# 53B.

E-FORM

## Originating Application: Generic Sections

While best efforts were made to provide comprehensive information on the available options and guidance on when the options are commonly used, there may be situations which are not covered in this form. Please seek legal advice if you are unsure which application / option applies.

### Section A-1: What are you filing?

|  |  |
| --- | --- |
| **File a new case**  To commence an originating application.  *Proceed to* ***Section A-2****.* | *Notes* |
| **File a Summons**  To submit an application under a pending case. | *Exception: You may file a summons in proceedings which have* ***concluded*** *for cases with these prefixes: FC/OAD, HCF/OADT, HCF/OADTV or FC/OAF, FC/OAFV.* |
| **File an Affidavit**  To submit an affidavit which contains your reasons / evidence to support your application or respond to the other party’s application. |  |
| **File a Request**  To make a request for hearing-related matters. |  |
| **File a Document**  Select this option for a complete listing of all documents which can be filed in your case. |  |
| **File an Enforcement Document**  To submit a document related to enforcement of court orders. |  |
| **Extract an Order/Judgment**  To obtain a sealed Court Order/Judgment made in the court proceedings. |  |

### Section A-2: New Case

This section is non-exhaustive and sets out the commonly filed applications. Only one option may be selected at a time.

For applications marked with an #, the Generic Originating Application (Form 53A) is to be used.

