



THE STATUTES OF THE REPUBLIC OF SINGAPORE

WOMEN'S CHARTER 1961

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Women's Charter 1961

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An Act to provide for monogamous marriages and for the solemnisation and registration of such marriages; to amend and consolidate the law relating to divorce, the rights and duties of

married persons, the protection of family, the maintenance of wives, incapacitated husbands and children and the punishment of offences against women and girls; and to provide for matters incidental thereto.

[7/2016]

[15 September 1961]

PART 1

PRELIMINARY

Short title

1. This Act is the Women's Charter 1961.

Interpretation

2.—(1) In this Act —

“brothel” means any place —

- (a) habitually used by any 2 or more women or girls (whether or not at the same time or at different times) for the purpose of prostitution;
- (b) that has been used by any 2 or more women or girls (whether or not at the same time or at different times) for the purpose of prostitution and is likely to be used again for that purpose; or
- (c) that —
 - (i) has been expressly or implicitly advertised (whether by advertisements in or on the place, newspapers, the Internet or by other means) or represented as being used for the purpose of prostitution; and
 - (ii) is likely to be used for the purpose of prostitution;

“club” means any place which is used by an association of 2 or more persons for any purpose or object;

[Deleted by Act 3 of 2022 wef 30/12/2022]

“conciliation officer” means a conciliation officer appointed under section 139C(1);

[Act 3 of 2022 wef 30/12/2022]

“court” —

(a) for the purposes of sections 20, 21A and 56 and Parts 8, 9, 9A, 10, 10A and 10B, means the General Division of the High Court or a Family Court; and

[Act 3 of 2022 wef 25/09/2023]

[Act 18 of 2023 wef 16/01/2025]

(b) for the purposes of Parts 7 and 10C, means a Family Court;

[Act 18 of 2023 wef 16/01/2025]

(c) *[Deleted by Act 18 of 2023 wef 16/01/2025]*

[Deleted by Act 3 of 2022 wef 25/09/2023]

“Director-General”, except in Part 7, means the Director-General of Social Welfare and includes any person who is authorised by the Director-General to perform any of the duties or exercise any of the powers of the Director-General under this Act;

[Act 21 of 2023 wef 02/01/2025]

“fit individual” means an individual whom the Director-General, having regard to the character of the individual, thinks competent to provide care and protection to another individual;

“incapacitated former husband”, in relation to a dissolved or an annulled marriage, means a former husband to the marriage who —

(a) during the subsistence of the marriage, was or became —

(i) incapacitated, by any physical or mental disability or any illness, from earning a livelihood; and

(ii) unable to maintain himself; and

(b) continues to be unable to maintain himself;

“incapacitated husband” means a husband who —

(a) during the marriage, is or becomes —

(i) incapacitated, by any physical or mental disability or any illness, from earning a livelihood; and

(ii) unable to maintain himself; and

(b) continues to be unable to maintain himself;

“licensed solemniser” means a person licensed under section 22(2) to solemnise marriages;

[Act 3 of 2022 wef 25/09/2023]

“marriage licence” means a marriage licence issued by the Registrar under section 17;

[Act 3 of 2022 wef 25/09/2023]

“married woman” means a woman validly married under any law, religion, custom or usage;

“messaging system” means any system that enables the transmission of short text messages, or of any visual communication, voice communication or electronic mail —

(a) from a digital mobile telephone to another digital mobile telephone; or

(b) from an electronic mail address to a digital mobile telephone, and the other way around;

[Deleted by Act 3 of 2022 wef 25/09/2023]

“notice of marriage” means a notice of marriage under section 14;

[Act 3 of 2022 wef 25/09/2023]

“occupier” of a place means the tenant, subtenant or lessee thereof or any other person in charge of the place, whether or not in actual occupation and whether or not having powers to let or sublet;

“owner” of a place means a person who, for the time being, has power or authority to let, hire, sell or convey the place to

another person, or who receives the rent of the place whether on the person's own account or as an agent or a trustee for any other person;

“permanent resident of Singapore” means a person who holds an entry permit under section 10 of the Immigration Act 1959 or a re-entry permit under section 11 of that Act;

[Act 3 of 2022 wef 25/09/2023]

“place” means any building, house, office, flat, room or cubicle or any part thereof, and any open or enclosed space and includes a ship, boat or any vessel, whether afloat or not, and any vehicle;

“place of assignation” means any place where communication is established with any woman or girl, either directly or through an intermediary, for any immoral purpose;

“place of public resort” means any place to which the public for the time being has access;

“place of safety” means any place of safety established under section 177;

“prostitution” means the act of a female offering her body for sexual penetration for hire, whether in money or in kind;

“record”, in relation to the State Marriage Register, includes —

(a) a certificate of marriage created under section 30(2)(a); and

(b) a certificate of marriage contained in the State Marriage Register before the date of commencement of section 19 of the Women's Charter (Amendment) Act 2022;

[Act 3 of 2022 wef 25/09/2023]

“Registrar” means the Registrar of Marriages appointed under section 26 and includes an Assistant Registrar of Marriages;

“sexual penetration” means the penetration of the vagina, anus or mouth of a woman or girl by a man's penis, or the sexual penetration of the vagina or anus of a woman or girl by a part

of another person's body (other than the penis) or by anything else;

“solemnisation” includes the contracting of a marriage or effecting a marriage in accordance with the law, religion, custom or usage of the parties or any of the parties thereto;

“special marriage licence” means a special marriage licence granted by the Minister under section 21;

[Act 3 of 2022 wef 25/09/2023]

“State Marriage Register” means the State Marriage Register maintained under section 27.

[27/2014; 7/2016; 30/2019; 36/2019; 40/2019]

[Act 18 of 2023 wef 16/01/2025]

(2) In criminal proceedings for an offence under Part 11 in relation to any place —

- (a) a court may rely on circumstantial evidence to find that the particular place is used as a brothel; and
- (b) a court may make such a finding without direct evidence that the particular place is used as a brothel.

Examples of circumstantial evidence

1. Evidence relating to persons entering and leaving premises (including number, gender and frequency) that is consistent with the use of the premises for prostitution.
2. Evidence of appointments with persons for the purpose of prostitution that are made through the use of telephone numbers or other contact details that are publicly advertised.
3. Evidence of the arrangement of, or other matters relating to, the place or the furniture, equipment or articles in the place, that is consistent with the use of the place for prostitution.

[36/2019]

Application

3.—(1) Except as otherwise provided, this Act applies to all persons in Singapore and also applies to all persons domiciled in Singapore.

(1A) It is declared that section 52 applies for the purposes of determining a woman's domicile for the purposes of subsection (1).

[Act 3 of 2022 wef 30/12/2022]

(2) Parts 2 to 6 (except for sections 6A, 6B and 6C) and Parts 10 and 10A and sections 181 and 182 do not apply to any person who is married under, or to any marriage solemnised or registered under, the provisions of the Muslim law or of any written law in Singapore or in Malaysia providing for the registration of Muslim marriages.

[15/2019]

[Act 3 of 2022 wef 30/12/2022]

(2A) Nothing in Part 8 entitles an incapacitated husband who is married under the provisions of the Muslim law, or of any written law in Singapore or in Malaysia providing for the registration of Muslim marriages, to obtain any maintenance under that Part.

[7/2016]

(3) Despite subsection (2), sections 4, 5 and 6 apply to any person who contracts or purports to contract any such marriage during the subsistence of a marriage registered or deemed to be registered under the provisions of this Act or which was contracted under a law providing that or in contemplation of which the marriage is monogamous.

(4) No marriage between persons who are Muslims shall be solemnised or registered under this Act.

(5) For the purposes of this Act, a person who is a citizen of Singapore is deemed, until the contrary is proved, to be domiciled in Singapore.

Reckoning of age

3A. In reckoning the age of a person for the purposes of this Act —

- (a) the person is taken to have attained a particular age expressed in years on the corresponding anniversary of his or her birth (ignoring any fraction of a day);
- (b) a reference to the anniversary of the person's birth in paragraph (a) is a reference to the day on which the anniversary occurs; and

- (c) if the person was born on 29 February in any year, then, in any subsequent year that is not a leap year, the anniversary of his or her birth is taken to be 28 February in that subsequent year.

Illustration

A person (*N*) is born on 21 July 2021. *N* is taken to attain 18 years of age on the first moment of 21 July 2039 (regardless of the time of the day at which *N* is born).

[Act 3 of 2022 wef 30/12/2022]

PART 2

MONOGAMOUS MARRIAGES

Disability to contract marriages

4.—(1) Every person who on 15 September 1961 is lawfully married under any law, religion, custom or usage to one or more spouses shall be incapable during the continuance of that marriage or marriages of contracting a valid marriage under any law, religion, custom or usage with any person other than such spouse or spouses.

(2) Every person who on 15 September 1961 is lawfully married under any law, religion, custom or usage to one or more spouses and who subsequently ceases to be married to that spouse or all the spouses shall, if he or she thereafter marries again, be incapable during the continuance of that marriage of contracting a valid marriage with any other person under any law, religion, custom or usage.

(3) Every person who on 15 September 1961 is unmarried and who after that date marries under any law, religion, custom or usage shall be incapable during the continuance of that marriage of contracting a valid marriage with any other person under any law, religion, custom or usage.

(4) Nothing in this section affects the operation of Part 3 in relation to marriages solemnised in Singapore after 15 September 1961.

Void marriages

5.—(1) Every marriage contracted in Singapore or elsewhere in contravention of section 4 is void.

(2) If any male person lawfully married under any law, religion, custom or usage, during the continuance of that marriage, contracts a union with a woman, that woman shall have no right of succession or inheritance on the death intestate of such male person.

(3) Nothing in this section affects the liability of any person to pay such maintenance as may be directed to be paid by that person under any written law.

[7/2016]

Offence

6. Any person lawfully married under any law, religion, custom or usage who during the continuance of that marriage purports to contract a marriage in Singapore or elsewhere under any law, religion, custom or usage in contravention of section 4 is deemed to commit the offence of marrying again during the lifetime of the husband or wife (as the case may be) within the meaning of section 6A.

[15/2019]

Marrying again during lifetime of husband or wife

6A. Whoever, having a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be guilty of an offence and shall on conviction —

- (a) in a case where the offender concealed from the person with whom the subsequent marriage is contracted the fact of the former marriage, be punished with imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding \$15,000; and
- (b) in any other case, be punished with imprisonment for a term not exceeding 7 years and shall also be liable to a fine not exceeding \$10,000.

Exceptions.—This section does not extend to any person whose marriage, with such husband or wife, has been declared void by a court of competent jurisdiction, nor to any person who contracts a marriage during the life of a former husband or wife, if such husband or wife, at the time of the subsequent marriage, has been continually absent from such person for a period of 7 years, and has not been heard of by such person as being alive within that time, provided the person contracting such subsequent marriage, before the marriage takes place, informs the person with whom the marriage is contracted, of the real state of facts so far as the same are within his or her knowledge.

[15/2019]

Cohabitation caused by deceitfully inducing a belief of lawful marriage

6B. Any person (*A*), who by deceit causes any person of the opposite sex (*B*) who is not lawfully married to *A* to believe that *B* is lawfully married to *A* and to cohabit or have sexual intercourse with *A* in that belief, shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding \$15,000.

[15/2019]

Marriage ceremony gone through fraudulently without lawful marriage

6C. Any person who dishonestly or fraudulently goes through the ceremony of being married, knowing that he or she is not as a result lawfully married, shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 7 years and shall also be liable to a fine not exceeding \$10,000.

[15/2019]

Continuance of marriage

7. Every marriage solemnised in Singapore after 15 September 1961, other than a marriage which is void under the provisions of this Act, shall continue until dissolved —

- (a) by the death of one of the parties;
- (b) by order of a court of competent jurisdiction; or

- (c) by a declaration made by a court of competent jurisdiction that the marriage is null and void.

PART 3

SOLEMNISATION OF MARRIAGES

Division 1 — Preliminary

[Act 3 of 2022 wef 25/09/2023]

Interpretation of this Part

8. In this Part, unless the context otherwise requires —

“maintenance order” means —

- (a) an order for the payment of monthly sums or a lump sum for the maintenance of a wife, an incapacitated husband or a child made or deemed to be made by a court under Part 8;

[Act 18 of 2023 wef 31/01/2024]

- (b) an order for the payment of monthly or periodical sums or a lump sum by way of maintenance or alimony to a wife or former wife or an incapacitated husband or incapacitated former husband, or by way of maintenance for the benefit of any child, under Part 10;

[Act 18 of 2023 wef 31/01/2024]

- (c) an order for maintenance made by the Syariah Court under the Administration of Muslim Law Act 1966; or

- (d) a maintenance order as defined in section 2 of the Maintenance Orders (Reciprocal Enforcement) Act 1975;

“marriage preparation programme” means a marriage preparation programme prescribed under section 21B(b).

[Act 3 of 2022 wef 25/09/2023]

Division 2 — Validity of marriages*[Act 3 of 2022 wef 25/09/2023]***Avoidance of marriages where either party is below 18**

9. A marriage solemnised in Singapore or elsewhere between persons either of whom is below 18 years of age is void unless the solemnisation of the marriage was authorised by a special marriage licence.

*[Act 3 of 2022 wef 25/09/2023]***Avoidance of marriages within prohibited degrees**

10.—(1) A marriage solemnised in Singapore or elsewhere between a man and any of the persons mentioned in the first column of the First Schedule, or between a woman and any of the persons mentioned in the second column of that Schedule, is void.

(2) Despite subsection (1) and the First Schedule, the Minister may grant a licence under this section for a marriage to be solemnised, notwithstanding the kindred or affinity of the parties, if the Minister is satisfied that the marriage is valid under the law, religion, custom or usage which would have been applicable to the parties thereto if this Act had not been enacted.

(3) A marriage solemnised under such a licence is valid.

*[Act 3 of 2022 wef 25/09/2023]***Avoidance of marriages by subsisting prior marriage**

11. A marriage solemnised in Singapore or elsewhere between persons either of whom, at the date of the marriage, is married under any law, religion, custom or usage to any other person is void.

Avoidance of marriages of convenience

11A.—(1) A marriage solemnised on or after 1 October 2016, whether in Singapore or elsewhere, is void if —

- (a) a party to the marriage contracts or otherwise enters into the marriage knowing or having reason to believe that the purpose of the marriage is to assist the party or the other party to the marriage to obtain an immigration advantage; and

- (b) any gratification, whether from a party to the marriage or another person, is offered, given or received as an inducement or reward to any party to the marriage for entering into the marriage.

[7/2016]

(2) However, a marriage is not void under subsection (1) if it is proved that both parties to the marriage believed on reasonable grounds, when contracting or entering into the marriage, that the marriage would result in a genuine marital relationship.

[7/2016]

(3) A marriage solemnised on or after 1 October 2016 is deemed to be void under subsection (1) if either party to the marriage is convicted of an offence under section 57C(1) of the Immigration Act 1959 in respect of the marriage.

[7/2016]

(4) In this section, “gratification” and “immigration advantage” have the meanings given by section 57C(6) of the Immigration Act 1959.

[7/2016]

Avoidance of marriages between persons of same sex

12.—(1) A marriage solemnised in Singapore or elsewhere between persons who, at the date of the marriage, are not respectively male and female is void.

(2) Subject to sections 5, 9, 10, 11, 11A and 13, a marriage solemnised in Singapore or elsewhere between a person who has undergone a sex re-assignment procedure and any person of the opposite sex is and shall be deemed always to have been a valid marriage.

[Act 3 of 2022 wef 25/09/2023]

(3) For the purpose of this section —

- (a) the sex of any party to a marriage as registered under the National Registration Act 1965 at the time of the marriage is prima facie evidence of the sex of the party; and

[Act 3 of 2022 wef 30/12/2022]

- (b) a person who has undergone a sex re-assignment procedure is identified as being of the sex to which the person has been re-assigned.

(4) Nothing in subsection (2) validates any such marriage which had been declared by the High Court before 1 May 1997 to be null and void on the ground that the parties were of the same sex.

Avoidance of marriages solemnised in Singapore without valid licence or by unauthorised person

13. A marriage solemnised in Singapore is void unless it is solemnised —

- (a) on the authority of a valid marriage licence or a valid special marriage licence; and
- (b) by the Registrar or a licensed solemniser.

[Act 3 of 2022 wef 25/09/2023]

Division 3 — Pre-solemnisation process

[Act 3 of 2022 wef 25/09/2023]

Notice of marriage

14.—(1) If 2 persons desire to marry in Singapore, one of them must give to the Registrar a notice of marriage in the prescribed form and manner.

(2) The Registrar must —

- (a) file and publish the notice of marriage; and
- (b) keep the notice of marriage published until the earlier of the following occurs:
 - (i) a marriage licence is issued to the 2 persons;
 - (ii) the notice of marriage ceases to have effect.

[Act 3 of 2022 wef 25/09/2023]

Validity of notice of marriage

- 15.—**(1) A notice of marriage ceases to have effect if —
- (a) 3 months (or any longer prescribed period) have elapsed since the notice of marriage was given to the Registrar and the intended marriage has not been solemnised; or
 - (b) the notice of marriage is cancelled by the Registrar.
- (2) The Registrar may cancel a notice of marriage if —
- (a) the intended marriage has not been solemnised;
 - (b) one of the parties has applied to the Registrar in the prescribed form and manner to cancel the notice of marriage; and
 - (c) the Registrar is satisfied that there is good reason to cancel the notice of marriage.
- (3) If a notice of marriage ceases to have effect —
- (a) any marriage licence issued in consequence of that notice of marriage is void; and
 - (b) a fresh notice of marriage must be given before the parties may lawfully marry.

[Act 3 of 2022 wef 25/09/2023]

Declaration by intending parties

16.—(1) Where a notice of marriage is given to the Registrar, each of the parties to the intended marriage must also submit to the Registrar a declaration in the prescribed form and manner.

(2) The form prescribed for the purpose of subsection (1) must provide for a party (*X*) to declare —

- (a) whether the parties to the intended marriage are prevented from marrying by this Act or any other law;
- (b) if any party is not a citizen of Singapore or permanent resident of Singapore — whether *X* has been physically present in Singapore for the prescribed period before the date of the notice of marriage;

[Act 31 of 2023 wef 31/12/2024]

- (c) if the parties are required to attend and complete a marriage preparation programme — whether the parties have done so;
- (d) if *X* was previously married but has been divorced — whether *X* owes any arrears in respect of any maintenance which is payable under a maintenance order; and
- (e) whether *X* has been convicted of an offence under any of the following provisions:
 - (i) section 6A (marrying again during lifetime of husband or wife);
 - (ii) section 57C(1) of the Immigration Act 1959 (entering into marriage of convenience);
 - (iii) section 494 of the Penal Code 1871 (marrying again during lifetime of husband or wife) as in force immediately before 1 January 2020.

[Act 3 of 2022 wef 25/09/2023]

Issue of marriage licence

17.—(1) Subject to the provisions of this Division, the Registrar must issue a marriage licence after —

- (a) a notice of marriage is given to the Registrar;
- (b) the parties to the intended marriage have each submitted the declaration required by section 16; and
- (c) the prescribed fee is paid.

(2) A marriage licence must be issued —

- (a) after the expiry of 21 days from the date of the notice of marriage; and
- (b) before the notice of marriage ceases to have effect.

(3) In any prescribed class of cases, a decision whether to issue a marriage licence may be made by the operation of a computer program for which the Registrar is responsible.

(4) A decision made under subsection (3) by the operation of a computer program —

- (a) is taken to be a decision of the Registrar; but
- (b) may, within the prescribed time and subject to any prescribed conditions, be —
 - (i) reviewed by the Registrar; and
 - (ii) confirmed, cancelled or substituted by the Registrar by written notice to the affected parties.

[Act 3 of 2022 wef 25/09/2023]

17A. *[Repealed by Act 3 of 2022 wef 25/09/2023]*

Conditions for issuing marriage licence

18.—(1) The Registrar must not issue a marriage licence unless the Registrar is satisfied that —

- (a) the parties to the intended marriage are not prevented from marrying by this Act or any other law;
- (b) if the parties are required to attend and complete a marriage preparation programme — they have done so;
- (c) if any party is not a citizen of Singapore or permanent resident of Singapore — at least one of the parties has been physically present in Singapore for the prescribed period before the date of the notice of marriage; and

[Act 31 of 2023 wef 31/12/2024]

- (d) no party has made a false declaration under section 16(1) in respect of the matters in section 16(2)(d) or (e).

(2) The Registrar may, if satisfied that there are good reasons to do so, waive the requirement in subsection (1)(c).

(3) In deciding whether to issue a marriage licence, the Registrar may —

- (a) rely on the declarations made by the parties to the intended marriage under section 16;
- (b) interview the parties or require them to provide any information or evidence that the Registrar may require; or
- (c) make any inquiry.

[Act 3 of 2022 wef 25/09/2023]

Caveat against issue of marriage licence

19.—(1) Any person may, on payment of the prescribed fee, enter a caveat with the Registrar against the issue of a marriage licence for the marriage of any person named in the caveat and notice of whose intended marriage has been given to the Registrar.

[Act 3 of 2022 wef 25/09/2023]

(2) A caveat under subsection (1) must —

(a) state the grounds of objection on which the caveat is founded;

(b) state any prescribed information; and

(c) be signed by the person entering the caveat.

[Act 3 of 2022 wef 25/09/2023]

Proceedings if caveat entered

20.—(1) If a caveat is entered in accordance with section 19, the Registrar must not issue a marriage licence for the marriage against which the caveat has been entered unless —

(a) after examining into the matter of the said objection, the Registrar is satisfied that it ought not to obstruct the issue of the marriage licence for the marriage; or

[Act 3 of 2022 wef 25/09/2023]

(b) the caveat is withdrawn by the person who entered it.

[Act 3 of 2022 wef 25/09/2023]

(2) In cases of doubt, it is lawful for the Registrar to refer the matter of any caveat mentioned in subsection (1) to the court which shall decide upon the same.

[27/2014]

(3) Where the Registrar has refused to issue the marriage licence, the person applying for the same has a right of appeal to the court which is to thereupon either confirm the refusal or direct the issue of the marriage licence.

[27/2014]

(4) The court may examine the allegations contained in the caveat in a summary way and may hear evidence in support of and in opposition to the objection.

[27/2014]

(5) The proceedings under this section are to be before a judge in chambers.

(6) There shall be no appeal from a decision of a judge under this section.

(7) If the Registrar or the court declares the grounds of objection to be frivolous and such as ought not to obstruct the issue of the marriage licence, the person entering the caveat shall be liable for the costs of all proceedings relating thereto and for damages to be recovered by suit by the party against whose marriage the caveat was entered.

[27/2014]

Special marriage licence

21.—(1) Subject to the provisions of this Division, the Minister may grant a special marriage licence to 2 parties for either or both of the following purposes:

- (a) to authorise the parties to marry without giving a notice of marriage or being issued a marriage licence;
- (b) to authorise the parties to marry even though one or both of them are below 18 years of age.

[Act 3 of 2022 wef 25/09/2023]

(2) If 2 parties seek a special marriage licence, each of them must submit to the Minister a declaration in the prescribed form, which declaration must include the matters mentioned in section 16(2).

[Act 3 of 2022 wef 25/09/2023]

(2A) The Minister must not grant a special marriage licence unless the Minister is satisfied that —

- (a) apart from any impediment under section 9, the parties to the intended marriage are not prevented from marrying by this Act or any other law;
- (b) if the parties are required to attend and complete a marriage preparation programme — they have done so;
- (c) if any party is not a citizen of Singapore or permanent resident of Singapore — at least one of the parties has been

physically present in Singapore for the prescribed period before his or her declaration under subsection (2); and

[Act 31 of 2023 wef 31/12/2024]

- (d) no party has made a false declaration under subsection (2) in respect of the matters mentioned in section 16(2)(d) or (e).

[Act 3 of 2022 wef 25/09/2023]

(3) If the marriage authorised by a special marriage licence under this section is not solemnised within one month from the date of the licence, the licence becomes void.

(4) The Minister may delegate his or her powers under this section to any person, subject to such conditions as the Minister thinks fit to impose.

- (5) *[Deleted by Act 3 of 2022 wef 25/09/2023]*

Consents required for licences for minors who have not previously married

21A.—(1) The Registrar must not issue a marriage licence for the marriage of a minor unless one of the following conditions is satisfied in relation to each person mentioned in the Second Schedule as a person whose consent is required for the marriage of the minor:

- (a) the person consents to the marriage;
- (b) the person refuses to consent to the marriage but the court consents to the marriage in lieu of the person;
- (c) the Registrar —
 - (i) is satisfied that the consent of the person cannot be obtained because the person is absent, inaccessible or under a disability; and
 - (ii) dispenses with the consent of the person.

(2) The Minister must not grant a special marriage licence for the marriage of a minor unless one of the following conditions is satisfied in relation to each person mentioned in the Second Schedule as a person whose consent is required for the marriage of the minor:

- (a) the person consents to the marriage;

- (b) the person refuses to consent to the marriage but the court consents to the marriage in lieu of the person;
- (c) the Minister —
 - (i) is satisfied that the consent of the person cannot be obtained because the person is absent, inaccessible or under a disability; and
 - (ii) dispenses with the consent of the person.
- (3) Where an application is made to the court for the purposes of subsection (1)(b) or (2)(b) —
 - (a) notice of the application must be served on the person who refused to give consent;
 - (b) the application must be heard in chambers; and
 - (c) there is no appeal from the order of the court.
- (4) This section does not apply to a minor who —
 - (a) was previously in a marriage that has been dissolved or annulled; or
 - (b) is a widower or a widow.
- (5) In this section and the Second Schedule, “minor” means a person who is below 21 years of age.

[Act 3 of 2022 wef 25/09/2023]

Marriage preparation programme

21B. For the purposes of this Division, the Minister may, by rules made under section 180, prescribe —

- (a) one or more classes of persons who are required to attend and complete a marriage preparation programme before they may marry; and
- (b) what constitutes a marriage preparation programme.

[Act 3 of 2022 wef 25/09/2023]

Division 4 — Solemnisation

[Act 3 of 2022 wef 25/09/2023]

Who may solemnise a marriage

22.—(1) A marriage may be solemnised by the Registrar or a licensed solemniser.

(2) For the purposes of subsection (1), the Minister may grant a licence to any suitable person to solemnise marriages in Singapore.

(3) A licensed solemniser is deemed to be a public servant within the meaning of the Penal Code 1871.

[Act 3 of 2022 wef 25/09/2023]

How is a marriage solemnised

23.—(1) Subject to section 24, a marriage must be solemnised with all the following persons in the presence of each other in Singapore:

- (a) the parties to the intended marriage;
- (b) the Registrar or a licensed solemniser;
- (c) at least 2 credible witnesses.

(2) The Registrar or licensed solemniser —

- (a) must ask the man whether he is willing to take the woman as his wife;
- (b) must ask the woman whether she is willing to take the man as her husband; and
- (c) must not solemnise the marriage unless the Registrar or the licensed solemniser is satisfied that both parties freely consent to the marriage.

(3) Subject to this section, the Registrar or licensed solemniser may adopt any form and ceremony.

[Act 3 of 2022 wef 25/09/2023]

Registrar may permit remote solemnisation in certain circumstances

24.—(1) The Registrar may give permission for a marriage to be remotely solemnised using a live video or live television link if —

- (a) the parties to the intended marriage, the person solemnising the marriage and the witnesses will be in Singapore during the solemnisation; and
- (b) the Registrar is satisfied that —
- (i) there are exceptional circumstances that prevent the parties from solemnising their marriage in the presence of each other, the person solemnising the marriage or the witnesses; and
 - (ii) it is otherwise appropriate to give permission.
- (2) In giving permission under subsection (1), the Registrar may specify —
- (a) the remote communications technology that is to be used to create the live video or live television link between the parties to the intended marriage, the person solemnising the marriage and the witnesses;
 - (b) the locations at which the parties, the person solemnising the marriage and the witnesses are to be present; and
 - (c) the administrative and technical facilities and arrangements to be put in place at those locations.

[Act 3 of 2022 wef 25/09/2023]

PART 4

REGISTRATION

Registration of marriages

25. Every marriage solemnised in Singapore on or after 15 September 1961 must be registered in accordance with the provisions of this Part.

[Act 3 of 2022 wef 25/09/2023]

Appointment of Registrar, etc.

26.—(1) The Minister may appoint any public officer either by name or office to be the Registrar of Marriages for the purposes of this Act.

[Act 3 of 2022 wef 25/09/2023]

(2) The Minister may appoint by name or office any number of public officers that may be necessary to be Assistant Registrars of Marriages for the purposes of this Act.

[Act 3 of 2022 wef 25/09/2023]

(3) The Minister may appoint by name or office such other officers as may be necessary for carrying this Part into effect.

[Act 3 of 2022 wef 25/09/2023]

(4) *[Deleted by Act 3 of 2022 wef 25/09/2023]*

State Marriage Register

27.—(1) The Registrar must maintain a State Marriage Register containing such records and information as the Registrar may determine on marriages solemnised or registered under this Act.

[7/2016]

(2) The State Marriage Register may be kept in such form as the Registrar may determine.

[7/2016]

(3) Any person may, upon application to the Registrar and upon payment of the relevant prescribed fee, obtain a copy of or extract from any record or information contained in the State Marriage Register (including a copy or extract that is certified by the Registrar to be a true copy or extract).

[7/2016]

(4) The following, if certified by the Registrar to be a true copy or extract, is in any proceedings admissible in evidence as of equal validity with the original document containing the information or the original record, as the case may be:

- (a) a copy of or extract from any information contained in the State Marriage Register;
- (b) a copy of or extract from any record contained in the State Marriage Register (including a copy or extract of any record produced from a microfilm or digital image).

[7/2016]

Registration of marriage solemnised by Registrar or licensed solemniser

28.—(1) After the Registrar solemnises a marriage, the Registrar must register the marriage in the State Marriage Register.

(2) After a licensed solemniser solemnises a marriage —

(a) the licensed solemniser must register the marriage in the State Marriage Register; and

(b) if the licensed solemniser fails to do so within a reasonable time, the Registrar or another licensed solemniser may register the marriage in the State Marriage Register.

(3) For the purposes of subsection (2)(b), the Registrar or other licensed solemniser may require the parties to —

(a) appear in person before the Registrar or other licensed solemniser;

(b) provide any oral or documentary evidence of the marriage that the Registrar or other licensed solemniser may require; and

(c) provide any information required by the Registrar or other licensed solemniser to —

(i) decide whether the marriage may be registered; or

(ii) register the marriage.

[Act 3 of 2022 wef 25/09/2023]

Certain marriages solemnised outside Singapore may be registered

29.—(1) Subject to subsection (2), where a marriage is solemnised outside Singapore on or after 15 September 1961 —

(a) the parties to the marriage may apply to the Registrar in the prescribed form to register the marriage; and

(b) the Registrar may register the marriage in the State Marriage Register.

(2) The Registrar must not register a marriage under this section if the Registrar is satisfied that —

- (a) the marriage is void under the provisions of this Act;
- (b) neither party to the marriage is a citizen of Singapore or permanent resident of Singapore; or

[Act 31 of 2023 wef 31/12/2024]

- (c) any information or evidence provided by the parties is false in any material particular.

(3) For the purposes of this section, the Registrar may require the parties to the marriage to —

- (a) appear in person before the Registrar;
- (b) provide any oral or documentary evidence of the marriage that the Registrar may require; and
- (c) provide any information required by the Registrar to —
 - (i) decide whether the marriage may be registered; or
 - (ii) register the marriage.

[Act 3 of 2022 wef 25/09/2023]

Certificate of marriage to be created upon registration, etc.

30.—(1) This section applies where a marriage is registered in the State Marriage Register on or after the commencement of section 19 of the Women's Charter (Amendment) Act 2022.

(2) After the marriage is registered, the Registrar must —

- (a) cause a record to be created, in the form of a certificate of marriage, in the State Marriage Register;
- (b) notify the parties to the marriage; and
- (c) if the parties so require, provide them with a copy of the certificate of marriage.

[Act 3 of 2022 wef 25/09/2023]

Correction of errors

31. If the Registrar is satisfied that there is an error in form or substance in any record or information contained in the State Marriage Register, the Registrar may correct the error.

[Act 3 of 2022 wef 25/09/2023]

32. *[Repealed by Act 3 of 2022 wef 25/09/2023]*

Legal effect of registration

33. Nothing in this Act shall be construed to render valid or invalid merely by reason of its having been or not having been registered any marriage which otherwise is invalid or valid.

PART 5

OFFENCES

RELATING TO SOLEMNISATION AND REGISTRATION OF MARRIAGES

[Act 3 of 2022 wef 25/09/2023]

Omission to appear before Registrar or licensed solemniser within prescribed time

34.—(1) Any person who fails to appear before the Registrar or a licensed solemniser after being required to do so under section 28(3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both.

[Act 3 of 2022 wef 25/09/2023]

(2) The Registrar may compound any such offence by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$400.

[Act 3 of 2022 wef 25/09/2023]

Issuing false copies or extracts

35.—(1) A person (not being the Registrar) must not issue any document that purports to be —

- (a) a copy of, or an extract from, any record or information contained in the State Marriage Register; and
- (b) issued by the Registrar.

(2) A person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction —

- (a) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both; and

- (b) in the case of a second or subsequent conviction, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 2 years or to both.

[Act 3 of 2022 wef 25/09/2023]

Interference with marriage

36. Any person who uses any force or threat —

- (a) to compel a person to marry against his or her will; or
(b) to prevent a person who has attained 21 years of age from contracting a valid marriage,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both.

Intentional falsehoods for procuring marriage

37. Any person who for the purpose of procuring any marriage under this Act intentionally makes any false declaration or intentionally provides any false information or document required by this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both.

[Act 3 of 2022 wef 25/09/2023]

False allegation in caveat

38.—(1) Any person who enters a caveat against the issue by the Registrar of a marriage licence and makes any false representation in or in support of the caveat knowing or believing such representation to be false or not having reason to believe it to be true shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both.

(2) Any person who enters a caveat against the issue of a marriage licence and pretends or falsely represents himself or herself to be a person whose consent to the marriage is required by law knowing or believing such pretence or representation to be false or not believing it to be true shall be guilty of an offence and shall be liable on

conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both.

Unauthorised solemnisation of marriage

39. Any person who, not being authorised to do so under this Act, solemnises or purports to solemnise any marriage shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding \$15,000.

[7/2016]

Offences relating to solemnisation of marriages

40.—(1) Any person who knowingly and contrary to this Act solemnises or purports to solemnise a marriage —

(a) without a valid marriage licence or a valid special marriage licence; or

[Act 3 of 2022 wef 25/09/2023]

(b) without at least 2 credible witnesses —

(i) present; or

(ii) in remote communication with the parties in accordance with section 24,

(c) [*Deleted by Act 3 of 2022 wef 25/09/2023*]

shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 3 years and shall also be liable to a fine not exceeding \$5,000.

[7/2016]

[Act 3 of 2022 wef 25/09/2023]

(2) The Registrar or any Assistant Registrar who knowingly and contrary to this Act issues any marriage licence —

(a) without publishing the notice of marriage as required by section 14(2)(a);

[Act 3 of 2022 wef 25/09/2023]

(b) when a caveat has been entered under section 19 without having first complied with section 20; or

(c) contrary to section 18,

shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 3 years and shall also be liable to a fine not exceeding \$5,000.

[7/2016]

[Act 3 of 2022 wef 25/09/2023]

(3) Any person who marries or purports to marry or goes through a form of marriage with any person contrary to any of the provisions of Part 3 shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 years and shall also be liable to a fine not exceeding \$5,000.

Destroying or falsifying State Marriage Register, etc.

41. Any person who by himself, herself or another —

(a) wilfully destroys or causes damage to —

(i) the State Marriage Register; or

[Act 3 of 2022 wef 25/09/2023]

(ii) any record or information contained in the State Marriage Register;

[Act 3 of 2022 wef 25/09/2023]

(iii) [Deleted by Act 3 of 2022 wef 25/09/2023]

(b) falsely makes any thing that purports to be, or counterfeits —

(i) the State Marriage Register;

(ii) any record or information contained in the State Marriage Register; or

[Act 3 of 2022 wef 25/09/2023]

(iii) [Deleted by Act 3 of 2022 wef 25/09/2023]

(iv) any copy of or extract from any record or information contained in the State Marriage Register that has been certified by the Registrar to be a true copy or extract; or

[Act 3 of 2022 wef 25/09/2023]

(c) wilfully inserts any false entry in —

(i) the State Marriage Register;

- (ii) any record or information contained in the State Marriage Register; or

[Act 3 of 2022 wef 25/09/2023]

- (iii) *[Deleted by Act 3 of 2022 wef 25/09/2023]*

- (iv) any copy of or extract from any record or information contained in the State Marriage Register that has been certified by the Registrar to be a true copy or extract,

shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 7 years and shall also be liable to a fine not exceeding \$10,000.

[7/2016]

[Act 3 of 2022 wef 25/09/2023]

Consent for prosecution

42. No prosecution for any offence punishable under this Part may be instituted except with the consent of the Public Prosecutor.

[15/2010]

43. *[Repealed by Act 3 of 2022 wef 25/09/2023]*

44. *[Repealed by Act 7 of 2016]*

45. *[Repealed by Act 7 of 2016]*

PART 6

RIGHTS AND DUTIES OF HUSBAND AND WIFE

[Act 3 of 2022 wef 30/12/2022]

Division 1 — Rights and duties

Duty to cooperate

46. A husband and wife are mutually bound to cooperate with each other in —

(a) safeguarding the interests of the union; and

(b) caring and providing for the children.

[Act 3 of 2022 wef 30/12/2022]

Right to separately engage in trade, etc.

47. A husband and wife have the right separately to engage in any trade or profession or in social activities.

[Act 3 of 2022 wef 30/12/2022]

Equal rights in running matrimonial household

48. A husband and wife have equal rights in the running of the matrimonial household.

[Act 3 of 2022 wef 30/12/2022]

Equal shares in money and property derived from housekeeping allowance

49. Subject to any contrary agreement between a husband and wife —

(a) money derived from any allowance made by the husband for the expenses of the matrimonial home or for similar purposes; and

(b) property acquired using that money,

are to be treated as belonging to the husband and wife in equal shares.

[Act 3 of 2022 wef 30/12/2022]

Division 2 — Abolition of common law disabilities imposed on married women, etc.

