celebration,* 3. *describe any customary rites.*   *You may also exhibit wedding photos.* |
| *Proceed to* [***Section 2***](#_Section_7:_Jurisdiction)*.* | | |

### Section 2: Jurisdiction

|  |  |
| --- | --- |
| The Family Justice Courts of Singapore has jurisdiction to grant my application because:  *Select* ***only 1*** *option.*  **Singapore Citizen(s)**  I am a  My spouse is a  My spouse and I are  Singapore citizen(s). | *Notes*  *This section explains why this Court has the legal power to deal with your application.* |
| **Habitual Residence**  I am  My spouse is  My spouse and I are  been habitually resident in Singapore in the last 3 years before the application date as follows: | *If you are or your spouse is a Singapore Permanent Resident, select the option “habitual residence” and provide the requested details.* |
| |  |  | | --- | --- | | **My address** | | | Singapore residential address: | Period of residence: | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | |
|  |  |
| |  |  | | --- | --- | | **My spouse’s address** | | | Singapore residential address: | Period of residence: | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | | Enter address here. | Enter period of residence here. | |  |
| **Current Residence**  My spouse and I are residing in Singapore at the time of this application. |  |
| My current residential address is:   |  | | --- | | Enter address here. | |  |
|  |  |
| My spouse’s address is  the same as my address.  at a different address *State address below*   |  | | --- | | Enter address here. | |  |
| **Others**  Other reasons:   |  | | --- | | Enter details here. | | *If you do not satisfy the above criteria but believe that Singapore has jurisdiction based on domicile or habitual residence, explain why.* |
| *Proceed to*[***Section 3***](#_Section_3:_About)*.* | |

### Section 3: About the Child(ren)

|  |  |  |  |
| --- | --- | --- | --- |
| |  |  | | --- | --- | | Number of living child(ren): | Enter no. of child(ren) here. |   *(including those above the age of 21 years)* | *Notes*  *You must attach the birth certificates for each child.* |
| Do you have a child below 21 years old who is  (a) born of this marriage or  (b) accepted as a child of this marriage?  No.  Yes. *Complete* [***Annex A***](#_Annex_A:_Details) *for every child below 21 years old.* | *Select “Yes” as long as you have a child who is below 21 years old at the time of filing this application.* |
| *Proceed to* [***Section 4***](#_Section_4:_Existing_1)***.*** | |

### Section 4: Existing Court Case

|  |  |
| --- | --- |
| Do you have any pending or concluded Court proceedings in Singapore or elsewhere relating to: (a) the marriage, (b) ~~a~~ child(ren) of the marriage (c) spousal or child(ren) maintenance (d) a property belonging to either you or your spouse? | *Notes*  *If you are filing this application after you have been served with your spouse’s application for dissolution of marriage, select “Yes”.* |
| No. |
| Yes. *Complete the required information below.* |
| **Local proceedings**     |  |  |  |  | | --- | --- | --- | --- | | No. | Case number | Status  (Pending / Concluded) | If pending, date of next court event:  If concluded, outcome of case: | | 1. | Enter case no. here. | Enter status here. | Enter details here. | | 2. | Enter case no. here. | Enter status here. | Enter details here. | | 3. | Enter case no. here. | Enter status here. | Enter details here. | | 4. | Enter case no. here. | Enter status here. | Enter details here. | | 5. | Enter case no. here. | Enter status here. | Enter details here. | | *For concluded cases, briefly state the final orders made to describe the outcome.* |
| **Overseas proceedings**  *State details of the overseas application:*   |  | | --- | | Enter details here. | | *The details to be included are:*   * *Case number* * *Country of proceedings* * *Nature of proceedings* * *Status of proceedings (i.e. pending or concluded). If pending, state the date of the next Court event. If concluded, state outcome of the case.* |
| *Proceed to* [***Section 5***](#_Section_5:_Fact)***.*** | |

