# 22.

E-FORM

P. 5, r.1 FJ(G)R

## Originating Application for Permission to Apply for Divorce Within 3 Years of Marriage

This Form is used when you are seeking to obtain the Court’s permission (i.e. leave) to apply for a Divorce as you have been married for less than 3 years.

This form contains Notes to help you in the completion of the form. Please note that the Notes is **NOT** to be construed or regarded as a substitute for legal advice. Please seek legal advice if necessary.

This form, when submitted to the Court, will be generated in accordance with the layout of the generated Originating Application (Form 53).

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| 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. |

### Section A: Details of Application

Please use **Section A1 to A4 (where applicable)** in the **Originating Application: Generic Sections (Form 53B)** to provide the details of application.

### Section B: The Parties

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

### Section 1: The Applicant’s Application

|  |  |  |
| --- | --- | --- |
| **The Applicant is applying for:** | | *Notes* |
| 1. | **the Court’s permission to commence divorce proceedings within 3 years of the marriage.**  *(If you are seeking any other relief(s), state them below.)* |
| 2. | State the reliefs which you are claiming here. |  |
| 3. | State the reliefs which you are claiming here. |  |
| 4. | State the reliefs which you are claiming here. |  |
| 5. | **Costs of this Application**  No orders as to costs.  Each party to bear own costs.  Costs to be paid by:   |  | | --- | | Enter name or party type here. |   Costs to be reserved to   |  | | --- | | Enter event here. |   Others:   |  | | --- | | Enter details here. | | *If you opt to reserve costs, please state the event at which costs is to be decided e.g. reserved to the final hearing.* |
| **The reasons for this Application are stated in the supporting affidavit.** | | |

## Affidavit

### Section 1: Introduction

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | Name of maker: | Enter full name as per NRIC/ Passport here. | | Identity No.: | Enter NRIC/ FIN/ Passport no. here. | | Address: | Enter address here. | | Occupation: | Enter occupation here. | | |
| 1a. | I am the Applicant. |
| 1b. | This affidavit is in support of the Originating Application. |
| 1c. | Where the facts in this affidavit are within my personal knowledge, they are true. Where they are not within my personal knowledge, they are true to the best of my knowledge, information and belief. |

### Section 2: My Marriage Details

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | Date of solemnisation of marriage   |  | | --- | | Enter date here. | | *Notes*  *You are to exhibit a copy of your marriage certificate (original and translated, if not in English) in* ***Section 9***. |
|  |  |
| 2. | Country of solemnisation   |  | | --- | | State country here. | |
|  |  |
| 3. | Marriage certificate number(if registered in Singapore)   |  | | --- | | Enter marriage certificate number here. | |

### Section 3: Jurisdiction

|  |  |
| --- | --- |
| The Family Justice Courts of Singapore has jurisdiction to grant my application because:  *Select* ***only one*** *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  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, please select the option “habitual residence” and provide the requested details.*  *Please seek legal advice if none of the options apply to you.* |
| |  |  | | --- | --- | | **My address** | | | *Singapore residential address:* | *Period of residence:* | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. |  |  |  | | --- | --- | | **My spouse’s address** | | | *Singapore residential address:* | *Period of residence:* | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence 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.* |

### Section 4: About the Child(ren)

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Do you have a child(ren) to this marriage or accepted as a child(ren) of this marriage?  Yes. *Complete the table below.*  No. *Proceed to* ***Section 5****.*  Details of living child(ren):   |  |  |  |  | | --- | --- | --- | --- | | **Details of child(ren)** | **Child 1** | **Child 2** | **Child 3** | | **Name** | Enter child’s full name as per NRIC/ Passport here. | Enter child’s full name as per NRIC/ Passport here. | Enter child’s full name as per NRIC/ Passport here. | | **NRIC/**  **FIN/**  **Passport number** | Enter child’s NRIC/ FIN/ passport no. here. | Enter child’s NRIC/ FIN/ passport no. here. | Enter child’s NRIC/ FIN/ passport no. here. | | **Date of birth / Age** | Enter date / age here. | Enter date / age here. | Enter date / age here. | | **Gender** | Enter gender here. | Enter gender here. | Enter gender here. | | *Notes*  *You are to exhibit a copy of the child(ren)’s birth certificate(s) (original and translated, if not in English) in* ***Section 9****.* |