Married women have same rights, etc., as married men

50.—(1) Unless otherwise provided in any written law, the rights, privileges, powers, capacities, duties and liabilities of a married woman are, for all the purposes of the law of Singapore (whether substantive, procedural or otherwise), the same in all respects as those of a married man, whether she is acting in a personal, official, representative, fiduciary or other capacity.

(2) Subsection (1) is not limited by the provisions of this Division.

[Act 3 of 2022 wef 30/12/2022]

Married women may use own surname and name

51. A married woman may use her own surname and name separately.

[Act 3 of 2022 wef 30/12/2022]

Abolition of married woman's dependent domicile

52.—(1) Subject to subsection (2), the domicile of a married woman —

- (a) is to be ascertained in the same way as the domicile of any other individual capable of having an independent domicile; and
- (b) must not be taken to be the same as her husband's just because they are married.

(2) If a married woman had her husband's domicile by dependence immediately before 1 June 1981, she retains that domicile (as a domicile of choice, if it is not also her domicile of origin) unless it is changed by the acquisition or revival of another domicile on or after that date.

[Act 3 of 2022 wef 30/12/2022]

Abolition of separate property

53.—(1) Subject to subsection (2), property that —

- (a) belongs to a woman married on or after 15 September 1961 at the time of her marriage;
- (b) is acquired by or devolves upon a married woman on or after 15 September 1961; or
- (c) immediately before 15 September 1961 was the property (including the separate property) of a married woman or held for her separate use in equity,

belongs to her in all respects as if she were not married and may be disposed of accordingly.

(2) Subsection (1) does not affect the right of any married woman to any property that she had immediately before 15 September 1961.

[Act 3 of 2022 wef 30/12/2022]

Abolition of restrictions on anticipation or alienation

54. Any instrument (whether executed before, on or after 15 September 1961) is void insofar as —

- (a) it purports to attach a restriction on anticipation or alienation to the enjoyment of any property by a woman; and
- (b) the restriction could not have been attached to the enjoyment of that property by a man.

[Act 3 of 2022 wef 30/12/2022]

Husband and wife may sue each other in tort

55. Subject to section 57, a husband and wife may sue each other in tort as if they were not married.

[Act 3 of 2022 wef 30/12/2022]

*Division 3 — Procedure in certain cases***Summary procedure for deciding questions between husband and wife as to property**

56.—(1) This section applies where there is a question between a husband and wife as to the title to or possession of any property.

(2) Either party may apply to the court by summons or in any other summary way.

(3) In an application under subsection (2), the court may —

- (a) make any order —
 - (i) with respect to the property in dispute; and
 - (ii) as to the costs of the application; or
- (b) direct —
 - (i) the application to stand over; and
 - (ii) an inquiry to be made into the disputed matters.

(4) An application under subsection (2) —

- (a) may be heard in chambers if either party so requires; and

- (b) may be made at any time —
- (i) during the subsistence of the marriage; or
 - (ii) within 3 years after the marriage is dissolved or annulled.

[Act 3 of 2022 wef 30/12/2022]

Power of court to stay tort action between husband and wife, etc.

57. Where a husband sues his wife in tort (or vice versa) during the subsistence of the marriage, the court may —

- (a) stay the action if it appears that —
- (i) neither party would substantially benefit from the continuation of the proceedings; or
 - (ii) the dispute could be more conveniently resolved in an application under section 56(2); or
- (b) exercise the powers under section 56(3).

[Act 3 of 2022 wef 30/12/2022]

PART 7

PROTECTION AGAINST FAMILY VIOLENCE

Division 1 — Interpretation

Interpretation of this Part

58.—(1) In this Part —

“deputy” has the meaning given by section 2(1) of the Mental Capacity Act 2008;

“Director-General” means the Director-General of Social Welfare;

“donee” has the meaning given by section 2(1) of the Mental Capacity Act 2008;

“emergency order” means an emergency order under section 62(1);

“enforcement officer” —

(a) means an enforcement officer appointed under section 65(4)(a); and

(b) in relation to a function of an enforcement officer under this Part, includes a person authorised under section 65(4)(b) to exercise that function;

“expedited order” means an expedited order under section 61(2);

“family member” has the meaning given by section 58A;

“family violence” has the meaning given by section 58B;

“home”, in relation to a person, means the place or premises at which the person ordinarily resides;

“protection order” means a protection order under section 60A(1);

“protector” —

(a) means a protector appointed under section 65(2)(a); and

(b) in relation to a function of a protector under this Part, includes a person authorised under section 65(2)(b) to exercise that function;

“psychiatrist” means a medical practitioner who is registered as a psychiatrist in the Register of Specialists under the Medical Registration Act 1997;

“qualified assessor” means a person whom the Director-General reasonably considers to be qualified to conduct an assessment under section 59;

“registered medical practitioner” has the meaning given by section 2(1) of the Medical Registration Act 1997;

“specified”, in relation to an order, means specified in the order;

“support person” means a person prescribed or appointed as a support person under section 65(7) or (8), respectively;

“vulnerable adult” has the meaning given by section 2(1) of the Vulnerable Adults Act 2018.

(2) For the purposes of this Part, whether a person lacks mental capacity is to be determined in accordance with Part 2 of the Mental Capacity Act 2008.

(3) In this Part, a reference to exercising a function includes a reference to exercising a power or performing a duty.

[Act 21 of 2023 wef 02/01/2025]

Who is a family member

58A. *P* is a “family member” of *Q* and vice versa if —

- (a) *P* is the spouse or former spouse of *Q*;
- (b) *P* is a child (including an adopted child or stepchild) of *Q*;
- (c) *P* is the father or mother of *Q*;
- (d) *P* is the father-in-law or mother-in-law of *Q*;
- (e) *P* is a brother or sister of *Q*;
- (f) *P* —
 - (i) is a relative of *Q* (including a relative through marriage or adoption); and
 - (ii) should in the circumstances be regarded as a member of *Q*'s family; or
- (g) *P* —
 - (i) is wholly or partially incapacitated or infirm because of physical or mental disability or ill health or old age; and
 - (ii) should in the circumstances be regarded as a member of *Q*'s family.

What is family violence

58B.—(1) *X* commits “family violence” against *Y* if —

- (a) *X* is a family member of *Y*; and
- (b) *X* commits physical, sexual, or emotional or psychological abuse against *Y*.

(2) “Physical abuse” —

(a) includes conduct or behaviour that —

(i) causes, or threatens to cause, personal injury or physical pain to a person; or

(ii) threatens a person with the death or injury of the person; and

(b) also includes wrongfully confining or restraining a person against the person’s will; but

(c) does not include any force lawfully used —

(i) in self-defence; or

(ii) by way of correction towards a child below 18 years of age.

(3) “Sexual abuse” includes conduct or behaviour that coerces, or attempts to coerce, a person to engage in sexual activity.

(4) “Emotional or psychological abuse” means conduct or behaviour that —

(a) torments, intimidates, harasses or distresses a person; or

(b) causes or may reasonably be expected to cause mental harm to a person, including thoughts of suicide or inflicting self-harm.

(5) Abuse may take the form of —

(a) a single instance of conduct or behaviour; or

(b) a course of conduct or behaviour.

(6) The conduct or behaviour that constitutes abuse need not be directed at the family member in question, but must be capable of being seen, heard or otherwise perceived (directly or indirectly) by the family member in question.

Illustrations

- (a) *X* spreads false rumours to third parties about *X*’s spouse being promiscuous. *X*’s spouse finds out about the rumours and is distressed. *X* has committed emotional or psychological abuse against *X*’s spouse.

- (b) *X* is prone to smash furniture in *X*'s house when *X* is angry. This behaviour causes *X*'s child to be distressed and in fear of personal injury. *X* has committed physical abuse, as well as emotional or psychological abuse, against *X*'s child.
- (c) *X* repeatedly makes demeaning comments to belittle and humiliate *Y* in front of their children. *X* threatens to stop giving *Y* a monthly allowance if *Y* contacts *Y*'s family or friends or seeks help. *Y* suffers mental harm as a result. *X* has committed emotional or psychological abuse against *Y*.
[Act 21 of 2023 wef 02/01/2025]

Division 2 — Obtaining information about family violence, etc.

[Act 21 of 2023 wef 02/01/2025]

Power to assess at-risk persons, etc.

59.—(1) Subject to section 59A, a protector may do all or any of the following to find out whether a person (*Y*) has experienced, is experiencing or is at risk of family violence:

- (a) assess *Y*;
 - (b) cause *Y* to be assessed by a qualified assessor;
 - (c) direct another person to produce *Y* before a qualified assessor for an assessment.
- (2) If a person is to be assessed at his or her home, the protector may direct any other person to leave or remain outside that place for the duration of the assessment.
- (3) A qualified assessor who assesses a person under this section must submit a report of the assessment to the protector.
- (4) A person commits an offence if the person —
- (a) without reasonable excuse, fails to comply with a direction under subsection (1)(c) or (2); or
 - (b) obstructs another person from complying with a direction under subsection (1)(c) or (2).
- (5) A person who is guilty of an offence under subsection (4) shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

- (6) In this section and section 59A, “assessment” —
- (a) means an interview and examination; and
 - (b) includes the taking of X-rays and a person's blood and other body samples for testing and analysis; but
 - (c) does not include the administration of medical or dental treatment,

and “assess” has a corresponding meaning.

[Act 21 of 2023 wef 02/01/2025]

Consent generally required for assessment

59A.—(1) A person must not be assessed under section 59(1) without his or her consent.

(2) However, a person may be assessed under section 59(1) without his or her consent if —

- (a) a protector reasonably believes that the person lacks the mental capacity to consent and is satisfied that it is in the person's best interests for the assessment to be done;
- (b) the person is below 18 years of age and a protector reasonably believes that it is in the person's best interests for the assessment to be done; or
- (c) the court, on an application by a protector, authorises the protector to exercise the powers in section 59(1) in relation to the person.

(3) The court may authorise a protector to exercise the powers in section 59(1) in relation to a person if the court is satisfied, on a balance of probabilities, that it is in the person's best interests to be assessed under section 59(1).

[Act 21 of 2023 wef 02/01/2025]

Power to enter premises for assessment

59B.—(1) If a protector reasonably believes that a person —

- (a) has experienced, is experiencing or is at risk of family violence; and
- (b) is residing at any premises,

the protector may enter the premises, at any time of the day or night and without notice —

(c) to determine whether the protector should exercise a power under section 59(1)(a) or (b); and

(d) to exercise the power.

(2) When entering the premises, a protector may be accompanied by —

(a) one or more support persons; and

(b) any other person whom the protector considers necessary to assist the protector.

(3) To gain entry into the premises, a protector and the other persons mentioned in subsection (2) may —

(a) break open any door, window, lock, fastener or any other thing; and

(b) use any other reasonable means.

(4) However, the means referred to in subsection (3) may be used only if the protector —

(a) has stated his or her authority and demanded entry; but

(b) is not given and is unable to obtain entry.

[Act 21 of 2023 wef 02/01/2025]

Power to obtain information and examine records, etc.

59C.—(1) If a protector reasonably believes that a person (*Z*) has information about whether another person (*Y*) has experienced, is experiencing or is at risk of family violence, the protector may do one or both of the following:

(a) direct *Z* to give the information to the protector —

(i) in writing within the time specified in the direction;
or

(ii) in person at the time and place specified in the direction;

- (b) at any reasonable time, examine and take copies of —
- (i) any health record relating to *Y* that is kept by *Z*; or
 - (ii) any record relating to *Y* that is kept by *Z* and compiled in connection with a social services function.
- (2) A person who gives a protector information or access to a record under subsection (1) —
- (a) is not, by virtue of doing so, to be regarded in any proceedings before any court of law or tribunal or in any other respect —
 - (i) to have breached any code of professional etiquette or ethics; or
 - (ii) to have departed from any accepted form of professional conduct; and
 - (b) to the extent the person has acted in good faith and with reasonable care, incurs no civil or criminal liability in relation to the giving of the information or access to the record.
- (3) A person commits an offence if the person —
- (a) without reasonable excuse, fails to comply with a direction under subsection (1)(a);
 - (b) obstructs a person from complying with a direction under subsection (1)(a); or
 - (c) without reasonable excuse, fails to give a protector access to a health record or other record under subsection (1)(b).
- (4) A person who is guilty of an offence under subsection (3) shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

[Act 21 of 2023 wef 02/01/2025]

Family violence notifications to protectors, etc.

59D.—(1) If a person (*Z*) knows or has reason to suspect that another person has experienced, is experiencing or is at risk of family

violence, *Z* may make a family violence notification to any of the following persons:

- (a) a protector;
- (b) a police officer;
- (c) a person authorised by the Director-General to receive the notification;
- (d) a person falling within a prescribed class of persons.

(2) A family violence notification may describe the facts and circumstances on which *Z*'s knowledge or suspicion is based.

(3) A person who makes a family violence notification —

- (a) is not, by virtue of doing so, to be regarded in any proceedings before any court of law or tribunal or in any other respect —
 - (i) to have breached any code of professional etiquette or ethics; or
 - (ii) to have departed from any accepted form of professional conduct; and
- (b) to the extent the person has acted in good faith and with reasonable care, incurs no civil or criminal liability in relation to the notification or the provision of any information contained in the notification.

(4) A person appearing as a witness in any proceedings in any court of law or tribunal or before a person authorised by law to hear evidence must not be compelled —

- (a) to disclose the identity of a person who has made a family violence notification, or any information likely to lead to the disclosure of the person's identity; or
- (b) to produce any report or document, or any part of a report or document, that is likely to identify, a person who has made a family violence notification.

[Act 21 of 2023 wef 02/01/2025]

Disclosure of information to or by protectors

59E.—(1) Subsections (2) and (3) are subject to any express restriction imposed by or under any other written law.

(2) A relevant person may disclose to a protector any information received by the person under or for the purposes of any written law, if the disclosure is to enable or assist the protector to exercise any of his or her functions under this Part.

(3) A protector may disclose to a relevant person any information received by the protector under or for the purposes of this Part, if the disclosure —

(a) is connected with the exercise of any of the protector's functions under this Part; or

(b) is to enable or assist that person to exercise any of that person's functions under any written law.

(4) The following are relevant persons for the purposes of this section:

(a) a Government department;

(b) a statutory body;

(c) a police officer;

(d) a person falling within a prescribed class of persons.

(5) This section does not affect any other power of disclosure.

[Act 21 of 2023 wef 02/01/2025]

Division 3 — Protection orders against family violence, etc.

[Act 21 of 2023 wef 02/01/2025]

Who may apply for a protection order

60.—(1) A protector may apply for a protection order against any person.

(2) Subject to subsection (3), the following persons may apply for a protection order in relation to family violence against *Y*:

- (a) if *Y* is below 18 years of age —
 - (i) a family member of *Y*;
 - (ii) *Y*'s guardian; or
 - (iii) a person responsible for caring for *Y*;
- (b) if *Y* is assessed by a registered medical practitioner, psychiatrist or psychologist to lack the mental capacity to apply for a protection order —
 - (i) a family member of *Y*;
 - (ii) *Y*'s donee or deputy; or
 - (iii) a person responsible for caring for *Y*;
- (c) in any other case — *Y*.

(3) A person who is below 18 years of age may not apply for a protection order under subsection (2) unless the person is married or was previously married.

(4) Family Justice Rules may provide that, for the purposes of any proceedings under this Division or Division 4, an applicant for a protection order in relation to family violence against *Y* may be substituted by another person if —

- (a) the other person is a protector or a person who may apply for a protection order in relation to family violence against *Y* under subsection (2); and
- (b) any other conditions prescribed by those Rules are satisfied.

(5) A reference to the applicant for a protection order in this Division or Division 4 includes a reference to a person substituted pursuant to subsection (4).

[Act 21 of 2023 wef 02/01/2025]

Protection orders

60A.—(1) The court may, on an application, make a protection order to restrain *X* from committing family violence against *Y* if the court is satisfied, on a balance of probabilities, that —

- (a) *X* has committed or is likely to commit family violence against *Y*; and
 - (b) the protection order is necessary for the protection or personal safety of *Y*.
- (2) A protection order may also require *X* not to incite or assist any other person to commit family violence against *Y*.
- (3) A protection order has effect —
 - (a) from the date on which it is made or any later date that may be specified; and
 - (b) either indefinitely or for a specified period.
- (4) A protection order may be varied, suspended or revoked by the court on an application by —
 - (a) *X*;
 - (b) the applicant for the protection order; or
 - (c) a protector.
- (5) In deciding whether to vary, suspend or revoke a protection order, the court —
 - (a) must disregard any consent to the variation, suspension or revocation purportedly given by *Y* if there is reason to believe that the consent was not voluntarily given; and
 - (b) must consider —
 - (i) whether there has been any change in the circumstances that required the protection order to be made;
 - (ii) if a counselling order was made against *X* under section 60E(2) — any report by the person conducting the counselling or other programme that *X* is required to attend; and
 - (iii) if a mandatory treatment order was made against *X* under section 60F(2) — any report by the appointed psychiatrist.

(6) A person who knowingly contravenes a protection order commits a family violence offence punishable under section 63C.

[Act 21 of 2023 wef 02/01/2025]

Domestic exclusion, stay away and no contact orders

60B.—(1) This section applies if the court makes a protection order to restrain *X* from committing family violence against *Y*.

(2) The court may make one or more of the following orders if the court is satisfied, on a balance of probabilities, that the order or orders are necessary for the protection or personal safety of *Y*:

- (a) a domestic exclusion order excluding *X* from *Y*'s home and granting *Y* the right of exclusive occupation in relation to *Y*'s home;
- (b) a stay away order prohibiting *X* from entering and remaining in an area outside *Y*'s home or any other place frequented by *Y*;
- (c) a no contact order prohibiting *X* from visiting or communicating with *Y*.

(3) An order under subsection (2) may be made —

- (a) on the initiative of the court; or
- (b) on an application by —
 - (i) the applicant for the protection order; or
 - (ii) a protector.

(4) An order under subsection (2) may be made —

- (a) when the court makes the protection order against *X*; or
- (b) at any time while the protection order against *X* has effect.

(5) An order under subsection (2) has effect —

- (a) from the date on which it is made or any later date that may be specified; and
- (b) either indefinitely or for a specified period.

(6) The following supplementary provisions apply in relation to a domestic exclusion order:

- (a) the order may be made in respect of the whole or any part of *Y*'s home;
- (b) the order may be made regardless of who has a title or interest in *Y*'s home;
- (c) except to the extent provided for in the order, the order does not affect any title or interest that the excluded person or any other person might have in *Y*'s home.

(7) An order under subsection (2) may be varied, suspended or revoked by the court —

- (a) on its own initiative; or
- (b) on an application by —
 - (i) *X*;
 - (ii) the applicant for the protection order; or
 - (iii) a protector.

(8) If the protection order against *X* ceases to have effect, an order under subsection (2) also ceases to have effect.

(9) A person who knowingly contravenes an order under subsection (2) commits a family violence offence punishable under section 63C.

[Act 21 of 2023 wef 02/01/2025]

Electronic monitoring orders

60C.—(1) This section applies if the court makes a protection order to restrain *X* from committing family violence against *Y*.

(2) The court may make an electronic monitoring order requiring *X* to comply with one or more prescribed electronic monitoring arrangements if the court is satisfied, on a balance of probabilities, that the order is necessary for the protection or personal safety of *Y*.

(3) If the court makes an electronic monitoring order against *X*, the court may also direct a prescribed person to put in place one or more prescribed electronic monitoring arrangements to secure the electronic monitoring of *X*'s whereabouts.

(4) An electronic monitoring order and directions under subsection (3) may only be made on an application by a protector.

(5) An electronic monitoring order and directions under subsection (3) may be made —

(a) when the court makes the protection order against *X*; or

(b) at any time while the protection order against *X* has effect.

(6) An electronic monitoring order and directions under subsection (3) must be made for a specified period.

(7) An electronic monitoring order and directions under subsection (3) may be varied, suspended or revoked by the court on an application by *X* or a protector.

(8) If the protection order against *X* ceases to have effect, an electronic monitoring order and directions under subsection (3) also cease to have effect.

(9) A person who knowingly contravenes an electronic monitoring order commits a family violence offence punishable under section 63C.

[Act 21 of 2023 wef 02/01/2025]

Removal, care and supervision orders; orders against protected persons

60D.—(1) This section applies if —

(a) the court makes a protection order to restrain *X* from committing family violence against *Y*; and

(b) *Y* has attained 18 years of age and is not a vulnerable adult.

(2) The court may make a removal order requiring a protector to remove *Y* from *Y*'s home or any other place, if the court is satisfied, on a balance of probabilities, that the order is necessary for the protection or personal safety of *Y*.

(3) If the court makes a removal order, the court must also make one or both of the following orders:

(a) a care order committing *Y* to the care of a fit person (being an individual or organisation that a protector thinks is

competent to provide care and protection to *Y*) for a specified period;

- (b) a supervision order placing *Y* under the supervision of a protector, or another person appointed by the court, for a specified period.

(4) If the court makes a removal order, the court may also make one or both of the following orders if the court is satisfied, on a balance of probabilities, that the order or orders are necessary for the protection or personal safety of *Y*:

- (a) an order prohibiting *Y* from returning to *Y*'s home or visiting any other place for a specified period;
- (b) an order prohibiting *Y* from visiting or communicating with *X* for a specified period.

(5) If the court makes a care order, the court may order *Y* to undergo medical or dental treatment at a specified medical or dental facility (as the case may be) that is necessary to enable *Y* to be committed to the care of the fit person.

(6) An order under subsection (2), (3), (4) or (5) may only be made in an application for a removal order.

(7) An application for a removal order may only be made by a protector.

(8) An application for a removal order may be made —

- (a) when the court makes the protection order against *X*; or
- (b) at any time while the protection order against *X* has effect.

(9) In carrying out a removal order —

- (a) a protector may be assisted by one or more support persons; and
- (b) a protector and any support person assisting the protector may use any force they consider necessary to —
 - (i) remove or restrain *Y*; or
 - (ii) prevent any person from obstructing the removal or restraining of *Y*.

(10) An order under subsection (2), (3), (4) or (5) may be varied, suspended or revoked by the court on an application by —

- (a) *Y*;
- (b) the applicant for the protection order; or
- (c) a protector.

(11) If the protection order against *X* ceases to have effect, an order under subsection (2), (3), (4) or (5) also ceases to have effect.

(12) A contravention of an order under subsection (4) or (5) —

- (a) is not an offence or, despite the Administration of Justice (Protection) Act 2016, a contempt of court; but
- (b) must be taken into account by the court in deciding whether to vary, suspend or revoke a care order or a supervision order.

[Act 21 of 2023 wef 02/01/2025]

Counselling orders

60E.—(1) This section applies if the court makes a protection order to restrain *X* from committing family violence against *Y*.

(2) If the court considers that it may help *X* to avoid committing family violence against current or future family members, the court —

- (a) may make a counselling order requiring *X* to attend counselling or other programmes as directed by a protector; and
- (b) may also, as part of the counselling order, direct *Y* and the children of *X* or *Y*, or any of them, to attend counselling or other programmes as directed by a protector.

(3) A counselling order may be made —

- (a) on the initiative of the court; or
- (b) on an application by —
 - (i) the applicant for the protection order; or
 - (ii) a protector.

- (4) A counselling order may be made —
- (a) when the court makes the protection order against *X*; or
 - (b) at any time while the protection order against *X* has effect.
- (5) A counselling order must be made for a specified period but a person must not be subject to one or more counselling orders for longer than 36 months in respect of the same protection order.
- (6) A counselling order may be varied, suspended or revoked by the court —
- (a) on its own initiative; or
 - (b) on an application by —
 - (i) *X*;
 - (ii) the applicant for the protection order; or
 - (iii) a protector.
- (7) If the protection order against *X* ceases to have effect —
- (a) a counselling order does not thereby cease to have effect; but
 - (b) the duration of the counselling order must not be extended.
- (8) A person commits an offence if the person, without reasonable excuse, contravenes a counselling order.
- (9) However, a contravention of a direction under subsection (2)(b) is not an offence or, despite the Administration of Justice (Protection) Act 2016, a contempt of court.
- (10) A person who is guilty of an offence under subsection (8) shall be liable on conviction to a fine not exceeding \$2,000.
- (11) This section does not affect the court's powers under section 139J.

[Act 21 of 2023 wef 02/01/2025]

Mandatory treatment orders

60F.—(1) This section applies if the court makes a protection order to restrain *X* from committing family violence against *Y*.

Power to make mandatory treatment orders

(2) The court may make a mandatory treatment order requiring *X* to undergo psychiatric treatment for a specified period, but *X* must not be subject to one or more mandatory treatment orders for longer than 36 months in respect of the same protection order.

(3) A mandatory treatment order may be made —

(a) on the initiative of the court; or

(b) on an application by —

(i) the applicant for the protection order; or

(ii) a protector.

(4) A mandatory treatment order may be made —

(a) when the court makes the protection order against *X*; or

(b) at any time while the protection order against *X* has effect.

Preliminary grounds

(5) Before making a mandatory treatment order, the court must have reasonable grounds to believe that —

(a) *X* is likely to be suffering from a psychiatric condition; and

(b) the psychiatric condition is likely to be a contributing factor for *X*'s conduct or behaviour that was the basis for making the protection order against *X*.

(6) Before deciding whether reasonable grounds exist for the purpose of subsection (5), the court —

(a) may call for a preliminary assessment report by a specified psychiatrist; and

(b) must consider any matter prescribed by rules made under section 180.

(7) If the court calls for a preliminary assessment report, the court —

- (a) may order *X* to attend before the specified psychiatrist at the times and places required by the specified psychiatrist; and
- (b) must cause a copy of the report to be extended to *X* or *X*'s advocate.

(8) There is no appeal against any decision of the court to call for or not to call for a preliminary assessment report.

Calling for formal assessment report

(9) If the court considers that reasonable grounds exist for the purpose of subsection (5) —

- (a) the court must call for a formal assessment report on *X* by an appointed psychiatrist; and
- (b) subsections (10) to (14) apply to the preparation of the report.

(10) The court may order *X* to —

- (a) reside in a psychiatric institution for observation for one or more periods (each not exceeding 3 weeks) as the court thinks fit; or
- (b) attend before the appointed psychiatrist at a psychiatric institution at the times required by the appointed psychiatrist.

(11) The appointed psychiatrist must assess and report whether —

- (a) *X* is suffering from a psychiatric condition;
- (b) the psychiatric condition is a contributing factor for *X*'s conduct or behaviour that was the basis for making the protection order against *X*;
- (c) the psychiatric condition is susceptible to treatment; and
- (d) *X* is suitable for the treatment.

(12) In assessing whether *X* is a person suitable for treatment for his or her psychiatric condition, the appointed psychiatrist may consider the following factors:

- (a) whether *X* is likely to attend the treatment sessions at the times and places required by the appointed psychiatrist;
 - (b) *X*'s physical and mental state;
 - (c) *X*'s financial standing and ability to pay all or any part of the cost of the treatment that is reasonable for *X* to pay.
- (13) *X* may submit a report by another psychiatrist, engaged by *X*, to the appointed psychiatrist within —
- (a) 3 weeks after the date the court calls for the formal assessment report; or
 - (b) any longer period allowed by the court.
- (14) Before making the formal assessment report, the appointed psychiatrist must consider any report submitted by *X* under subsection (13).
- (15) The court must cause a copy of the formal assessment report to be given to *X* or *X*'s advocate.

Matters to be certified before mandatory treatment order may be made

- (16) A mandatory treatment order may only be made if the formal assessment report certifies all the following matters:
- (a) *X* is suffering from a psychiatric condition;
 - (b) the psychiatric condition is a contributing factor for *X*'s conduct or behaviour that was the basis for making the protection order against *X*;
 - (c) the psychiatric condition is susceptible to treatment;
 - (d) *X* is suitable for the treatment.
- (17) A mandatory treatment order must not be made if the formal assessment report certifies that the appointed psychiatrist is not satisfied as to any of the matters specified in subsection (16).
- (18) The formal assessment report is to be taken to be final and conclusive as to the matters specified in subsection (16).

Contents of mandatory treatment order

(19) A mandatory treatment order may require *X* to reside in —

(a) a psychiatric institution; or

(b) a prescribed place that provides psychiatric treatment,

during the whole or a specified part of the period during which *X* is required by the order to undergo psychiatric treatment.

(20) However, the requirement in subsection (19) may be imposed only if it is recommended by the appointed psychiatrist.

(21) A mandatory treatment order may include conditions specified by the court.

Explanation of mandatory treatment order

(22) Before making a mandatory treatment order, the court must explain to *X* in ordinary language —

(a) the purpose and effect of the order, and in particular the obligations of *X* as specified in subsection (23);

(b) the consequences that may follow if *X* fails to comply with any of those obligations, or any conditions or requirements of the order; and

(c) that the court has the power, under subsection (24), to vary or revoke the order on an application by the appointed psychiatrist.

Obligations of person under mandatory treatment order

(23) If the court makes a mandatory treatment order, *X* must, while the order is in force —

(a) attend the treatment sessions at the times and places required by the appointed psychiatrist;

(b) comply with all other conditions in connection with *X*'s treatment as the appointed psychiatrist may require; and

(c) comply with all other conditions or requirements of the order.

Variation and revocation of mandatory treatment order

(24) A mandatory treatment order may be varied or revoked by the court on an application by the appointed psychiatrist.

(25) A variation of a mandatory treatment order may include —

(a) reducing or extending the period that *X* has to undergo psychiatric treatment; and

(b) varying the conditions or requirements of the order.

(26) However, the period for which *X* has to undergo psychiatric treatment under a mandatory treatment order must not be extended beyond 36 months after the date the order is first in force.

(27) An application to vary or revoke a mandatory treatment order must be accompanied by the appointed psychiatrist's report on —

(a) the extent to which *X* has complied with the order; and

(b) any progress *X* has made in the treatment.

(28) In deciding whether to vary or revoke a mandatory treatment order, the court must consider —

(a) the report by the appointed psychiatrist; and

(b) any change of circumstances after the order was made.

If protection order ceases to have effect

(29) If the protection order against *X* ceases to have effect —

(a) a mandatory treatment order does not thereby cease to have effect; but

(b) the duration of the mandatory treatment order must not be extended.

Offence

(30) A person commits an offence if the person, without reasonable excuse, contravenes —

(a) a mandatory treatment order; or

(b) an order under subsection (7)(a) or (10).

(31) A person who is guilty of an offence under subsection (30) shall be liable on conviction to a fine not exceeding \$2,000.

Regulations

(32) The Minister charged with the responsibility for health may make regulations in relation to the treatment of a person subject to a mandatory treatment order.

(33) However, for the purposes of subsection (19)(b), a prescribed place is to be prescribed by rules made under section 180.

Definitions, etc.

(34) In this section —

“appointed psychiatrist” means a psychiatrist appointed by the Director-General of Health for the purposes of this section;

“specified psychiatrist” means a psychiatrist, or a registered medical practitioner in post-graduate psychiatry training, specified by the court calling for a preliminary assessment report under subsection (6)(a).

(35) To avoid doubt, this section does not apply to any criminal proceedings or affect the application of section 339 of the Criminal Procedure Code 2010 in criminal proceedings.

[Act 21 of 2023 wef 02/01/2025]

Division 4 — Expedited orders against family violence, etc.

[Act 21 of 2023 wef 02/01/2025]

Court may make expedited orders in pending applications for protection orders

61.—(1) This section applies if there is a pending application for a protection order to restrain *X* from committing family violence against *Y*.

(2) The court may make an expedited order to restrain *X* from committing family violence against *Y* if the court is satisfied, on a balance of probabilities, that there is a danger of *X* committing family violence against *Y* while the protection order application is pending.

- (3) An expedited order may also require *X* not to incite or assist any other person to commit family violence against *Y*.
- (4) An expedited order may be made —
- (a) on the initiative of the court; or
 - (b) on an application by —
 - (i) the applicant for the protection order; or
 - (ii) a protector.
- (5) An expedited order may be made even if —
- (a) the protection order application has not been served on *X*;
 - (b) the protection order application has not been served on *X* within a reasonable time before the hearing of the application; or
 - (c) *X* has been served with the protection order application, but fails to appear at the hearing of the application.
- (6) An expedited order has effect from —
- (a) the date on which the expedited order is served on *X* in the prescribed manner; or
 - (b) any later date specified in the expedited order.
- (7) An expedited order may be varied, suspended or revoked by the court —
- (a) on its own initiative; or
 - (b) on an application by —
 - (i) *X*;
 - (ii) the applicant for the protection order; or
 - (iii) a protector.
- (8) Unless it is earlier revoked, an expedited order has effect for 28 days (including the day on which it is served).
- (9) Despite subsection (8), the court may extend the duration of an expedited order.

(10) The revocation or expiry of an expedited order does not prevent the court from making fresh expedited orders.

(11) A person who knowingly contravenes an expedited order commits a family violence offence punishable under section 63C.

[Act 21 of 2023 wef 02/01/2025]

Domestic exclusion, stay away and no contact orders

61A.—(1) This section applies if, in an application for a protection order, the court makes an expedited order to restrain *X* from committing family violence against *Y*.

(2) The court may make one or more of the following orders if the court is satisfied, on a balance of probabilities, that the order or orders are necessary for the protection or personal safety of *Y*:

- (a) a domestic exclusion order excluding *X* from *Y*'s home and granting *Y* the right of exclusive occupation in relation to *Y*'s home;
- (b) a stay away order prohibiting *X* from entering and remaining in an area outside *Y*'s home or any other place frequented by *Y*;
- (c) a no contact order prohibiting *X* from visiting or communicating with *Y*.

(3) An order under subsection (2) may be made —

- (a) on the initiative of the court; or
- (b) on an application by —
 - (i) the applicant for the protection order; or
 - (ii) a protector.

(4) An order under subsection (2) may be made —

- (a) when the court makes the expedited order against *X*; or
- (b) at any time while the expedited order against *X* has effect.

(5) An order under subsection (2) may be made even if —

- (a) the protection order application has not been served on *X*;

- (b) the protection order application has not been served on *X* within a reasonable time before the hearing of the application; or
 - (c) *X* has been served with the protection order application, but fails to appear at the hearing of the application.
- (6) An order under subsection (2) has effect from —
 - (a) the date on which the order is served on *X* in the prescribed manner; or
 - (b) any later date specified in the order.
- (7) The following supplementary provisions apply in relation to a domestic exclusion order:
 - (a) the order may be made in respect of the whole or any part of *Y*'s home;
 - (b) the order may be made regardless of who has a title or interest in *Y*'s home;
 - (c) except to the extent provided for in the order, the order does not affect any title or interest that the excluded person or any other person might have in *Y*'s home.
- (8) An order under subsection (2) may be varied, suspended or revoked by the court —
 - (a) on its own initiative; or
 - (b) on an application by —
 - (i) *X*;
 - (ii) the applicant for the protection order; or
 - (iii) a protector.
- (9) If the expedited order against *X* ceases to have effect, an order under subsection (2) also ceases to have effect.
- (10) A person who knowingly contravenes an order under subsection (2) commits a family violence offence punishable under section 63C.

[Act 21 of 2023 wef 02/01/2025]

*Division 5 — Emergency orders against family violence, etc.**[Act 21 of 2023 wef 02/01/2025]***Protectors may make emergency orders**

62.—(1) A protector may make an emergency order to restrain *X* from committing family violence against *Y* if the protector is satisfied that —

- (a) there is a danger that *X* will commit family violence against *Y* in the next 14 days; and
- (b) the emergency order is necessary for the protection or personal safety of *Y*, having regard to —
 - (i) the time needed to obtain a protection order or expedited order; and
 - (ii) all other relevant circumstances.

(2) An emergency order may also require *X* not to incite or assist any other person to commit family violence against *Y*.

(3) An emergency order must be in the prescribed form.

(4) A person who knowingly contravenes an emergency order commits a family violence offence punishable under section 63C.

*[Act 21 of 2023 wef 02/01/2025]***Emergency orders may include domestic exclusion, stay away and no contact orders**

62A.—(1) An emergency order that restrains *X* from committing family violence against *Y* may also include one or more of the following orders if the protector considers it necessary for the protection or personal safety of *Y*:

- (a) a domestic exclusion order excluding *X* from *Y*'s home;
- (b) a stay away order prohibiting *X* from entering and remaining in an area outside *Y*'s home or any other place frequented by *Y*;
- (c) a no contact order prohibiting *X* from visiting or communicating with *Y*.

(2) The following supplementary provisions apply in relation to a domestic exclusion order:

- (a) the order may be made in respect of the whole or any part of *Y*'s home;
- (b) the order may be made regardless of who has a title or interest in *Y*'s home;
- (c) except to the extent provided for in the order, the order does not affect any title or interest that the excluded person or any other person might have in *Y*'s home.

(3) To avoid doubt —

- (a) the orders in subsection (1) have effect as part of the emergency order against *X*; and
- (b) a contravention of any of those orders is a contravention of the emergency order against *X*.

[Act 21 of 2023 wef 02/01/2025]

Service and duration of emergency orders

62B.—(1) This section applies if an emergency order is made against *X* to restrain *X* from committing family violence against *Y*.

(2) The emergency order takes effect when it is served on *X*.

(3) The emergency order may only be served in one of the following ways:

- (a) by serving the emergency order on *X* personally;
- (b) by affixing the emergency order in the prescribed manner at *X*'s home.

(4) The person serving the emergency order must explain to *X* —

- (a) what the emergency order requires of *X*; and
- (b) the consequences of contravening the emergency order.

(5) However, failure to comply with subsection (4) does not invalidate the service of the emergency order.

(6) Subject to subsection (7), the emergency order has effect for 14 days (including the day on which it is served).

- (7) The emergency order ceases to have effect if —
- (a) the court makes a protection order or expedited order restraining *X* from committing family violence against *Y*;
or
 - (b) a protector cancels the emergency order by written notice to *X*.
- (8) Subject to section 62C, the expiry or cancellation of the emergency order does not prevent any protector from issuing a fresh emergency order.

[Act 21 of 2023 wef 02/01/2025]

Restrictions on power to make emergency orders

62C.—(1) A protector must not make an emergency order to restrain *X* from committing family violence against *Y* if, within the last 3 months, 4 emergency orders have been made to restrain *X* from committing family violence against *Y*.

(2) An emergency order must not require a person to do or not do anything that would cause him or her to contravene any order of the court under Division 3 or 4.

(3) An emergency order is void to the extent that it does not comply with this section.