### Section 5: Reasons for Nullity

|  |  |  |
| --- | --- | --- |
| Select the option(s) from Part A1 (Void marriage) and/or Part B1 (Voidable marriage).  If any option from Part A1 is selected, complete Part A2 to provide full details. Likewise, if any option from Part B1 is selected, complete Part B2 to provide full details. | | |
| **Part A1: Reasons for Nullity (VOID marriage)** | | |
| 1. | The marriage is ***void*** because: | *Notes*  *Please refer to Sections 105 and 106 of the Women’s Charter 1961 for the facts for a void marriage and voidable marriage respectively.*  *When providing the details supporting your application for Nullity, refer to yourself as the Applicant and your spouse as the Respondent.* |
| A. | My spouse and I were **Muslims** on the date of the solemnisation/registration of marriage. |
| B. | Select the applicable option **below 18** **years old** on the date of solemnisation of marriage and no special marriage licence was granted for the marriage. | *Applicable options are: I was / My spouse was / My spouse and I were.*  *Please refer to Sections 9 and 21 of the Women’s Charter 1961.* |
| C. | My spouse and I are within the **prohibited degrees of relationship** and no special marriage licence was granted for the marriage. | *Please refer to the First Schedule of the Women’s Charter 1961 for the prohibited degrees of relationship* |
| D. | My spouse and I were of the **same gender** when we solemnised this marriage. |  |
| E. | The marriage was solemnised in Singapore and **did not fulfil** the following **requirements**:  There was a valid  marriage licence  special marriage licence issued.  The marriage was solemnised by a person licenced to solemnise marriages or the Registrar of Marriages.  The marriage was solemnised in the presence of at least two credible witnesses. |  |
| **For marriages solemnised from 15 September 1961 onwards** | |  |
| F. | Select the applicable option **already married** to another person when we solemnised / registered1 this marriage.  Select the applicable Women’s Charter 1961 provision(s):  Section 5  Section 11  Sections 5 and 11 | *This option only applies if the date of your marriage is after 15 September 1961.*  *Applicable options are: I was / My spouse was / My spouse and I were.* |