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|  | | *Notes* |
| 1. | **Dissolution of marriage** | *If you are applying for Dissolution of marriage, 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.* |
| a.  b.  c. | **Divorce**  You would like to end your marriage.  If you have been married for less than 3 years, you must have the Court’s permission to commence Divorce proceedings.  **Originating Application** for Divorce (Simplified)  **Originating Application** for Divorce  **Cross-Application** for Divorce   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. |
| d.  e.  f. | **Judicial Separation**  You do not wish to live together with your spouse but do not want or are unable to obtain a Divorce.  **Originating Application** for Judicial Separation (Simplified)  **Originating Application** for Judicial Separation  **Cross-Application** for Judicial Separation   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. |
| g.  h. | **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. |
| i. | **Presumption of Death and Divorce**  You have reasons to believe that your spouse is no longer living and would like the Court to grant a Divorce on this basis. |
| j. | **Permission to apply for Divorce within 3 years of marriage**  You are seeking to obtain the Court’s permission to apply for a Divorce as you have been married for less than 3 years. | *You can only apply for Divorce if you have been married for at least 3 years. Otherwise, you must obtain the Court’s permission to commence divorce proceedings.* |
| k.  l. | # **Permission to proceed with Divorce without parenting programme documents**  You are seeking to obtain the Court’s permission to proceed with divorce without the required parenting programme documents.  # **Part 10 Women’s Charter 1961 Orders (Others)**  You are applying for other orders under Part 10 Women’s Charter 1961.  *Proceed to Section A-3.* | *This application is filed without notice i.e., without naming or serving a Respondent.*  *Include the specific section number under Part 10 Women’s Charter 1961 at Section A-3.* |
| m.  n.  o.  p. | *Variation / Rescission / Setting Aside of Orders*  You would like to change a *final* order on maintenance or child(ren)-related matters previously made as part of ancillary matters in a dissolution case or other types of orders listed.  **Child(ren) Orders (Variation / Rescission) in a Dissolution Case**  **Maintenance (Variation / Rescission) in a Dissolution Case**  # **Variation, Rescission or Setting Aside of Other Orders in a Dissolution Case**  # **Rescind Judgment of Judicial Separation (section 101(3) of the Women’s Charter 1961)** | *Applications for variation or rescission:*  *If the order was made as part of the ancillary matters in a case with FC/OAD or HCF/OADT prefixes, file a summons under the said case instead.* |
| 2. | **Child(ren) Orders**  (excluding adoption of child(ren) under the Adoption of Children Act 2022 and return of child(ren) under the International Child Abduction Act 2010) |  |
| a.  b. | **Child(ren) Orders (New Orders)**  You are seeking an order to be the legal guardian of a child; *OR*  You would like the Court to determine:   1. who makes the major decisions for your child(ren) (i.e. custody) 2. who takes care of the child(ren) on a daily basis (i.e. care and control) 3. how often a parent sees the child(ren) (i.e. access) 4. how much the other parent is to contribute towards the child(ren)’s expenses (i.e. maintenance)   # **Guardianship of Infants Act 1934 Orders (Others)**  You are applying for other orders under the Guardianship of Infants Act 1934.  *Proceed to Section A-3.* | *Include the specific section number of the Guardianship of Infants Act 1934 at Section A-3.* |
| c. | *Variation, Rescission or Setting Aside of Orders*  **Child(ren) Orders (Variation / Rescission)**  You would like to change a *final* order on child(ren)-related matters previously made by this Court. | *Applications for variation, rescission or setting aside:*  *If the final order was made as part of the ancillary matters in a case with FC/OAD or HCF/OADT prefixes, file a summons under the said case instead.* |
| d. | # **Children Orders (Setting Aside)**  You would like to revoke a *final o*rder on child(ren)-related matters previously made by this Court. |
| 3. | **Orders under the International Child Abduction Act 2010 (“ICAA”)** |  |
|  | You would like the Court to determine whether a child under your custody has been wrongly removed from Singapore / wrongly detained outside of Singapore and seek an order for the child to be returned, or other orders under the ICAA. |  |
| a.  b.  c.  d.  e. | **Orders under section 8 of the ICAA**  **Orders under section 14 of the ICAA**  # **Orders under section 11 of the ICAA**  # **ICAA Orders (Others)**  *Proceed to Section A-3.*  # Variation, Rescission or Setting Aside of **ICAA Orders** | *Include the specific section number of the International Child Abduction Act 2010 at Section A-3.* |
| 4. | **Orders in relation to adoption of child(ren)** **(below 21 years old) under the Adoption of Children Act 2022** | *There are several pre-application procedures you must complete prior to making an application for adoption. Refer to the Ministry of Social and Family Development’s website for details.*  *Include the specific section number of the Adoption of Children Act 2022 at Section A-3.* |
| a.  b. | **Adoption of child(ren)**  You are seeking an order to be the legal parent(s) of a child (below 21 years old).  # **All other orders relating to adoption order**  *Proceed to Sections A-3 and A-4.* |
| 5. | **Orders in relation to mental capacity of a person** |  |
| a.  b. | **Mental Capacity Act 2008 Orders**  You would like the Court to grant you (and your co-applicants, if any) specific powers to make decisions for the benefit and welfare of a person who lacks mental capacity under the Mental Capacity Act 2008.  *Proceed to Section A-3.*  # **Mental Capacity Act 2008 Orders (General)**  You are seeking other orders under the Mental Capacity Act 2008.  *Proceed to Sections A-3 and A-4.* | *Refer to section 38(1) of the Mental Capacity Act 2008 and Part 5, Rule 7 of the Family Justice (General) Rules 2024 to ascertain if you need the Court's permission to file this application. You may concurrently seek the Court’s permission in the same application.*  *Include the specific section number of the Mental Capacity Act 2008 at Section A-3.* |
| c. | # **Mental Capacity Orders (Variation, Rescission and Setting Aside)**  You would like to change or revoke a *final* order previously made in a mental capacity case. |
|  |  |  |
| 6. | **Other Originating Applications (Family)** |  |
| a. | **Permission to seek disclosure**  You require documents or information *before* commencement of legal proceedings   1. to identify possible parties 2. to trace your property OR 3. if there are good reasons otherwise. | *This application is filed without notice i.e., without naming or serving a Respondent.* |
| b. | **Extension of time**  You require extension of time to:   1. file an appeal and the deadline has lapsed 2. seek permission to appeal and the deadline has lapsed 3. file appeal documents and the appeal is deemed withdrawn as the deadline has lapsed. | *If there are pending proceedings, you may apply for extension of time by filing a summons under the pending proceedings.* |
|  | Financial Relief |  |
| c. | **Permission to seek financial relief after foreign divorce**  You have been granted a divorce, judicial separation or nullity by a court in another country on or after 1 June 2011, and seek this Court’s permission to apply for financial relief. | *This application is filed without notice i.e., without naming or serving a Respondent.* |
| d. | **Financial relief after foreign divorce**  You have to obtain the Court’s permission to apply for financial relief (6(c)) before making this application.  **Division of assets after Syariah Court divorce**  You would like the Civil Court to determine how your matrimonial assets are to be divided pursuant to a divorce although your marriage comes under the Syariah Court’s jurisdiction. |  |
| e. |
|  |  |  |
| f.  g.  h. | *Variation, Rescission or Setting Aside of Orders*  You would like to change or revoke a *final* order previously made in a financial relief case / division of assets case.  **Maintenance (Variation, Rescission) in a financial relief case after foreign divorce**  # **Variation, rescission, setting aside of other orders in a financial relief case after foreign divorce**  # **Variation, rescission, setting aside of division orders after Syariah Court divorce** | *Applications for variation, rescission or setting aside:*  *If the final order was made in a case with FC (or HCF)/OAF prefix, file a summons instead.* |
|  | General |  |
| i.  j. | # **Originating Application (Generic)**  You would like to commence an application in the Family Justice Courts and no specific form is provided for your type of application.  # **Variation, rescission, setting aside of all other orders** |  |