[Act 21 of 2023 wef 02/01/2025]

Division 6 — Supplementary provisions for Divisions 3, 4 and 5

[Act 21 of 2023 wef 02/01/2025]

Litigation representative not needed for persons 18 years of age and above

63. If a person has attained 18 years of age and is not under any legal disability apart from his or her age, the person does not need a litigation representative for the purposes of any proceedings under Division 3 or 4.

[Act 21 of 2023 wef 02/01/2025]

Orders by court and protectors may be subject to conditions, etc.

63A.—(1) This section applies in relation to —

- (a) an order by the court under Division 3 or 4; and
- (b) an order by a protector under Division 5.

(2) An order —

- (a) may be made subject to specified conditions and exceptions; and
- (b) may include specified directions necessary for carrying out the order.

(3) Any condition, exception or direction specified under subsection (2) has effect as part of the order.

[Act 21 of 2023 wef 02/01/2025]

Restriction on publishing identifying information about protected persons

63B.—(1) In this section, “identifying information”, in relation to a person, means any information or image that identifies, or is likely to identify, the person as being or having been protected by a protection order, expedited order or emergency order.

(2) Identifying information in relation to a person must not be published or broadcast unless —

- (a) the person —
 - (i) has attained 18 years of age;
 - (ii) does not lack mental capacity; and
 - (iii) has consented to the publication or broadcast; and
- (b) subject to subsection (3), the Director-General approves the publication or broadcast.

(3) The Minister may prescribe one or more classes of cases in which the Director-General's approval is not required.

Offence

(4) If any identifying information is published or broadcast in contravention of subsection (2) —

- (a) in the case of the publication of the identifying information as part of a newspaper or periodical publication — each proprietor, editor, publisher and distributor of the newspaper or periodical publication;
- (b) in the case of the publication of the identifying information otherwise than as part of a newspaper or periodical publication — the person who publishes or distributes the identifying information; or
- (c) in the case of the broadcast of the identifying information — each person who transmits or provides the programme in which the identifying information is broadcast, and each person having functions in relation to the programme corresponding to those of the editor of a newspaper or periodical publication,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000.

(5) In proceedings for an offence under subsection (4), the court may, whether or not there is a conviction for the offence, order a person to remove the publication, or cease the broadcast, of any identifying information that is in contravention of subsection (2).

Application to remove contravening publication or broadcast

(6) The court may, on an application, order a person to remove a publication, or cease a broadcast, that contravenes subsection (2).

(7) An application under subsection (6) may be made by —

- (a) a protector; or
- (b) the person whose identifying information was published or broadcast.

- (8) The court may make an order under subsection (6) even if —
- (a) the application is not served on the person against whom the order is sought (called in this section the respondent) or is not served on the respondent within a reasonable time before the hearing of the application; or
 - (b) where the application has been served on the respondent — the respondent does not appear at the hearing of the application,

so long as the court is satisfied, on a balance of probabilities, that the order is necessary for the protection or personal safety of the person whose identifying information was published or broadcast.

Definitions

- (9) In this section —

“broadcast” means sounds or visual images or both —

- (a) broadcast by wireless telegraphy, or by means of a high frequency distribution system over wire or other paths provided by a material substance, and intended for general reception;
- (b) broadcast through the Internet or any website, web service or Internet application, whether or not intended for general reception; or
- (c) broadcast through any messaging system;

“court”, in subsection (5), means a court of competent jurisdiction;

“publish”, in relation to any information or picture, means to bring the information or picture to the notice of the public or a section of the public by any means, including (to avoid doubt) through —

- (a) the Internet or any website, web service or Internet application; or
- (b) any messaging system.

[Act 21 of 2023 wef 02/01/2025]

Punishment for family violence offences

63C.—(1) A person who is guilty of a family violence offence shall be liable on conviction —

- (a) if the offence is aggravated — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 18 months or to both; and
- (b) in all other cases — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) For the purposes of subsection (1), a family violence offence is aggravated if —

- (a) the offence involves the contravention of an order that protects a vulnerable adult; and
- (b) the offender has been convicted of another family violence offence that involves the contravention of the same order or another order that also protects a vulnerable adult.

[Act 21 of 2023 wef 02/01/2025]

Family violence offences to be arrestable

63D. A family violence offence is arrestable for the purposes of the Criminal Procedure Code 2010.

[Act 21 of 2023 wef 02/01/2025]

Division 7 — Powers of enforcement officers

[Act 21 of 2023 wef 02/01/2025]

Purpose for which powers are exercisable

64. An enforcement officer may exercise the powers in this Division to detect and investigate any offence under this Part.

[Act 21 of 2023 wef 02/01/2025]

Power to enter premises and make records, etc.

64A.—(1) If an enforcement officer reasonably believes that evidence of an offence under this Part could be found in any premises, the enforcement officer may do one or both of the following:

- (a) at any time of the day or night and without notice, enter, inspect and search the premises;
 - (b) photograph or film, or make a record or sketches of, any part of the premises or any person or thing at the premises.
- (2) To gain entry into the premises, the enforcement officer may —
- (a) break open any door, window, lock, fastener or any other thing; and
 - (b) use any other reasonable means.
- (3) However, the means referred to in subsection (2) may be used only if the enforcement officer —
- (a) has stated his or her authority and demanded entry; but
 - (b) is not given and is unable to obtain entry.

[Act 21 of 2023 wef 02/01/2025]

Power to inspect, seize, preserve and require production of evidence

64B.—(1) If an enforcement officer reasonably believes that a document or thing could be evidence of an offence under this Part, the enforcement officer may do one or more of the following:

- (a) inspect and make copies of, or take extracts from, the document or thing, even if the person who is in possession or control of the document or thing has not given prior consent;
- (b) seize the document or thing;
- (c) issue a written notice requiring a person whom the enforcement officer reasonably believes to be in possession or control of the document or thing —
 - (i) to produce without charge, that document or thing at the time and place stated in the notice; or
 - (ii) to give the enforcement officer, without charge, access to that document or thing;
- (d) take any step that appears to be necessary to preserve or prevent interference with the document or thing.

(2) Without limiting subsection (1), if an enforcement officer reasonably believes that any information in electronic form could be evidence of an offence under this Part, the enforcement officer may —

- (a) access any equipment (including a computer or mobile telephone) in which the information is stored or from which the information may be accessed;
- (b) issue a written notice requiring a person having charge of, or otherwise concerned with the operation of, the equipment to help in gaining access to the equipment (whether by disclosing any password or access code or by any other means);
- (c) copy or extract the information (for example by transferring the information to a disc, tape or other storage device); and
- (d) if it is not possible to copy or extract the information, seize the equipment.

(3) If a person refuses to comply with a written notice under subsection (1)(c) or (2)(b), the enforcement officer may report the matter to a Magistrate who may then issue a warrant ordering the person to comply.

[Act 21 of 2023 wef 02/01/2025]

Power to require attendance of witnesses

64C.—(1) An enforcement officer may issue a written notice requiring a person within the limits of Singapore, who appears to be acquainted with any of the facts or circumstances of an offence under this Part, to attend before the enforcement officer at the time and place stated in the notice.

(2) If the person fails to attend as required, the enforcement officer may report the matter to a Magistrate who may then issue a warrant ordering the person to attend.

[Act 21 of 2023 wef 02/01/2025]

Power to examine witnesses

64D.—(1) An enforcement officer may require a person whom the officer reasonably believes to be acquainted with any of the facts or circumstances of an offence under this Part, to answer any question to the best of the person's knowledge, information and belief, immediately or at a time and place specified in writing.

(2) The person must state truly what the person knows of those facts and circumstances, except that the person need not say anything that might expose the person to a criminal charge, penalty or forfeiture.

(3) The statement of the person must be —

- (a) reduced to writing;
- (b) read over to the person;
- (c) if the person does not understand English, interpreted in a language that the person understands; and
- (d) signed by the person after any necessary correction.

[Act 21 of 2023 wef 02/01/2025]

Power to arrest without warrant

64E.—(1) An enforcement officer may arrest, without warrant, a person whom the enforcement officer reasonably believes is committing or has committed a family violence offence.

(2) If the enforcement officer reasonably believes that the person is inside a place, the enforcement officer may enter the place to arrest the person.

(3) In arresting the person, the enforcement officer —

- (a) must touch or confine the body of the person unless the person submits to arrest by word or action;
- (b) may, if the person forcibly resists or tries to evade arrest, use all reasonable means to make the arrest;
- (c) may use handcuffs or any other similar means of restraint on the person to prevent the person from —
 - (i) inflicting bodily injury to himself or herself, or others;

- (ii) damaging any property;
 - (iii) creating any disturbance; or
 - (iv) escaping from custody; and
- (d) must not restrain the person more than is necessary.
- (4) After the person is arrested —
 - (a) the person must as soon as reasonably practicable be brought to a police station;
 - (b) the person may, if required by a police officer or an enforcement officer, be released on bail or on the person's own bond (with or without surety) to appear before a Magistrate;
 - (c) subject to paragraph (d), the person must not be detained for a longer period than is reasonable under all the circumstances of the case; and
 - (d) the person must, unless earlier released, be brought before a Magistrate's Court within 48 hours of the arrest (excluding the time needed for the journey to the Magistrate's Court).
- (5) A person who appears or is brought before a Magistrate's Court under subsection (4) may —
 - (a) be ordered to be detained in custody until he or she can be tried; or
 - (b) if required by the Magistrate, be released on bail, or on the person's own bond (with or without surety), to appear before a Magistrate's Court.

[Act 21 of 2023 wef 02/01/2025]

Power to search arrested person; power to seize offensive weapons

64F.—(1) An enforcement officer may exercise the powers under the following provisions of the Criminal Procedure Code 2010 against a person arrested under section 64E as if the officer were a police officer:

- (a) section 78(1) (power to search arrested person, etc.);
 - (b) section 79 (power to seize offensive weapons from arrested person).
- (2) A search of a woman under subsection (1) must comply with section 83 of the Criminal Procedure Code 2010 (mode of searching women).

[Act 21 of 2023 wef 02/01/2025]

Disposal of seized documents or thing

64G.—(1) A document or thing taken into possession or seized under this Part must —

- (a) if the document or thing is produced in any criminal trial, be dealt with in accordance with section 364 of the Criminal Procedure Code 2010 (order for disposal of property by court); or
 - (b) in any other case, be returned to the owner or reported to a Magistrate.
- (2) A Magistrate is to deal with a document or thing reported under subsection (1)(b) in accordance with section 370 of the Criminal Procedure Code 2010 as if the report was made by a law enforcement officer under that section.
- (3) This section does not affect any right to retain or dispose of any property that may exist in law apart from this section.

[Act 21 of 2023 wef 02/01/2025]

Division 8 — Administration

[Act 21 of 2023 wef 02/01/2025]

Administration of this Part

65.—(1) The Director-General is, subject to the general or special directions of the Minister, responsible for the administration of this Part.

(2) The Director-General may —

- (a) appoint any person with suitable qualifications and experience as a protector under this Part; or

(b) authorise any person with suitable qualifications and experience to exercise one or more specified functions of a protector under this Part, subject to any conditions or limitations specified by the Director-General.

(3) A person authorised under subsection (2)(b) is to be called an approved welfare officer.

(4) The Director-General may —

(a) appoint any public officer with suitable qualifications and experience as an enforcement officer under this Part; or

(b) authorise any public officer with suitable qualifications and experience to exercise one or more specified functions of an enforcement officer under this Part, subject to any conditions or limitations specified by the Director-General.

(5) The Director-General may exercise the functions of a protector or an enforcement officer under this Part.

(6) The Director-General may give general or specific directions to a person appointed or authorised under subsection (2) or (4) on the exercise of the person's functions under this Part.

(7) The Minister may prescribe one or more classes of persons to be support persons for the purposes of this Part.

(8) The Director-General may appoint any person with suitable qualifications and experience to be a support person for the purposes of this Part.

(9) The following persons are taken to be public servants within the meaning of the Penal Code 1871 when exercising their functions under this Part:

(a) the Director-General;

(b) a person appointed or authorised under subsection (2) or (4).

[Act 21 of 2023 wef 02/01/2025]

Provisions relating to enforcement officers

65A.—(1) The Director-General must issue to each enforcement officer an identification card.

(2) When a person ceases to be an enforcement officer, he or she must return to the Director-General the identification card issued to him or her under subsection (1).

(3) If asked to do so, an enforcement officer must produce his or her identification card for inspection before exercising a function under this Part.

(4) An enforcement officer may carry or have in his or her possession or under his or her control any truncheon, handcuffs or other similar means of restraint for the purposes of exercising his or her functions under this Part.

(5) To avoid doubt, this section applies to and in relation to a person authorised to exercise the functions of an enforcement officer under section 65(4)(b).

[Act 21 of 2023 wef 02/01/2025]

Power to record, etc.

65B.—(1) A relevant person may take photographs, or make an audio or video recording of any person, place or thing if the relevant person reasonably believes that the taking of the photographs or the making of the recording is relevant to and necessary for the exercise of the relevant person's functions under this Part.

(2) In this section, "relevant person" means the Director-General, a protector or an enforcement officer.

[Act 21 of 2023 wef 02/01/2025]

Offence of obstructing Director-General, etc.

65C.—(1) A person commits an offence if the person refuses to give access to, or obstructs, hinders or delays, any of the following persons in the discharge of their duties or the exercise of their powers under this Part:

(a) the Director-General;

(b) a person appointed or authorised under section 65(2) or (4);

(c) a support person.

(2) A person who is guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

[Act 21 of 2023 wef 02/01/2025]

Division 9 — Transitional provisions

[Act 21 of 2023 wef 02/01/2025]

Saving and transitional provisions

66.—(1) The Minister may, by rules made under section 180, prescribe provisions of a saving or transitional nature consequent on the replacement of the former Part 7 with this Part.

(2) Without limiting subsection (1), rules made for the purpose of that subsection may —

- (a) provide that a pending application is deemed, from the appointed date, to be an application for an order under this Part;
- (b) provide that an order made on or after the appointed date in a pending application is deemed to be an order made under this Part;
- (c) provide that an existing order is deemed, from the appointed date, to be an order made under this Part;
- (d) modify how this Part applies to an existing order or a pending application; or
- (e) prescribe the persons who may apply to vary, suspend or revoke an existing order.

(3) Family Justice Rules may provide for the substitution of an applicant for the variation, suspension or revocation of an existing order.

(4) In this section —

“appointed date” means the date of commencement of section 2 of the Women’s Charter (Family Violence and Other Matters) (Amendment) Act 2023;

“existing order” means an order under the former Part 7 that is in effect immediately before the appointed date;

“former Part 7” means Part 7 of this Act in force immediately before the appointed date;

“pending application” means an application under the former Part 7 that is pending immediately before the appointed date.

[Act 21 of 2023 wef 02/01/2025]

67. *[Repealed by Act 21 of 2023 wef 02/01/2025]*

PART 8

MAINTENANCE OF WIFE, INCAPACITATED HUSBAND AND CHILDREN

[7/2016]

Duty of parents to maintain children

68. Except where an agreement or order of court otherwise provides, it shall be the duty of a parent to maintain or contribute to the maintenance of his or her children, whether they are in his or her custody or the custody of any other person, and whether they are legitimate or illegitimate, either by providing them with such accommodation, clothing, food and education as may be reasonable having regard to his or her means and station in life or by paying the cost thereof.

Court may order maintenance of wife, incapacitated husband and children

69.—(1) The court may, on the application of a wife, and on due proof that her husband has neglected or refused to provide reasonable maintenance for her, order the husband to pay monthly sums or a lump sum for the maintenance of that wife.

[7/2016]

[Act 18 of 2023 wef 31/01/2024]

(1A) The court may, on the application of an incapacitated husband, and on due proof that his wife has neglected or refused to provide

reasonable maintenance for him, order the wife to pay monthly sums or a lump sum for the maintenance of that husband.

[7/2016]

[Act 18 of 2023 wef 31/01/2024]

(1B) The court may make an order under subsection (1) or (1A) regardless when the marriage was solemnised, whether before, on or after 1 July 2016.

[7/2016]

(2) The court may, on due proof that a parent has neglected or refused to provide reasonable maintenance for his or her child who is unable to maintain himself or herself, order that parent to pay monthly sums or a lump sum for the maintenance of that child.

[27/2014]

[Act 18 of 2023 wef 31/01/2024]

(3) An application for the maintenance of a child under subsection (2) may be made by —

- (a) any person who is a guardian or has the actual custody of the child;
- (b) where the child has attained 21 years of age, by the child himself or herself;
- (c) where the child is below 21 years of age, any of his or her siblings who has attained 21 years of age; or
- (d) any person appointed by the Minister.

(4) The court, when ordering maintenance for a wife, an incapacitated husband or a child under this section, is to have regard to all the circumstances of the case including the following matters:

- (a) the financial needs of the wife, incapacitated husband or child;
- (b) the income, earning capacity (if any), property and other financial resources of the wife, incapacitated husband or child;
- (c) any physical or mental disability of the wife, incapacitated husband or child;

- (d) the age of each party to the marriage and the duration of the marriage;
- (e) the contributions made by each of the parties to the marriage to the welfare of the family, including any contribution made by looking after the home or caring for the family;
- (f) the standard of living enjoyed —
 - (i) by the wife before her husband neglected or refused to provide reasonable maintenance for her;
 - (ii) by the incapacitated husband before his wife neglected or refused to provide reasonable maintenance for him; or
 - (iii) by the child before a parent neglected or refused to provide reasonable maintenance for the child;
- (g) in the case of a child, the manner in which the child was being, and in which the parties to the marriage expected the child to be, educated or trained; and
- (h) the conduct of each of the parties to the marriage, if the conduct is such that it would in the opinion of the court be inequitable to disregard it.

[7/2016]

(5) The court shall not make an order under subsection (2) for the benefit of a child who has attained 21 years of age or for a period that extends beyond the day on which the child will attain that age unless the court is satisfied that the provision of the maintenance is necessary because —

- (a) of a mental or physical disability of the child;
- (b) the child is or will be serving full-time national service;
- (c) the child is or will be or (if an order were made under subsection (2)) would be receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not while in gainful employment; or

(d) special circumstances, other than those stated in paragraphs (a), (b) and (c), exist which justify the making of the order.

(6) An order under subsection (2) ceases to be in force on the day on which the child attains 21 years of age unless the order is expressed to continue in force for a period ending after that day.

(7) An order under subsection (2) may direct payment to the person having custody or care and control of the child or the trustees of the child.

(8) When ordering the payment of maintenance under this section or at any time after the making of the order, the court may, if it considers just, order the person liable to pay the maintenance to secure the whole or any part of it by vesting any property belonging to the person in trustees upon trust to pay the maintenance or any part of it out of the income from the property, and subject thereto, in trust for the settlor.

(9) *[Deleted by Act 18 of 2023 wef 16/01/2025]*

Duty to maintain child accepted as member of family

70.—(1) Where a person has accepted a child who is not his or her child as a member of the person's family, it shall be the person's duty to maintain that child while he or she remains a child, so far as the father or the mother of the child fails to do so, and the court may make such orders as may be necessary to ensure the welfare of the child, which may include an order that the person pay a monthly sum or lump sum for the maintenance of the child.

[Act 18 of 2023 wef 16/01/2025]

(2) The duty imposed by subsection (1) ceases if the child is taken away by his or her father or mother.

(3) The court, when making any order under subsection (1) that the person pay a monthly sum or lump sum for the maintenance of the child, is to have regard to all the circumstances of the case, including the matters in section 69(4) where appropriate and with the necessary modifications.

[Act 18 of 2023 wef 16/01/2025]

(4) An application for an order under subsection (1) may be made by —

- (a) any person who is a guardian or has the actual custody of the child;
- (b) where the child has attained 21 years of age, the child himself or herself;
- (c) where the child is below 21 years of age, any of his or her siblings who has attained 21 years of age; or
- (d) any person appointed by the Minister.

(5) Subsections (5) to (8) of section 69 apply, with the necessary modifications, to the making of an order under this section.

[Act 18 of 2023 wef 16/01/2025]

Recovery of sums expended to maintain child accepted as member of family

70A.—(1) The court may, on an application by a person maintaining a child by virtue of his or her duty under section 70(1), order the father or mother of the child, or both, to pay to that person an amount specified by the court, being the sum or part of the sum expended by the person in the maintenance of that child.

(2) The court, when making an order under subsection (1), is to have regard to all the circumstances of the case, including the matters in section 69(4) where appropriate and with the necessary modifications.

(3) No sum expended by a person in the maintenance of a child is recoverable in any application under subsection (1) if the sum was expended more than 3 years before the making of the application unless the court, under special circumstances, otherwise allows.

(4) Any sums ordered to be paid by the court under subsection (1) are recoverable as a debt in accordance with the Family Justice Rules.

[Act 18 of 2023 wef 16/01/2025]

Court's power to make attachment of earnings order for maintenance under section 69 or 70, etc.

71.—(1) A court may, when making a maintenance order under section 69 or 70 or at any time thereafter, if the court considers just, make an attachment of earnings order under this section to secure payment of any maintenance that will become payable under the maintenance order.

(2) A Family Court may make an attachment of earnings order under this section to secure payments payable under a maintenance order made under section 69 or 70 by the General Division of the High Court.

(3) No application for an attachment of earnings order under subsection (1) or (2) in respect of a maintenance order, and no application to vary or discharge such an attachment of earnings order, may be made if proceedings under Part 9 for the enforcement of the same maintenance order are pending.

(4) Sections 91C to 91K apply, with the necessary modifications, to an attachment of earnings order under subsection (1) or (2).

(5) In this section, “attachment of earnings order” has the meaning given by section 76(1).

[Act 18 of 2023 wef 16/01/2025]

71A. *[Repealed by Act 18 of 2023 wef 16/01/2025]*

71B. *[Repealed by Act 18 of 2023 wef 16/01/2025]*

71C. *[Repealed by Act 18 of 2023 wef 16/01/2025]*

Rescission and variation of order

72.—(1) On the application of any person receiving or ordered to pay monthly sums under this Part and on proof of a change in the circumstances of that person, or that person's wife, incapacitated husband or child, or for other good cause being shown to the satisfaction of the court, the court by which the order was made may rescind the order or may vary it as it thinks fit.

[7/2016]

[Act 18 of 2023 wef 31/01/2024]

(2) Without affecting the extent of the discretion conferred upon the court by subsection (1), the court may, in considering any application made under this section, take into consideration any change in the general cost of living which may have occurred between the date of the making of the order sought to be varied and the date of the hearing of the application.

Power of court to vary agreement for maintenance of child

73. The court may, at any time and from time to time, vary the terms of any agreement relating to the maintenance of a child, whether made before or after 1 June 1981, despite any provision to the contrary in that agreement, where it is satisfied that it is reasonable and for the welfare of the child to do so.

74. *[Repealed by Act 18 of 2023 wef 16/01/2025]*

Application of Act to orders made under repealed Minor Offences Ordinance, etc.

75.—(1) All orders made under section 37 of the repealed Minor Offences Ordinance (Cap. 24, 1936 Revised Edition) or under section 2 of the repealed Married Women and Children (Maintenance) Ordinance (Cap. 44, 1955 Revised Edition) and in force on 15 September 1961 are deemed to have been made under this Part by a court, and the provisions of this Part and Parts 9 and 9A apply to the same accordingly.

[27/2014]

[Act 18 of 2023 wef 16/01/2025]

(2) Upon an application to vary any order made under section 37 of the repealed Minor Offences Ordinance (Cap. 24, 1936 Revised Edition) or under section 2 of the repealed Married Women and Children (Maintenance) Ordinance (Cap. 44, 1955 Revised Edition), the court may make under section 72 any order which it could have made upon an application under section 69 or under section 2 of the repealed Married Women and Children (Maintenance) Ordinance (Cap. 44, 1955 Revised Edition).

PART 9

ENFORCEMENT OF MAINTENANCE ORDERS

*Division 1 — Preliminary***Interpretation of this Part**

76.—(1) In this Part —

“applicant” means a person who makes a maintenance enforcement application;

“appointed day” means the date of commencement of section 24 of the Family Justice Reform Act 2023;

“attachment of earnings order” means an order by a court requiring the person to whom the order in question is directed (being a person appearing to the court to be a respondent’s employer) to make payments in satisfaction of the order out of the earnings falling to be paid to the respondent;

“conciliation session” means a session under section 88;

“consent order” means an order under section 81(1)(d);

“earnings”, in relation to a respondent, means any sums payable to the respondent —

(a) by way of wages or salary, including any fees, bonus, commission, overtime pay or other emoluments payable in addition to wages or salary by the person paying the wages or salary or payable under a contract of service; or

(b) by way of pension, including an annuity in respect of past services, whether or not the services were rendered to the person paying the annuity, and including periodical payments by way of compensation for the loss, abolition or relinquishment, or any diminution in the emoluments, of any office or employment;

“employer” means a person by whom, as a principal and not as an employee or agent, earnings fall to be paid to a respondent,

and references to payment of earnings are to be construed accordingly;

“maintenance arrears” means payments due and payable under a maintenance order, whether secured or unsecured;

“maintenance enforcement application” means an application under section 80;

“maintenance enforcement officer” or “MEO” means an individual appointed under section 77(1), and includes the chief maintenance enforcement officer or “Chief MEO”;

“maintenance enforcement order” means an order mentioned in section 91B(1);

“maintenance enforcement proceedings” means the proceedings in court arising from any application under this Part, including any appeal against any decision made by the court on the application;

“maintenance order” means any of the following orders, whether made before, on or after the appointed day:

- (a) an order for the payment of monthly sums or a lump sum for the maintenance of a wife, an incapacitated husband or a child, made or deemed to be made by a court under Part 8;
- (b) an order for the payment of monthly or periodical sums or a lump sum by way of maintenance or alimony to a wife or former wife or an incapacitated husband or incapacitated former husband, or by way of maintenance for the benefit of any child, under Part 10;
- (c) an order for maintenance made by the Syariah Court under the Administration of Muslim Law Act 1966;
- (d) an order for the payment of money in respect of the maintenance of an infant made under the Guardianship of Infants Act 1934;
- (e) an order for maintenance made under the Maintenance of Parents Act 1995;

(f) a maintenance order, as defined in section 2 of the Maintenance Orders (Reciprocal Enforcement) Act 1975, which is registered or confirmed by the court under that Act;

“MEO’s report” means any report prepared for the purposes of section 89(1), (2) or (3);

“payable maintenance” means any amount that has not fallen due but will become due and payable by a respondent, under a maintenance order, by such date or dates as the court may specify in a show-payment order;

“referred application” means a maintenance enforcement application referred by the court to an MEO under section 84(1);

“regulations” means regulations made under section 91A;

“related attachment of earnings order”, in relation to a maintenance order, means an attachment of earnings order made for the purpose of securing payment of any part of the maintenance payable under the maintenance order, and a “related maintenance order” in relation to an attachment of earnings order is to be construed accordingly;

“respondent”, in relation to a maintenance order or a maintenance enforcement application in respect of a maintenance order, means the person liable to make payments under the maintenance order;

“show-payment order” means an order under section 81(2)(c) or (4)(a)(i).

(2) In this Part —

(a) a reference to any information includes a reference to a document; and

(b) a reference to the submission of any information includes, in relation to information that is contained in a document, a reference to submitting the document.

[Act 18 of 2023 wef 16/01/2025]

Appointment of Chief MEO and other MEO

77.—(1) The Minister may, for the purposes of this Part, appoint any number of individuals that the Minister considers necessary as maintenance enforcement officers, of whom one is to be appointed by the Minister as the chief maintenance enforcement officer.

(2) Every appointment under subsection (1) may be on any terms or conditions that may be specified by the Minister.

(3) The Chief MEO is to exercise his or her powers, and to perform his or her functions and duties, under this Part subject to the general or special directions of the Minister insofar as the directions are not inconsistent with this Act.

(4) Every MEO (except the Chief MEO) is to exercise his or her powers, and to perform his or her functions and duties, under this Part subject to the general or special directions of the Chief MEO insofar as the directions are not inconsistent with this Act or the general or special directions of the Minister.

(5) Every individual appointed under subsection (1) —

(a) has the powers, functions and duties of an MEO; and

(b) is deemed to be a public servant for the purposes of the Penal Code 1871 when exercising the powers or performing the functions or duties of an MEO.

(6) No liability shall lie personally against an MEO or the Chief MEO (as the case may be) for anything that is done or purported to be done, or omitted to be done, in good faith and with reasonable care in —

(a) the exercise or purported exercise of any power under this Part; or

(b) the performance or purported performance of any function or duty under this Part.

(7) Notice of the appointments made under subsection (1) must be published in the *Gazette* or in a manner that brings the appointments to the general notice of the public, which may include publication on a website.

(8) In this section, a reference to the Minister includes a reference to any of the following persons designated by the Minister to exercise the power under subsection (1) (including the power to specify terms and conditions under subsection (2) or to give any general or special directions under subsection (3) or (4)):

- (a) a Second Minister, Minister of State or Senior Minister of State for the Ministry under the charge of the Minister;
- (b) a Parliamentary Secretary, Senior Parliamentary Secretary or Permanent Secretary to the Ministry under the charge of the Minister.

[Act 18 of 2023 wef 16/01/2025]

Enforcement of maintenance orders made by General Division of High Court

78. A maintenance order made by the General Division of the High Court may be enforced by a Family Court in accordance with this Part as if that order had been made by the Family Court, except that a Family Court has no power to vary an order of the General Division of the High Court.

[Act 18 of 2023 wef 16/01/2025]

Powers of court relating to witnesses in maintenance enforcement proceedings

79.—(1) The court may, in any maintenance enforcement proceedings, do all or any of the following despite any provision of the Evidence Act 1893 or any rule of law to the contrary concerning the examination of witnesses:

- (a) dispense with the examination-in-chief or cross-examination (or any part of the examination-in-chief or cross-examination) of a witness;
- (b) pose any question directly to a witness;
- (c) determine the order in which witnesses are to be produced or examined.

(2) Subsection (1) does not apply in relation to any maintenance enforcement proceedings in the General Division of the High Court hearing an appeal from any decision of a Family Court.

(3) Subsection (1) does not limit any powers of the court in furtherance of a judge-led approach under the Family Justice Rules.

[Act 18 of 2023 wef 16/01/2025]

79A. *[Repealed by Act 7 of 2016]*

Division 2 — Maintenance enforcement application and court's powers on application

Application for maintenance enforcement order — by and to whom

80.—(1) Any of the following persons may make an application to the court for enforcement of a maintenance order that the person alleges to have been breached:

- (a) the person who applied for the maintenance order;
- (b) a person who is a payee under the maintenance order for the benefit of a child and who is —
 - (i) a person having custody or care and control of the child; or
 - (ii) subject to subsection (2) — a trustee of the child;
- (c) without limiting paragraph (b), where the maintenance order was applied for by the person appointed by the Minister under section 69(3)(d) (called the appointed person) — a person who is a payee under the maintenance order and who is the person nominated by the appointed person to receive payment under the maintenance order;
- (d) any other person who has a right under any other written law to enforce the maintenance order.

(2) Any person wishing to make an application under subsection (1), who is a trustee of a child jointly with one or more other persons, must obtain the consent of all the other trustees.

[Act 18 of 2023 wef 16/01/2025]

Court orders on maintenance enforcement application

81.—(1) Subject to the provisions of this Part, the court may do one or more of the following on a maintenance enforcement application:

- (a) if the court is satisfied that the maintenance order in question has been breached — make one or more maintenance enforcement orders in respect of the maintenance order in question;
- (b) where the maintenance order in question is made by the Family Court under Part 8 or 10 or the Guardianship of Infants Act 1934 and the prescribed circumstances exist — vary, suspend, discharge, rescind, set aside or revoke the maintenance order on the application of the applicant or respondent;
- (c) dismiss the maintenance enforcement application;
- (d) make a consent order based on the terms of any agreement between the applicant and respondent on —
 - (i) the following amounts to be paid under the maintenance order in question:
 - (A) the amount of maintenance arrears (if any) under the maintenance order in question as at the date of the consent order;
 - (B) the amount of payable maintenance (if any) under the maintenance order in question; and
 - (ii) any other detail concerning the mode or the date or dates by which the amount of maintenance is to be paid;
- (e) where the maintenance order in question is made by the Family Court under Part 8 or 10 or the Guardianship of Infants Act 1934 and the prescribed circumstances exist — make an order to vary, suspend, discharge, rescind, set aside or revoke the maintenance order based on the terms of any agreement between the applicant and respondent;

(f) if the applicant has been absent from a conciliation session on any date fixed for the session — strike out the maintenance enforcement application.

(2) Where the court is satisfied that the maintenance order in question has been breached and no consent order is made on the application and the application is not dismissed under subsection (1)(c) or struck out under subsection (1)(f), the court must make an order —

- (a) declaring the amount of maintenance arrears (if any) under the maintenance order as at the date of the declaration;
- (b) requiring the respondent to make payment of the maintenance arrears declared under paragraph (a) in a lump sum or in instalments by such mode and on such date or dates as the court may specify;
- (c) requiring the respondent to prove any payment of maintenance arrears under paragraph (b) or any payable maintenance, in such manner and on such date or dates as the court may specify; and
- (d) subject to subsection (5), specifying a term of imprisonment for the purposes of section 91O in respect of the respondent.

(3) To avoid doubt, the court may make an order under subsection (1)(a) or (b) in addition to any order that the court must make under subsection (2).

(4) If the court makes a consent order, the court may also do one or both of the following:

- (a) make an order —
 - (i) requiring the respondent to prove, in such manner and on such date or dates as the court may specify —
 - (A) that any maintenance arrears or payable maintenance agreed between the applicant and respondent to be paid has been paid by the date or dates agreed between the applicant

and respondent and as recorded in the consent order; and

(B) that the maintenance mentioned in sub-paragraph (A) has been paid in the mode specified by the court; and

(ii) subject to subsection (5), specifying a term of imprisonment for the purposes of section 91O in respect of the respondent;

(b) make any maintenance enforcement order, except a maintenance enforcement order mentioned in section 91B(1)(b).

(5) The term of imprisonment specified under subsection (2)(d) or (4)(a)(ii) must not exceed the following:

(a) for each failure to prove payment of any maintenance arrears in accordance with subsection (2)(c) or (4)(a)(i) (as the case may be) — 6 months;

(b) for each failure to prove payment of any payable maintenance in accordance with subsection (2)(c) or (4)(a)(i) (as the case may be) — one month for each month's worth of payable maintenance (or any part thereof).

(6) In subsection (5)(b), a reference to each month's worth of payable maintenance is a reference to the total amount of maintenance that is required to be paid by the respondent in a month under the maintenance order in question.

(7) The court must not make any order under subsection (2)(d) or (4)(a)(ii) specifying any term of imprisonment if special circumstances exist which render the making of the order inappropriate.

(8) The special circumstances to which the court may have regard for the purposes of subsection (7) include the respondent's age and the respondent's state of health and physical condition.

(9) Where a show-payment order is made in relation to a maintenance order, no further maintenance enforcement application

may be made in relation to the same maintenance order in respect of any maintenance required to be proved to be paid by the respondent under the show-payment order, until the expiry of the latest of the following dates:

- (a) every date specified by the court in the show-payment order on which the maintenance is required to be proved to have been paid;
- (b) in a case where the respondent fails to prove payment of any maintenance on any date mentioned in paragraph (a) — the date of the hearing in which the respondent is required to show good cause for his or her failure to prove such payment.

(10) At any time after the making of an order under subsection (2) or (4)(a), the court may, on the application of a respondent and upon being satisfied that there is good reason to do so, specify in respect of any payment (or any part of the payment) mentioned in that order, one or more of the following:

- (a) a different mode of the payment for the purposes of subsection (2)(b) or (4)(a)(i);
- (b) a later date or dates on which the respondent is required to make such payment;
- (c) a later date or dates for proving such payment as required under subsection (2)(c) or (4)(a)(i), as the case may be.

[Act 18 of 2023 wef 16/01/2025]

81A. *[Repealed by Act 18 of 2023 wef 16/01/2025]*

Reinstatement of maintenance enforcement application

82. The court may, if it thinks fit, reinstate a maintenance enforcement application struck out under section 81(1)(f) upon an application by the applicant for the reinstatement.

[Act 18 of 2023 wef 16/01/2025]

Arrears report to designated credit bureau

83.—(1) If the court has declared under section 81(2)(a) the amount of maintenance arrears under a maintenance order, and any of that

amount remains in arrears, any of the following persons may lodge a report with a designated credit bureau, stating the amount that remains in arrears as at the date of the report (called in this section an arrears report):

- (a) the person to whom or for whose benefit the maintenance is payable;
- (b) the caregiver of a person mentioned in paragraph (a);
- (c) an authorised representative of a person mentioned in paragraph (a);
- (d) an MEO.

(2) Subject to subsection (3), the designated credit bureau may provide to a member of the designated credit bureau information in an arrears report in relation to a respondent, either on its own or consolidated with other information pertaining to the credit payment history of the respondent.

(3) Where, subsequent to the lodging of an arrears report, the designated credit bureau has received any report updating the amount that remains in arrears in relation to a respondent (called in this section an updating report), any information that the designated credit bureau may provide to its member under subsection (2) may be consolidated with the information in the updating report.

(4) Regulations may provide for the following matters:

- (a) the information to be submitted in or with an arrears report or updating report;
- (b) the procedure for the lodging of an arrears report or updating report, including any requirement to file a declaration as to the accuracy of the information in the arrears report or updating report;
- (c) the persons who may apply for a copy of an arrears report or updating report;
- (d) the procedure for a respondent who is the subject of an arrears report or updating report to challenge the accuracy of any information in an arrears report or updating report.

(5) In this section, “designated credit bureau” means an entity that —

- (a) collects and maintains information about the credit payment history of a person and provides the information to its members for the purpose of enabling its members to assess the creditworthiness of a person; and
- (b) has been designated by the Minister as a credit bureau for the purposes of receiving an arrears report under subsection (1).

[Act 18 of 2023 wef 16/01/2025]

Division 3 — Role of MEO

Subdivision (1) — Referred applications and information-gathering by MEO, etc.

Referral to MEO

84.—(1) The court may, at any time after a maintenance enforcement application is made, refer the application to an MEO in order that the MEO may —

- (a) ascertain the facts and circumstances that could be relevant to the referred application;
- (b) conduct conciliation between the parties;
- (c) assist the court in matters relating to the referred application; and
- (d) generally perform the functions of an MEO under this Part.