### Section 5: Reasons for Application

|  |  |  |
| --- | --- | --- |
| I seek permission from this Court to commence an action for divorce although less than 3 years have passed since my marriage.  This is because *(select at least one option)*  I have suffered exceptional hardship during the marriage.  of my spouse’s exceptional depravity.  The reasons for my statements are:   |  | | --- | | Enter reasons here. | | *Notes*  *You should elaborate on your reasons and provide supporting evidence.*  ***If you claim that there is violence****, please*   * *exhibit the police reports, medical reports, Personal Protection Orders, Domestic Exclusion Orders in* ***Section 9****;* * *and state the status of any ongoing related family violence proceeding in this section.* |
|  | |
| **Previous Applications** | |
| Select the applicable option.  This is the first application for permission to commence divorce proceedings.  There were previous applications for permission to commence divorce proceedings. The details are:  Case number: Enter case no. here.  Date of court order: Enter date here.  Order made: Enter details here. | |
|  | |

### Section 6: Possibility of Reconciliation

|  |  |  |
| --- | --- | --- |
| 1. | Is there any possibility of reconciliation between parties?  Yes.  No.  Please state your reasons:   |  | | --- | | Enter reasons here. | |
| 2. | Have there been any attempts at reconciliation?  Yes. *Provide details in the table below.*  No. *Proceed to* ***Section 7****.*   |  |  | | --- | --- | | Period of reconciliation: | State period here. | | The details of reconciliation are as follows:  Enter details here. | | | Period of reconciliation: | State period here. | | The details of reconciliation are as follows:  Enter details here. | | |

### Section 7: Summary of Claim

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| I am asking that   |  |  | | --- | --- | |  | the Court grants permission to commence divorce proceedings within 3 years of the marriage. | |  | State the reliefs which you are claiming here. | |  | State the reliefs which you are claiming here. | |  | State the reliefs which you are claiming here. | |

### Section 8: Affirmation

The affidavit is to be sworn / affirmed in accordance with the Form of Attestation (Form 106) of the Family Justice (General) Rules 2024.

### Section 9: Exhibit Content Page

You must attach, with your application, a copy of the documents listed in Table 9-1 (where applicable) and all documents which you intend to rely on to support your position (collectively “Required Documents”).

If you are unable to provide the Required Documents, you must explain the lack of documents in Table 9-2.

You may wish to refer to Part 9, Rule 16 of the Family Justice (General) Rules 2024 for the consequences of not providing the Required Documents.

|  |  |
| --- | --- |
| **Table 9-1** | *Notes*  *Use this content page if you have documents as exhibits.*  *The page numbers for the exhibits should run consecutively from the last page of the affidavit or numbered differently for identification, eg. E1, E2, if the exhibit page starts as page 1.* |
| |  |  |  | | --- | --- | --- | | **Exhibit number** | **Document Name /**  **Reference in Affidavit to the exhibit**  *(e.g. Paragraph 1 of Section 5)* | **Page numbers** | | E1 | **Copy of Marriage Certificate** (Mandatory) | Enter page no. here. | | E2 | **Translation of Marriage Certificate** (if not in English)  *The translation must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*. | Enter page no. here. | | E3 | Document(s) to show a **change in a party’s name or identification number** stated in the Marriage Certificate (where applicable) | Enter page no. here. | | E4 | **Copy of child(ren)’s Birth Certificates** (if there are child(ren)) | Enter page no. here. | | E5 | **Translation of Birth Certificates** (if not in English):  *The translation must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*. | Enter page no. here. | | E6 | Enter details of paragraph/section in which the exhibit relates to here. | Enter page no. here. | | E7 | Enter details of paragraph/section in which the exhibit relates to here. | Enter page no. here. |     **Table 9-2**  *If any of the Required Document(s) listed in Table 9-1 is not provided, state your reasons below.*   |  |  | | --- | --- | | State the name of Required Document **not** provided | 1. State the reasons for lack of document 2. If alternative document is provided instead, state the alternative document. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | |
| *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.*  *The exhibits are to be attached from this page onwards.*  *The exhibit cover page in accordance with the Generic Affidavit (Form 54) of the Family Justice (General) Rules 2024 to be placed between each distinct exhibit.* | |