### Section A-3: Nature of case

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| For applications with specific forms to be used, the nature of case will be automatically selected in your application.  For all other applications without specific forms, refer to the following table to select the applicable nature of case for applications for your application.   |  |  | | --- | --- | | **If you had selected the following option from Section A-2:** | **Proceed to:** | | Option 1l, 2b, 3d | Question 1(a) | | Option 4b | Question 1(b) and 3 | | Option 5a, 5b | Questions 1(c) and 2 | | Option 5c | Questions 2 | | Option 6i | Questions 2 and 3 |   . | | |
|  | | *Notes* |
| 1.  a.  b.  c.  d. | **Nature of case**  [Enter section no.] of  Part 10 of the Women’s Charter 1961 (for option 1l in Section A-2)  the Guardianship of Infants Act 1934 (for option 2b in Section A-2)  the International Child Abduction Act 2010 (for option 3d in Section A-2)  *Proceed to question 4.*  For option 4b in Section A-2:  removal and placement of child upon unsuccessful adoption application (section 43(2))  persons to undergo mediation, counselling etc. post adoption proceedings (section 45)  removal of publication or broadcast in contravention of Section 48 (section 49)  removal of publication or broadcast in contravention of Section 51 (section 52)  declaration that the consent of a relevant person is void - (section 56)  removal of child from potential adopter – (section 57(6))  [Enter section no.] of Adoption of Children Act 2022  *Proceed to question 4.*  For option 5a in Section A-2:  Appointment of Deputy or Court to make decision on behalf of Patient (“P”) (section 20)  Appointment of Deputy or Court to make decision on behalf of P (minors) (section 21)  Court’s determination of validity of Lasting Power of Attorney (section 17)  Court’s declaration on P’s capacity to make decisions or on the lawfulness or otherwise of an act in relation to P (section 19)  Others: [Enter section no.] of the Mental Capacity Act 2008.  *Proceed to question 2 and 4.*  For option 6k in Section A-2:  custody, care and control, access (s52(3)(c))  division of matrimonial assets (s52(3)(d))  payment of maintenance for children (s52(3)(c))  payment of maintenance for wife (s51(1), (2) or (3))  payment for mutaah for wife (s52(2) or (3)(b))  Others: [Enter section no.] of the Administration of Muslim Act 1966  *Proceed to question 4.* | *All other orders relating to adoption order.*  *Mental Capacity Act 2008 Orders*  *If you are applying for enforcement of Syariah Court Order.* |
| 2. | In the matter of   |  | | --- | | In the matter of | | *This field is mandatory for Originating Applications under option 5(b) and (c) in Section A-2 (Orders in relation to mental capacity of a person).* |
| 3. | For option 6i in Section A-2:  **Act of Parliament/Subsidiary Legislation**  Current legislation  Expired / Revoked / Spent legislation  In the matter of  Legislation: Enter legislation here  Provision: Select the applicable option [Enter number here]  Sub-provision: Select the applicable option [Enter number here] | *The applicable options are: Section / Appendix / Article / Order / Paragraph / Part / Regulation / Rule / Schedule.*  *The applicable options are: Sub-Section / Paragraph / Rule / Sub-Paragraph / Sub-Regulation / Sub-Rule.* |
| 4. | Is this application related to an order obtained in a separate action (e.g. an order obtained in IFAMS)?  No.  Yes.  State date of court order: Enter date here  State case number: Enter case no. here | *Input in this field is mandatory if the Originating Application you are filing relates to an IFAMS order (i.e. made in matters with any of these prefixes: MSS, SS, BOSCO, AEO, FCNS, APP, starting with VA, ending with ‘MO’).* |

### Section A-4: Endorsements

These options will be available for selection *within* your application (if applicable). Select **only one** option.

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| --- | --- | --- |
|  | | *Notes* |
| 1. | **Application without notice**  There is no respondent in my application.  (Applicable only if your case falls within those listed in the Notes.) | *Available for these options in Section A-2:*   1. *Option 1k (Permission to proceed with divorce without parenting program documents);* 2. *Option 7a (Permission to seek disclosure);* 3. *Option 7c (Permission to seek financial relief after foreign divorce);*   *And applications referred to in Part 5, Rule 2 of the Family Justice (General) Rules 2024.* |
| 2. | **Application by consent**  All parties have agreed to this application. |  |
| 3. | **None of the above**  The application is taken out against a respondent and the Court is to decide on the application. |  |

### Section B: The Parties

The information in this Section is not exhaustive and you may be required to provide additional personal details when submitting the application in Court. Additional details may relate to religion, occupation and marital status.