|  |  |  |
| --- | --- | --- |
| **For marriages solemnised from 1 July 2016** | |  |
| G. | Select the applicable option knew or believed that  I  my spouse would obtain an **immigration advantage** through the marriage,  AND  There was gratification  given  offered to  my spouse  me to enter into the marriage. | *If your marriage is before 1 July 2016, this option does not apply.*  *Applicable options are: I / My spouse / My spouse and I.*  *Please refer to Section 11A(2) Women’s Charter 1961 for the exception.* |
| H. | Select the applicable option **convicted of an offence** under Section 57C(1) of the **Immigration Act 1959** for this marriage. | *Applicable options are: I was / My spouse was / My spouse and I were.* |
| **Other reasons** | |  |
| I.  J. | The marriage was solemnised in Singapore on or before 1 June 1981 and is void for the following reason(s):  The marriage was solemnised outside Singapore and is void under private international law for the following reason(s):     |  | | --- | | Enter reasons here. | | *If you solemnised your marriage in Singapore after 1 June 1981, this option does not apply to you.*  *This option only applies if your marriage was solemnised outside Singapore.* |
|  |  |  |
| **Part A2: Full details to explain the reasons for Nullity (VOID marriage)** | |  |
| The details of my application are:  *(State further information on the selected reason.)*   |  | | --- | | Enter details here. | | | *You must provide sufficient details for the reasons that you are relying on.* |
|  |  |  |
| **Part B1: Reasons for Nullity (VOIDABLE marriage)** | | |
| 2. | The marriage is ***voidable*** because: | *Notes* |
| A. | I am  My spouse is **incapable of consummating** the marriage. |  |
| B. | My spouse has **refused to consummate** the marriage. |  |
| **If this application is within 3 years from the date of the marriage** | |  |
| C. | I am  My spouse **did not validly consent** to the marriage.  The lack of valid consent is due to:   |  |  | | --- | --- | |  | duress | |  | mistake | |  | mental disorder | |  | state reason if none of the above applies: | |  | Enter reasons here. | | *This reason only applies if your application is within 3 years from the date of your marriage.* |
|  |  |  |
| D. | At the time of the marriage,  I  My spouse was capable of giving a valid consent but was suffering from **mental disorder** to cause  me  my spouse to be unfit for marriage.  Explain the nature of mental disorder:   |  | | --- | | Enter details here. |   The mental disorder makes  me  my spouse unfit for marriage in the following way:   |  | | --- | | Enter details here. | | *This reason applies only if your application is within 3 years from the date of your marriage. The mental disorder must be one within the meaning of the Mental Health (Care and Treatment) Act 2008 which causes you / your spouse unfit for marriage.* |
|  |  |  |
| E. | My spouse was suffering from a **venereal disease** in a communicable form at the time of marriage.  Details of the venereal disease and whether the disease is communicable are as follows:   |  | | --- | | Enter details here. |   I  was  was not aware of my spouse’s condition at the time of marriage. The details are as follows:   |  | | --- | | Enter details here. | | *This reason only applies if your application is within 3 years from the date of your marriage.* |
|  |  |  |
| F. | My spouse was **pregnant by another person** at the time of marriage.  I  was  was not aware of my spouse’s condition at the time of marriage. The details are as follows:   |  | | --- | | Enter details here. | | *This reason only applies if your application is within 3 years from the date of your marriage.* |
|  | |  |
| **Other reasons** | |  |
| G.  H. | The marriage was solemnised in Singapore on or before 1 June 1981 and is voidable for the following reason(s):   |  | | --- | | Enter reasons here. |   The marriage was solemnised outside Singapore and is voidable under private international law for the following reason(s):     |  | | --- | | Enter reasons here. | | *If you solemnised your marriage in Singapore after 1 June 1981, this option does not apply to you.*  *This option only applies if your marriage was solemnised outside Singapore.* |
|  |  |  |
| **Part B2: Full details to explain the reasons for Nullity (VOIDABLE marriage)** | |  |
| The details of my application are:  *(State further information on the selected reason.)*   |  | | --- | | Enter details here. | | | *You must provide sufficient details for the reasons that you are relying on.* |
| *Proceed to*[***Section***](#_Section_8:_Ancillary) ***6***. | | |

### Section 6: Ancillary Reliefs

|  |  |  |
| --- | --- | --- |
| Select only 1 option. | | *Notes* |
| 1. | I am NOT asking for any ancillary reliefs.  *Proceed to* [***Section***](#_Annex_E:_Counselling) ***8****.* | *The Court will deal with the following issues if the marriage is dissolved (i.e. the Interim Judgment or Judgement of Judicial Separation is granted):*   1. *arrangements for minor child(ren) of the marriage,* 2. *division of matrimonial assets,* 3. *maintenance for child(ren) and spouse.*   *These are called “ancillary reliefs”.*  *If you have minor child(ren) (i.e. aged below 21 years) of the marriage, options for “Custody of, care and control of, access to the minor child(ren)” and “Maintenance for child(ren) of the marriage” will be selected for you by default.* |
| 2. | I am ONLY asking for costs for the dissolution of marriage.  *Proceed to* [***Section***](#_Annex_E:_Counselling) ***8****.* |
| 3. | I am asking for the following ancillary reliefs (tick if applicable):  Custody of, care and control of, access to the minor child(ren)  Division of the matrimonial assets  Maintenance for the wife  Maintenance for the incapacitated husband  Maintenance for the child(ren) of the marriage  Others:   |  | | --- | | Enter details here. |   *Proceed to* [***Section 7***](#_Section_7:_Bankruptcy)*.* |