(2) Where the court refers a maintenance enforcement application to an MEO under subsection (1), the court may direct the applicant and respondent —

- (a) to provide the MEO with any information that may be prescribed by the regulations within the time specified by the court; and
- (b) to attend before an MEO for a conciliation session on any date or dates and at any place or through any electronic means of communication, specified by the MEO.

[Act 18 of 2023 wef 16/01/2025]

Referral by MEO for financial assistance

85.—(1) An MEO may, in relation to a referred application —

- (a) refer the applicant or respondent (as the case may be) to a social service officer for any financial assistance; and
- (b) disclose to the social service officer any information provided or obtained under section 84(2) or 86 that the MEO thinks is relevant to the referral.

(2) In this section, “social service officer” means any individual who is authorised under the Community Care Endowment Fund Act 2005 to make payment out of the Community Care Endowment Fund established by section 3(1) of that Act and includes any other prescribed individual.

[Act 18 of 2023 wef 16/01/2025]

Powers of MEO and court to direct, require or order provision of information, etc.

86.—(1) Subject to subsection (5), an MEO may, in relation to a referred application —

- (a) direct the applicant or respondent to provide the MEO with any information; or
- (b) for the purpose of obtaining information from the applicant or respondent, direct the applicant or respondent (as the case may be) to attend an interview with the MEO.

(2) The court may, on its own motion or at the request of an MEO in relation to a referred application, order the applicant or respondent to provide the MEO with any information in the possession, custody or power of the applicant or respondent (as the case may be) that the court considers relevant to the referred application.

(3) Subject to subsection (6), an MEO may, in relation to a referred application, request the court to order a bank to provide the MEO with any information if such conditions as may be prescribed by the regulations in relation to the bank are met.

(4) Subject to subsections (5) and (6), where an MEO requires any information from a third party in relation to a referred application, the MEO may —

- (a) where the third party is a prescribed third party and the conditions prescribed by the regulations in relation to the prescribed third party (if any) are met — direct that prescribed third party to provide the MEO with the information;
 - (b) where the third party is a prescribed third party, and —
 - (i) the information is made available to the MEO by the prescribed third party on a prescribed data-sharing platform; and
 - (ii) the conditions prescribed by the regulations in relation to the prescribed third party (if any) are met, obtain the information from the prescribed data-sharing platform; or
 - (c) request the court for an order that the third party provide the MEO with the information.
- (5) The MEO must not —
- (a) direct the provision of any information under subsection (1)(a);
 - (b) obtain any information from the applicant or respondent at an interview under subsection (1)(b);
 - (c) request for an order under subsection (3) or (4)(c) for the provision of any information; or
 - (d) direct the provision of, or obtain, any information under subsection (4)(a) or (b) by or from a prescribed third party,
- unless the MEO has reasonable grounds to believe that the information is relevant to the referred application.
- (6) The MEO must not —
- (a) request for an order under subsection (3) for the provision of any information; or
 - (b) direct the provision of, or obtain, any information under subsection (4)(a) or (b) by or from a prescribed third party,

unless the information belongs to a category of information that is prescribed by the regulations in relation to the bank or prescribed third party, as the case may be.

(7) The court must not make an order under subsection (3) or (4)(c) for the provision of any information unless the court is satisfied that the MEO who made the request has reasonable grounds to believe that the information is relevant to the referred application.

(8) Any person directed or ordered to provide information to an MEO under subsection (1)(a), (2), (3) or (4)(a) or (c) must do so in the manner and within the time specified by the MEO or the court, as the case may be.

(9) This section applies —

(a) despite any other written law; and

(b) whether or not any person accessing, using or disclosing information under this section is under any obligation (imposed by any written law or otherwise) not to access, use or disclose the information.

(10) This section does not affect the exercise of any right or authority under any other written law or rule of law to access, use or disclose confidential information.

(11) In this section —

“bank” has the meaning given by section 2(1) of the Banking Act 1970;

“prescribed data-sharing platform” means any information system, on which information is made available by one or more prescribed third parties, that may be prescribed by the regulations;

“prescribed third party” means any third party prescribed by the regulations;

“third party”, in relation to a referred application, means a person other than the applicant and respondent, but excludes a bank.

[Act 18 of 2023 wef 16/01/2025]

Non-compliance with directions given under section 86(1)

87. Where an applicant or a respondent fails to comply with any direction of an MEO under section 86(1), the court may draw any adverse inference against the applicant or respondent (as the case may be) that the court thinks fit in the determination of the maintenance enforcement application in question.

[Act 18 of 2023 wef 16/01/2025]

*Subdivision (2) — Conciliation session by MEO***Purpose and scope of conciliation session, etc.**

88.—(1) An MEO may conduct a conciliation session on one or more dates with an applicant and a respondent (called in this section the parties) for the purpose of facilitating an agreement between the parties on any issue concerning a maintenance enforcement application.

(2) Without limiting subsection (1), an MEO conducting the conciliation session may make recommendations to the parties as to how to resolve any dispute between them on any issue concerning the application.

(3) If the respondent has been absent from a conciliation session on any date fixed for the session, the court may direct the respondent to attend the conciliation session on a later date specified by the court.

[Act 18 of 2023 wef 16/01/2025]

*Subdivision (3) — MEO's report***Submission of MEO's report**

89.—(1) Unless otherwise specified by the court, an MEO must, in relation to a referred application under section 84(1), submit to the court a report containing the following matters and information:

- (a) all the information provided to the MEO under section 84(2) or 86 in relation to the maintenance enforcement application;
- (b) any other matters and information in relation to the maintenance enforcement application as may be prescribed.

(2) Subject to the regulations mentioned in subsection (4), where an MEO thinks that any information ought to be brought to the attention of the parties before submitting a report under subsection (1) in relation to a referred application, the MEO may prepare an interim report containing the information to be provided to the parties.

(3) In addition to or instead of a report under subsection (1) or (2), the court may direct an MEO to submit a report containing any other matters relating to the referred application that the court may require.

(4) Regulations may provide for —

(a) the circumstances in which an MEO may provide a copy of an interim report mentioned in subsection (2) —

(i) to an applicant only; or

(ii) to an applicant before a copy of the same is provided to a respondent; and

(b) where an interim report mentioned in subsection (2) is provided by an MEO to the applicant before the respondent — the time within which a copy of an interim report must be provided to a respondent.

(5) The Family Justice Rules may provide for —

(a) the circumstances under which the court may direct an MEO to submit an interim report mentioned in subsection (2);

(b) the manner of submission of any MEO's report and any documentary evidence or other evidence in support of the information in the report, to the court; and

(c) any other information or documents required to be submitted to the court with any MEO's report.

[Act 18 of 2023 wef 16/01/2025]

Redaction, significance and sharing of MEO's report, etc.

90.—(1) If any document to be submitted to the court with an MEO's report contains any matter, information or material that is not relevant to the maintenance enforcement proceedings in question, the

MEO may redact the parts of the document containing the matter, information or material.

(2) If the court is of the opinion that any redacted part of the document contains any matter, information or material that may be relevant to the maintenance enforcement proceedings in question, the court may direct an MEO to resubmit a copy of the document without the redaction.

(3) The court is to give due consideration to an MEO's report in determining what order or orders ought to be made on the maintenance enforcement application, including whether the maintenance order in question ought to be varied.

(4) In any maintenance enforcement proceedings —

- (a) a copy of an MEO's report in relation to the maintenance enforcement application is admissible as evidence of the opinion of the MEO who prepared the report and of the facts upon which the MEO's opinion is based in relation to any matter contained in the report;
- (b) an MEO who prepared or submitted an MEO's report need not be called as a witness unless the MEO is to be examined by the court or, with the permission of the court, by the applicant or respondent; and
- (c) the court may, after giving due consideration to an MEO's report, make any order as it thinks fit without any further evidence of the matters in the MEO's report.

(5) Where the court has made a maintenance enforcement order mentioned in section 91B(1)(e) against a respondent, the court may direct an MEO to share such parts of an MEO's report with such persons as the court may specify to facilitate the administration of the maintenance enforcement order.

[Act 18 of 2023 wef 16/01/2025]

Reliance on previous MEO's reports in subsequent enforcement proceedings, etc.

91.—(1) This section applies where a maintenance enforcement application (called the previous application) was made in respect of a maintenance order, and —

- (a) a maintenance enforcement application is subsequently made in respect of the same maintenance order (called the subsequent maintenance enforcement application); or
- (b) any prescribed proceedings involving the same parties as those in the previous application arise subsequently (called the subsequent proceedings).

(2) In a case where subsection (1)(a) applies —

- (a) a copy of an MEO's report submitted in relation to the previous application (called a previous report) is admissible in the proceedings in the subsequent maintenance enforcement application as evidence of the opinion of the MEO who prepared the report and of the facts upon which the MEO's opinion is based in relation to any matter contained in the report;
- (b) an MEO who prepared the previous report need not be called as a witness unless the MEO is to be examined by the court or, with the permission of the court, by the applicant or respondent; and
- (c) the court may, if no evidence has been adduced to prove that there has been a material change in the circumstances of the applicant or respondent since the previous report was submitted by an MEO — make any order that it thinks fit based on the matters in the previous report, without any further evidence of the matters in the MEO's report.

(3) In a case where subsection (1)(b) applies —

- (a) a copy of an MEO's report submitted in relation to the previous application (called a previous report) is admissible in the subsequent proceedings as evidence of the opinion of the MEO who prepared the report and of the

facts upon which the MEO's opinion is based in relation to any matter contained in the report; but

- (b) the MEO who prepared the previous report is not to be called as a witness or be examined by the court or any of the parties in the subsequent proceedings.

(4) In this section, "prescribed proceedings" means such proceedings in a Family Court or the General Division of the High Court of the class of proceedings prescribed by regulations.

[Act 18 of 2023 wef 16/01/2025]

Subdivision (4) — Regulations by Minister

Minister's power to make regulations for purposes of this Division and sections 77 and 83

91A.—(1) The Minister may make regulations —

- (a) to prescribe anything that is required or permitted by this Division or section 77 or 83 to be prescribed by regulations made under this section; or
 - (b) generally for the purposes of this Division or section 77 or 83.
- (2) Without limiting subsection (1), regulations may —
- (a) provide for the qualifications or experience of persons to be appointed as an MEO;
 - (b) prescribe the fees payable to an MEO and the persons by whom the fees are so payable;
 - (c) provide for the waiver, refund or remission (whether in whole or in part) of any prescribed fee;
 - (d) provide for the conduct of any interview by an MEO under section 86(1)(b) and the convening and conduct of any conciliation session, including by using any remote communication technology; and
 - (e) prescribe that any act or omission in contravention of any provision of regulations made under this section shall be an offence punishable with a fine not exceeding \$500 or with

imprisonment for a term not exceeding 6 months or with both.

(3) The powers conferred by subsection (1)(b) or (2)(e) do not extend to any matter —

(a) for which Family Justice Rules may be made under section 179A; or

(b) for which rules may be made under section 180(1) or (1A).

(4) Regulations made under subsection (1) —

(a) must be presented to Parliament as soon as possible after publication in the *Gazette*; and

(b) may be revoked (wholly or partly) by a resolution of Parliament.

(5) A resolution under subsection (4)(b) —

(a) must specify the date from which the regulations are revoked; and

(b) may only be passed on a motion for which notice is given on or before the first available sitting day of Parliament after the expiry of one month after the date on which the regulations were presented to Parliament.

(6) If Parliament passes a resolution under subsection (4)(b) —

(a) the regulations are revoked with effect from the date specified in the resolution;

(b) the revocation does not affect the validity of anything done before the specified date; and

(c) the Minister is not prevented from making new regulations.

[Act 18 of 2023 wef 16/01/2025]

Division 4 — Orders to enforce payment of maintenance

Subdivision (1) — What are maintenance enforcement orders

Meaning of “maintenance enforcement order”

91B.—(1) For the purposes of this Part, each of the following is a maintenance enforcement order:

- (a) a warrant directing that maintenance arrears be levied in the manner by law provided for levying fines imposed by a Magistrate's Court;
 - (b) an order sentencing the respondent to imprisonment for maintenance arrears as at the time the maintenance enforcement application in question is made;
 - (c) an order for attachment of a debt made in accordance with the Family Justice Rules;
 - (d) an order requiring the respondent to furnish security against any future default in maintenance payments by means of a banker's guarantee;
 - (e) an order requiring the respondent to undergo financial counselling or any other similar or related programme that the court may direct if the court considers it in the interests of the parties in the maintenance enforcement proceedings or their children to do so;
 - (f) a community service order requiring the respondent to perform unpaid community service;
 - (g) an attachment of earnings order.
- (2) To avoid doubt —
- (a) an order mentioned in subsection (1)(d), (e) or (f) may be made on a maintenance enforcement application even though any maintenance arrears as at the time of making of the application have been paid up in part or in whole by the time the order is made; and
 - (b) an order mentioned in subsection (1)(e) or (f) may be made on a maintenance enforcement application even though the respondent is no longer liable to make any payment under the maintenance order in question by the time the order is made.

[Act 18 of 2023 wef 16/01/2025]

Subdivision (2) — Provisions relating to attachment of earnings orders

Amount of payment to be directed under attachment of earnings order

91C. The amount that the court may order in an attachment of earnings order is a sum that seems reasonable to the court, after taking into account the resources and needs of the respondent and the needs of persons for whom the respondent must or reasonably should provide.

[Act 18 of 2023 wef 16/01/2025]

Discharge, variation or cessation of attachment of earnings order made

91D.—(1) The court by which an attachment of earnings order has been made may, if it thinks fit, on the application of the respondent or a person entitled to receive payments under the related maintenance order, make an order discharging or varying the attachment of earnings order.

(2) An attachment of earnings order or any such order as varied under subsection (1) need not be complied with until the expiry of 7 days after the date on which a copy of the attachment of earnings order or the order as so varied (as the case may be) is served on the person to whom the attachment of earnings order or the order as so varied (as the case may be) is directed.

(3) An attachment of earnings order ceases to have effect upon the rescission of the related maintenance order.

[Act 18 of 2023 wef 16/01/2025]

Duty to comply with attachment of earnings order

91E.—(1) A person to whom an attachment of earnings order is directed must, despite anything in any other written law but subject to the provisions of this Subdivision, comply with the order or, if the order is subsequently varied under section 91D(1), with the order as so varied.

(2) Where, on any occasion on which earnings fall to be paid to a respondent, there are in force 2 or more attachment of earnings orders

relating to those earnings, then, for the purpose of complying with subsection (1), the person to whom those orders are directed must —

- (a) deal with those orders according to the respective dates on which they came into force, disregarding any later order until all earlier orders have been dealt with; and
- (b) deal with any later order as if the earnings to which it relates were the residue of the respondent's earnings after the making of any payment pursuant to any earlier order.

(3) A person who makes a payment pursuant to an attachment of earnings order must give to the respondent a statement in writing specifying the amount of that payment.

(4) A person to whom an attachment of earnings order is directed who, at the time when a copy of the order is served on the person, is not and has not during the period of one month immediately preceding that time been the respondent's employer must forthwith give notice in writing to that effect in the prescribed form to the court which made the order.

[Act 18 of 2023 wef 16/01/2025]

Additional powers of court to obtain information relating to attachment of earnings order

91F.—(1) The court may, when considering whether to make, discharge or vary an attachment of earnings order in respect of a respondent —

- (a) order the respondent to give to the court, within the period specified by the order, a statement signed by the respondent of —
 - (i) the name, address and other contact details of the respondent's employer, or of each of the respondent's employers if he or she has more than one;
 - (ii) any particulars as to the respondent's earnings specified by the order; and

- (iii) any prescribed particulars specified by the order for the purpose of enabling the respondent to be identified by any employer of his or hers;
- (b) order any person appearing to the court to be an employer of the respondent to give to the court, within the period specified by the order, a statement signed by the person or on the person's behalf of any particulars that may be so specified of all earnings of the respondent which fell to be paid by that person during the period specified by the order; and
- (c) order the Central Provident Fund Board to provide a statement to the applicant stating the following information, if the information is available to the Board based on records kept by the Board:
 - (i) the name and address of the respondent's employer or employers or, if the respondent is unemployed, the respondent's last known employer or employers in the 12 months immediately preceding the date of the order;
 - (ii) the contributions (if any) made by the respondent or his or her employer to the respondent's Central Provident Fund account in the 12 months immediately preceding the date of the order.

(2) A document purporting to be a statement mentioned in subsection (1)(a), (b) or (c) is to be received in evidence in the proceedings before the court and is presumed to be such a statement without further proof unless the contrary is shown.

(3) In subsection (1)(c), "employer" has the meaning given by section 2(1) of the Central Provident Fund Act 1953.

[Act 18 of 2023 wef 16/01/2025]

Obligation to notify changes of employment and earnings

91G. While an attachment of earnings order is in force —

- (a) the respondent must from time to time notify in writing the court which made the order of every occasion on which the

respondent's employment is terminated or otherwise ends, or the respondent becomes employed or re-employed, not later (in each case) than 7 days after the date on which the respondent did so;

- (b) the respondent must, on any occasion when the respondent becomes employed or re-employed, include in his or her notification under paragraph (a) particulars of his or her earnings and anticipated earnings from the relevant employment; and
- (c) any person who becomes the respondent's employer and knows that the order is in force and by what court it was made must, within 7 days after the date that the person becomes the respondent's employer or acquires that knowledge (whichever is the later), notify that court in writing that the person is the respondent's employer, and include in that notification a statement of the respondent's earnings and anticipated earnings.

[Act 18 of 2023 wef 16/01/2025]

Power of court to determine what are earnings

91H.—(1) The person to whom an attachment of earnings order is directed, the respondent, or the person in whose favour the order was made, may apply to the court by which the order has been made for a determination as to whether payments to the respondent of a particular class or description specified by the application are earnings for the purposes of that order.

(2) Where a determination is made by the court under subsection (1), the person to whom the attachment of earnings order is directed is entitled to give effect to any determination for the time being in force under subsection (1).

(3) A person to whom an attachment of earnings order is directed who makes an application under subsection (1) does not incur any liability for failing to comply with the order as regards any payments of the class or description specified by the application which are made by the person to the respondent while the application, or any appeal in consequence of the application, is pending.

(4) Subsection (3) does not apply as regards the payments mentioned in that subsection if the person to whom the attachment of earnings order is directed subsequently withdraws the application or abandons the appeal, as the case may be.

[Act 18 of 2023 wef 16/01/2025]

Treatment of moneys received under attachment of earnings order

91I. Any sums received by a person by virtue of an attachment of earnings order are treated as payments made by the respondent, so as to discharge —

- (a) first — any sums for the time being due and unpaid under the related maintenance order (a sum due at an earlier date being discharged before a sum due at a later date); and
- (b) second — any costs incurred in proceedings relating to the related maintenance order which were payable by the respondent when the attachment of earnings order was made or last varied.

[Act 18 of 2023 wef 16/01/2025]

Earnings paid by Government or out of Consolidated Fund

91J.—(1) In relation to earnings falling to be paid by the Government or out of the Consolidated Fund pursuant to an attachment of earnings order, the earnings are to be treated as falling to be paid by the chief officer for the time being of the department, office or other body concerned.

(2) If any question arises, in connection with any maintenance enforcement proceedings, as to what department, office or other body is concerned for the purposes of this section, or as to who for those purposes is the chief officer thereof, that question is to be referred to and determined by the Minister charged with the responsibility for finance, but that Minister is not under any obligation to consider a reference under this subsection unless it is made by a court.

(3) A document purporting to set out a determination of the Minister charged with the responsibility for finance under subsection (2) and to be signed by an official of the Ministry under the charge of that Minister is, in any such proceedings as are

mentioned in that subsection, admissible in evidence and presumed to contain an accurate statement of such a determination unless the contrary is shown.

[Act 18 of 2023 wef 16/01/2025]

Penalties for non-compliance with attachment of earnings order and for giving false notice or statement

91K.—(1) Any person who —

- (a) fails to comply with section 91E(1) or (4) or 91G, or an order of a court under section 91F(1);
- (b) gives a notice mentioned in section 91E(4) or a statement pursuant to an order of a court under section 91F(1), which notice or statement the person knows to be false in a material particular; or
- (c) recklessly gives a notice mentioned in section 91E(4) or a statement pursuant to an order of a court under section 91F(1), which is false in a material particular,

shall, subject to subsection (2), be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) It is a defence for a person charged with failing to comply with section 91E(1) to prove that the person took all reasonable steps to comply with the attachment of earnings order to which the failure relates.

[Act 18 of 2023 wef 16/01/2025]

Subdivision (3) — Provisions relating to other maintenance enforcement orders (except imprisonment)

Banker's guarantee

91L.—(1) This section applies where a respondent has been ordered by the court to furnish a banker's guarantee mentioned in section 91B(1)(d).

- (2) The banker's guarantee furnished by the respondent —
- (a) must be valid for a period specified by the court (not exceeding 3 years), starting on the date the order for security is made; and
 - (b) must be for an amount specified by the court not exceeding 3 months of maintenance payable under the maintenance order.
- (3) The respondent must make the original banker's guarantee available to the person to whom maintenance is owed (called in this section a maintenance claimant) within one month from the date of the order.
- (4) Where —
- (a) a maintenance claimant makes a demand on the banker's guarantee and no maintenance arrears are owing to the claimant at the time of the demand; or
 - (b) the amount paid out under a banker's guarantee to a maintenance claimant exceeds the actual amount of maintenance arrears owing to the claimant at the time the claimant's demand was made on the banker's guarantee,

any amount that is payable or paid that is in excess of the amount of maintenance arrears owing (called in this section the excess) must be set off against the amount of any maintenance which becomes payable by the respondent to the maintenance claimant at any time on or after the date of the demand on the banker's guarantee (called in this section future maintenance liability).

(5) Where there is no future maintenance liability against which the excess may be offset, the maintenance claimant who made the demand on the banker's guarantee giving rise to that excess must, upon demand by the respondent, refund the excess to the respondent.

(6) Where a refund is not made as required under subsection (5), the respondent may recover the amount due to the respondent under that subsection from the maintenance claimant as if the amount were a civil debt due to the respondent.

[Act 18 of 2023 wef 16/01/2025]

Financial counselling

91M. Where a court has made a maintenance enforcement order mentioned in section 91B(1)(e) requiring a respondent to attend financial counselling or any other similar or related programme but the respondent fails to comply with the order, any of the following persons may make a complaint to the court regarding the non-compliance:

- (a) the person who is to have provided the financial counselling or conducted the similar or related programme ordered by the court;
- (b) the Director-General or any person appointed by the Director-General, where the court has ordered the respondent to attend financial counselling or any other similar or related programme under the direction or supervision of the Director-General.

[Act 18 of 2023 wef 16/01/2025]

Community service orders

91N.—(1) A community service order mentioned in section 91B(1)(f) must not exceed 40 hours.

(2) A court must not make a community service order mentioned in section 91B(1)(f) against a respondent unless the court is satisfied that suitable arrangements can be made for the respondent to perform the community service under the supervision of a community service officer.

(3) Even though a community service order mentioned in section 91B(1)(f) has been made, the court may, upon an application by a community service officer and upon being satisfied that the respondent concerned is medically unfit to comply with the community service order, rescind the order.

(4) The Minister may —

- (a) appoint any person to be a community service officer for the purposes of this section;

- (b) prescribe by rules under section 180(1) the duration within which community service to be performed under a community service order must be completed; and
- (c) make rules under section 180(1), not inconsistent with the provisions of this Part, to make further provisions for the manner in which a community service order may be performed, including the imposition of additional requirements and the service of any instructions or notice on a respondent in respect of whom such an order has been made.

[Act 18 of 2023 wef 16/01/2025]

*Division 5 — Provisions relating to
imprisonment under this Part*

Imprisonment for breaching show-payment order

910.—(1) Where a court has specified a term of imprisonment under section 81(2)(d) or (4)(a)(ii) in respect of a respondent, the court may sentence the respondent to imprisonment if —

- (a) the respondent fails to prove to the satisfaction of the court, by any date specified under section 81(2)(c) or (4)(a)(i) in respect of an amount to be paid, that the respondent has paid that amount by the date specified in the order under section 81(2)(b) or (4)(a)(i)(A) (as the case may be) for payment of that amount; and
- (b) the court is satisfied that the respondent has shown no good cause for his or her failure mentioned in paragraph (a).

(2) The sentence of imprisonment given under subsection (1) must not exceed the term of imprisonment specified under section 81(2)(d) or (4)(a)(ii).

(3) To avoid doubt, an exercise of the power under section 81(10)(b) or (c) by a court in respect of only part of a payment does not affect the court's power to sentence the respondent to imprisonment under subsection (1) in respect of any other part of the payment.

(4) For the purposes of determining whether an amount has been paid under subsection (1), any payment of maintenance by the respondent is to be treated as payment towards the satisfaction of —

- (a) first — any maintenance arrears required to be proved to be paid under section 81(2)(c) or (4)(a)(i), as the case may be; and
- (b) second — any payable maintenance required to be proved to be paid under section 81(2)(c) or (4)(a)(i), as the case may be.

(5) A sentence of imprisonment imposed on a respondent under subsection (1) does not affect or diminish the obligation of the respondent to pay any amount to be paid under the maintenance order that he or she has failed to pay.

[Act 18 of 2023 wef 16/01/2025]

Imprisonment for breaching maintenance order

91P.—(1) The sentence of imprisonment mentioned in section 91B(1)(b) that the court may impose must not exceed —

- (a) one month for each month's worth of maintenance arrears (or any part thereof); or
- (b) in a case where the maintenance order in question requires the payment of maintenance in a lump sum — 6 months.

(2) In subsection (1), a reference to each month's worth of maintenance arrears is a reference to the total amount of maintenance that is required to be paid by the respondent in a month under the maintenance order in question.

(3) To avoid doubt, the court —

- (a) may impose a sentence mentioned in section 91B(1)(b) on a respondent in respect of a maintenance enforcement application even though the maintenance arrears as at the time of making of the application have been paid up in part or in whole by the time the sentence is imposed; and
- (b) subject to subsection (4), may impose a sentence of imprisonment mentioned in section 91B(1)(b) and a sentence of imprisonment under section 91O(1) on a

respondent in respect of the same maintenance enforcement application.

(4) The court must not impose a sentence of imprisonment mentioned in section 91B(1)(b) after the date that the court has made a show-payment order in respect of the same maintenance enforcement application.

(5) A sentence of imprisonment mentioned in section 91B(1)(b) imposed on a respondent does not affect or diminish the obligation of the respondent to make the payment or payments under the maintenance order which he or she has failed to make.

Illustration

1. A maintenance order was made against *R*, requiring *R* to pay a monthly sum of \$1,000 to *A*, for the maintenance of *R*'s child, on the first day of every month.

2. *R* fails to pay any maintenance between 1 February and 1 June (both dates inclusive) which amounts to \$5,000 (being 5 months of the monthly sum of \$1,000 required to be paid under the maintenance order). *A* makes a maintenance enforcement application under section 80 on 5 June.

3. *R* also fails to pay the maintenance that is required under the maintenance order to be paid on 1 July.

4. On 15 July, the court hearing the maintenance enforcement application makes the following orders:

- (a) an order under section 81(2)(a), declaring that the maintenance arrears owed by *R* is \$6,000 (being the sum of \$5,000 for maintenance arrears as at the date of the maintenance enforcement application and \$1,000 which is the maintenance required to be paid on 1 July) as at the date of the declaration;
- (b) an order under section 81(1)(a) read with section 91B(1)(b), imposing a term of imprisonment of 2 months for *R*'s breach of the maintenance order by failing to pay maintenance arrears of \$5,000 as at the time the maintenance enforcement application is made;
- (c) an order under section 81(2)(b), requiring *R* to pay the arrears of \$6,000 in 2 monthly instalments of \$3,000 each by 1 August and 1 September (which is in addition to the payable maintenance of \$1,000 per month required to be paid under the maintenance order on 1 August and 1 September);

- (d) an order under section 81(2)(c), requiring *R* to prove to the court on 4 August and 4 September that *R* has made payment in accordance with the order under section 81(2)(b) and payment of payable maintenance under the maintenance order;
- (e) an order under section 81(2)(d), specifying a term of imprisonment for the purposes of section 91O if *R* fails to prove payment in accordance with the order under section 81(2)(c).

5. On 4 August, *R* proves to the court that *R* has made payment of \$4,000 on 1 August (being the sum of one instalment of \$3,000 and the payable maintenance required to be paid under the maintenance order on 1 August).

6. On 4 September, *R* fails to prove to the court that *R* has made payment of \$4,000 on 1 September (being the sum of one instalment of \$3,000 and the payable maintenance required to be paid under the maintenance order on 1 September). *R* fails to show good cause for failing to prove the payment. Pursuant to section 91O, the court orders *R* to serve the term of imprisonment specified in the order under section 81(2)(d) made on 15 July for failing on 4 September to prove payment of the arrears of \$3,000, and the term of imprisonment specified in that order under section 81(2)(d) for failing on 4 September to prove payment of the payable maintenance of \$1,000.

7. After *R* is sentenced to imprisonment for *R*'s failure on 4 September to prove payment, *R* continues to fail to pay any maintenance for which *R* had been so sentenced. *R* also fails to pay any maintenance of \$1,000 required to be paid under the maintenance order on 1 October, 1 November and 1 December.

8. On 3 December, *A* makes a second maintenance enforcement application against *R* for *R*'s failure to pay the following sums:

- (a) \$4,000 (comprising the maintenance arrears of \$3,000 required to be paid by 1 September under the order made under section 81(2)(b) on 15 July and the maintenance of \$1,000 required to be paid by 1 September under the maintenance order) (called previous arrears);
- (b) \$3,000 (comprising the maintenance required to be paid under the maintenance order on 1 October, 1 November and 1 December) (called fresh arrears).

9. The court may sentence *R* to imprisonment under section 81(1)(a) read with section 91B(1)(b) for the previous arrears and fresh arrears pursuant to this second maintenance enforcement application.

[Act 18 of 2023 wef 16/01/2025]

Other orders on sentences of imprisonment

- 91Q.**—(1) Where, at any hearing, a respondent is sentenced to —
- (a) one or more terms of imprisonment mentioned in section 91B(1)(b);
 - (b) one or more terms of imprisonment under section 91O; or
 - (c) a combination of sentences mentioned in paragraphs (a) and (b),

the court imposing the sentences may direct any 2 or more of the sentences to run consecutively in the order that the court directs, and the court may direct any 2 or more of the sentences to run concurrently.

(2) Unless the court directs otherwise, a sentence of imprisonment mentioned in section 91B(1)(b) or under section 91O takes effect on the day the sentence is passed.

[Act 18 of 2023 wef 16/01/2025]

*Division 6 — Miscellaneous***Recovery of maintenance arrears**

91R.—(1) This section applies to maintenance arrears under any maintenance order.

(2) Subject to subsection (4), unsecured maintenance arrears, whether payable by agreement or under an order of court —

- (a) are recoverable as a debt from the defaulter;
- (b) where they accrued due before the making of a bankruptcy order against the defaulter — are provable in the defaulter's bankruptcy; and
- (c) where they accrued due before the defaulter's death — are a debt due from the defaulter's estate.

(3) Subject to subsection (4), unsecured maintenance arrears which accrued due before the death of the person entitled to the maintenance are recoverable as a debt in civil proceedings mentioned in subsection (6)(b) by the legal personal representatives of that person.

(4) Maintenance arrears are not recoverable in any proceedings (whether commenced before, on or after the date of commencement of section 24 of the Family Justice Reform Act 2023) from the defaulter if the amount accrued due more than 3 years before the commencement of the proceedings, unless —

- (a) other proceedings to recover the amount from the defaulter had previously been commenced within 3 years (or any longer period that the court in those proceedings may have allowed) after the amount accrued due; or
- (b) the court, under special circumstances, otherwise allows.

(5) Subsection (4) does not apply to any amount owing as maintenance under a maintenance order (as defined in section 2 of the Maintenance Orders (Reciprocal Enforcement) Act 1975 and which is registered or confirmed by the court under that Act) in respect of which civil proceedings mentioned in subsection (6)(b) have been commenced before the date of commencement of section 24 of the Family Justice Reform Act 2023.

(6) In subsection (4), a reference to proceedings to recover any amount owing as maintenance is a reference to —

- (a) proceedings under this Act to enforce the payment of the amount; or
- (b) any other civil proceedings to recover the amount.

[Act 18 of 2023 wef 16/01/2025]

Immunity and offence relating to access, use or disclosure of information under this Part

91S.—(1) Subject to subsections (2), (3) and (4), any person who —

- (a) knowing that any information about any other person was provided or obtained under any provision of section 84(2) or 86, accesses, uses or discloses the information, without the written consent of that other person; or
- (b) accesses, uses or discloses any MEO's report or any information in an MEO's report, without the written

consent of the applicant and respondent to whom the MEO's report or the information relates,

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 2 years or to both.

(2) Subsection (1) does not apply in relation to any information or any MEO's report that is publicly available, whether for a fee or otherwise.

(3) No person shall be guilty of an offence under any written law or of any breach of confidence, shall incur any civil liability or shall be liable to any disciplinary action, by virtue merely of doing any of the following in good faith and with reasonable care:

- (a) complying with a direction under section 86(4)(a);
- (b) complying with an order of the court under section 86(3) or (4)(c) or a direction of the court under section 90(5);
- (c) making information available to an MEO on a prescribed data-sharing platform for the purpose of section 86(4)(b);
- (d) accessing or using information provided or obtained under any provision of section 84(2) or 86, or using any MEO's report or any information in an MEO's report, in relation to a maintenance enforcement application for the purpose of —
 - (i) assessing whether financial assistance ought to be provided to the applicant or respondent in the application and, if so, the terms of the financial assistance;
 - (ii) conducting or facilitating a conciliation session under section 88 in relation to that application;
 - (iii) preparing or assisting in the preparation of an MEO's report, in relation to that application, for submission to the court, or provision to an applicant or a respondent, under section 89 in relation to that application; or

- (iv) administering any maintenance enforcement order mentioned in section 91B(1)(e) made by the court against a respondent;
- (e) submitting an MEO's report to the court in proceedings in any subsequent maintenance enforcement application under section 91(2) or in any subsequent proceedings under section 91(3).

(4) In addition, where —

- (a) a direction under section 86(4)(a) is given to a prescribed third party;
- (b) an order of the court under section 86(3) or (4)(c) or a direction of the court under section 90(5) is directed to a bank, a third party or an MEO; or
- (c) information is made available by a prescribed third party to an MEO on a prescribed data-sharing platform for the purpose of section 86(4)(b),

no person who is an officer, employee or agent of that prescribed third party, bank, third party or MEO (as the case may be) (called in this subsection the principal), shall be guilty of an offence under any written law or of any breach of confidence, shall incur any civil liability or shall be liable to any disciplinary action, by virtue merely of doing any thing in good faith and with reasonable care, for the purpose of the principal complying with that order or direction, or making the information available to the MEO, as the case may be.

(5) For the purposes of subsection (3)(d)(iii), a person assists in the preparation of an MEO's report only if that person —

- (a) is authorised by the Minister (or by any person authorised by the Minister) to provide administrative support services to enable any MEO to carry out, or otherwise facilitate the carrying out of, an MEO's functions and duties; and
- (b) provides the assistance upon the request of an MEO.

(6) Subsections (3) and (4) apply —

- (a) despite any other written law; and

- (b) whether or not any person accessing, using or disclosing information under those provisions is under any obligation (imposed by any written law or otherwise) not to access, use or disclose the information.

[Act 18 of 2023 wef 16/01/2025]

Contempt of court orders under this Part

91T.—(1) Subject to subsection (2), the following provisions do not affect the powers of the court in relation to the punishment for a contempt of court:

- (a) section 81(1)(a) read with section 91B(1)(b), in the context of a breach of a maintenance order;
- (b) section 91O(1), in the context of a breach of a show-payment order and a failure to show good cause for the breach.

(2) Where a person is sentenced to a term of imprisonment under the provisions mentioned in subsection (1)(a) or (b) in respect of any breach of an order, that breach is not punishable as a contempt of court.

(3) A person cannot be sentenced to imprisonment under the provisions mentioned in subsection (1)(a) or (b) in respect of any breach of an order which has been punished as a contempt of court.

[Act 18 of 2023 wef 16/01/2025]

PART 9A

ADDITIONAL PROVISIONS RELATING TO PART 7, 8 OR 9

Division 1 — Provisions applicable to Parts 8 and 9

Power of Family Court to refuse order where proceedings more convenient in General Division of High Court

91U.—(1) If, in the opinion of the Family Court, the matters in question between the parties or any of them would be more conveniently dealt with by the General Division of the High Court, the Family Court may refuse to make an order and in that case there is no appeal from its decision.

(2) The General Division of the High Court has power, by order in any proceedings in the General Division of the High Court relating to or comprising the same subject matter as the application refused or any part thereof under subsection (1), to direct the Family Court to rehear or determine the same.

[Act 18 of 2023 wef 16/01/2025]

Division 2 — Provisions applicable to Parts 7, 8 and 9

Appeal

91V.—(1) Subject to the provisions of Parts 7, 8 and 9, an appeal lies from any order or the refusal of any order by a Family Court under those Parts to the General Division of the High Court exercising appellate civil jurisdiction under section 23 of the Family Justice Act 2014.

(2) All appeals brought under this section are to be by way of rehearing and the General Division of the High Court has the like powers and jurisdiction on the hearing of such appeals as the Appellate Division of the High Court has on the hearing of appeals from the General Division of the High Court under the Supreme Court of Judicature Act 1969.

(3) No appeal from any order under Parts 7, 8 and 9 operates as a stay of the order unless the General Division of the High Court or the Family Court so directs.

[Act 18 of 2023 wef 16/01/2025]

Costs of proceedings

91W. A court before which any application under this Part or Part 7, 8 or 9 is heard may make any order as to costs that the court thinks fit.

[Act 18 of 2023 wef 16/01/2025]

Division not applicable to criminal proceedings

91X. This Division does not apply to or in relation to criminal proceedings.