Use this Section to provide details for **each party**.

|  |  |  |  |
| --- | --- | --- | --- |
| These are the details for:  the Applicant  the Respondent  Others: Please state the party type here. | | | *Notes* |
| 1. | Do you have previous or existing Court proceedings in the Family Courts or Family Division of the High Court involving the same parties?  Yes.  State the case number in which the parties are identical to your application: Enter case number here.  No. | | *You can identify the Family Justice Courts cases by the prefix which will start with any of these:* ***FC, HCF.***  *By providing the case number and if you are represented by the same lawyer as in the previous / existing case, some of the required information will be auto-populated from your past cases. Therefore, you may not need to provide the information which are in grey boxes unless you need to update the information.*  *In the event that the information cannot be auto-populated at the time of submission, you will be asked to complete the information manually.* |
| 2. | Select the applicable option: |  | *Not applicable for options 1a – 1i in Section A-2* |
|  | **Proceed to** |
| This party is below 21 years old  This party is mentally incapacitated | Question **3A** |
| This party is deceased / The party is an appointed Personal Representative (“PR”) | Question **4** |
| None of the above | Question **5** |
|  | | | |
| **Litigation Representative (for mentally incapacitated party OR minor party)** | | | |
| 3A. | The party is to be represented by a litigation representative.  Is there a Court order appointing the litigation representative?    No.  *Proceed to question 3B if this party is mentally incapacitated.*  *Proceed to question 3C if this party is below 21 years old.*    Yes. *State details of the order below and proceed to question 5.*   |  |  |  | | --- | --- | --- | | Case number: | Enter case number here. | | | Date of Court order: | | Enter date here. | | | *The litigation representative must appoint a lawyer in all cases.* |
| 3B. | Is there a Mental Capacity Act 2008 (“MCA”) order or Lasting Power of Attorney (“LPA”) authorising the litigation representative to act on behalf of the party under disability?     |  |  |  |  | | --- | --- | --- | --- | |  | No. File the Certificate by Solicitor acting for Litigation Representative (Form 74) | | | |  | Yes. Date of MCA order or LPA: | | | |  | | Enter date here. |   Attach a copy of the Court order or authorisation. | |  |
| 3C. | **File these documents:**   1. the Consent to Act as Litigation Representative (Form 73). 2. Certificate by Solicitor acting for Litigation Representative (Form 74) unless the date of MCA order or LPA in 3B is completed.   *Proceed to question 5.* | |  |
| **Personal Representative (for deceased party)** | | | |
| 4. | The deceased person is to be represented by a personal representative.  Is there a Court order appointing a personal representative of the estate?  No.  Yes. *Provide the details below.*   |  |  |  | | --- | --- | --- | | Case number: | Enter case number here. | | | Date of Court order: | | Enter date here. |   *Proceed to the next question regardless of which option you have selected.* | | *If the person filing this application is an appointed Personal Representative (“PR”), you must have a Court order appointing you as the personal representative of the deceased’s estate before you can file this application. Otherwise, you may not have the legal standing to file this application.*  *If the application is filed against a deceased party, you may proceed without a Court order appointing a personal representative of the deceased’s estate at this stage.* |
| **Personal Details** | | | |
| 5. | The party's identity type, identity number and country of issue   |  | | --- | | Enter identity type, identity number and the country of issue here. | | | *At the time of filing, you will be asked for your*   1. *identity type (i.e. SIN NRIC, SIN FIN, Foreign Passport etc); and* 2. *the country of issue.* |
|  |  | |
| 6. | The party’s name (as stated in NRIC/Passport)   |  | | --- | | Enter full name as per NRIC/Passport here. | | |  |
|  |  | |  |
| 7. | The party’s gender  Male  Female | |  |
| 8. | The party’s birth information   |  |  | | --- | --- | | Race: | Enter race here. | | Date of birth: | Enter date here. | | Country of birth: | Singapore  Others. Please state: | |  | Enter country here. | | |  |
| 9. | The party’s address   |  | | --- | | Enter address here. | | |  |
| 10. | The party’s citizenship   |  |  |  | | --- | --- | --- | | Singaporean | |  | | Singapore PR | |  | | Others: | |  | | Please specify: | Enter country here. | | | |  |
| 11A. | The following fields are applicable only if you are applying for dissolution of marriage.  Other details of the party   |  |  | | --- | --- | | Occupation: | Enter details here. | | Education level: | Enter details here. | | Marital status before current marriage: | Enter details here. | | |  |