### Section 7: Bankruptcy Status and Value of Asset Pool

|  |  |  |
| --- | --- | --- |
| 1. | **Bankruptcy status** | *Notes* |
| 1a. | Are you an undischarged bankrupt?  Yes. *Proceed to question 1c.*  No. *Proceed to question 1b.* | *If you are or your spouse is an undischarged bankrupt, you must obtain the Official Assignee’s prior approval to any agreement on the ancillary reliefs.* |
| 1b. | Are there pending bankruptcy proceedings filed against you?  Yes.  No.  *Proceed to question 1c.* |
| 1c. | Is your spouse an undischarged bankrupt?  Yes. *Proceed to question 2.*  No. *Proceed to question 1d.* |
| 1d. | Are there pending bankruptcy proceedings filed against your spouse?  Yes.  No. |  |
| *If you have selected “Division of matrimonial assets” in Section 6, proceed to* ***question 2****.*  *Otherwise, proceed to* ***question 3****.* | | |
| 2. | **Asset pool**  (If you have selected “Division of matrimonial assets” in Section 6) |  |
| 2a. | Based on my estimate, the total **gross** value of matrimonial assets which the Court is required to determine is:  Less than S$2 million  Between S$2 million and S$4.99 million  At least S$5 million | *Gross value: Market value of all assets without deducting outstanding liabilities and debts, e.g. gross value of an immovable asset = market value without deducting the loan.* |
| 2b. | Is there an immovable asset in the asset pool?  Yes. *Complete* [***Annex B***](#_Annex_B:_Immovable)***.***  No. | *Examples of immovable assets are houses, land or buildings.* |
| 2c. | At least 1 **immovable asset** in the asset pool is wholly or partially owned by someone (i.e. third party) other than my spouse and I.  Yes.  No. | *If the third party holds the asset jointly with you or your spouse, select “Yes”.* |
| 3. | **Mediation**  (Applicable only if you have no minor children) | *“Minor child(ren)” refers to those aged below 21 years.* |
|  | Do both parties agree to attend mediation?  Yes.  No. |
| *Proceed to* [***Section***](#_Annex_E:_Counselling) ***8***. | | |

### Annex A: Details of Child(ren)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Use a separate table for each child*.* | | | | |
| **Name** | Enter full name as per NRIC/Passport here. | | | |
| **NRIC/ FIN/**  **Passport number** | Enter NRIC/ FIN/ Passport no. here. | | **Gender** | Female  Male |
| **Date of birth** (DD/MM/YYYY) | Enter date here. | | **Age** | Enter age here. |
| **Any health condition or disability which affect the child’s living expenses or care arrangements?** | Enter details here. | | | |
| **Court orders / Proceedings relating to this Child** | | | | |
| **Is the child protected by an existing Personal Protection Order?** | Yes  No | | | |
| Case number (if issued by this Court): | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| State the brief details of the order: | | | |
| Enter details here. | | | |
| **Are there existing Youth Court order(s) or ongoing Youth Court proceedings?** | Yes  No | | | |
| Case number: | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| Nature of order / proceedings: | Enter details here. | | |
| State the person against whom the order was made: | | | |
| Enter full name as per NRIC/Passport here. | | | |
| **Is there an existing voluntary arrangement with the Child Protection Services under the Ministry of Social and Family Development?** | Yes  No | | | |
| Case number: | Enter case number here. | | |
| Date of arrangement: | Enter date here. | | |
| Expiry date of the arrangement: | Enter date here. | | |
| **Is there an existing court order for this child’s maintenance?** | Yes  No | | | |
| Case number (if issued by this Court): | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| State the brief details of the order: | | | |
| Enter details here. | | | |
| Country in which the order was made (if issued outside of Singapore): | Enter country here. | | |
| **Is there an existing court order for this child’s living and contact arrangements?** | Yes  No | | | |
| Case number (if issued by this Court): | Enter case number here. | | |
| Date of order: | Enter date here. | | |
| State the brief details of the order: | | | |
| Enter details here. | | | |
| Country in which the order was made  (if issued outside of Singapore): | Enter country here. | | |
| **Are there other court orders such as adoption orders or orders under the Mental Capacity Act 2008?** | Enter details here. | | | |