[Act 21 of 2023 wef 16/01/2025]

[30/2019]

PART 10

CHAPTER 1 — DIVORCE

Interpretation of this Part

92. In this Part, unless the context otherwise requires —

“child of the marriage” means any child of the husband and wife, and includes any adopted child and any other child (whether or not a child of the husband or of the wife) who was a member of the family of the husband and wife at the time when they ceased to live together or at the time immediately preceding the institution of the proceedings, whichever first occurred; and for the purposes of this definition, the parties to a purported marriage that is void are deemed to be husband and wife;

“desertion” implies an abandonment against the wish of the person charging it;

“judgment of judicial separation” includes a decree of judicial separation granted in proceedings for judicial separation commenced before 1 April 2006;

“originating application” means an originating application for divorce, presumption of death and divorce, judicial separation, nullity of marriage or rescission of a judgment of judicial separation, as the case may be.

[Act 18 of 2023 wef 15/10/2024]

[27/2014]

Jurisdiction of court in matrimonial proceedings

93.—(1) Subject to subsection (2), the court has jurisdiction to hear proceedings for divorce, presumption of death and divorce, judicial separation or nullity of marriage only if either of the parties to the marriage is —

- (a) domiciled in Singapore at the time of the commencement of the proceedings; or

- (b) habitually resident in Singapore for a period of 3 years immediately preceding the commencement of the proceedings.

(2) In proceedings for nullity of marriage on the ground that the marriage is void or voidable, the court may, even though the requirements in subsection (1) are not fulfilled, grant the relief sought where both parties to the marriage reside in Singapore at the time of the commencement of the proceedings.

(3) For the purposes of proceedings for nullity of marriage, “marriage” includes a marriage which is not valid by virtue of any of the provisions of this Act.

Restriction on filing of originating application for divorce during first 3 years of marriage

94.—(1) No originating application for divorce is to be filed in the court unless at the date of the filing of the originating application 3 years have passed since the date of the marriage.

[Act 18 of 2023 wef 15/10/2024]

(2) The court may, upon application being made in accordance with the Family Justice Rules, allow an originating application to be filed before 3 years have passed on the ground that the case is one of exceptional hardship suffered by the applicant or of exceptional depravity on the part of the respondent, but if it appears to the court at the hearing of the proceedings that the applicant obtained permission to file the originating application by any misrepresentation or concealment of the nature of the case, the court may —

- (a) if it grants an interim judgment, do so subject to the condition that no application to make the judgment final may be made until after the expiration of 3 years from the date of the marriage; or
- (b) dismiss the proceedings without prejudice to any proceedings which may be brought after the expiration of the said 3 years upon the same, or substantially the same,

facts as those proved in support of the proceedings so dismissed.

[27/2014]

[Act 18 of 2023 wef 15/10/2024]

[Act 25 of 2021 wef 15/10/2024]

[Act 18 of 2023 wef 16/01/2025]

(3) In determining any application under this section for permission to file an originating application before the expiration of 3 years from the date of the marriage, the court is to have regard to the interest of any child of the marriage and to the question whether there is reasonable probability of a reconciliation between the parties before the expiration of the said 3 years.

[Act 18 of 2023 wef 15/10/2024]

[Act 25 of 2021 wef 15/10/2024]

(4) The court may, before determining an application under this section, refer the differences between the parties to a conciliation officer so that a reconciliation between the parties might be effected.

[Act 3 of 2022 wef 30/12/2022]

(5) Nothing in this section is deemed to prohibit the filing of an originating application based upon matters which have occurred before the expiration of 3 years from the date of the marriage.

[Act 18 of 2023 wef 15/10/2024]

Parenting programme

94A.—(1) Every prescribed party must complete a parenting programme within the time prescribed by rules made under section 180.

[7/2016]

(2) For the purposes of subsection (1), different times may be prescribed for different prescribed parties.

[7/2016]

(3) No originating application for divorce, and no cross-application in proceedings for divorce, is to be filed in the court by a prescribed party, unless the prescribed party —

(a) has completed a parenting programme;

(b) is an excluded party; or

(c) is allowed by the court under subsection (4) to do so.

[7/2016]

[Act 18 of 2023 wef 15/10/2024]

(4) Despite subsection (3)(a) and (b), even though a prescribed party has not completed a parenting programme and is not an excluded party, a court may —

(a) upon the application of the prescribed party, and on such terms as the court thinks fit, allow the prescribed party to file in the court an originating application for divorce; and

[Act 18 of 2023 wef 15/10/2024]

(b) upon the application of the prescribed party or on the court's own motion, and on such terms as the court thinks fit, allow the prescribed party to file in the court a cross-application in proceedings for divorce.

[7/2016]

[Act 18 of 2023 wef 15/10/2024]

(5) A court hearing any proceedings for divorce may, if the court considers that doing so is in the interests of the parties to the marriage and any child of the marriage, at any stage in those proceedings order either or both of the parties to the marriage to complete a parenting programme.

[7/2016]

(6) Where any party who is required or ordered under this section to complete a parenting programme fails to do so, the court may make such orders as the court thinks fit.

[7/2016]

(7) Without limiting subsection (6), the orders which the court may make under that subsection include the following orders:

(a) a stay of the proceedings for divorce until the defaulting party in that subsection completes the parenting programme;

(b) such order as to costs as the court thinks appropriate against the defaulting party in that subsection.

[7/2016]

(8) Anything said, any document prepared, and any information provided, by any person for the purposes of or in the course of

participating in a parenting programme is not to be admitted in evidence in any court.

[7/2016]

(9) The Minister may —

(a) determine the form, contents and duration of a parenting programme; and

(b) appoint any person to conduct a parenting programme.

[7/2016]

(10) Each person appointed under subsection (9)(b) to conduct a parenting programme is to determine whether any person who attends that programme has completed that programme.

[7/2016]

(11) Any person who is dissatisfied with a determination under subsection (10) may appeal to the Minister, whose decision is final.

[7/2016]

(12) The Minister may designate the following persons to consider and determine, in his or her place, any appeal under subsection (11):

(a) any Minister of State or Senior Minister of State, for his or her Ministry;

(b) any Parliamentary Secretary or Senior Parliamentary Secretary, for his or her Ministry,

and any reference in that subsection to the Minister includes a reference to the Minister of State or Senior Minister of State, or the Parliamentary Secretary or Senior Parliamentary Secretary, so designated for that appeal.

[7/2016]

(13) No liability shall lie personally against any person appointed under subsection (9)(b) to conduct a parenting programme who, acting in good faith and with reasonable care, does or omits to do anything for the purposes of that parenting programme.

[7/2016]

(14) In this section —

“excluded party” means a prescribed party who is exempted, by rules made under section 180, from subsection (1);

“parenting programme” means a programme —

- (a) which provides information on matters relating to marriage, divorce and how divorce may affect a child of a marriage; and
- (b) the form, contents and duration of which are determined by the Minister under subsection (9)(a);

“prescribed party” means a party to a marriage who is prescribed, by rules made under section 180, for the purposes of this section.

[7/2016]

Divorce may be granted only if marriage has irretrievably broken down, etc.

95.—(1) Either party to a marriage may apply to the court for a divorce.

(2) A divorce is to be granted if and only if the court is satisfied that —

- (a) the marriage has irretrievably broken down;
[Act 21 of 2023 wef 01/07/2024]
- (b) if the applicant is relying on section 95A(1)(a), (b) or (c) — the applicant is not relying on his or her own adultery, behaviour or desertion, as the case may be; and
[Act 21 of 2023 wef 01/07/2024]
- (c) it is just and reasonable to grant the divorce, having regard to all relevant circumstances, including —
 - (i) the conduct of the parties; and
 - (ii) how a divorce would affect the parties and any child of the marriage.

[Act 21 of 2023 wef 01/07/2024]

(3) The court must dismiss an application for divorce if it is not satisfied as to the matters in subsection (2).

(4) The court may grant an interim judgment for divorce (which may be subject to terms).

[Act 3 of 2022 wef 01/07/2024]

What constitutes the irretrievable breakdown of a marriage

95A.—(1) For the purposes of this Act, a marriage between *X* and *Y* is taken to have irretrievably broken down if and only if —

- (a) *X* has committed adultery and *Y* finds it intolerable to live with *X*;
 - (b) *X* has behaved in such a way that *Y* cannot reasonably be expected to live with *X*;
 - (c) *X* has deserted *Y* for a continuous period of 2 or more years immediately before the application for divorce;
 - (d) *X* and *Y* —
 - (i) have lived apart for a continuous period of 3 or more years immediately before the application for divorce; and
 - (ii) consent to a divorce being granted by the court;
 - (e) *X* and *Y* have lived apart for a continuous period of 4 or more years immediately before the application for divorce; or
 - (f) subject to subsection (6)(c), *X* and *Y* agree that the marriage has irretrievably broken down.
- (2) For the purposes of subsection (1)(a) —
- (a) if *Y* continues to live together with *X* for a total of 6 months or less despite knowing that *X* has committed an act of adultery, the fact that *Y* continued to live with *X* must be ignored in deciding whether *Y* finds it intolerable to live with *X*; and
 - (b) if *Y* continues to live together with *X* for more than 6 months despite knowing that *X* has committed an act of adultery, *Y* may not rely on that act of adultery.
- (3) For the purposes of subsection (1)(b), if *Y* continues to live together with *X* for a total of 6 months or less after the most recent instance of the relevant behaviour by *X*, the fact that *Y* continued to live together with *X* must be ignored in deciding whether *Y* can reasonably be expected to live with *X*.

- (4) For the purposes of subsection (1)(c) —
- (a) a period of desertion is still taken to be continuous even if *X* and *Y* lived together for a total of 6 months or less during that period; but
 - (b) the period during which *X* and *Y* lived together does not count towards the length of the period of desertion.
- (5) For the purposes of subsection (1)(d) and (e) —
- (a) a period of living apart is still taken to be continuous even if *X* and *Y* lived together for a total of 6 months or less during that period; but
 - (b) the period during which *X* and *Y* lived together does not count towards the length of the period of living apart.
- (6) For the purposes of subsection (1)(f) —
- (a) an agreement must be in writing and must state the following matters:
 - (i) the reasons leading *X* and *Y* to conclude that their marriage has irretrievably broken down;
 - (ii) the efforts *X* and *Y* have made to reconcile;
 - (iii) the consideration *X* and *Y* have given to the arrangements to be made in relation to their financial affairs and any child of the marriage;
 - (b) the court must consider the stated matters in deciding whether to exercise its powers under Divisions 3 and 4 of Part 10A (amicable settlement of disputes); and
 - (c) the court must not accept the agreement if it considers, in all the circumstances of the case, that there remains a reasonable possibility that *X* and *Y* might reconcile.
- (7) In this section, “live together” means live together in the same household.

[Act 3 of 2022 wef 01/07/2024]

Rules to provide for agreements to be referred to court

96. Provision may be made by the Family Justice Rules for enabling the parties to a marriage, or either of them, on application made either before or after the filing of the originating application for divorce, to refer to the court any agreement or arrangement made or proposed to be made between them, being an agreement or arrangement which relates to, arises out of, or is connected with, the proceedings for divorce which are contemplated or have begun (as the case may be), and for enabling the court to express an opinion, should the court think it desirable to do so, as to the reasonableness of the agreement or arrangement and to give such directions (if any) in the matter as the court thinks fit.

[27/2014]

[Act 18 of 2023 wef 15/10/2024]

[Act 18 of 2023 wef 16/01/2025]

Intervention of Attorney-General

97.—(1) In the case of any proceedings for divorce —

- (a) the court may, if it thinks fit, direct all necessary papers to be sent to the Attorney-General, and the Attorney-General may argue before the court any question in relation to the matter which the court considers it necessary or expedient to be fully argued; and
- (b) any person may, at any time during the progress of the proceedings or before the interim judgment is made final, give information to the Attorney-General on any matter material to the due decision of the case, and the Attorney-General may thereupon take such steps as he or she considers necessary or expedient.

(2) If the Attorney-General intervenes or shows cause against an interim judgment in any proceedings for divorce, the court may order one or more of the parties to the proceedings to pay the costs of the Attorney-General.

Relief for other party in divorce proceedings

98.—(1) This section applies where —

- (a) one party to a marriage (*X*) applies for a divorce; and
- (b) the other party to the marriage (*Y*) alleges and proves that the marriage has irretrievably broken down.

(2) The court may give to *Y* any relief to which *Y* would be entitled if *Y* had applied for a divorce.

[Act 3 of 2022 wef 01/07/2024]

Interim judgment and proceedings thereafter

99.—(1) Every judgment of divorce is in the first instance an interim judgment and must not be made final before the expiration of 3 months from its grant unless the court by general or special order from time to time fixes a shorter period.

(2) Where a judgment of divorce has been granted but not made final, then without prejudice to section 97, any person may show cause why the judgment should not be made final by reason of the material facts not having been brought before the court, and in such a case the court may —

- (a) notwithstanding subsection (1), make the judgment final;
- (b) rescind the interim judgment;
- (c) require further inquiry; or
- (d) otherwise deal with the case as it thinks fit.

(3) Where an interim judgment of divorce has been granted and no application for it to be made final has been made by the party to whom it was granted, then, at any time after the expiration of 3 months from the earliest date on which that party could have made such an application, the party against whom it was granted may make an application to the court and on that application the court may —

- (a) notwithstanding subsection (1), make the judgment final;
- (b) rescind the interim judgment;
- (c) require further inquiry; or
- (d) otherwise deal with the case as it thinks fit.

Proceedings for interim judgment of presumption of death and divorce

100.—(1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may file an originating application to have it presumed that the other party is dead and to have the marriage dissolved, and the court, if satisfied that such reasonable grounds exist, may make an interim judgment of presumption of death and of divorce.

[Act 18 of 2023 wef 15/10/2024]

(2) In any such proceedings, the fact that for a period of 7 years or more the other party to the marriage has been continually absent from the applicant, and the applicant has no reason to believe that the other party has been living within that time, is evidence that the other party is dead until the contrary is proved.

[Act 18 of 2023 wef 15/10/2024]

(3) Section 99 applies to an originating application and a judgment under this section as it applies to an originating application for divorce and a judgment of divorce, respectively.

[Act 18 of 2023 wef 15/10/2024]

Rescission of interim judgment in certain circumstances where one party misled by other party

100A.—(1) This section applies where —

- (a) the court has granted an interim judgment of divorce; and
- (b) the interim judgment is given only on the ground that the marriage has irretrievably broken down under the circumstances mentioned in section 95A(1)(d) or (f) (and under no other circumstances).

(2) The court may rescind the interim judgment if —

- (a) the court is satisfied that —
 - (i) the party who applied for divorce (*X*) misled (whether intentionally or not) the other party (*Y*) about any matter; and

- (ii) *Y* took that matter into account in consenting to the grant of the divorce or agreeing that the marriage has irretrievably broken down, as the case may be; and
- (b) *Y* has applied for rescission of the interim judgment at any time before the interim judgment is made final.

[Act 3 of 2022 wef 01/07/2024]

CHAPTER 2 — JUDICIAL SEPARATION

Judicial separation

101.—(1) Either party to a marriage may apply for judicial separation on the ground and circumstances set out in section 95A, and sections 95 and 95A are to apply (with the necessary modifications) in relation to an application for judicial separation as they apply to an application for divorce.

[Act 3 of 2022 wef 01/07/2024]

(2) Where a court grants a judgment of judicial separation, it is no longer obligatory for the applicant to cohabit with the respondent.

[Act 18 of 2023 wef 15/10/2024]

(3) The court may, on an application by an originating application of the spouse against whom a judgment of judicial separation has been made and on being satisfied that the allegations in the originating application are true, rescind the judgment at any time on the ground that it was obtained in the absence of the applicant or, if desertion was the ground of the judgment, that there was reasonable cause for the alleged desertion.

[Act 18 of 2023 wef 15/10/2024]

Judicial separation no bar to originating application for divorce

102.—(1) A person is not prevented from filing an originating application for divorce, or the court from pronouncing a judgment of divorce, by reason only that the applicant or respondent has at any time been granted a judicial separation upon the same or substantially the same facts as those proved in support of the originating application for divorce.

[Act 18 of 2023 wef 15/10/2024]

(2) On any such originating application for divorce, the court may treat the judgment of judicial separation as sufficient proof of the adultery, desertion or other ground on which it was granted, but the court must not grant a judgment of divorce without receiving evidence from the applicant.

[Act 18 of 2023 wef 15/10/2024]

(3) For the purposes of any such originating application for divorce, a period of desertion immediately preceding the institution of proceedings for a judgment of judicial separation is, if the parties have not resumed cohabitation and the judgment has been continuously in force since it was granted, deemed immediately to precede the filing of the originating application for divorce.

[Act 18 of 2023 wef 15/10/2024]

Judicially separated spouses not entitled to claim in intestacy of each other

103. If, while a judgment of judicial separation is in force and the separation is continuing, either of the parties whose marriage is the subject of the judgment dies intestate after 1 June 1981, all or any of his or her movable or immovable property devolves as if the other party to the marriage had been then dead.

CHAPTER 3 — NULLITY OF MARRIAGE

Originating application for nullity of marriage

104. Any husband or wife may file an originating application for nullity in respect of his or her marriage.

[Act 18 of 2023 wef 15/10/2024]

Grounds on which marriage is void

105. A marriage which takes place after 1 June 1981 is void on the following grounds only:

- (a) that it is not a valid marriage by virtue of sections 3(4), 5, 9, 10, 11, 12 and 13;

[Act 3 of 2022 wef 25/09/2023]

- (aa) where the marriage was solemnised on or after 1 October 2016, that it is not a valid marriage by virtue of section 11A.

[Act 3 of 2022 wef 30/12/2022]

- (b) *[Deleted by Act 3 of 2022 wef 30/12/2022]*

Grounds on which marriage is voidable

106. A marriage which takes place after 1 June 1981 is voidable on the following grounds only:

- (a) that the marriage has not been consummated owing to the incapacity of either party to consummate it;

- (b) that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate it;

[Act 18 of 2023 wef 15/10/2024]

- (c) that either party to the marriage did not validly consent to it, whether in consequence of duress, mistake, mental disorder or otherwise;

- (d) that at the time of the marriage either party, though capable of giving a valid consent, was suffering (whether continuously or intermittently) from mental disorder within the meaning of the Mental Health (Care and Treatment) Act 2008 of such a kind or to such an extent as to be unfit for marriage;

- (e) that at the time of the marriage the respondent was suffering from venereal disease in a communicable form;

[Act 18 of 2023 wef 15/10/2024]

- (f) that at the time of the marriage the respondent was pregnant by some person other than the applicant.

[21/2008]

[Act 18 of 2023 wef 15/10/2024]

Bars to relief where marriage is voidable

107.—(1) The court shall not, in proceedings instituted after 1 June 1981, grant a judgment of nullity on the ground that a marriage is voidable (whether the marriage took place before or after that date) if the respondent satisfies the court that —

- (a) the applicant, with knowledge that it was open to him or her to have the marriage avoided, so conducted himself or herself in relation to the respondent as to lead the respondent reasonably to believe that the applicant would not seek to do so; and

[Act 18 of 2023 wef 15/10/2024]

- (b) it would be unjust to the respondent to grant the judgment.

[Act 18 of 2023 wef 15/10/2024]

(2) Without prejudice to subsection (1), the court shall not grant a judgment of nullity on the grounds mentioned in section 106(c), (d), (e) or (f) unless it is satisfied that proceedings were instituted within 3 years from the date of the marriage.

(3) Without prejudice to subsections (1) and (2), the court shall not grant a judgment of nullity on the grounds mentioned in section 106(e) or (f) unless it is satisfied that the applicant was, at the time of the marriage, ignorant of the facts alleged.

[Act 18 of 2023 wef 15/10/2024]

(4) Subsection (1) replaces, in relation to the grounds mentioned in section 106, any rule of law whereby a judgment may be refused by reason of approbation, ratification or lack of sincerity on the part of the applicant or on similar grounds.

[Act 18 of 2023 wef 15/10/2024]

Marriage governed by foreign law

108.—(1) Where, apart from this Act, any matter affecting the validity of a marriage would fall to be determined (in accordance with the rules of private international law) by reference to the law of a country outside Singapore, nothing in section 105, 106 or 107 —

- (a) precludes the determination of the matter as aforesaid; or
- (b) requires the application to the marriage of the grounds or bars to relief mentioned in those sections except so far as are applicable in accordance with those rules.

[Act 3 of 2022 wef 30/12/2022]

(2) To avoid doubt, subsection (1) does not prevent any provision of this Act from being construed, for the purposes of the rules of private international law, as —

- (a) a forum mandatory provision; or
- (b) representing a fundamental public policy of Singapore.
[Act 3 of 2022 wef 30/12/2022]

Application of sections 97 and 99 to nullity proceedings

109. Sections 97 and 99 apply in relation to proceedings for nullity of marriage as if for any reference in those sections to divorce there were substituted a reference to nullity of marriage.

Effect of judgment of nullity in case of voidable marriage

110.—(1) If the court finds that the applicant's case has been proved, it shall grant a judgment of nullity.
[Act 18 of 2023 wef 15/10/2024]

(2) A judgment of nullity granted after 1 June 1981 on the ground that a marriage is voidable operates to annul the marriage only as respects any time after the judgment has been made final, and the marriage shall, despite the judgment, be treated as if it had existed up to that time.

Legitimacy of children of annulled marriages

111.—(1) Where a marriage is annulled, any child who would have been the legitimate child of the parties to the marriage if it had been dissolved, instead of being annulled, at the date of the judgment is deemed to be their legitimate child, despite the annulment.

(2) The child of a void marriage born on or after 2 May 1975 is deemed to be the legitimate child of his or her parents if, at the date of such void marriage, both or either of the parties reasonably believed that the marriage was valid.

CHAPTER 4 — FINANCIAL PROVISIONS CONSEQUENT ON MATRIMONIAL PROCEEDINGS

Power of court to order division of matrimonial assets

112.—(1) The court has power, when granting or subsequent to the grant of a judgment of divorce, judicial separation or nullity of marriage, to order the division between the parties of any matrimonial

asset or the sale of any such asset and the division between the parties of the proceeds of the sale of any such asset in such proportions as the court thinks just and equitable.

(2) It is the duty of the court in deciding whether to exercise its powers under subsection (1) and, if so, in what manner, to have regard to all the circumstances of the case, including the following matters:

- (a) the extent of the contributions made by each party in money, property or work towards acquiring, improving or maintaining the matrimonial assets;
- (b) any debt owing or obligation incurred or undertaken by either party for their joint benefit or for the benefit of any child of the marriage;
- (c) the needs of the children (if any) of the marriage;
- (d) the extent of the contributions made by each party to the welfare of the family, including looking after the home or caring for the family or any aged or infirm relative or dependant of either party;
- (e) any agreement between the parties with respect to the ownership and division of the matrimonial assets made in contemplation of divorce;
- (f) any period of rent-free occupation or other benefit enjoyed by one party in the matrimonial home to the exclusion of the other party;
- (g) the giving of assistance or support by one party to the other party (whether or not of a material kind), including the giving of assistance or support which aids the other party in the carrying on of his or her occupation or business; and
- (h) the matters referred to in section 114(1) so far as they are relevant.

(3) The court may make all such other orders and give such directions as may be necessary or expedient to give effect to any order made under this section.

(4) The court may, at any time it thinks fit, extend, vary, revoke or discharge any order made under this section, and may vary any term or condition upon or subject to which any such order has been made.

(5) In particular, but without limiting subsections (3) and (4), the court may make any one or more of the following orders:

- (a) an order for the sale of any matrimonial asset or any part thereof, and for the division, vesting or settlement of the proceeds;
- (b) an order vesting any matrimonial asset owned by both parties jointly in both the parties in common in such shares as the court considers just and equitable;
- (c) an order vesting any matrimonial asset or any part thereof in either party;
- (d) an order for any matrimonial asset, or the sale proceeds thereof, to be vested in any person (including either party) to be held on trust for such period and on such terms as may be specified in the order;
- (e) an order postponing the sale or vesting of any share in any matrimonial asset, or any part of such share, until such future date or until the occurrence of such future event or until the fulfilment of such condition as may be specified in the order;
- (f) an order granting to either party, for such period and on such terms as the court thinks fit, the right personally to occupy the matrimonial home to the exclusion of the other party;
- (g) an order for the payment of a sum of money by one party to the other party.

(6) Where under any order made under this section one party is or may become liable to pay to the other party a sum of money, the court may direct that it must be paid either in one sum or in instalments, and either with or without security, and otherwise in such manner and subject to such conditions (including a condition requiring the payment of interest) as the court thinks fit.

(7) Where, pursuant to this section, the court makes an order for the sale of any matrimonial asset and for the division, application or settlement of the proceeds, the court may appoint a person to sell the asset and divide, apply or settle the proceeds accordingly; and the execution of any instrument by the person so appointed has the same force and validity as if it had been executed by the person in whom the asset is vested.

(8) Any order under this section may be made upon such terms and subject to such conditions (if any) as the court thinks fit.

(9) Where the court, by any order under this section, appoints a person (including the Registrar or other officer of the court) to act as a trustee or to sell any matrimonial asset and to divide, apply and settle the proceeds thereof, the court may make provision in that order for the payment of remuneration to that person and for the reimbursement of that person's costs and expenses.

(10) In this section, "matrimonial asset" means —

(a) any asset acquired before the marriage by one party or both parties to the marriage —

(i) ordinarily used or enjoyed by both parties or one or more of their children while the parties are residing together for shelter or transportation or for household, education, recreational, social or aesthetic purposes; or

(ii) which has been substantially improved during the marriage by the other party or by both parties to the marriage; and

(b) any other asset of any nature acquired during the marriage by one party or both parties to the marriage,

but does not include any asset (not being a matrimonial home) that has been acquired by one party at any time by gift or inheritance and that has not been substantially improved during the marriage by the other party or by both parties to the marriage.

Power of court to order maintenance

113.—(1) The court may order a man to pay maintenance to his wife or former wife, or order a woman to pay maintenance to her incapacitated husband or incapacitated former husband —

- (a) during the course of any matrimonial proceedings; or
- (b) when granting or subsequent to the grant of a judgment of divorce, judicial separation or nullity of marriage.

[7/2016]

(2) The court may make an order under this section regardless when the marriage was solemnised, whether before, on or after 1 July 2016.

[7/2016]

Assessment of maintenance

114.—(1) In determining the amount of any maintenance to be paid by a man to his wife or former wife, or by a woman to her incapacitated husband or incapacitated former husband, the court must have regard to all the circumstances of the case including the following matters:

- (a) the income, earning capacity, property and other financial resources which each of the parties to the marriage has or is likely to have in the foreseeable future;
- (b) the financial needs, obligations and responsibilities which each of the parties to the marriage has or is likely to have in the foreseeable future;
- (c) the standard of living enjoyed by the family before the breakdown of the marriage;
- (d) the age of each party to the marriage and the duration of the marriage;
- (e) any physical or mental disability of either of the parties to the marriage;
- (f) the contributions made by each of the parties to the marriage to the welfare of the family, including any contribution made by looking after the home or caring for the family; and

- (g) in the case of proceedings for divorce or nullity of marriage, the value to either of the parties to the marriage of any benefit (for example, a pension) which, by reason of the dissolution or annulment of the marriage that party will lose the chance of acquiring.

[7/2016]

(2) In exercising its powers under this section, the court is to endeavour to place the parties, so far as it is practicable and, having regard to their conduct, just to do so, in the financial position in which they would have been if the marriage had not broken down and each had properly discharged his or her financial obligations and responsibilities towards the other.

Power of court to order security for maintenance

115.—(1) A maintenance order may provide for the payment of a lump sum or such periodical payment as the court may determine.

(2) The court may, when awarding maintenance, order the person liable to pay such maintenance to secure the whole or any part of it by vesting any property in trustees upon trust to pay the maintenance or part thereof out of the income from that property and, subject thereto, in trust for the settlor.

Compounding of maintenance

116. An agreement for the payment, in money or other property, of a capital sum in settlement of all future claims to maintenance, is not effective until it has been approved, or approved subject to conditions, by the court, but when so approved is a good defence to any claim for maintenance.

Duration of orders for maintenance

117. Except where an order for maintenance is expressed to be for any shorter period or where any such order has been rescinded, an order for maintenance expires —

- (a) if the maintenance was unsecured —
- (i) on the death of either spouse or former spouse;

- (ii) in the case of maintenance payable to a former wife — upon her remarriage; or
 - (iii) in the case of maintenance payable to an incapacitated former husband — upon his remarriage; or
- (b) if the maintenance was secured —
- (i) in the case of maintenance payable to a wife — on her death;
 - (ii) in the case of maintenance payable to a former wife — on her death or upon her remarriage;
 - (iii) in the case of maintenance payable to an incapacitated husband — on his death; or
 - (iv) in the case of maintenance payable to an incapacitated former husband — on his death or upon his remarriage.

[7/2016]

Power of court to vary orders for maintenance

118. The court may at any time vary or rescind any subsisting order for maintenance, whether secured or unsecured, on the application of the person in whose favour or of the person against whom the order was made, or, in respect of secured maintenance, of the legal personal representatives of the latter, where it is satisfied that the order was based on any misrepresentation or mistake of fact or where there has been any material change in the circumstances.

Power of court to vary agreements for maintenance

119. Subject to section 116, the court may at any time and from time to time vary the terms of any agreement as to maintenance made between husband and wife, whether made before or after 1 June 1981, where it is satisfied that there has been any material change in the circumstances and despite any provision to the contrary in any such agreement.

Maintenance payable under order of court to be inalienable

120. Maintenance payable to any person under any order of court is not assignable or transferable or liable to be attached, sequestered or levied upon for, or in respect of, any debt or claim whatsoever.

121. [*Repealed by Act 18 of 2023 wef 16/01/2025*]

CHAPTER 4A — FINANCIAL RELIEF CONSEQUENTIAL ON FOREIGN MATRIMONIAL PROCEEDINGS

Interpretation and application of this Chapter

121A.—(1) In this Chapter, unless the context otherwise requires —

“applicant” means the person who applies for an order for financial relief;

“country” includes a territory;

“judicial or other proceedings” includes acts which constitute the means by which a divorce, an annulment of marriage or a legal separation may be obtained in a country and which are done in compliance with the law of that country;

“matrimonial asset” has the meaning given by section 112(10);

“order for financial relief” means an order made under section 121G of a description mentioned in that section.

[2/2011]

(2) This Chapter only applies to proceedings, decrees, orders or judgments commenced, made or given (as the case may be) on or after 1 June 2011.

[2/2011]

Applications for financial relief after overseas divorce, etc.

121B. Where —

- (a) a marriage has been dissolved or annulled, or the parties to a marriage have been legally separated, by means of judicial or other proceedings in a foreign country; and

(b) the divorce, annulment or judicial separation is entitled to be recognised as valid in Singapore under Singapore law, either party to the marriage may apply to the court in the manner prescribed in the Family Justice Rules for an order for financial relief under this Chapter.

[2/2011; 27/2014]

[Act 18 of 2023 wef 16/01/2025]

Jurisdiction of court

121C. The court has jurisdiction to hear an application for an order for financial relief only if —

(a) one of the parties to the marriage was domiciled in Singapore on the date of the application for permission under section 121D or was so domiciled on the date on which the divorce, annulment or judicial separation obtained in a foreign country took effect in that country; or

[Act 25 of 2021 wef 15/10/2024]

(b) one of the parties to the marriage was habitually resident in Singapore for a continuous period of one year immediately preceding the date of the application for permission under section 121D or was so resident for a continuous period of one year immediately preceding the date on which the divorce, annulment or judicial separation obtained in a foreign country took effect in that country.

[2/2011]

[Act 25 of 2021 wef 15/10/2024]

Permission of court required for applications for financial relief

121D.—(1) No application for an order for financial relief is to be made unless the permission of the court has been obtained in accordance with the Family Justice Rules.

[2/2011; 27/2014]

[Act 25 of 2021 wef 15/10/2024]

[Act 18 of 2023 wef 16/01/2025]

(2) The court shall not grant permission unless it considers that there is substantial ground for the making of an application for such an order.

[2/2011]

[Act 25 of 2021 wef 15/10/2024]

(3) The court may grant permission under this section even though an order has been made by a court of competent jurisdiction in a foreign country requiring the other party to the marriage to make any payment or transfer any matrimonial asset to the applicant or a child of the marriage.

[2/2011]

[Act 25 of 2021 wef 15/10/2024]

(4) Permission under this section may be granted subject to such conditions as the court thinks fit.

[2/2011]

[Act 25 of 2021 wef 15/10/2024]

Interim orders for financial provision

121E.—(1) Where permission is granted under section 121D and it appears to the court that the applicant or any child of the marriage is in immediate financial need, the court may make an interim order for —

- (a) a man to make financial provision for his wife or former wife (as the case may be) or any child of the marriage;
- (aa) a woman to make financial provision for her incapacitated husband or incapacitated former husband (as the case may be) or for any child of the marriage; or
- (b) a parent to make financial provision for any child of the marriage.

[2/2011; 7/2016]

[Act 25 of 2021 wef 15/10/2024]

(2) An interim order under subsection (1) may be made for such term, being a term beginning not earlier than the date of the grant of permission and ending with the date of the determination of the

application for an order for financial relief, as the court thinks reasonable.

[2/2011]

[Act 25 of 2021 wef 15/10/2024]

(3) An interim order under subsection (1) may be made subject to such conditions as the court thinks fit.

[2/2011]

Duty of court to consider whether Singapore is appropriate forum for application

121F.—(1) Before making an order for financial relief, the court is to consider whether in all the circumstances of the case, it would be appropriate for such an order to be made by a court in Singapore, and if the court is not satisfied that it would be appropriate, the court must dismiss the application.

[2/2011]

(2) The court is to, in particular, have regard to the following matters:

- (a) the connection which the parties to the marriage have with Singapore;
- (b) the connection which those parties have with the country in which the marriage was dissolved or annulled or in which judicial separation was obtained;
- (c) the connection which those parties have with any other foreign country;
- (d) any financial benefit which the applicant or a child of the marriage has received, or is likely to receive, in consequence of the divorce, annulment or judicial separation, by virtue of any agreement or the operation of the law of a foreign country;
- (e) in a case where an order has been made by a court of competent jurisdiction in a foreign country requiring the other party to the marriage to make any payment or transfer any property for the benefit of the applicant or a child of the marriage, the financial relief given by the order and the

extent to which the order has been complied with or is likely to be complied with;

- (f) any right which the applicant has, or has had, to apply for financial relief from the other party to the marriage under the law of any foreign country, and if the applicant has omitted to exercise that right, the reason for that omission;
- (g) the availability in Singapore of any matrimonial asset in respect of which an order made under section 121G in favour of the applicant could be made;
- (h) the extent to which any order made under section 121G is likely to be enforceable;
- (i) the length of time which has elapsed since the date of the divorce, annulment or judicial separation.

[2/2011]

Orders for financial relief

121G.—(1) On an application by a party to a marriage for an order for financial relief, the court may make any one or more of the orders which it could have made under section 112, 113 or 127(1) in the like manner as if a decree of divorce, nullity or judicial separation in respect of the marriage had been granted in Singapore.

[2/2011]

(2) Sections 91R, 112(2) to (10), 114 to 120 and 127(2) apply, with the necessary modifications, and as appropriate, to an order made under subsection (1).

[2/2011]

[Act 18 of 2023 wef 16/01/2025]

(3) Upon the court making a secured order under subsection (1) or at any time thereafter, the court may make any order which the court could have made if the secured order had been made under section 112, 115 or 127.

[2/2011]

CHAPTER 5 — WELFARE OF CHILDREN

Meaning of “child”

122. In this Chapter, wherever the context so requires, “child” means a child of the marriage as defined in section 92 but who is below 21 years of age.

Arrangements for welfare of children

123.—(1) Subject to this section, the court shall not make final any judgment of divorce or nullity of marriage or grant a judgment of judicial separation unless the court is satisfied as respects every child —

- (a) that arrangements have been made for the welfare of the child and that those arrangements are satisfactory or are the best that can be devised in the circumstances; or
- (b) that it is impracticable for the party or parties appearing before the court to make any such arrangements.

(2) The court may, if it thinks fit, proceed without observing the requirements of subsection (1) if —

- (a) it appears that there are circumstances making it desirable that the interim judgment be made final or (as the case may be) that the judgment of judicial separation should be granted without delay; and
- (b) the court has obtained a satisfactory undertaking from either or both of the parties to bring the question of the arrangements for the child before the court within a specified time.

(3) In this section and section 124, “welfare”, in relation to a child, includes the custody and education of the child and financial provision for him or her.

Orders on welfare of children

124. In any proceedings for divorce, judicial separation or nullity of marriage, the court may, at any stage of the proceedings, or after a final judgment has been granted, make such orders as it thinks fit with

respect to the welfare of any child and may vary or discharge the said orders, and may, if it thinks fit, direct that proceedings be commenced for placing the child under the protection of the court.

[7/2016]

Paramount consideration to be welfare of child

125.—(1) The court may at any time by order place a child in the custody, or in the care and control, of the child's father or mother or (where there are exceptional circumstances making it undesirable that the child be entrusted to either parent) of any other relative of the child or of any organisation or association the objects of which include child welfare, or of any other suitable person.

[7/2016]

(2) In deciding in whose custody, or in whose care and control, a child should be placed, the paramount consideration is to be the welfare of the child and subject to this, the court is to have regard —

- (a) to the wishes of the parents of the child; and
- (b) to the wishes of the child, where he or she is of an age to express an independent opinion.

[7/2016]

Orders subject to conditions

126.—(1) An order for custody may be made subject to such conditions as the court may think fit to impose and, subject to such conditions (if any) as may from time to time apply, entitles the person given custody to decide all questions relating to the upbringing and education of the child.

- (2) Without limiting subsection (1), an order for custody may —
- (a) contain conditions as to the place where the child is to reside, as to the manner of his or her education and as to the religion in which he or she is to be brought up;
 - (b) provide for the child to be temporarily in the care and control of some person other than the person given custody;
 - (c) provide for the child to visit a parent deprived of custody, or any member of the family of a parent who is dead or has

been deprived of custody, at such times and for such periods as the court may consider reasonable;

- (d) give a parent deprived of custody or any member of the family of a parent who is dead or has been deprived of custody the right of access to the child at such times and with such frequency as the court may consider reasonable; or
- (e) prohibit the person given custody from taking the child out of Singapore.

(2A) An order for the care and control of a child may be made subject to such conditions as the court may think fit to impose.

[7/2016]

(2B) Without limiting subsection (2A), an order for the care and control of a child may —

- (a) contain conditions as to the place where the child is to reside;
- (b) provide for the child to visit a parent who does not have custody or care and control of the child, or any member of the family of a parent who is dead or does not have custody or care and control of the child, at such times and for such periods as the court may consider reasonable;
- (c) give a parent who does not have custody or care and control of the child, or any member of the family of a parent who is dead or does not have custody or care and control of the child, the right of access to the child at such times and with such frequency as the court may consider reasonable; or
- (d) prohibit the person given care and control of the child from taking the child out of Singapore.