| 11B. | The following fields are applicable only if you are applying for adoption of children proceedings.  Other details of the party   |  |  | | --- | --- | | Occupation: | Enter details here. | | Religion: | Enter details here. | | Marital status: | Enter details here. | | |  |
| 11C. | The following fields are applicable only if you are applying for for orders under Section 8 / 14 of the International Child Abduction Act 2010.  Relationship with child  Parent  Legal guardian  Date of court order of appointment: Enter date here.  Others. Please state: Enter relationship here. | |  |
| **Representative’s Details (applicable only if the party is a minor OR mentally incapacitated OR an appointed Personal Representative)** | | | |
| 12. | Representative's NRIC/FIN/Passport number (mandatory if you are making this application on behalf of the party)   |  | | --- | | Enter NRIC/FIN/Passport number here. | | | *If the party is to be represented by another person (not a lawyer) for the reasons set out below, the person representing the party is known as the “representative”.*  *A person who is under 21 years old or mentally incapacitated must act through a litigation representative.*  *A person who is deceased is substituted with a personal representative of the person’s estate (pursuant to a grant of letters of administration or probate).*  *Complete questions 12 and 13 if you are filing this application as a representative. If no personal representative has been appointed to act for the estate of the deceased person, you may leave the fields blank.* |
| 13. | Representative’s name (as stated in NRIC/Passport)   |  | | --- | | Enter full name as per NRIC/Passport here. | | |
| **Contact Details** | | | |
| 14. | You must provide details of at least one contact number.  Singapore mobile number   |  | | --- | | Enter mobile number here. |     Singapore residential number   |  | | --- | | Enter residential number here. |   I do not have a Singapore contact number.  You must provide either a Singapore address or your email address.  Email   |  | | --- | | Enter email address here. | | | *If you are the representative, provide* ***your*** *contact details and address.* |
|  |  | |
| 15. | Address (in Singapore)  Use the same address stated in question 9.   |  | | --- | | Enter address here. | | | *Provide the address at which you can receive Court notices. P.O. Boxes are not acceptable.* |
| **Hearing Matters** | | | |
| 16. | Is the party able to attend hearings / conferences through video conference or teleconference (if applicable)?  Yes.  No. Provide your reason(s):   |  | | --- | | Enter reasons here. | | | *Video conferences are conducted over virtual platforms such as Zoom.* |
|  |  | |  |
| 17. | Does the party require interpretation for Court hearings?   |  |  |  | | --- | --- | --- | | No. | | | | Yes. *State which language/dialect:* | | | | In  Mandarin  Malay  Tamil | | | Chinese dialects: | Select a dialect | | | *Should you require the Court to provide a translator in one of these languages, please file a* ***Request for Hearing Administrative Support*** *prior to the Court event.*  *The applicable options are: Cantonese / Hakka / Hokkien / Teochew.*  *If you require interpretation in other languages, you must arrange for an interpreter at your own expense.* |
| **Lawyer / Legal Aid Certification** | | | |
| 18. | Does the party have a Grant of Aid or Provisional Grant of Aid from the Legal Aid Bureau?  No.  Yes. Reference No.: Enter details here. | |  |
| 19. | Is the party represented by a lawyer for this application?  No.  Yes. *Complete the details below:*  Name of lawyer and law firm   |  | | --- | | Enter name of lawyer and law firm here. |   Lawyer’s address and email address   |  | | --- | | Enter lawyer’s address and email address here. |   **Lawyer’s Contact Numbers**   |  | | --- | | Enter contact number here. | | |  |

### Supporting Document(s)

You must attach, with your application, a copy of the document(s) (if any) listed in Table 1 where applicable (collectively “Required Documents”).

**Table 1**

|  |  |  |
| --- | --- | --- |
| **Supporting Document number** | **Reference in Form to the supporting document**  *(e.g. Paragraph 1 of Section 5)* | **Page numbers** |
| E1 | Copy of Mental Capacity Act order / Lasting Power of Attorney | Enter page no. here. |
| E2 | Enter details of paragraph/section in which the supporting document relates to here. | Enter page no. here. |
| E3 | Enter details of paragraph/section in which the supporting document relates to here. | Enter page no. here. |
| E4 | Enter details of paragraph/section in which the supporting document relates to here. | Enter page no. here. |
| E5 | Enter details of paragraph/section in which the supporting document relates to here. | Enter page no. here. |

*The supporting document(s) are to be attached from this page onwards.*