### Annex B: Immovable Asset(s)

Use a separate table for each immovable asset.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address of property | Enter address here. | | | | | |
| Reference name  (if there is more than 1 property, provide a short name for identification) | | | | Enter reference name here e.g. “the Siglap property”. | | |
| Is this an HDB property? | No.  Yes. I  have  have not satisfied the Minimum Occupation Period (“MOP”). | | | | | |
| **Owners of the property** | | | | | | |
| Name | | Nature of holding | | | | Share (in %)  (to complete if tenancy-in-common is selected) |
| Enter full name as per NRIC/Passport here. | | Sole tenancy  Joint tenancy  Tenancy in common | | | | Enter % of share here. |
| Enter full name as per NRIC/Passport here. | | Sole tenancy  Joint tenancy  Tenancy in common | | | | Enter % of share here. |
| Enter full name as per NRIC/Passport here. | | Sole tenancy  Joint tenancy  Tenancy in common | | | | Enter % of share here. |
| **Market value** | | | | | | |
| Complete **A** if the MOP (only for HDB flats / ECs) is not satisfied for this asset.  Complete **B** for HDB flats/ECs (which have satisfied the MOP) or non-HDB property. | | | | | | |
| 1. Purchase price | Enter amount here. | | 1. Date of purchase | | Enter date here. | |
| 1. Estimated market value (in SGD) | Enter amount here. | | 1. Basis of the value | | HDB  URA latest transaction records  Desktop  Onsite valuation  Others:   |  | | --- | | Enter details here. | | |
| **Mortgage** | | | | | | |
| Outstanding Mortgage  (in SGD) | Enter amount here. | | Name(s) of mortgagee(s) | | All legal owners  Others:   |  | | --- | | Enter details here. | | |

### Section 8: Certification by Applicant and Counsel

|  |  |  |
| --- | --- | --- |
| To be completed by the **Applicant** | | *Notes* |
| 1. | I am aware of the options of family mediation or counselling, before filing this Originating Application. | *If you are* ***not*** *represented by a lawyer, please ensure that you have considered the mediation and/or counselling services available to you. For more information on mediation and/or counselling, visit the Singapore Courts’ website.* |
| 2. | I, Enter full name of Applicant here, certify that all the statements made in this Originating Application are true to the best of my knowledge and belief. |
| Name: Enter full name as per NRIC/Passport here.  Date:   |  | | --- | | Enter date here. | | |
| To be completed by **lawyer** (if any) | |  |
| 3. | I have informed the Applicant about the options of family mediation or counselling, before filing this Originating Application. |  |
| 4. | I, Enter full name of Applicant’s counsel here, certify that I have informed the Applicant of his obligation in paragraph 2 above. |  |
| Counsel for the Applicant:  Enter name of lawyer and law firm here.  Date:   |  | | --- | | Enter date here. | | |  |

### Section 9: Supporting Documents

|  |  |
| --- | --- |
| You must attach, with your application, a copy of the documents listed in Table 9 (where applicable) and all documents which you intend to rely on to support your position. | |
| **Table 9**  *Tick the relevant checkbox(es) to attach document(s) from related cases that had been filed previously.*   |  |  |  |  | | --- | --- | --- | --- | | **Supporting Documents** | | **Attachment(s)** | | | **Category 1: Marriage Documents** | | | | | 1 | **Copy of Marriage Certificate** |  |  | | 2 | **Translation of Marriage Certificate** (if not in English) |  |  | | 3 | Document(s) to show a **change in a party’s name or identification number** stated in the Marriage Certificate (if applicable) |  |  | | 4 | Copy of **child(ren)’s Birth Certificates** (if applicable) |  |  | | 5 | **Translation of child(ren)’s Birth Certificates** (if not in English) (if applicable) |  |  | | **Category 2: Bankruptcy Documents** | | | | | 6 | **My bankruptcy search results from the Ministry of Law’s Insolvency Office** |  |  | | 7 | **My spouse’s bankruptcy search results from the Ministry of Law’s Insolvency Office** |  |  | | *Notes*  *The translations in items 2 and 5 must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*. |

*Please ensure that you have completed all relevant fields and attached all required documents. If there are missing information or documents, the Court may subsequently require you to provide these information or documents. You may incur additional fees as a result.*