[7/2016]

(3) Despite subsections (1) and (2A), where an order for custody, or an order for care and control, is in force, a person must not take the

child who is the subject of the order out of Singapore, except with the written consent of both parents or the permission of the court.

[7/2016]

[Act 25 of 2021 wef 15/10/2024]

(4) Subsection (3) does not prevent the taking out of Singapore for a period of less than one month of the child by the person given custody, or care and control, of the child or by any other person who has the written consent of the person given custody, or care and control, of the child to take the child out of Singapore.

[7/2016]

(5) Any person who contravenes subsection (3) 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 12 months or to both.

Enforcement of custody order, etc.

126A.—(1) This section applies where —

- (a) the court makes an order for a child to be placed in the custody, or the care and control, of a person; and
- (b) the child leaves, or is removed from, the physical custody of that person.

(2) To enforce the order, the court may —

- (a) order that the child be returned to the physical custody of the person mentioned in subsection (1)(a); and
- (b) direct the bailiff to seize the child and deliver the child to the physical custody of that person.

[Act 3 of 2022 wef 02/01/2025]

Enforcement of child access order

126B.—(1) This section applies where —

- (a) the court makes an order under section 126 (called in this section the access order) giving a person (X) access to a child; and

[Act 32 of 2024 wef 02/01/2025]

- (b) the order is breached by the person (*Y*) who is required by the order to give *X* access to the child.
- (2) *X* may apply to the court to enforce the access order against *Y*.
- (3) Without limiting any other power of the court, the court may do all or any of the following in an application under subsection (2):
- (a) order *Y* to give *X* additional access to the child to make up for the access denied to *X* as a result of the breach;
 - (b) order *Y* to compensate *X* for any reasonable expenses incurred by *X* as a result of the breach;
 - (c) order *X*, *Y* and the child (or any of them) to attend all or any of the following:
 - (i) counselling;
 - (ii) mediation;
 - (iii) a therapeutic or an educational programme specified by the court;
 - (iv) a family support programme as defined in section 139A;
 - (d) order *Y* to execute a bond, with or without sureties or security, as the court may determine, to secure *Y*'s future compliance with the access order;
 - (e) for every breach of the access order by *Y*, sentence *Y* to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.
- (4) To avoid doubt, an order under subsection (3)(a) must not give *X* more access than what *X* is entitled to under the access order.
- (5) The court may, in making any order under subsection (3)(a), (b), (c) or (d) in respect of a breach of the access order —
- (a) reserve the question whether *Y* should also be sentenced under subsection (3)(e) for that breach; and
 - (b) return to the question subsequently (without *X* having to make a fresh application).

(6) In respect of a breach of an access order, *X* may do either, but not both, of the following:

- (a) make an application under subsection (2);
- (b) bring proceedings to punish *Y* for contempt of court in respect of that breach.

[Act 3 of 2022 wef 02/01/2025]

(7) Despite section 47(1) of the Family Justice Act 2014, an access order made by the General Division of the High Court (whether before, on or after 1 October 2014) may be enforced by a Family Court in accordance with this section as if the access order had been made by the Family Court, except that a Family Court has no power to vary an order of the General Division of the High Court.

[Act 18 of 2023 wef 02/01/2025]

Power of court to order maintenance for children

127.—(1) During the pendency of any matrimonial proceedings or when granting or at any time subsequent to the grant of a judgment of divorce, judicial separation or nullity of marriage, the court may order a parent to pay maintenance for the benefit of his or her child in such manner as the court thinks fit.

(2) The provisions of Parts 8 and 9 apply, with the necessary modifications, to an application for maintenance and a maintenance order made under subsection (1).

Power of court to vary order for custody, etc.

128. The court may at any time vary or rescind any order for the custody, or the care and control, of a child on the application of any interested person, where it is satisfied that the order was based on any misrepresentation or mistake of fact or where there has been any material change in the circumstances.

[7/2016]

Power of court to vary agreement for custody, etc.

129. The court may, at any time and from time to time, vary the terms of any agreement relating to the custody, or the care and control, of a child, regardless when the agreement was made, despite

any provision to the contrary in that agreement, where it is satisfied that it is reasonable and for the welfare of the child to do so.

[7/2016]

Court to have regard to advice of welfare officers, etc.

130. When considering any question relating to the custody, or the care and control, of any child, the court is to, whenever it is practicable, have regard to the advice of a person, whether or not a public officer, who is trained or experienced in child welfare but is not bound to follow such advice.

[2/2011; 7/2016]

Power of court to restrain taking of child out of Singapore

131.—(1) The court may, on the application of the father or mother of a child —

- (a) where any matrimonial proceedings are pending; or
- (b) where, under any agreement or order of court, one parent has custody, or care and control, of the child to the exclusion of the other,

issue an injunction restraining the other parent from taking the child out of Singapore or may give permission for such child to be taken out of Singapore either unconditionally or subject to such conditions or such undertaking as the court may think fit.

[7/2016]

[Act 25 of 2021 wef 15/10/2024]

(2) The court may, on the application of any interested person, issue an injunction restraining any person, other than a person having custody, or care and control, of a child, from taking the child out of Singapore.

[7/2016]

132. [Repealed by Act 18 of 2023 wef 16/01/2025]

Programmes for children

132A.—(1) In any proceedings for divorce, judicial separation or nullity of marriage where the parties have a child falling within a prescribed class of children, the court may advise one or both parties to secure the child's completion of a programme for children.

(2) Advice under subsection (1) may be given at any stage of the proceedings or after a final judgment has been granted.

(3) Despite the provisions of the Administration of Justice (Protection) Act 2016, failure to comply with any advice under subsection (1) is not a contempt of court.

(4) If any advice under subsection (1) is not complied with, the court may make any order it sees fit.

(5) In this section, “programme for children” means any programme, counselling, psychological service, assessment or other activity —

- (a) carried out for the purpose of helping a child handle the impact of —
 - (i) the dissolution or annulment of his or her parents' marriage; or
 - (ii) his or her parents' judicial separation; and
- (b) the form, contents and duration of which are determined by the Minister.

[Act 3 of 2022 wef 30/12/2022]

CHAPTER 6 — GENERAL PROVISIONS

Procedure

133. Subject to the provisions of this Part, all proceedings under this Part are regulated by the Family Justice Rules.

[27/2014]

[Act 18 of 2023 wef 16/01/2025]

Evidence

134.—(1) In proceedings under this Part, the parties and the husbands and wives of such parties are competent and compellable to give evidence.

(2) No witness whether a party to the proceedings or not shall be liable to be asked or bound to answer any question tending to show that he or she has been guilty of adultery unless such witness has

already given evidence in the same proceedings in disproof of his or her alleged adultery.

135. [*Repealed by Act 27 of 2014*]

136. [*Repealed by Act 3 of 2022 wef 01/07/2024*]

Appeals

137.—(1) All judgments and orders made by the court in proceedings under this Part are to be enforced, and may be appealed from, as if they were judgments or orders made by the court in the exercise of its original civil jurisdiction.

(2) There shall be no appeal on the subject of costs only.

Power to allow intervention on terms

138. In any case in which any person is alleged to have committed adultery with any party to any proceedings under this Part, or in which the court considers, in the interest of any person not already a party to the proceedings, that that person should be made a party to the proceedings, the court may, if it thinks fit, allow that person to intervene upon such terms (if any) as the court thinks just.

139. [*Repealed by Act 18 of 2023 wef 16/01/2025*]

PART 10A

AMICABLE SETTLEMENT OF DISPUTES

[Act 3 of 2022 wef 30/12/2022]

Division 1 — Preliminary

Interpretation of this Part

139A. In this Part, unless the context otherwise requires —

“counselling” does not include any counselling that is part of a programme for children as defined in section 132A;

“family support programme” means any programme or activity that seeks to address or resolve any relationship issue or relationship problem —

- (a) between spouses or former spouses;
- (b) between siblings; or
- (c) between parent and child;

“proceedings” does not include criminal proceedings.

[Act 3 of 2022 wef 30/12/2022]

Evidence of things done, etc., under Division 3 or 4 not admissible

139B.—(1) Evidence of —

- (a) anything said or done;
- (b) any document prepared; or
- (c) any information provided,

in the course of or for the purpose of —

- (d) any attempt at reconciliation under section 139F; or
- (e) any mediation, counselling or family support programme undertaken under Division 4,

is not admissible in any court.

[Act 3 of 2022 wef 30/12/2022]

[Act 18 of 2023 wef 16/01/2025]

(2) In subsection (1), “court” means any court of law.

[Act 18 of 2023 wef 16/01/2025]

Division 2 — Conciliation officers

Appointment of conciliation officers

139C.—(1) The Minister may appoint a public officer to be a conciliation officer for the purposes of this Act.

(2) Notice of an appointment under subsection (1) must be published in the *Gazette*.

[Act 3 of 2022 wef 30/12/2022]

Settlement of differences between husband and wife by conciliation officers

139D.—(1) Either or both parties to a marriage may ask a conciliation officer for advice and assistance on any differences between them.

(2) A conciliation officer may, by written notice, require either or both parties to a marriage to meet the conciliation officer (either in person or otherwise) to settle any differences between them.

(3) A party required to meet a conciliation officer under subsection (2) is legally bound to —

- (a) do so; and
- (b) answer, to the best of the party's ability, any question by the conciliation officer in relation to the differences that have arisen in the marriage.

[Act 3 of 2022 wef 30/12/2022]

*Division 3 — Opportunity for reconciliation
in certain proceedings*

Proceedings to which this Division applies

139E. This Division applies to the following proceedings:

- (a) proceedings for divorce or judicial separation;
- (b) proceedings, brought by a party to a subsisting marriage, under section 56 or 69 or Division 3 or 4 of Part 7.

[Act 3 of 2022 wef 30/12/2022]

[Act 21 of 2023 wef 02/01/2025]

Court to consider, and may facilitate, reconciliation

139F.—(1) The court hearing the proceedings must from time to time consider whether the parties might reconcile, having regard to —

- (a) the nature of the case;
- (b) the evidence; and
- (c) the parties' attitude.

(2) If the court considers that there is a reasonable possibility that the parties might reconcile, the court may do all or any of the following things to facilitate a possible reconciliation:

- (a) adjourn the proceedings;
- (b) if the parties consent, interview the parties in chambers (with or without their solicitors);
- (c) nominate a conciliation officer or some other suitable person or organisation to assist the parties;
- (d) advise the parties to attend a family support programme.

(3) Despite the provisions of the Administration of Justice (Protection) Act 2016, failure to comply with any advice given under subsection (2)(d) is not a contempt of court.

[Act 3 of 2022 wef 30/12/2022]

Resumption of proceedings

139G.—(1) If proceedings are adjourned by a court under section 139F(2)(a) —

- (a) a party may make a request for the proceedings to resume, but only if at least 14 days (or any longer period specified by the court) have elapsed; and
- (b) the proceedings are to resume as soon as practicable after the request is made.

(2) If the proceedings resume, a judge who interviewed the parties under section 139F(2)(b) must not (except at the request of the parties to the proceedings) —

- (a) continue to hear the proceedings; or
- (b) determine the proceedings.

[Act 3 of 2022 wef 30/12/2022]

Division 4 — Mediation, counselling and family support programmes

Mediation by consent

139H.—(1) This section applies to any proceedings under this Act.

- (2) The court may —
- (a) consider the possibility of a harmonious resolution; and
 - (b) if the parties consent, refer the parties and their children (if any) for mediation by a person —
 - (i) agreed to by the parties; or
 - (ii) in default of agreement, appointed by the court.
- [Act 3 of 2022 wef 30/12/2022]*

Mediation, counselling and family support programmes in matrimonial proceedings involving prescribed persons

- 139I.**—(1) This section applies to a case —
- (a) where proceedings are brought under Part 10; and
 - (b) the parties —
 - (i) have one or more children below 21 years of age; and
 - (ii) fall within a prescribed class of persons.
- (2) Without limiting any other power of the court, the court —
- (a) must, subject to subsection (3), make either or both of the following orders:
 - (i) an order for the parties or their children (or both) to attend mediation;
 - (ii) an order for the parties or their children (or both) to attend counselling; and
 - (b) may, at any stage of the proceedings and if the court considers that doing so is in the interests of the parties or their children, advise all or any of the following persons to attend a family support programme:
 - (i) the parties;
 - (ii) their children;
 - (iii) any person falling within a prescribed class of persons.

(3) The court may dispense with the orders under subsection (2)(a) if the court considers that mediation or counselling would not be in the interest of the parties or their children, as the case may be.

(4) Despite the provisions of the Administration of Justice (Protection) Act 2016, failure to comply with any advice under subsection (2)(b) is not a contempt of court.

(5) If any order or advice under subsection (2) (other than advice to a person mentioned in subsection (2)(b)(iii)) is not complied with, the court may —

- (a) stay the proceedings until the order or advice has been complied with;
- (b) order any party responsible for the non-compliance to pay the costs of the proceedings; or
- (c) make any other order it sees fit.

[Act 3 of 2022 wef 30/12/2022]

Mediation, counselling and family support programmes in other proceedings

139J.—(1) This section applies to a case where —

- (a) proceedings are brought under this Act; and
- (b) section 139I does not apply.

(2) Without limiting any other power of the court, the court may, if it considers that doing so is in the interests of the parties and their children (if any) —

- (a) advise the parties or their children (or both) to attend mediation;
- (b) advise the parties or their children (or both) to attend counselling; or
- (c) advise all or any of the following persons to attend a family support programme:
 - (i) the parties;
 - (ii) their children (if any);

(iii) any person falling within a prescribed class of persons.

(3) Despite the provisions of the Administration of Justice (Protection) Act 2016, failure to comply with any advice under subsection (2) is not a contempt of court.

(4) If any advice under subsection (2) (other than advice to a person mentioned in subsection (2)(c)(iii)) is not complied with, the court may —

- (a) stay the proceedings until the advice has been complied with;
- (b) order any party responsible for the non-compliance to pay the costs of the proceedings; or
- (c) make any other order it sees fit.

[Act 3 of 2022 wef 30/12/2022]

PART 10B

COURT'S POWER TO SET ASIDE AND PREVENT DISPOSITIONS INTENDED TO DEFEAT MAINTENANCE CLAIMS OR OTHER ORDERS IN MATRIMONIAL PROCEEDINGS

[Act 18 of 2023 wef 16/01/2025]

Interpretation of this Part

139K. In this Part —

“appointed day” means the date of commencement of section 31 of the Family Justice Reform Act 2023;

“maintenance order” means any of the following orders, whether made before, on or after the appointed day:

- (a) an order for the payment of monthly sums or a lump sum for the maintenance of a wife, an incapacitated husband or a child, made or deemed to be made by a court under Part 8;

- (b) an order for the payment of monthly or periodical sums or a lump sum by way of maintenance or alimony to a wife or former wife or an incapacitated husband or incapacitated former husband, or by way of maintenance for the benefit of any child, under Part 10;
- (c) an order for maintenance made by the Syariah Court under the Administration of Muslim Law Act 1966;
- (d) an order for the payment of money in respect of the maintenance of an infant made under the Guardianship of Infants Act 1934;
- (e) an order for maintenance made under the Maintenance of Parents Act 1995;
- (f) a maintenance order, as defined in section 2 of the Maintenance Orders (Reciprocal Enforcement) Act 1975, which is registered or confirmed by the court under that Act.

[Act 18 of 2023 wef 16/01/2025]

Application of this Part

139L. This Part applies where —

- (a) any matrimonial proceedings are pending;
- (b) an order has been made under section 112 and has not been complied with;
- (c) an order has been made under section 121E or 121G and has not been rescinded or complied with;
- (d) maintenance is payable under any agreement to or for the benefit of a wife or former wife, an incapacitated husband or incapacitated former husband, or a child; or
- (e) a maintenance order has been made and has not been discharged or rescinded.

[Act 18 of 2023 wef 16/01/2025]

Power of court to set aside or prevent dispositions

139M.—(1) The court has the power on application —

- (a) to set aside any disposition of property by a person (called in this section *A*) — if the court is satisfied that the disposition of property has been made within the preceding 3 years immediately before the date of the making of the application, with the object on the part of *A* to produce the relevant consequence; or
- (b) to grant an injunction preventing any disposition of property by *A* — if the court is satisfied that *A* is making the disposition with the object on the part of *A* to produce the relevant consequence.

(2) In a case where a maintenance order has been made and has not been discharged or rescinded, unless the contrary is proved, *A* is presumed to have made, or to be making, a disposition of property with the object on the part of *A* to produce the relevant consequence if the court is satisfied that —

- (a) in the case of a disposition mentioned in subsection (1)(a) — the disposition has had the relevant consequence; or
- (b) in the case of a disposition mentioned in subsection (1)(b) — the disposition would have (apart from this section) the relevant consequence.

(3) The court must not make an order under subsection (1)(a) setting aside any disposition if the disposition was made for valuable consideration (other than marriage) to a person who, at the time of the disposition, acted in relation to it in good faith and without notice of any object on the part of *A* to produce the relevant consequence.

(4) Where the court makes an order under subsection (1)(a), the court may give any consequential direction that it thinks fit for giving effect to the order, including any direction for the making of any payment or the disposal of any property.

(5) In this section —

“disposition” includes a sale, gift, lease, mortgage or any other transaction whereby ownership or possession of the property is transferred or encumbered;

“property” means property of any nature, movable or immovable, and includes money;

“relevant consequence” means —

- (a) the reduction of *A*'s means to pay maintenance; or
- (b) the deprivation of *A*'s wife, former wife, incapacitated husband, incapacitated former husband or child, of any rights in relation to property, whether or not the rights have accrued to *A*'s wife, former wife, incapacitated husband, incapacitated former husband or child (as the case may be) at the time that the application under subsection (1) is made.

[Act 18 of 2023 wef 16/01/2025]

PART 10C

REPLACEMENT BECAUSE OF DEATH

[Act 18 of 2023 wef 16/01/2025]

Interpretation of this Part

139N. In this Part —

“appointed day” means the date of commencement of section 32 of the Family Justice Reform Act 2023;

“child” means —

- (a) any child below 21 years of age; or
- (b) any child who has attained 21 years of age but in respect of whom any of the circumstances in section 69(5) exists;

“maintenance order” means any order for the maintenance of a child, made under section 69(2) or 70(1), whether before, on or after the appointed day.

[Act 18 of 2023 wef 16/01/2025]

Court's power to order replacement for deceased applicant in proceedings

139O.—(1) This section applies where the applicant for a maintenance order (called in this section the deceased applicant) dies while the application (whether made before, on or after the appointed day) is pending (called in this section the pending application) before a court.

(2) A court may, upon the application of any person mentioned in subsection (3) and if it thinks it necessary in order to ensure that all matters in the pending application may be effectually and completely determined and adjudicated upon, order that the person be made the applicant in the pending application in place of the deceased applicant.

(3) The persons who may make an application for an order under subsection (2) are as follows:

- (a) any person who is a guardian or has the actual custody of the child for whose maintenance the pending application relates;
- (b) any sibling of the child for whose maintenance the pending application relates and who has attained 21 years of age;
- (c) any person appointed by the Minister.

[Act 18 of 2023 wef 16/01/2025]

Court's power to order replacement for deceased payee, etc.

139P.—(1) Subject to subsection (2), where a person to whom maintenance is payable under a maintenance order dies (called in this section the deceased payee), the court may on the application of any person specified in subsection (3), make the following orders:

- (a) an order replacing the deceased payee with any other person that the court thinks fit (called in this section the

replacement person) and any other orders incidental to the replacement that the court thinks fit;

- (b) an order varying the amount of maintenance payable under the maintenance order, on account of the death of the deceased payee.

(2) The court must not make any order under subsection (1)(a) in respect of any maintenance that accrued due to the deceased payee before his or her death.

(3) The persons who may make an application under subsection (1) are as follows:

- (a) the payer under the maintenance order in question;
- (b) any person who is a guardian or has the actual custody of the child for whose maintenance the maintenance order is made;
- (c) where the child for whose maintenance the maintenance order is made has attained 21 years of age, by the child himself or herself;
- (d) where the child for whose maintenance the maintenance order is made is below 21 years of age, any sibling of the child who has attained 21 years of age;
- (e) any person appointed by the Minister.

(4) Where an order is made under subsection (1)(a) in relation to a maintenance order, the replacement person has all the rights of the deceased payee in relation to the maintenance order.

(5) Despite section 78 (or section 71(3) as in force immediately before the date of commencement of section 24 of the Family Justice Reform Act 2023), an application under subsection (1) in respect of a maintenance order is to be made to a Family Court, regardless of whether the maintenance order was made by a Family Court or the General Division of the High Court.

[Act 18 of 2023 wef 16/01/2025]

PART 11

OFFENCES AGAINST WOMEN AND GIRLS

Offences relating to prostitution

140.—(1) Any person who —

- (a) sells, lets for hire or otherwise disposes of or buys or hires or otherwise obtains possession of any woman or girl with intent that she is to be employed or used for the purpose of prostitution either within or without Singapore, or knowing or having reason to believe that she will be so employed or used;
- (b) procures any woman or girl to have either within or without Singapore carnal connection except by way of marriage with any male person, or for the purpose of prostitution either within or without Singapore;
- (c) by threats or intimidation procures any woman or girl to have carnal connection except by way of marriage with any male person either within or without Singapore;
- (d) brings into Singapore, receives or harbours any woman or girl knowing or having reason to believe that she seeks entry into, or has entered, Singapore or has been procured for the purpose —
 - (i) of having carnal connection either within or without Singapore, except by way of marriage with any male person; or
 - (ii) of prostitution either within or without Singapore, and with intent to aid such purpose;
- (e) knowing or having reason to believe that any woman or girl has been procured by threats or intimidation for the purpose of having carnal connection except by way of marriage with any male person, either within or without Singapore, receives or harbours her with intent to aid such purpose;

- (f) knowing or having reason to believe that any woman or girl has been brought into Singapore in breach of section 142(1) or has been sold or purchased in breach of paragraph (a) receives or harbours her with intent that she may be employed or used for the purpose of prostitution either within or without Singapore;
 - (g) detains any woman or girl against her will on any premises with the intention that she is to have carnal connection except by way of marriage with any male person, or detains any woman or girl against her will in a brothel;
 - (h) detains any woman or girl in any place against her will with intent that she may be employed or used for the purpose of prostitution or for any unlawful or immoral purpose;
 - (i) has carnal connection with any girl below 16 years of age except with a girl who is his spouse and with his spouse's consent; or
 - (j) attempts to do any act in contravention of this section,
- shall be guilty of an offence.

[7/2016; 15/2019; 36/2019]

- (1A) A person who is guilty of an offence under subsection (1) —
- (a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but
 - (b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

[36/2019]

(1B) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

(2) Any male person who is a repeat offender in relation to an offence under subsection (1)(a), (b), (c), (d), (e) or (f) shall, in

addition to any term of imprisonment awarded in respect of such offence, be liable to caning.

[36/2019]

(3) For the purposes of this section, it is presumed until the contrary is proved that —

- (a) a person who takes or causes to be taken into a brothel any woman or girl has disposed of her with the intent or knowledge mentioned in subsection (1)(a);
- (b) a person who receives any woman or girl into a brothel has obtained possession of her with the intent or knowledge mentioned in subsection (1)(a);
- (c) a person has detained a woman or girl in any brothel or place against her will if, with intent to compel or induce her to remain therein, that person —
 - (i) withholds from that woman or girl any wearing apparel or any other property belonging to her or any wearing apparel commonly or last used by her;
 - (ii) where wearing apparel or any other property has been lent or hired out or supplied to that woman or girl, threatens her with legal proceedings if she takes away such wearing apparel or property; or
 - (iii) threatens that woman or girl with legal proceedings for the recovery of any debt or alleged debt or uses any other threat whatsoever.

(4) Despite section 79 of the Penal Code 1871, a reasonable mistake as to the age of a girl is not a defence to a charge of an offence under subsection (1)(i).

[15/2019]

Traffic in women and girls

141.—(1) Any person who buys, sells, procures, traffics in, or brings into or takes out of Singapore for the purpose of such traffic, and whether or not for the purpose of present or subsequent prostitution, any woman or girl, shall be guilty of an offence.

[7/2016; 36/2019]

(1A) A person who is guilty of an offence under subsection (1) —

- (a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but
- (b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

[36/2019]

(1B) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

(2) No person shall be charged with an offence under this section if the person satisfies the Director-General that the woman or girl brought into or taken out of Singapore by the person or intended to be brought into or taken out of Singapore by the person was so brought into or taken out of Singapore or is intended to be so brought into or taken out of Singapore for the purpose of her marriage or adoption and that such marriage or adoption can be solemnised or made, or has been or will be solemnised or made, under the laws and customs for the time being in force in Singapore.

[30/2019]

[Act 20 of 2022 wef 15/10/2024]

Importation of woman or girl by false pretences

142.—(1) Any person who by or under false pretence, false representation or fraudulent or deceitful means made or used either within or without Singapore brings into, or takes out of, or assists in bringing into, or assists in taking out of, Singapore any woman or girl —

- (a) with intent that she is to be employed or used for the purpose of prostitution either within or without Singapore;
- (b) knowing or having reason to believe that she will be so employed or used; or

(c) whether or not for the purpose of present or future prostitution,
shall be guilty of an offence.

[7/2016; 36/2019]

(2) A person who is guilty of an offence under subsection (1) —

(a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but

(b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

[36/2019]

(3) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

Permitting girl below the age of 16 to use premises for sexual penetration

143.—(1) Any person who is the owner or occupier of any premises, or who has, or acts or assists in, the management or control of any premises, induces or knowingly permits a girl below 16 years of age to resort to or be on those premises for the purpose of engaging in sexual penetration except by way of marriage with any male person shall be guilty of an offence.

[36/2019]

(2) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

(a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but

(b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

[36/2019]

(3) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

Permitting woman with mental impairment to use premises for sexual penetration

144.—(1) Subject to subsection (2), any person who is the owner or occupier of any premises or who has, or acts or assists in, the management or control of any premises, induces or knowingly permits a woman who has a mental impairment to resort to or be on those premises for the purpose of engaging in sexual penetration except by way of marriage with any male person shall be guilty of an offence.

[36/2019]

[Act 21 of 2023 wef 02/01/2025]

(2) A person shall not be guilty of an offence under this section because he or she induces or knowingly permits a woman who has a mental impairment to resort to or be on any premises for the purpose mentioned, if the person does not know and has no reason to suspect her to have a mental impairment.

[Act 21 of 2023 wef 02/01/2025]

(3) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

- (a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

[36/2019]

(4) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

(5) In this section, “mental impairment” means an impairment of or a disturbance in the functioning of the mind or brain resulting from any disability or disorder of the mind or brain that impairs the ability to make a proper judgment in the giving of consent to sexual penetration.

[Act 21 of 2023 wef 02/01/2025]

Causing or encouraging prostitution of, girl below the age of 18 or sexual penetration with, or indecent assault on, girl below the age of 16

145.—(1) Any person who causes or encourages the prostitution of a girl below 18 years of age, or the commission of unlawful sexual penetration of or an indecent assault on, a girl below 16 years of age, being in either case a girl for whom that person is responsible, shall be guilty of an offence.

[15/2019; 36/2019]

(1A) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

(a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but

(b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

[36/2019]

(1B) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

(2) Where a girl has become a prostitute, or has engaged in unlawful sexual penetration, or has been indecently assaulted, a person is deemed for the purposes of this section to have caused or encouraged it, if the person knowingly allowed her to consort with or to enter or continue in the employment of, any prostitute or person of known immoral character.

(3) The persons who are to be treated for the purposes of this section as responsible for a girl are (subject to subsection (4)) —

- (a) any person who is her parent or legal guardian;
 - (b) any person who has actual possession or control of her, or to whose charge she has been committed by her parent or legal guardian or by a person having the custody of her; and
 - (c) any other person who has the custody, charge or care of her.
- (4) In subsection (3) —

“legal guardian”, in relation to any girl, means any person who is for the time being her guardian, having been appointed according to law by deed or will or by order of a court of competent jurisdiction;

“parent”, in relation to any girl, does not include a person deprived of the custody of her by order of a court of competent jurisdiction but (subject to that), in the case of a girl who has been adopted under the Adoption of Children Act 2022 or any corresponding previous written law, means her adopters and, in the case of a girl who is illegitimate (and has not been so adopted), means her mother and any person who has been adjudged to be her putative father.

[Act 20 of 2022 wef 15/10/2024]

(5) If, on a charge of an offence against a girl under this section, the girl appears to the court to have been below 16 or 18 years of age (as the case may be) at the time of the offence charged, she shall be presumed for the purposes of this section to have been so, unless the contrary is proved.

[15/2019]

Persons living on or trading in prostitution, etc.

146.—(1) Any person who knowingly lives wholly or in part on the earnings of the prostitution of another person (being a woman or girl) shall be guilty of an offence.

[7/2016; 36/2019]

(1AA) A person who is guilty of an offence under subsection (1) —

- (a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but
- (b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

[36/2019]

(1A) Any person who knowingly solicits, receives or agrees to receive any gratification as an inducement or reward for providing any service, and who by providing that service does or will aid the prostitution of another person (being a woman or girl), shall be guilty of an offence.

[7/2016; 36/2019]

(1B) A person who is guilty of an offence under subsection (1A) —

- (a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but
- (b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable on conviction to a fine not exceeding \$150,000.

[36/2019]

(1C) A person is a repeat offender in relation to an offence under subsection (1) or (1A) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1) or (1A).

[36/2019]

(2) Any male person who is a repeat offender in relation to an offence under subsection (1) or (1A) shall, in addition to any term of imprisonment imposed in respect of such offence, be liable to caning.

[36/2019]

(3) Where any person is proved to live with or be habitually in the company of any prostitute or is proved to have exercised control, direction or influence over the movements of any prostitute in such a

manner as to show that the person is aiding, abetting or compelling her prostitution with any other person or generally, the person is, in the absence of proof to the contrary, deemed to be knowingly living on the earnings of prostitution.

- (4) In this section, “gratification” includes —
- (a) money or any gift, loan, fee, reward, commission, valuable security or other property or interest in property of any description, whether movable or immovable;
 - (b) any office, employment or contract;
 - (c) any payment, release, discharge or liquidation of any loan, obligation or other liability whatsoever, whether in whole or in part; and
 - (d) any other service, favour or advantage of any description whatsoever.

[7/2016]

Remote communication service used for offering or facilitating provision of sexual services, etc.

146A.—(1) A person in or outside Singapore who, in the course of business, uses a remote communication service with a Singapore link to —

- (a) offer or facilitate the provision by a woman or girl to another person of sexual services in Singapore in return for payment or reward; or
- (b) organise, manage or supervise the provision of sexual services referred to in paragraph (a), which may include inviting others to receive or participate in providing those services,

shall be guilty of an offence and shall be liable on conviction —

- (c) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but

- (d) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

[7/2016; 36/2019]

(1A) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

(1B) However, where a person is charged with an offence under subsection (1), it is a defence for the person charged to prove, on a balance of probabilities, that the person did not know, and could not with reasonable diligence have ascertained, that the remote communication service in question had a Singapore link.

[36/2019]

(2) To avoid doubt, the reference in subsection (1) to the provision by a woman or girl to another person of sexual services in return for payment or reward includes, but is not limited to, a reference to the prostitution of the woman or girl.

[7/2016]

(3) In subsection (1), “remote communication service” means —

- (a) any website, web service or Internet application;
- (b) any service using voice telephony;
- (c) any service using a messaging system; or
- (d) any other kind of electronic or other technology for facilitating communication.

[7/2016]

(4) For the purposes of this section, a remote communication service has a Singapore link if any person physically present in Singapore is capable of having access to any matter communicated using the remote communication service; and in determining whether a person who is physically present in Singapore is capable of having such access, it is to be assumed that the person will not falsify or conceal the person’s identity or location.

[36/2019]

- (5) For the purposes of subsection (4), access includes —
- (a) access that is subject to a precondition, such as the use of a password;
 - (b) access by way of push technology; and
 - (c) access by way of a standing request.

[36/2019]

(6) Where an offence under this section is committed by a person outside Singapore, the person may be dealt with in respect of that offence as if it had been committed in Singapore.

[36/2019]

Suppression of places of assignation

147.—(1) Any person who keeps, manages or assists in the management of a place of assignation shall be guilty of an offence.

[36/2019]

(1A) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

- (a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

[36/2019]

(1B) A person is a repeat offender in relation to an offence under subsection (1) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1).

[36/2019]

(2) Any person who keeps, manages or assists in the management of a club or a place of public resort which is used as a place of assignation shall be guilty of an offence.

[36/2019]

- (3) A person who is guilty of an offence under subsection (2) —
- (a) shall be punished on conviction with imprisonment for a term not exceeding 7 years and shall also be liable on conviction to a fine not exceeding \$100,000; but
 - (b) where the person is a repeat offender, shall be punished on conviction with imprisonment for a term not exceeding 10 years and shall also be liable to a fine not exceeding \$150,000.

[36/2019]

(4) A person is a repeat offender in relation to an offence under subsection (2) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (2).

[36/2019]

Suppression of brothels

148.—(1) Any person who keeps, manages or assists in the management of a brothel shall be guilty of an offence.

[36/2019]

(2) Any person who is the tenant, lessee, occupier or person in charge of any place which is used as a brothel shall, unless the person proves that the person has no knowledge and could not, with reasonable diligence, have ascertained that the place is used as a brothel, be guilty of an offence.

[36/2019]

(3) Any person who being the tenant, lessee, occupier or person in charge of any place lets such place or any part thereof shall, despite such letting, be guilty of an offence if the place or any part thereof is used as a brothel, unless the person proves that, when entering into the letting of that place or part thereof, the person had no knowledge and could not with reasonable diligence have ascertained that the place or part thereof is to be used as a brothel.

[36/2019]

(4) Any person who, being the owner of a place or the agent of an owner of a place, lets the place or any part thereof shall, despite such letting, be guilty of an offence if the place or part thereof is used as a brothel, unless the person proves that, when entering into the letting

of that place or part thereof, the person had no knowledge and could not with reasonable diligence have ascertained that the place or part thereof is to be used as a brothel.

Examples of reasonable diligence

1. An owner of an apartment or an agent of the owner verifies the identity of a prospective tenant and purpose of the tenancy through personal inspection of the prospective tenant's documents of identity (such as the NRIC, passport or work permit) and has a face-to-face interview with the prospective tenant, before entering into the tenancy agreement or allowing the prospective tenant to start occupying the apartment.
2. A flat-owner who is not resident in Singapore engages an agent to verify the identity of a prospective tenant of the flat and purpose of the tenancy through personal inspection of the prospective tenant's documents of identity (such as the NRIC, passport or work permit) and a face-to-face interview with the prospective tenant, and then verifies with the agent that those steps were carried out, before the flat-owner authorises the entry into the tenancy agreement for the flat or the occupation of the flat by the prospective tenant.

[36/2019]

(5) A person who is guilty of an offence under this section shall be liable on conviction —

- (a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both; but
- (b) where the person is a repeat offender, to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

[36/2019]

(5A) A person is a repeat offender in relation to an offence under subsection (1), (2), (3) or (4) if the person has been convicted or found guilty (whether before, on or after 7 August 2020) on at least one other earlier occasion of an offence under subsection (1), (2), (3) or (4), regardless of the subsection.

[36/2019]

(6) In any proceedings under this Part, any evidence given by any police officer not below the rank of sergeant that any place has been used as a brothel or a place of assignation is, until the contrary is proved, deemed to be sufficient evidence of the fact.

Notice to owner and occupier

149.—(1) Where the Director-General has reason to believe that a place is being used as a brothel or as a place of assignation, the Director-General may serve or cause to be served a notice in the prescribed form on the owner of the place, as well as the occupier thereof.

[30/2019]

(2) If the owner or occupier is not otherwise known, service must be made on the person inscribed in the books kept under any written law for the time being in force as the owner or occupier of the place; and if the name of the owner or occupier is not inscribed in those books or if the name of the owner or occupier cannot by the exercise of due diligence be found, then the notice may be served by affixing it to the principal outer door or upon the outside of any door or window or any conspicuous part of the place.

(3) Every occupier (*A*) receiving a notice under this section must forthwith inform the owner or the person from whom *A* rents the place (*B*) of the fact of receipt of the notice, and *B* must in like manner inform the owner or the person from whom *B* rents the place and so on till the notice is brought to the knowledge of the owner, each tenant being responsible for bringing the notice to the knowledge of the tenant's immediate lessor.

(4) Any occupier who refuses or omits to inform the owner or the person from whom the occupier rents the premises that a notice under this section has been received shall be liable to prosecution under section 225C of the Penal Code 1871.

(5) If, in proceedings under this Part, it is proved that the notice under subsection (1) has been served on the owner or occupier of a place, it shall be presumed that the place is so kept, managed or used to the knowledge or with the permission of the owner or occupier of the place.

Termination of tenancy of places on conviction for permitting use as brothel, etc.

150.—(1) Upon the conviction of the occupier of any place for any offence under section 147(1) or (2) or 148(1), (2) or (3) in respect of

the place, the owner of the place must within one month require the person so convicted to deliver up possession of the place to the owner, and in the event of the person so convicted failing within one month of being so required to deliver up possession as aforesaid, the owner of the place is entitled to terminate the lease or contract of tenancy but without prejudice to the rights or remedies of any party to the lease or contract accrued before the date of such termination.

[36/2019]

(2) Where the owner of any place has terminated the lease or contract of tenancy in accordance with subsection (1) and the occupier has not delivered up possession of the place after such termination, a Magistrate's Court may, on the application of the owner, make a summary order for the delivery of possession of the place to the owner.

(3) If the occupier disobeys any order made by a Magistrate's Court under subsection (2), the occupier shall be liable to the penalty prescribed in that behalf in section 188 of the Penal Code 1871.

Demolition of structural contrivances for facilitating running of place of assignation or of brothel

151. Whenever it appears to a court, upon the trial of any offence under section 147(1) or (2) or 148(1), (2), (3) or (4), that the place in or in respect of which the offence is alleged to have been committed is a place of assignation or a brothel, and that the same is fitted or provided with any means or contrivances such as staircases, doors and partitions, ladders, planks, platforms, posts, palings, fences, locks, bars, bolts or any other things which appear to it to have been specially erected or constructed for the purpose of facilitating the carrying on of a place of assignation or of a brothel at the place, the court is to order the demolition of such means or contrivances.

[36/2019]

Authority of courts to issue arrest and search warrants

152. If any court has reason to believe that any place is used by a woman or girl for the purpose of prostitution and that any other person residing in or frequenting the house is living wholly or in part on the immoral earnings of that woman or girl, the court may issue a

warrant authorising the Director-General or any public officer nominated by the Minister or any police officer not below the rank of sergeant to enter and search the place and to arrest such person.

[30/2019]

Trials in private in certain cases

153.—(1) When any person is charged with or convicted of having committed any offence under this Part, or of having committed or attempted to commit or attempted to cause the commission of any offence under section 354, 354A, 375, 376, 376A, 376B, 376C, 376D, 376E, 376F, 376G or 377B of the Penal Code 1871 in respect of any woman or girl, the court conducting a preliminary inquiry into, or trying the offence, or hearing any appeal or special case or any point reserved in relation to the offence, may order that all proceedings before it are to be dealt with in private.

[40/2019]

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

(2) Whenever any such order is made, the court is not to be deemed an open court, and the court must order that no person is to have access to or be or remain in the court except such persons as are necessary for the purpose of the proceedings.

(3) The court must order proceedings before it to be dealt with in private in any case where the girl in respect of whom an offence referred to in subsection (1) is alleged to have been committed has not attained 16 years of age.

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

(4) A person must not publish or broadcast any information or picture referred to in the following paragraphs:

- (a) the name or address of any woman or girl in respect of whom an offence referred to in subsection (1) is alleged to have been committed;
- (b) any particulars given, in any proceedings in any court relating to an offence referred to in subsection (1), which identify, or are calculated to lead to the identification of, any woman or girl in respect of whom that offence is alleged to have been committed;

- (c) the name and address of any witness, in any proceedings in any court relating to an offence referred to in subsection (1), which may lead to the identification of any woman or girl in respect of whom that offence is alleged to have been committed;
- (d) the particulars of any evidence given by any witness, in any proceedings in any court relating to an offence referred to in subsection (1), which may lead to the identification of any woman or girl in respect of whom that offence is alleged to have been committed;
- (e) any picture of, or any picture including a picture of —
 - (i) any woman or girl in respect of whom an offence referred to in subsection (1) is alleged to have been committed; or
 - (ii) any witness in any proceedings in any court relating to an offence referred to in subsection (1).

[7/2016]

(5) If any information or picture is published or broadcast in contravention of subsection (4) —

- (a) in the case of the publication of the information or picture as part of a newspaper or periodical publication, every proprietor, editor, publisher or distributor of the newspaper or periodical publication;
- (b) in the case of the publication of the information or picture otherwise than as part of a newspaper or periodical publication, the person who publishes or distributes the information or picture; or
- (c) in the case of the broadcast of the information or picture, every person who transmits or provides the programme in which the information or picture is broadcast, and every person having functions in relation to the programme corresponding to those of the editor of a newspaper or periodical publication,

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.

[7/2016]

(6) In this section —

“broadcast” means sounds or visual images —

- (a) broadcast by wireless telegraphy, or by means of a high frequency distribution system over wire or other paths provided by a material substance, and intended for general reception;
- (b) broadcast through the Internet or any website, web service or Internet application, whether or not intended for general reception; or
- (c) broadcast through any messaging system;

“publish”, in relation to any information or picture, means to bring the information or picture to the notice of the public or a section of the public by any means, including (to avoid doubt) through —

- (a) the Internet or any website, web service or Internet application; or
- (b) any messaging system.

[7/2016]

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

Trial of offences

154.—(1) All offences under this Part are triable by a District Court.

[15/2010]

(2) No prosecution is to be instituted in respect of any such offence without the consent of the Director-General or the Public Prosecutor or his or her deputy.

[15/2010; 30/2019]

(3) Any District Court may, despite anything in the Criminal Procedure Code 2010, impose the full punishment prescribed by this Part in respect of any offence.

(4) Prosecutions in respect of offences committed under this Part may, with the authorisation of the Public Prosecutor, be conducted by the Director-General or any public officer of such department that the Minister is charged with responsibility for authorised in writing in that behalf by the Director-General.

[15/2010; 25/2012; 30/2019]

Detention pending judicial proceedings

155.—(1) Any court inquiring into or trying an offence punishable under this Part or under section 312, 313, 317, 354, 370, 371, 372, 373, 373A, 375, 376, 376A, 376B, 376C, 376D, 376E, 376F, 376G or 377B of the Penal Code 1871 or defined in section 321, 322, 339, 340, 350, 351, 360, 361 or 362 of the Penal Code 1871 may order any woman or girl in respect of whom the offence is alleged to have been committed to be detained temporarily until the determination of the proceedings against the person accused.

[51/2007; 15/2019]

(2) Where an order is made under subsection (1), the Director-General must receive such woman or girl and must put her in a place of safety and detain her there until the determination of the proceedings.

[30/2019]

(3) Despite the determination of the proceedings against the accused person, the Director-General may, by warrant order the detention in a place of safety of any woman or girl referred to in this section whom the Director-General considers is in need of protection, and thereupon such arrangements must be made for her welfare as the Director-General considers necessary.

[30/2019]

[Act 21 of 2023 wef 02/01/2025]

(4) In exercising his or her powers under subsection (3), the Director-General must not contravene section 161.

[30/2019]

Director-General may examine women and girls and person in charge of them

156.—(1) If the Director-General has reasonable cause to believe that —

- (a) any woman or girl has been brought into Singapore either after having been purchased or by fraud, misrepresentation or any false pretence whether or not for the purpose of prostitution or of being sent from Singapore;
- (b) the custody of any woman or girl has been acquired either after having been purchased or by fraud, misrepresentation or any false pretence whether or not for the purpose of prostitution or of being sent from Singapore;
- (c) any woman or girl has been purchased either within or without Singapore for the purpose of being used, trained or disposed of as a prostitute; or
- (d) any woman or girl is being detained against her will for the purpose of prostitution or of being sent from Singapore for immoral purposes,

the Director-General, or any person authorised in that behalf by him or her in writing, may require the woman or girl and any person who appears to have the custody or control of her to appear before him or her at any reasonable time and at any convenient place.

[30/2019]

(2) The Director-General may examine the woman or girl as to her reasons for entering or being in Singapore and may examine the person respecting the woman or girl, and the woman or girl and the person is legally bound to answer such questions truthfully to the best of their ability.

[30/2019]

(3) The Director-General may also require any person in whose custody or under whose control the woman or girl appears to be to furnish the Director-General with copies of her and the person's photograph and to furnish security to the satisfaction of the Director-General that she —

- (a) will not leave Singapore without the previous consent in writing of the Director-General;
- (b) will not be trained or disposed of as a prostitute or for immoral purposes;

- (c) will not, whether by way of adoption, marriage or otherwise, be transferred to the care and custody of any other person without the previous consent in writing of the Director-General; and
- (d) will be produced before the Director-General whenever he or she requires it.

[30/2019]

(4) In default of such photographs and security being given, the Director-General may by warrant order the woman or girl to be removed to a place of safety and there detained until she can be returned to the place from where she was brought or until other proper provision can be made for her welfare.

[30/2019]

[Act 21 of 2023 wef 02/01/2025]

(5) Where the Director-General has reason to believe that the woman or girl may be sent from Singapore, the Director-General may issue an order for her to be detained in a place of safety until the determination of any inquiry or until after such arrangement has been made for her welfare as the Director-General considers necessary.

[30/2019]

Inspection

157.—(1) The Director-General or any officer generally or specially authorised in that behalf in writing by the Director-General may at any time visit and inspect the place where any woman or girl in respect of whom security has been furnished under section 156 lives or is believed to live or to be.

[30/2019]

(2) The Director-General or any authorised officer may inquire into the condition and circumstances of the woman or girl and for the purposes of the inquiry the Director-General or officer may require any person to answer any question he or she may think proper to ask.

[30/2019]

(3) Any person who —

- (a) obstructs or hinders or attempts to obstruct or hinder the Director-General or any authorised officer in the exercise of the powers conferred by this section; or

- (b) refuses to answer to the best of the person's knowledge and belief any question which the person is legally bound to answer and which is asked of the person by any officer appointed or authorised under this Part,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

[30/2019]

Security on departure of woman or girl from Singapore

158.—(1) Whenever the Director-General is of opinion that it is in the interests of any woman or girl as is referred to in section 156 that she should be permitted to leave Singapore, the Director-General may grant permission upon being supplied with such photographs of the woman or girl as the Director-General may require and upon security being given to the Director-General's satisfaction that the person in whose custody or control she appears to be will bring her before such public officer within such period and at such destination as may be specified in the bond.

[30/2019]

(2) The giving of such further security does not relieve any person who furnished the security required by section 156 from any obligation under the conditions of the bond entered into under that section, other than the condition relating to departure from Singapore, unless the public officer in the territory where such woman or girl then resides obtains fresh security conditioned in the manner specified in that section.

(3) A certificate under the hand of the public officer referred to in subsection (1) that such woman or girl has not been brought before the public officer is in any legal proceedings conclusive evidence to that effect, unless the court requires that officer to be called as a witness.

Woman or girl below the age of 21 trained or used for immoral purposes, etc.

159.—(1) If the Director-General has reasonable cause to believe that any woman or girl below 21 years of age is being trained or used

for immoral purposes or lives in or frequents any brothel or is habitually in the company of prostitutes or brothel keepers or procuresses or persons employed or living in brothels or persons directly interested in the business carried on in brothels or by prostitutes, the Director-General may, by warrant order the woman or girl to be removed to a place of safety and there temporarily detained until an inquiry has been held by the Director-General.

[30/2019]

[Act 21 of 2023 wef 02/01/2025]

(2) If the Director-General after holding such inquiry is satisfied that the woman or girl comes within subsection (1), the Director-General may, by warrant order the woman or girl to be detained in a place of safety.

[30/2019]

[Act 21 of 2023 wef 02/01/2025]

Director-General may order detention or commitment of woman or girl in certain cases

160.—(1) Any woman or girl —

- (a) whose lawful guardian requests the Director-General in writing to detain her in a place of safety or to commit her to the care of a fit individual;
- (b) whom the Director-General considers is in need of protection and whose lawful guardian cannot be found;
- (c) whom the Director-General believes to have been ill-treated and is in need of protection; or
- (d) whom the Director-General considers to be in moral danger,

may, by warrant of the Director-General, be ordered to be removed to a place of safety and there detained, or to be committed to the care of a fit individual, until the Director-General has held an inquiry as to the circumstances of the case.

[7/2016; 30/2019]

[Act 21 of 2023 wef 02/01/2025]

(2) Every such inquiry must be completed within a period of one month from the date of the woman's or girl's admission into the place

of safety or commitment to the care of the fit individual, as the case may be.

[7/2016]

(3) If, after holding such inquiry, the Director-General is satisfied that the woman or girl is in need of protection, the Director-General may by warrant order that the woman or girl be detained in a place of safety, or committed to the care of a fit individual, for such period as the Director-General may determine.

[7/2016; 30/2019]

[Act 21 of 2023 wef 02/01/2025]

(4) Where a girl has been detained in a place of safety, or committed to the care of a fit individual, at the request of the girl's lawful guardian, the girl may be detained or committed for such period as the Director-General determines is necessary for the girl's rehabilitation, despite any request made by the girl's lawful guardian for the girl's early release.

[7/2016; 30/2019]

Giving medical treatment, etc., to women and girls detained or committed to care under section 160

160A.—(1) The Director-General may require a woman or girl who is detained in a place of safety, or committed to the care of a fit individual, under section 160 to be produced before a healthcare professional for treatment.

(2) Subject to subsections (4) and (5), the healthcare professional may treat the woman or girl only if there is consent.

(3) Consent may be given —

(a) in the case of a girl below 21 years of age — by her parent or guardian;

(b) in the case of a woman or girl who lacks the mental capacity to consent — by her donee or deputy in accordance with the Mental Capacity Act 2008; and

(c) in any other case — by the woman or girl.

(4) The healthcare professional may treat the woman or girl without consent if a Family Court —

- (a) is satisfied that it is in the best interests of the woman or girl to receive the treatment; and
 - (b) authorises the treatment to be administered.
- (5) If the woman or girl is below 21 years of age or assessed by a mental capacity assessor to lack the mental capacity to consent, the healthcare professional may treat the woman or girl without consent if —
 - (a) one of the following circumstances applies:
 - (i) there is no person who can give consent under subsection (3);
 - (ii) the healthcare professional reasonably believes that consent under subsection (3) cannot be obtained within a reasonable time;
 - (iii) the healthcare professional reasonably believes that consent under subsection (3) is being unreasonably withheld; and
 - (b) the healthcare professional reasonably believes that it is in the best interests of the woman or girl to receive the treatment.
- (6) Rules made under section 180 may prescribe —
 - (a) the classes of persons who are recognised as healthcare professionals for the purposes of this section; and
 - (b) the persons who may be appointed by the Director-General as mental capacity assessors for the purposes of this section.
- (7) In this section —
 - “deputy” has the meaning given by section 2(1) of the Mental Capacity Act 2008;
 - “donee” has the meaning given by section 2(1) of the Mental Capacity Act 2008;
 - “treatment” means any medical, psychological or dental treatment, and includes any assessment for the purposes of

deciding whether treatment is needed; and “treat” has a corresponding meaning.

[Act 21 of 2023 wef 02/01/2025]

Period of detention or commitment of woman or girl

161.—(1) A woman or girl must not be detained under this Part, except for the purpose of an inquiry, after such arrangements have been made for her welfare as the Director-General considers necessary or after she attains 21 years of age or marries.

[7/2016; 30/2019]

(2) A woman or girl must not be committed under section 160(3) to the care of a fit individual, and a woman or girl who has been so committed ceases to be in the care of a fit individual, after the woman or girl attains 21 years of age or marries.

[7/2016]

Marriage not to be contracted without consent of Director-General

162. No woman or girl detained under the provisions of this Part or in respect of whom security has been furnished under section 156(3) may contract any form of marriage without the previous consent in writing of the Director-General.

[30/2019]

Women and girls in urgent need of refuge

163.—(1) Any woman or girl may on her own application be received by the Director-General into a place of safety, or be committed by the Director-General to the care of a fit individual, if the Director-General is satisfied that the woman or girl is in urgent need of refuge.

[7/2016; 30/2019]

(2) Where the situation warrants it, the person in charge of any place of safety may receive into that place of safety any woman or girl who makes an application to that person.

(3) Where the person in charge of a place of safety receives any woman or girl into that place of safety in accordance with subsection (2), that person must, within 48 hours of the admission

of the woman or girl, produce her before the Director-General with a full report of the circumstances.

[30/2019]

(4) A woman or girl must not be received under this section into a place of safety, or committed under subsection (1) to the care of a fit individual, after the woman or girl attains 21 years of age or marries.

[7/2016]

(5) A woman or girl who has been received under this section into a place of safety, or committed under subsection (1) to the care of a fit individual, ceases to be in the care of the place of safety or fit individual (as the case may be), after the woman or girl attains 21 years of age or marries.

[7/2016]

Transfer of women or girls from one place of safety to another place of safety within Singapore, etc.

164.—(1) Whenever an order has been made under section 155(3), 156 or 159 for the detention of a woman or girl in a place of safety and it appears to the Director-General to be expedient in the interests of the woman or girl that she should be transferred from such place of safety to another place of safety within Singapore, it is lawful for the Director-General to issue an order that she be so transferred.

[7/2016; 30/2019]

(2) Where an order has been made under section 160 for the detention of a woman or girl in a place of safety, and it appears to the Director-General that the taking of one of the following courses of action is expedient in the interests of the woman or girl, the Director-General may order the taking of that course of action:

- (a) the transfer of the woman or girl from that place of safety to another place of safety within Singapore;
- (b) the discharge of the woman or girl from that place of safety, and the commitment of the woman or girl to the care of a fit individual.

[7/2016; 30/2019]

(3) Where an order has been made under section 160 for the commitment of a woman or girl to the care of a fit individual, and it appears to the Director-General that the taking of one of the following

courses of action is expedient in the interests of the woman or girl, the Director-General may order the taking of that course of action:

- (a) the transfer of the woman or girl from the care of that fit individual to the care of another fit individual;
- (b) the withdrawal of the woman or girl from the care of that fit individual, and the detention of the woman or girl in a place of safety within Singapore.

[7/2016; 30/2019]

(4) Where a woman or girl is detained in a place of safety in Singapore on the request in writing of her lawful guardian under section 160(1)(a), she must not be transferred or discharged from that place of safety under subsection (2), unless her lawful guardian has given approval in writing for that transfer or discharge.

[7/2016]

(5) Where a woman or girl is committed to the care of a fit individual on the request in writing of her lawful guardian under section 160(1)(a), she must not be transferred or withdrawn from the care of that fit individual under subsection (3), unless her lawful guardian has given approval in writing for that transfer or withdrawal.

[7/2016]

165. [Repealed by Act 21 of 2023 wef 02/01/2025]

Appeal

166. An appeal shall lie from any order made by the Director-General under this Part to the Minister whose decision is final and is not to be questioned in any court.

[30/2019]

167. [Repealed by Act 21 of 2023 wef 02/01/2025]

168. [Repealed by Act 21 of 2023 wef 02/01/2025]

Women and girls detained to be subject to rules

169.—(1) Every woman or girl detained under this Part is to be subject to such rules as are made under section 180.

[27/2014]

(2) Every woman or girl detained or ordered to be detained under this Part who leaves any place in which she is detained otherwise than

in accordance with such rules may be arrested and taken back to such place by any police officer or by any officer duly authorised thereto either specially or generally by the Director-General.

[30/2019]

(3) Any person who —

- (a) induces or assists any woman or girl detained under this Part to leave or escape from the place in which she is detained; or
- (b) receives or harbours such woman or girl knowing or having reason to believe that she has escaped from a place of safety,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

Director-General may cause persons to be photographed

170.—(1) Whenever the Director-General, after inquiry, has reason to believe that a breach of any of the provisions of this Part is about to be or has been committed by any person, the Director-General may direct that the person be photographed, and his or her finger impressions taken.

[30/2019]

(2) The person so directed must submit to be photographed and to have his or her finger impressions taken at such time and place and in such manner as the Director-General may think fit and in default of so doing shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

[30/2019]

(3) Any person whose finger impressions and photograph have been taken under subsection (1) may apply on the expiry of 5 years from the date when such finger impressions and photograph were taken for the return of such finger impressions and photograph and the Director-General must, unless the person has in such period of 5 years been convicted of any offence under this Part, deliver to the person the sheet upon which his or her finger impressions have been

made together with the negative and all copies of any photograph taken of him or her, or, if no such application is received within 3 months from the period specified in this subsection, must destroy such sheet and every such negative and photograph.

[30/2019]

Power to summon and examine persons in certain circumstances

171.—(1) The Director-General may summon any person who he or she has reason to believe can give any information —

- (a) regarding any woman or girl in respect of whom he or she has reasonable cause to believe that an offence under this Part is or may be committed or who he or she has reasonable cause to believe is or may be liable to be dealt with under section 156, 159 or 160; or
- (b) regarding any place which he or she has reasonable cause to believe is being used as a brothel, a place of assignation or for the purpose of prostitution.

[30/2019]

(2) The person so summoned must attend at the time and place specified in the summons and must produce all documents in the person's custody, possession or control relating to the woman or girl or place (as the case may be) and must answer truthfully all questions which the Director-General may put to the person respecting the woman or girl or place or in any way relating to the matter being inquired into, and where the inquiry relates to any woman or girl, the person must also, if so required by the Director-General, produce the woman or girl, unless the person is able to satisfy the Director-General that he or she is unable to do so.

[30/2019]

(3) The Director-General is deemed to be a public servant within the meaning of the Penal Code 1871 and may administer oaths to and examine on oath any person summoned before him or her for the purposes of this Part.

[30/2019]

(4) Any person summoned who fails to attend at the time and place specified in the summons or to do any of the other acts referred to in

subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

(5) The Director-General is not compellable in any judicial proceedings to answer any questions as to the grounds of his or her decision or belief in any case dealt with by him or her under this Part or as to anything which came to his or her knowledge in any inquiry made by him or her as Director-General.

[30/2019]

(6) The Director-General may, during or after such inquiry as is referred to in subsection (2), arrest or cause to be arrested any person whom the Director-General has reasonable cause to believe to be liable to prosecution for any offence under this Part committed in respect of the woman or girl or place, and may seize and detain any article, book, document or account which the Director-General may have reason to believe to relate to such offence.

[30/2019]

Record of evidence

172. The Director-General must, at any inquiry held by him or her, take down and record the evidence taken by the Director-General upon such inquiry and of his or her decision thereon and must furnish to the General Division of the High Court a copy of the record if ordered to do so by the General Division of the High Court suppressing in such copy the name of any person from whom information has been derived if he or she thinks it expedient to do so.

[30/2019; 40/2019]

Power of search

173.—(1) The Director-General, or any public officer, being either a police officer not below the rank of sergeant, an immigration officer within the meaning of the Immigration Act 1959 or a public officer of such department that the Minister is charged with responsibility for, and being generally or specially authorised for that purpose in writing by the Director-General, may enter, and for that purpose use force if necessary, and search —

(a) any place where the Director-General, person or officer has reasonable cause to believe that an offence under this Part has been or is being committed; and

(b) any person in that place,

and may remove any woman or girl who is or may be liable to be dealt with under section 156, 159 or 160 to a place of safety to be there detained until her case is inquired into, except that no woman may be searched other than by a woman.

[25/2012; 30/2019]

(2) Any person who refuses to be searched or refuses the Director-General, person or officer access to such place or otherwise obstructs or hinders him or her in effecting an entrance to such place or in removing any such woman or girl shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both.

[30/2019]

Power of arrest and seizure

174.—(1) The Director-General, or any public officer, being either a police officer not below the rank of sergeant, an immigration officer within the meaning of the Immigration Act 1959 or a public officer of such department that the Minister is charged with responsibility for, and being generally or specially authorised for that purpose in writing by the Director-General, may arrest or cause to be arrested any person reasonably believed to be liable to prosecution for an offence under section 140(1), 141(1), 142(1), 143(1), 144(1), 145(1), 146(1) or (1A), 146A(1), 147(1) or (2) or 148(1), (2), (3) or (4) and may seize, and for that purpose use force if necessary, and detain any article, book, document or account which he or she may have reason to believe to relate to such offence.

[25/2012; 30/2019; 36/2019]

(2) Where any person is arrested by the Director-General or any person mentioned in subsection (1), the Director-General or person making the arrest must comply with sections 68 and 85 of the Criminal Procedure Code 2010 as if he or she were a police officer.

[15/2010; 30/2019]

(3) Any person who obstructs or hinders the Director-General or any person mentioned in subsection (1) in the arrest of any such suspected person or in the seizure or detention of any such article, book, document or account shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both.

[30/2019]

Presumption arising out of warrants

175.—(1) Every warrant or summons purporting to be issued pursuant to this Part by the Director-General is to be received in evidence in any court without further proof and is prima facie evidence of the facts therein stated.

[30/2019]

[Act 21 of 2023 wef 02/01/2025]

(2) All acts done pursuant to such warrant or summons are deemed to have been authorised by law.

Appointment of officers

176.—(1) The Minister may appoint such officers as the Minister thinks fit for the purposes of this Part and may confer upon those officers all or any of the powers conferred and duties imposed upon the Director-General by this Part.

[Act 5 of 2025 wef 09/03/2025]

(2) An appointment of an officer under subsection (1), and the powers conferred and duties imposed on the officer, must be published in the *Gazette*.

[30/2019]

[Act 5 of 2025 wef 09/03/2025]

Minister may establish places of safety

177. The Minister may, by order in the *Gazette*, establish such places of safety as may be necessary for the purposes of this Part.

Restriction on publishing information, etc., leading to identification of women and girls in places of safety, etc.

177A.—(1) A person must not, without the approval of the Director-General, publish or broadcast any information that identifies, or is likely to lead to the identification of —

- (a) the location of a place of safety; or
- (b) a woman or girl as being or having been a resident of a place of safety.

(2) A person must not, without the approval of the Director-General, publish or broadcast any information that identifies, or is likely to lead to the identification of —

- (a) a woman or girl as being or having been committed to the care of a fit individual under the provisions of this Part;
- (b) an individual as being an individual to whose care a woman or girl is or was committed under the provisions of this Part; or
- (c) the location of a place where a woman or girl is residing or resided while committed to the care of a fit individual under the provisions of this Part.

(3) Subsection (1) does not apply to any of the following:

- (a) the publication in the *Gazette* (in electronic or other form) of an order under section 177;
- (b) the publication under the Revised Edition of the Laws Act 1983 of a revised edition of subsidiary legislation (in electronic or other form) that relates to an order under section 177;
- (c) the publication of an order under section 177, a revised edition of subsidiary legislation referred to in paragraph (b), or any copy of any such order or revised edition of subsidiary legislation, on —
 - (i) any legislation website maintained by the Government; or

- (ii) any website licensed by the Government to maintain a collection of subsidiary legislation made under this Act.

Offence

(4) If any information is published or broadcast in contravention of subsection (1) or (2) —

- (a) in the case of the publication of the information as part of a newspaper or periodical publication — each proprietor, editor, publisher and distributor of the newspaper or periodical publication;
- (b) in the case of the publication of the information otherwise than as part of a newspaper or periodical publication — the person who publishes or distributes the information; or
- (c) in the case of the broadcast of the information — each person who transmits or provides the programme in which the information is broadcast, and each person having functions in relation to the programme corresponding to those of the editor of a newspaper or periodical publication,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000.

(5) In proceedings for an offence under subsection (4), the court may, whether or not there is a conviction for the offence, order a person to remove the publication, or cease the broadcast, of any information that is in contravention of subsection (1) or (2).

Application to remove contravening publication or broadcast

(6) A Family Court may, on an application by the Director-General, order a person to remove a publication, or cease a broadcast, that contravenes subsection (1) or (2).

(7) A Family Court may make an order under subsection (6) even if —

- (a) the application is not served on the person against whom the order is sought (called in this section the respondent) or is not served on the respondent within a reasonable time before the hearing of the application; or
- (b) where the application has been served on the respondent — the respondent does not appear at the hearing of the application,

so long as the Family Court is satisfied, on a balance of probabilities, that the order is necessary for the protection or personal safety of the woman or girl concerned.

Definitions

(8) In this section —

“broadcast” means sounds or visual images or both —

- (a) broadcast by wireless telegraphy, or by means of a high frequency distribution system over wire or other paths provided by a material substance, and intended for general reception;
- (b) broadcast through the Internet or any website, web service or Internet application, whether or not intended for general reception; or
- (c) broadcast through any messaging system;

“information” includes an image;

“publish”, in relation to any information, means to bring the information to the notice of the public or a section of the public by any means, including (to avoid doubt) through —

- (a) the Internet or any website, web service or Internet application; or
- (b) any messaging system;

“resident”, in relation to a place of safety, includes a woman or girl detained or received into a place of safety under the provisions of this Part.

[Act 21 of 2023 wef 02/01/2025]

Boards of Visitors

178.—(1) The Minister may appoint for every place of safety a Board of Visitors to advise and make recommendations to the Director-General on such matters as he or she may refer to it.

[30/2019]

[Act 5 of 2025 wef 09/03/2025]

(1A) An appointment under subsection (1) must be published in the *Gazette*.

[Act 5 of 2025 wef 09/03/2025]

(2) A Board of Visitors may be appointed for one or more places of safety as the Minister thinks fit.

(3) A Board of Visitors consists of such number of persons as the Minister may determine.

(4) Every person appointed under subsection (1) may enter at reasonable times any place of safety and make such inquiry or examination therein as appears to the person necessary and must also make such report as the Minister may require.

(5) Despite subsection (1), the Minister may direct a Board of Visitors —

- (a) to visit any place which is established for the purposes of care and reception of women and girls and which is not a place of safety; and
- (b) to make such inquiry or examination therein as appears to the Board necessary and also to make such report as the Minister may require.

(6) Any person who refuses admittance to any place of safety or any place referred to in subsection (5) to any member of a Board of Visitors, the Director-General or any officer deputed by the Director-General for the purpose or who offers any hindrance or obstruction to any such persons after his or her identity is reasonably established shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[30/2019]

Discharge Committees

179.—(1) The Minister may appoint for every place of safety a Discharge Committee which must advise and make recommendations to the Director-General on the discharge and aftercare of women and girls in such place of safety.

[30/2019]

(2) A Discharge Committee may be appointed in respect of one or more places of safety as the Minister thinks fit.

(3) A Discharge Committee consists of such number of persons as the Minister may determine.

(4) The Discharge Committee must review all cases of women and girls when they have been detained for 6 months, and may, after such review, recommend to the Director-General that any woman or girl be discharged or released on licence.

[30/2019]

(5) The Director-General, on the advice of the Discharge Committee, has power to order the discharge or the release on licence of any woman or girl who has been detained in a place of safety for 6 months and on such conditions as may be stated by the Director-General in that order.

[30/2019]

(6) Any woman or girl released from a place of safety on licence by order of the Director-General, who breaks the conditions of her licence, must be brought before the Director-General, who has power to order the return of the woman or girl to the place of safety from which she was released, to be detained there for such further period as the Director-General considers necessary, except where the woman or girl concerned, by reason of any act or omission committed while on licence, renders herself liable to prosecution for any offence, in which case she must be brought before the appropriate court.

[30/2019]

PART 12

MISCELLANEOUS

Family Justice Rules

179A.—(1) The Family Justice Rules Committee constituted under section 46(1) of the Family Justice Act 2014 may make Family Justice Rules —

- (a) to regulate and prescribe the procedure and practice to be followed in respect of any application to the Family Justice Courts under this Act; and
- (b) to provide for any matter incidental to or relating to the procedure and practice.

(2) Without limiting subsection (1), Family Justice Rules may be made for the following purposes:

- (a) the manner in which any application to the court under this Act is to be made and dealt with, and the provisions of any written law that will apply to any such application;
- (b) [*Deleted by Act 21 of 2023 wef 16/01/2025*]
- (c) prescribing the procedure applicable to attachment of earnings orders, including the notification by the court to persons directed to comply with those orders;
- (d) prescribing the procedure applicable to the proceedings upon a breach of an order under section 81(2)(c) or (4)(a)(i) by a respondent;
- (e) prescribing the procedure applicable to any appeal by an MEO against the Family Court's refusal to grant a request under section 86(3) and (4)(c);
- (f) prescribing the procedure for a party to object to the reliance by the court on any previous MEO's report (or any part of it) under section 91;
- (g) prescribing the procedure applicable to any appeal from a Family Court brought under section 91V;

- (h) prescribing the orders under section 81 that may be made against a respondent despite the absence of the respondent in court;
- (i) prescribing how any document may be served on any person for the purposes of proceedings in the Family Justice Courts under this Act;
- (j) prescribing the fees payable in relation to proceedings in the Family Justice Courts under this Act and providing for the waiver, refund or remission of those fees;
- (k) prescribing and regulating the costs payable in proceedings in the Family Justice Courts under this Act;
- (l) providing for the forms to be used in proceedings in the Family Justice Courts under this Act;
- (m) prescribing anything that is required or permitted under this Act to be prescribed by the Family Justice Rules.

(3) The Family Justice Rules may, instead of providing for any matter under subsection (1), refer to any provision made or to be made about the matter by practice directions issued for the time being by the registrar of the Family Justice Courts.

(4) Unless the Family Justice Rules provide otherwise, an application to a Family Court under Part 7, 8, 9, 9A or 10C or section 126B (called in this subsection the relevant application) —

- (a) must be made in the same manner as an application for a summons is made to a District Court or Magistrate's Court under the Criminal Procedure Code 2010; and
- (b) is to be dealt with —
 - (i) as if the relevant application were a complaint for the purposes of that Code; but
 - (ii) in accordance with only such provisions of that Code, and with such provisions of any other written law, as may be prescribed by the Family Justice Rules.

(5) The powers conferred by this section do not extend to any matter —

- (a) for which regulations may be made under section 91A; or
- (b) for which rules may be made under section 180(1) or (1A).

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

[Act 18 of 2023 wef 16/01/2025]

Rules

180.—(1) The Minister may make rules generally for carrying out the provisions of this Act (except Part 11) and, in particular, may make rules providing for —

- (a) the forms to be used and the fees payable for the purposes of this Act (except Part 11);

[Act 3 of 2022 wef 25/09/2023]

[Act 18 of 2023 wef 16/01/2025]

- (aa) any matter relating to the making of a decision under section 17(3);

[Act 3 of 2022 wef 25/09/2023]

- (b) the practice and procedure for the maintaining of the State Marriage Register and certificates of marriage;
- (c) the supply and custody of registers and certificates;
- (d) the preparation and submission of returns under this Act (except Part 11);

[Act 18 of 2023 wef 16/01/2025]

- (e) the making of searches of the State Marriage Register;

[Act 3 of 2022 wef 25/09/2023]

- (ea) the provision of copies of, or extracts from, any record or information contained in the State Marriage Register (including a copy or an extract that is certified by the Registrar to be a true copy or extract);

[Act 3 of 2022 wef 25/09/2023]

- (eb) how an error in the State Marriage Register is to be corrected;

[Act 3 of 2022 wef 25/09/2023]

(f) [Deleted by Act 18 of 2023 wef 16/01/2025]

(fa) [Deleted by Act 18 of 2023 wef 16/01/2025]

(g) [Deleted by Act 18 of 2023 wef 16/01/2025]

(h) [Deleted by Act 18 of 2023 wef 16/01/2025]

(i) the procedure for appeals to the Minister except appeals under section 166; and

[Act 18 of 2023 wef 16/01/2025]

(j) matters permitted or required to be prescribed under this Act (except Part 11).

[27/2014; 7/2016]

[Act 3 of 2022 wef 25/09/2023]

[Act 18 of 2023 wef 16/01/2025]

(1A) The Minister may make rules generally for carrying out the provisions of Part 11 and, in particular, may make rules providing for —

(a) the care, detention, discipline, discharge and aftercare, temporary absence, maintenance and education of women and girls detained under Part 11;

(b) the commitment under Part 11 of any woman or girl to the care of a fit individual;

(c) the manner and conditions in and under which the powers conferred by Part 11 are to be exercised by the persons on whom such powers are conferred;

(d) the composition, duties, functions and procedure of Boards of Visitors and Discharge Committees;

(e) the procedure for appeals to the Minister under section 166; and

(f) matters permitted or required to be prescribed under Part 11.

[Act 18 of 2023 wef 16/01/2025]

(1B) The powers conferred by subsection (1) or (1A) do not extend to any matter —

- (a) for which regulations may be made by the Minister under section 91A; or
- (b) for which Family Justice Rules may be made under section 179A.

[Act 18 of 2023 wef 16/01/2025]

(2) Rules made under subsection (1) or (1A) —

- (a) must be presented to Parliament as soon as possible after publication in the *Gazette*; and
- (b) may be revoked (wholly or partly) by a resolution of Parliament.

[Act 3 of 2022 wef 30/12/2022]

[Act 18 of 2023 wef 16/01/2025]

(2A) A resolution under subsection (2)(b) —

- (a) must specify the date from which the rules are revoked; and
- (b) may only be passed on a motion for which notice is given on or before the first available sitting day of Parliament after the expiry of one month after the date on which the rules were presented to Parliament.

[Act 3 of 2022 wef 30/12/2022]

(2B) If Parliament passes a resolution under subsection (2)(b) —

- (a) the rules are revoked with effect from the date specified in the resolution;
- (b) the revocation does not affect the validity of anything done before the specified date; and
- (c) the Minister is not prevented from making new rules.

[Act 3 of 2022 wef 30/12/2022]

(3) Any person who contravenes any rules made under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

[27/2014]

Protection from personal liability

180A.—(1) This section applies where an act is done or an omission is made —

- (a) by the Registrar in the exercise or purported exercise of a function of the Registrar under this Act;
- (b) by the Director-General —
 - (i) in the exercise or purported exercise of a function of the Director-General under this Act;
 - (ii) in the enforcement or purported enforcement of Part 7 or 11; or
 - (iii) in compliance or purported compliance with an order made by a court under this Act;
- (c) by a person (being a person appointed by and acting under the direction of the Director-General) —
 - (i) in the exercise or purported exercise of a function of the Director-General under this Act;
 - (ii) in the enforcement or purported enforcement of Part 11;
[Act 21 of 2023 wef 02/01/2025]
 - (iii) in compliance or purported compliance with an order made by a court under this Act; or
 - (iv) in compliance or purported compliance with a direction given by the Director-General under this Act;
- (d) by a licensed solemniser —
 - (i) in the solemnisation or purported solemnisation of a marriage under this Act; or
 - (ii) in relation to the registration of a marriage under this Act;
- (e) by a person (being a person appointed or authorised under section 65(2)) in the exercise or purported exercise of the functions of a protector under Part 7;
[Act 21 of 2023 wef 02/01/2025]

- (ea) by a person (being a person appointed or authorised under section 65(4)) in the exercise or purported exercise of the functions of an enforcement officer under Part 7;
[Act 21 of 2023 wef 02/01/2025]
- (eb) by a person (being a person prescribed or appointed as a support person under section 65(7) or (8), respectively) in the exercise or purported exercise of the functions of a support person under Part 7;
[Act 21 of 2023 wef 02/01/2025]
- (f) by a conciliation officer in the course of assisting or advising the parties to a marriage, under section 94(4), 139D or 139F, on any differences between them;
- (g) by any person in the course of conducting any mediation, counselling or family support programme under Division 4 of Part 10A;
- (h) by any person in a place of safety in compliance or purported compliance with —
- (i) any direction given by the Director-General under this Act; or
 - (ii) any order made by a court under this Act;
- (i) by a person (being an officer appointed by the Minister under section 176(1)) in the exercise or purported exercise of a function of the Director-General under Part 11;
[Act 5 of 2025 wef 09/03/2025]
- (j) by a person (being a member of the Board of Visitors appointed by the Minister under section 178(1)) —
- (i) in the exercise or purported exercise of a function of the Board of Visitors under this Act; or
 - (ii) in compliance or purported compliance with any direction given by the Minister under section 178(5);
[Act 5 of 2025 wef 09/03/2025]
- (k) by a person (being a member of the Discharge Committee appointed by the Minister under section 179) in the exercise or purported exercise of a function of the Discharge Committee under this Act; or

(l) by a person (being a person appointed by a court or pursuant to an order of a court under this Act) in compliance or purported compliance with an order made by a court under this Act.

(2) No liability shall lie personally against the person who did the act or made the omission if the act was done or the omission was made in good faith and with reasonable care.

(3) In this section, a reference to the exercise of a function includes a reference to the exercise of a power or the performance of a duty.

[Act 3 of 2022 wef 30/12/2022]

Marriages solemnised before 15 September 1961 deemed to be registered under this Act

181.—(1) Nothing in this Act affects the validity of any marriage solemnised under any law, religion, custom or usage prior to 15 September 1961.

(2) Such marriages, if valid under the law, religion, custom or usage under which they were solemnised, are deemed to be registered under the provisions of this Act.

(3) Every such marriage, unless void under the law, religion, custom or usage under which it was solemnised, shall continue until dissolved —

- (a) by the death of one of the parties;
- (b) by order of a court of competent jurisdiction; or
- (c) by a declaration made by a court of competent jurisdiction that the marriage is null and void.

Voluntary registration of marriages solemnised before 15 September 1961 or validated by section 184

182.—(1) Despite section 181, the parties to a marriage which has been solemnised under any law, religion, custom or usage before 15 September 1961 may, if the marriage has not been registered, apply to the Registrar in the prescribed form for the registration of the marriage.

[Act 3 of 2022 wef 25/09/2023]

(1A) The parties to a marriage validated by section 184 may apply to the Registrar in the prescribed form to register the marriage.

[Act 3 of 2022 wef 25/09/2023]

(2) The Registrar may require the parties to the marriage to appear before him or her and to produce such evidence of the marriage, either oral or documentary, as he or she may require, and to furnish such other particulars as may be required by him or her.

(3) The Registrar may, on being satisfied of the truth of the statements contained in the application, register the marriage in the State Marriage Register.

[Act 3 of 2022 wef 25/09/2023]

(4) *[Deleted by Act 3 of 2022 wef 25/09/2023]*

(5) The Registrar must not register a marriage under this section if he or she is satisfied that the marriage is void under the provisions of this Act.

[Act 3 of 2022 wef 25/09/2023]

Recognition of marriages contracted in Embassies, etc., in Singapore

183.—(1) Nothing in this Act prevents the solemnisation in Singapore of a marriage in any foreign Embassy, High Commission or Consulate in Singapore.

(2) A marriage contracted in any foreign Embassy, High Commission or Consulate in Singapore is recognised as valid for all purposes of the law of Singapore if all the following requirements are satisfied:

- (a) it was contracted in a form required or permitted by the law of the country whose Embassy, High Commission or Consulate it is, or in a form permitted under this Act;
- (b) each of the parties had, at the time of the marriage, capacity to marry under the law of the country of his or her domicile or under the law of the country of the intended domicile of the parties after marriage;
- (c) in the case where either of the parties is a citizen of or is domiciled in Singapore, both parties had capacity to marry under this Act.

Validity of customary marriages contracted on or after 15 September 1961 and before 2 June 1967

184.—(1) To avoid doubt, every marriage contracted or effected on or after 15 September 1961 and before 2 June 1967 in accordance with the law, religion, custom or usage of the parties or any of the parties thereto shall be valid if the marriage is not contracted or effected in contravention of sections 4 and 10.

(2) This section does not apply to any such marriage which has been declared to be null and void by an order of the High Court prior to 2 May 1975.

Saving for petitions presented before 1 June 1981

185.—(1) The Women's Charter (Amendment) Act 1980 (including the repeals and amendments made by it) does not have effect in relation to any petition for divorce or judicial separation, for a decree of nullity or for a decree of presumption of death and dissolution of the marriage presented before 1 June 1981.

(2) Without prejudice to any provision of this Act, neither collusion nor any other conduct on the part of the petitioner which has at any time been a bar to relief in matrimonial proceedings constitutes a bar to the grant of a decree nisi of divorce, a decree of judicial separation, a decree of nullity or a decree of presumption of death and dissolution of the marriage, whether the marriage took place, or the proceedings were instituted, before or after 1 June 1981, and the court is not required to dismiss an application for a decree nisi of divorce to be made absolute on the ground of collusion between the parties in connection with the presentation or prosecution of the petition for divorce or the obtaining of the decree nisi or on the ground of any conduct on the part of the petitioner.

Savings for proceedings before 1 May 1997

186.—(1) Nothing in section 12 affects any proceedings under the Women's Charter commenced before 1 May 1997 or any decree, order or judgment made or given (whether before or after that date) in any such proceedings.

(2) Nothing in Part 7 affects proceedings instituted under the repealed sections 68 and 69 of the Women's Charter (Cap. 353, 1985 Revised Edition) before 1 May 1997 and those sections in force immediately before that date continue to apply to the proceedings as if the Women's Charter (Amendment) Act 1996 had not been enacted.

(3) Section 112 does not apply to the hearing of any proceedings which has begun before 1 May 1997 under the repealed section 106 of the Women's Charter (Cap. 353, 1985 Revised Edition) in force immediately before that date and the repealed section 106 continues to apply to that hearing as if the Women's Charter (Amendment) Act 1996 had not been enacted.

(4) Nothing in this section affects section 16 of the Interpretation Act 1965.

FIRST SCHEDULE

Section 10

KINDRED AND AFFINITY PROHIBITED DEGREES OF RELATIONSHIP

Mother.	Father.
Daughter.	Son.
Father's mother.	Father's father.
Mother's mother.	Mother's father.
Son's daughter.	Son's son.
Daughter's daughter.	Daughter's son.
Sister.	Brother.
Wife's mother.	Husband's father.
Wife's daughter.	Husband's son.
Father's wife.	Mother's husband.
Son's wife.	Daughter's husband.
Father's father's wife.	Father's mother's husband.
Mother's father's wife.	Mother's mother's husband.
Wife's father's mother.	Husband's father's father.

FIRST SCHEDULE — *continued*

Wife's mother's mother.	Husband's mother's father.
Wife's son's daughter.	Husband's son's son.
Wife's daughter's daughter.	Husband's daughter's son.
Son's son's wife.	Son's daughter's husband.
Daughter's son's wife.	Daughter's daughter's husband.
Father's sister.	Father's brother.
Mother's sister.	Mother's brother.
Brother's daughter.	Brother's son.
Sister's daughter.	Sister's son.

SECOND SCHEDULE

Section 21A

CONSENTS REQUIRED TO THE MARRIAGE OF A MINOR

PART 1 — WHERE THE MINOR IS LEGITIMATE

*Circumstances**Person or persons whose consent is required*

1. Where both parents are living:
 - (a) if parents living together: both parents;
 - (b) if parents are divorced or separated by order of court or by agreement: the parent to whom the custody of the minor is committed by order of any court or by the agreement, or, if the custody of the minor is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents;
 - (c) if one parent has been deserted by the other: the parent who has been deserted;
 - (d) if both parents have been deprived of custody of minor by order of court: the person to whose custody the minor is committed by order of court.
2. Where one parent is dead:
 - (a) if there is no other guardian: the surviving parent;

SECOND SCHEDULE — *continued*

<i>Circumstances</i>	<i>Person or persons whose consent is required</i>
(b) if a guardian has been appointed by the deceased parent:	the surviving parent and the guardian if acting jointly, or the surviving parent or the guardian if the parent or guardian is the sole guardian of the minor.
3. Where both parents are dead:	the guardians or guardian appointed by the deceased parents or by the court under the Guardianship of Infants Act 1934.

PART 2 — WHERE THE MINOR IS ILLEGITIMATE

<i>Circumstances</i>	<i>Person whose consent is required</i>
1. If the mother of the minor is alive:	the mother or, if she has by order of court been deprived of the custody of the minor, the person to whom the custody of the minor has been committed by order of court.
2. If the mother of the minor is dead:	the guardian appointed by the mother, or by the court.

[Act 3 of 2022 wef 25/09/2023]

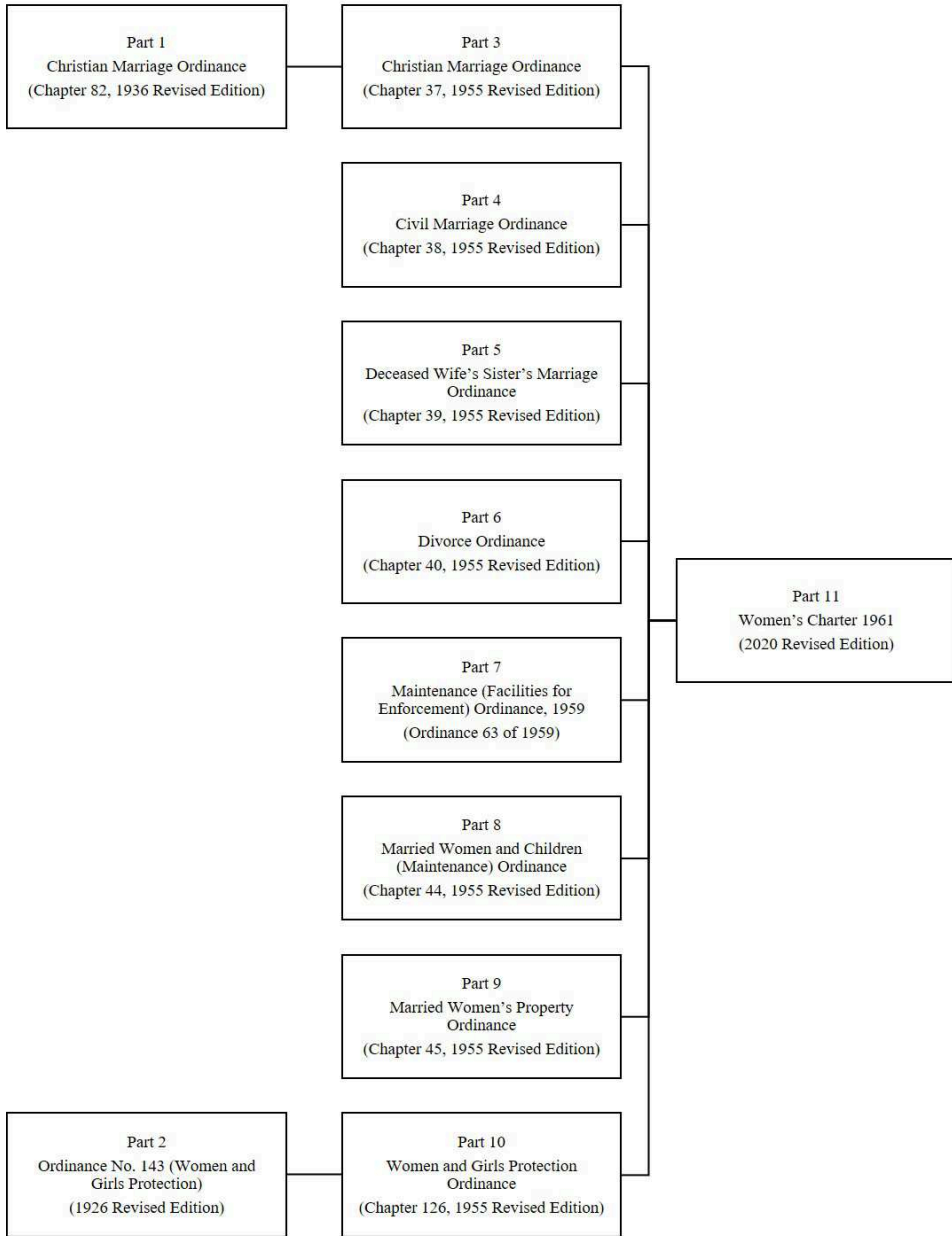
Part 3

[Deleted by Act 3 of 2022 wef 30/12/2022]

LEGISLATIVE HISTORY
WOMEN'S CHARTER 1961

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

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1

CHRISTIAN MARRIAGE ORDINANCE
(CHAPTER 82, 1936 REVISED EDITION)**1. Ordinance III of 1880 — The Marriage Registrars' Ordinance, 1880**

Bill	:	G.N. No. 178/1880
First Reading	:	20 May 1880
Second Reading	:	1 June 1880
Notice of Amendments	:	13 July 1880
Third Reading	:	13 July 1880
Commencement	:	29 July 1880

2. Ordinance III of 1898 — The Christian Marriage Ordinance 1898

Bill	:	G.N. No. 392/1896
First Reading	:	25 June 1896
Second Reading	:	21 March 1898
Notice of Amendments	:	2 August 1898
Third Reading	:	23 August 1898
Commencement	:	2 April 1899

Note: This Ordinance repealed The Indian Marriage Act 1865 (Indian Act V of 1865) except sections 42 and 44, and The Marriage Registrars' Ordinance, 1880 (Ordinance III of 1880) except sections 25 and 26.

**3. Ordinance XXV of 1903 — The Christian Marriage Ordinance 1898
Amendment Ordinance 1903**

Bill	:	Information not available
First Reading	:	11 September 1903
Second Reading	:	18 September 1903
Third Reading	:	10 October 1903
Commencement	:	10 October 1903

**4. Ordinance VII of 1909 — The Christian Marriage Ordinance 1898
Amendment Ordinance 1909**

Bill	:	G.N. No. 464/1909
First Reading	:	17 May 1909

Second Reading	:	11 June 1909
Notice of Amendments	:	2 July 1909
Third Reading	:	2 July 1909
Commencement	:	15 July 1909

Note: This Ordinance repealed sections 42 and 44 of The Indian Marriage Act 1865 (Indian Act V of 1865), and sections 25 and 26 of The Marriage Registrars' Ordinance, 1880 (Ordinance III of 1880).

5. Ordinance XXVI of 1915 — The Christian Marriage (Amendment) Ordinance 1915

Bill	:	G.N. No. 961/1915
First Reading	:	15 October 1915
Second Reading	:	29 October 1915
Third Reading	:	3 December 1915
Commencement	:	11 December 1915

6. Ordinance 8 of 1920 — Governor's Powers Delegation Ordinance, 1920 (Amendments made by section 2 read with the Schedule to the above Ordinance)

Bill	:	G.N. No. 349/1920
First Reading	:	8 March 1920
Second Reading	:	12 April 1920
Notice of Amendments	:	12 April 1920
Third Reading	:	12 April 1920
Commencement	:	21 April 1920 (section 2 read with the Schedule)

7. 1920 Revised Edition — Ordinance No. 60 (Christian Marriage)

Operation	:	28 November 1921
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8. Ordinance 26 of 1921 — Statute Laws (Revised Edition) Operation Ordinance, 1921

(Amendments made by section 3(a) read with Schedule C to the above Ordinance)

Bill	:	G.N. No. 1854/1921
First and Second Readings	:	22 November 1921
Notice of Amendments	:	22 November 1921

Third Reading	:	22 November 1921
Commencement	:	28 November 1921 (section 3(a) read with Schedule C)

9. Ordinance 32 of 1922 — Statute Laws (Revised Edition) Amendment Ordinance, 1922

(Amendments made by section 4 of the above Ordinance)

Bill	:	G.N. No. 1158/1922
First Reading	:	14 August 1922
Second Reading	:	11 September 1922
Notice of Amendments	:	23 October 1922
Third Reading	:	23 October 1922
Commencement	:	28 November 1921 (section 4)

10. Ordinance 19 of 1925 — Christian Marriage (Amendment) Ordinance, 1925

Bill	:	G.N. No. 1414/1925
First, Second and Third Readings	:	24 August 1925
Commencement	:	7 September 1925

11. 1926 Revised Edition — Ordinance No. 60 (Christian Marriage)

Operation	:	1 August 1926
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12. 1936 Revised Edition — Christian Marriage Ordinance (Chapter 82)

Operation	:	1 September 1936
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PART 2

ORDINANCE NO. 143 (WOMEN AND GIRLS PROTECTION)
(1926 REVISED EDITION)

13. Ordinance XXIII of 1870 — Contagious Diseases Ordinance, 1870

Bill	:	S.S.G.G. No. 42/1870
First Reading	:	3 October 1870
Second Reading	:	11 November 1870
Notice of Amendments	:	28 November 1870
Third Reading	:	1 December 1870

Commencement : 2 September 1872
1 November 1872

Note: This Ordinance comes into operation on the dates in the Orders of the Governor in Council (G.N. No. 147/1872 and G.N. No. 177/1872) for the areas specified in those Orders.

14. Ordinance III of 1873 — The Contagious Diseases Amendment Ordinance, 1873

Bill : Information not available
First Reading : 27 May 1873
Second Reading : 12 June 1873
Notice of Amendments : 12 June 1873
Third Reading : 12 June 1873
Commencement : 12 June 1873

15. Ordinance VIII of 1875 — The Contagious Diseases Amendment Ordinance, 1875

Bill : S.S.G.G. No. 18/1875
First Reading : 4 May 1875
Second and Third Readings : 6 May 1875
Commencement : 6 May 1875

16. Ordinance I of 1887 — The Women and Girls' Protection Ordinance 1887

Bill : G.N. No. 611/1886
First Reading : 28 December 1886
Second Reading : 2 May 1887
Notice of Amendments : 5 May 1887
Third Reading : 9 May 1887
Commencement : 9 May 1887

17. Ordinance XIV of 1888 — The Women and Girls' Protection Ordinance 1888

Bill : G.N. No. 660/1888
First Reading : 19 November 1888
Second Reading : 28 November 1888

Notice of Amendments	:	12 December 1888
Third Reading	:	19 December 1888
Commencement	:	1 January 1889

**18. Ordinance III of 1890 — The Women and Girls’ Protection Ordinance
Amendment Ordinance 1890**

Bill	:	G.N. No. 741/1889
First Reading	:	14 February 1890
Second Reading	:	20 February 1890
Notice of Amendments	:	27 February 1890
Third Reading	:	6 March 1890
Commencement	:	6 March 1890

**19. Ordinance XVII of 1891 — The Women and Girls’ Protection Ordinance
Amendment Ordinance 1891**

Bill	:	G.N. No. 268/1891
First Reading	:	15 October 1891
Second Reading	:	5 November 1891
Notice of Amendments	:	23 December 1891
Third Reading	:	23 December 1891
Commencement	:	23 December 1891

**20. Ordinance XII of 1894 — The Women and Girls’ Protection Ordinance
Amendment Ordinance 1894**

Bill	:	G.N. No. 296/1894
First Reading	:	18 June 1894
Second Reading	:	19 July 1894
Notice of Amendments	:	9 August 1894
Third Reading	:	6 September 1894
Commencement	:	6 September 1894

**21. Ordinance XVI of 1894 — An Ordinance to revive and re-enact Part II of
The Women and Girls’ Protection Ordinance
1888**

Bill	:	Information not available
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First, Second and Third Readings : 1 November 1894

Commencement : 1 November 1894

22. Ordinance XVII of 1896 — The Women and Girls' Protection Ordinance 1896

Bill : G.N. No. 425/1896

First Reading : 16 July 1896

Second Reading : 24 September 1896

Notice of Amendments : 12 November 1896

Third Reading : 19 November 1896

Commencement : 19 November 1896

23. Ordinance XIII of 1899 — The Women and Girls' Protection Ordinance 1896 Amendment Ordinance 1899

Bill : G.N. No. 440/1899

First Reading : 13 June 1899

Second Reading : 20 June 1899

Notice of Amendments : 22 August 1899

Third Reading : 29 August 1899

Commencement : 1 November 1899

24. Ordinance XVII of 1900 — The Women and Girls' Protection Ordinance 1896 Amendment Ordinance 1900

Bill : G.N. No. 162/1900

First Reading : 27 February 1900

Second Reading : 3 April 1900

Notice of Amendments : 11 September 1900

Third Reading : 18 September 1900

Commencement : 18 September 1900

25. Ordinance III of 1902 — The Women and Girls' Protection Ordinance 1896 Amendment Ordinance 1902

Bill : G.N. No. 1588/1901

First Reading : 21 January 1902

Second Reading : 28 January 1902

Notice of Amendments	:	4 February 1902
Third Reading	:	18 February 1902
Commencement	:	18 February 1902

**26. Ordinance IV of 1910 — The Women and Girls Protection Ordinance
1896 Amendment Ordinance 1910**

Bill	:	G.N. No. 1251/1909
First Reading	:	26 November 1909
Second Reading	:	11 March 1910
Notice of Amendments	:	1 April 1910
Third Reading	:	15 April 1910
Commencement	:	22 April 1910

**27. Ordinance XXVI of 1914 — The Women and Girls Protection Ordinance
1914**

Bill	:	G.N. No. 529/1913
First Reading	:	27 June 1913
Second Reading	:	22 August 1913
Notice of Amendments	:	2 October 1914
Third Reading	:	30 October 1914
Commencement	:	9 November 1914

**28. 1920 Revised Edition — Ordinance No. 143 (Women and Girls
Protection)**

Operation	:	28 November 1921
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**29. Ordinance 24 of 1925 — Women and Girls Protection (Amendment)
Ordinance, 1925**

Bill	:	G.N. No. 1283/1925
First Reading	:	24 August 1925
Second Reading	:	5 October 1925
Notice of Amendments	:	5 October 1925
Third Reading	:	26 October 1925
Commencement	:	4 November 1925

30. 1926 Revised Edition — Ordinance No. 143 (Women and Girls Protection)

Operation : 1 August 1926

31. Ordinance 6 of 1926 — The Statute Laws (Revised Edition) Operation Ordinance, 1926

(Amendments made by section 3 read with Schedule B to the above Ordinance)

Bill : G.N. No. 1151/1926

First and Second Readings : 12 July 1926

Notice of Amendments : 12 July 1926

Third Reading : 12 July 1926

Commencement : 1 August 1926 (section 3 read with Schedule B)

32. Ordinance 15 of 1927 — Women and Girls Protection (Amendment) Ordinance, 1927

Bill : G.N. No. 1325/1927

First Reading : 22 August 1927

Second Reading : 10 October 1927

Notice of Amendments : 10 October 1927

Third Reading : 31 October 1927

Commencement : 27 November 1927

PART 3

CHRISTIAN MARRIAGE ORDINANCE
(CHAPTER 37, 1955 REVISED EDITION)

33. Ordinance 10 of 1940 — Christian Marriage Ordinance, 1940

Bill : G.N. No. 3464/1939

First Reading : 8 November 1939

Second Reading : 12 February 1940

Notice of Amendments : 12 February 1940

Third Reading : 12 February 1940

Commencement : 1 January 1941

34. Ordinance 16 of 1941 — Christian Marriage (Amendment) Ordinance, 1941

Bill	:	G.N. No. 308/1941
First Reading	:	3 February 1941
Second and Third Readings	:	28 April 1941
Commencement	:	17 May 1941

35. Ordinance 27 of 1952 — Christian Marriage (Amendment) Ordinance, 1952

Bill	:	G.N. No. S 201/1951
First Reading	:	19 June 1951
Select Committee Report	:	Council Paper No. 111 of 1951
Second Reading	:	17 June 1952
Notice of Amendments	:	17 June 1952
Third Reading	:	17 June 1952
Commencement	:	26 August 1952

36. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952

(Amendments made by section 2 read with item 100 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952
Second and Third Readings	:	14 October 1952
Commencement	:	30 April 1955 (section 2 read with item 100 of the Schedule)

37. 1955 Revised Edition — Christian Marriage Ordinance (Chapter 37)

Operation	:	1 July 1956
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38. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958

(Amendments made by section 2 read with the Schedule to the above Ordinance)

Bill	:	158/1958
First Reading	:	16 July 1958
Second Reading	:	13 August 1958

Notice of Amendments	:	10 September 1958
Third Reading	:	10 September 1958
Commencement	:	25 September 1958 (section 2 read with the Schedule)

39. G.N. No. S (N.S.) 67/1959 — Singapore Constitution (Modification of Laws) (No. 2) Order, 1959

Commencement	:	21 August 1959
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40. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance, 1959
(Amendments made by section 2 read with the First Schedule to the above Ordinance)

Bill	:	31/1959
First Reading	:	22 September 1959
Second Reading	:	11 November 1959
Notice of Amendments	:	11 November 1959
Third Reading	:	11 November 1959
Commencement	:	20 November 1959 (section 2 read with the First Schedule)

41. G.N. No. S (N.S.) 177/1959 — Singapore Constitution (Modification of Laws) (No. 3) Order, 1959

Commencement	:	20 November 1959
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42. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959

Commencement	:	20 November 1959
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43. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959

Commencement	:	20 November 1959
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PART 4

CIVIL MARRIAGE ORDINANCE
(CHAPTER 38, 1955 REVISED EDITION)

44. Ordinance 9 of 1940 — Civil Marriage Ordinance, 1940

Bill	:	G.N. No. 3464/1939
First Reading	:	8 November 1939
Second Reading	:	12 February 1940

Notice of Amendments	:	12 February 1940
Third Reading	:	12 February 1940
Commencement	:	1 January 1941

45. Ordinance 28 of 1952 — Civil Marriage (Amendment) Ordinance, 1952

Bill	:	G.N. No. S 202/1951
First Reading	:	19 June 1951
Second Reading	:	17 June 1952
Notice of Amendments	:	17 June 1952
Third Reading	:	17 June 1952
Commencement	:	26 August 1952

46. Ordinance 8 of 1955 — Revised Edition of the Laws (Miscellaneous Amendments) Ordinance, 1955

(Amendments made by section 2 read with item 33 of the Schedule to the above Ordinance)

Bill	:	45/1954
First Reading	:	14 December 1954
Second and Third Readings	:	28 January 1955
Commencement	:	4 February 1955 (section 2 read with item 33 of the Schedule)

47. 1955 Revised Edition — Civil Marriage Ordinance (Chapter 38)

Operation	:	1 July 1956
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48. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958

(Amendments made by section 2 read with the Schedule to the above Ordinance)

Bill	:	158/1958
First Reading	:	16 July 1958
Second Reading	:	13 August 1958
Notice of Amendments	:	10 September 1958
Third Reading	:	10 September 1958
Commencement	:	25 September 1958 (section 2 read with the Schedule)

49. G.N. No. S (N.S.) 67/1959 — Singapore Constitution (Modification of Laws) (No. 2) Order, 1959

Commencement : 21 August 1959

50. G.N. No. S (N.S.) 177/1959 — Singapore Constitution (Modification of Laws) (No. 3) Order, 1959

Commencement : 20 November 1959

51. G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959

Commencement : 20 November 1959

52. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959

Commencement : 20 November 1959

PART 5

DECEASED WIFE'S SISTER'S MARRIAGE ORDINANCE
(CHAPTER 39, 1955 REVISED EDITION)

53. Ordinance XIII of 1911 — The Deceased Wife's Sister's Marriage Ordinance 1911

Bill : G.N. No. 579/1911

First Reading : 5 May 1911

Second Reading : 12 May 1911

Third Reading : 21 July 1911

Commencement : 10 April 1914

54. 1920 Revised Edition — Ordinance No. 128 (Deceased Wife's Sister's Marriage)

Operation : 28 November 1921

55. 1926 Revised Edition — Ordinance No. 128 (Deceased Wife's Sister's Marriage)

Operation : 1 August 1926

56. Ordinance 63 of 1935 — Statute Law Revision Ordinance, 1935
(Amendments made by section 2 read with item (n) of the First Schedule to the above Ordinance)

Bill : G.N. No. 3043/1935

First Reading : 20 November 1935

Second Reading : 9 December 1935

Notice of Amendments	:	9 December 1935
Third Reading	:	9 December 1935
Commencement	:	31 December 1935 (section 2 read with item (n) of the First Schedule)

57. 1936 Revised Edition — Deceased Wife’s Sister’s Marriage Ordinance (Chapter 83)

Operation	:	1 September 1936
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58. 1955 Revised Edition — Deceased Wife’s Sister’s Marriage Ordinance (Chapter 39)

Operation	:	1 July 1956
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PART 6
DIVORCE ORDINANCE
(CHAPTER 40, 1955 REVISED EDITION)

59. Ordinance XXV of 1910 — The Divorce Ordinance 1910

Bill	:	G.N. No. 761/1910
First Reading	:	19 August 1910
Second Reading	:	2 September 1910
Notice of Amendments	:	30 September 1910
Third Reading	:	30 September 1910
Commencement	:	1 January 1912

60. Ordinance V of 1911 — The Divorce Ordinance 1910 Amendment Ordinance 1911

Bill	:	G.N. No. 379/1911
First Reading	:	24 March 1911
Second Reading	:	31 March 1911
Third Reading	:	28 April 1911
Commencement	:	1 January 1912

61. 1920 Revised Edition — Ordinance No. 123 (Divorce)

Operation	:	28 November 1921
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62. 1926 Revised Edition — Ordinance No. 123 (Divorce)

Operation	:	1 August 1926
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63. Ordinance 7 of 1933 — Divorce (Amendment) Ordinance, 1933

Bill	:	G.N. No. 2507/1932
First Reading	:	16 January 1933
Second and Third Readings	:	6 March 1933
Commencement	:	1 May 1933

64. Ordinance 63 of 1935 — Statute Law Revision Ordinance, 1935

(Amendments made by section 2 read with item (I) of the First Schedule to the above Ordinance)

Bill	:	G.N. No. 3043/1935
First Reading	:	20 November 1935
Second Reading	:	9 December 1935
Notice of Amendments	:	9 December 1935
Third Reading	:	9 December 1935
Commencement	:	31 December 1935 (section 2 read with item (I) of the First Schedule)

65. 1936 Revised Edition — Divorce Ordinance (Chapter 84)

Operation	:	1 September 1936
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66. Ordinance 39 of 1939 — Divorce (Amendment) Ordinance, 1939

Bill	:	G.N. No. 2075/1939
First Reading	:	28 August 1939
Second and Third Readings	:	16 October 1939
Commencement	:	1 July 1941

67. Ordinance 15 of 1941 — Divorce (Amendment) Ordinance, 1941

Bill	:	G.N. No. 308/1941
First Reading	:	3 February 1941
Second and Third Readings	:	28 April 1941
Commencement	:	1 July 1941

68. Ordinance 25 of 1941 — Divorce (Amendment No. 2) Ordinance, 1941

Bill	:	G.N. No. 745/1941
First Reading	:	28 April 1941
Second Reading	:	9 June 1941

- | | | |
|----------------------|---|----------------|
| Notice of Amendments | : | 9 June 1941 |
| Third Reading | : | 9 June 1941 |
| Commencement | : | 1 October 1941 |
- 69. 1955 Revised Edition — Divorce Ordinance (Chapter 40)**
- | | | |
|-----------|---|-------------|
| Operation | : | 1 July 1956 |
|-----------|---|-------------|
- 70. Ordinance 21 of 1957 — Divorce (Amendment) Ordinance, 1957**
- | | | |
|---------------------------|---|---------------|
| Bill | : | 97/1957 |
| First Reading | : | 24 April 1957 |
| Second and Third Readings | : | 22 May 1957 |
| Commencement | : | 1 August 1957 |
- 71. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance, 1958**
(Amendments made by section 2 read with the Schedule to the above Ordinance)
- | | | |
|----------------------|---|--|
| Bill | : | 158/1958 |
| First Reading | : | 16 July 1958 |
| Second Reading | : | 13 August 1958 |
| Notice of Amendments | : | 10 September 1958 |
| Commencement | : | 25 September 1958 (section 2 read with the Schedule) |
- 72. Act 62 of 1959 — State Advocate-General (Transfer of Powers) Ordinance, 1959**
(Amendments made by section 5 read with the Schedule to the above Ordinance)
- | | | |
|---------------------------|---|--|
| Bill | : | 22/1959 |
| First Reading | : | 13 August 1959 |
| Second and Third Readings | : | 2 September 1959 |
| Commencement | : | 11 September 1959 (section 5 read with the Schedule) |
- 73. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959**
- | | | |
|--------------|---|------------------|
| Commencement | : | 20 November 1959 |
|--------------|---|------------------|

PART 7

MAINTENANCE (FACILITIES FOR ENFORCEMENT) ORDINANCE, 1959
(ORDINANCE 63 OF 1959)

**74. Ordinance 63 of 1959 — Maintenance (Facilities for Enforcement)
Ordinance, 1959**

Bill	:	27/1959
First Reading	:	14 August 1959
Second Reading	:	2 September 1959
Notice of Amendments	:	2 September 1959
Third Reading	:	2 September 1959
Commencement	:	11 September 1959

PART 8

MARRIED WOMEN AND CHILDREN (MAINTENANCE) ORDINANCE
(CHAPTER 44, 1955 REVISED EDITION)

**75. Ordinance 26 of 1949 — Married Women and Children (Maintenance)
Ordinance, 1949**

Bill	:	G.N. No. S 243/1949
First Reading	:	21 June 1949
Second and Third Readings	:	28 July 1949
Commencement	:	10 August 1949

**76. 1955 Revised Edition — Married Women and Children (Maintenance)
Ordinance (Chapter 44)**

Operation	:	1 July 1956
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PART 9

MARRIED WOMEN'S PROPERTY ORDINANCE
(CHAPTER 45, 1955 REVISED EDITION)

77. Ordinance XI of 1902 — Married Women's Property Ordinance

Bill	:	G.N. No. 151/1902
First Reading	:	28 January 1902
Second Reading	:	4 February 1902
Notice of Amendments	:	15 April 1902
Third Reading	:	22 April 1902

- Commencement : 1 July 1902
- 78. 1920 Revised Edition — Ordinance No. 76 (Married Women's Property)**
 Operation : 28 November 1921
- 79. 1926 Revised Edition — Ordinance No. 76 (Married Women's Property)**
 Operation : 1 August 1926
- 80. 1936 Revised Edition — Married Women's Property Ordinance
 (Chapter 55)**
 Operation : 1 September 1936
- 81. 1955 Revised Edition — Married Women's Property Ordinance
 (Chapter 45)**
 Operation : 1 July 1956

PART 10

WOMEN AND GIRLS PROTECTION ORDINANCE
 (CHAPTER 126, 1955 REVISED EDITION)

- 82. Ordinance 15 of 1930 — Women and Girls Protection Ordinance, 1930**
 Bill : G.N. No. 1243/1930
 First Reading : 7 July 1930
 Second Reading : 25 August 1930
 Notice of Amendments : 25 August 1930
 Third Reading : 29 September 1930
 Commencement : 14 October 1930
- 83. Ordinance 24 of 1932 — Women and Girls Protection (Amendment)
 Ordinance, 1932**
 Bill : G.N. No. 1966/1932
 First Reading : 19 October 1932
 Second and Third Readings : 5 December 1932
 Commencement : 1 February 1933
- 84. Ordinance 27 of 1935 — Women and Girls Protection (Amendment)
 Ordinance, 1935**
 Bill : G.N. No. 1218/1935
 First Reading : 17 June 1935

Second Reading	:	26 August 1935
Notice of Amendments	:	26 August 1935
Third Reading	:	26 August 1935
Commencement	:	6 September 1935

85. 1936 Revised Edition — Women and Girls Protection Ordinance (Chapter 33)

Operation	:	1 September 1936
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86. Ordinance 13 of 1937 — Women and Girls Protection (Amendment) Ordinance, 1937

Bill	:	G.N. No. 551/1937
First Reading	:	26 April 1937
Second Reading	:	14 June 1937
Notice of Amendments	:	14 June 1937
Third Reading	:	14 June 1937
Commencement	:	26 June 1937

87. Ordinance 46 of 1939 — Women and Girls Protection (Amendment) Ordinance, 1939

Bill	:	G.N. No. 3037/1939
First Reading	:	16 October 1939
Second Reading	:	8 November 1939
Notice of Amendments	:	8 November 1939
Third Reading	:	8 November 1939
Commencement	:	8 December 1939

88. Ordinance 20 of 1941 — Women and Girls Protection (Amendment) Ordinance, 1941

Bill	:	G.N. No. 452/1941
First Reading	:	28 April 1941
Second and Third Readings	:	9 June 1941
Commencement	:	25 June 1941

89. Ordinance 23 of 1949 — Women and Girls Protection (Amendment) Ordinance, 1949

Bill	:	G.N. No. S 49/1949
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First Reading	:	16 February 1949
Second Reading	:	15 March 1949
Select Committee Report	:	Council Paper No. 48 of 1949
Third Reading	:	21 June 1949
Commencement	:	29 June 1949

90. Ordinance 1 of 1954 — Women and Girls Protection (Amendment) Ordinance, 1954

Bill	:	32/1953
First Reading	:	15 December 1953
Second and Third Readings	:	17 March 1954
Commencement	:	27 March 1954

91. Ordinance 8 of 1955 — Revised Edition of the Laws (Miscellaneous Amendments) Ordinance, 1955

(Amendments made by section 2 read with item 5 of the Schedule to the above Ordinance)

Bill	:	45/1954
First Reading	:	14 December 1954
Second and Third Readings	:	28 January 1955
Commencement	:	4 February 1955 (section 2 read with item 5 of the Schedule)

92. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952

(Amendments made by section 2 read with item 8 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952
Second and Third Readings	:	14 October 1952
Commencement	:	30 April 1955 (section 2 read with item 8 of the Schedule)

93. 1955 Revised Edition — Women and Girls Protection Ordinance (Chapter 126)

Operation	:	1 July 1956
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PART 11
WOMEN'S CHARTER 1961
(2020 REVISED EDITION)

94. Ordinance 18 of 1961 — Women's Charter, 1961

Bill	:	126/1961
First Reading	:	22 February 1961
Second Reading	:	22 March 1961
Select Committee Report	:	Sessional Paper No. L.A. 10 of 1961
Third Reading	:	24 May 1961
Commencement	:	15 September 1961

95. Act 9 of 1967 — Women's Charter (Amendment) Act, 1967

Bill	:	46/1966
First Reading	:	26 October 1966
Second Reading	:	5 December 1966
Select Committee Report	:	Parl. 7 of 1967
Third Reading	:	24 May 1967
Commencement	:	2 June 1967

96. Act 14 of 1969 — Statute Law Revision Act, 1969

(Amendments made by section 2 read with the First Schedule to the above Act)

Bill	:	22/1969
First Reading	:	15 October 1969
Second Reading	:	22 December 1969
Notice of Amendments	:	22 December 1969
Third Reading	:	22 December 1969
Commencement	:	2 January 1970 (section 2 read with the First Schedule)

97. 1970 Revised Edition — Women's Charter (Chapter 47)

Operation	:	1 March 1971
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98. Act 21 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) Act, 1973

(Amendments made by section 2 read with the Schedule to the above Act)

Bill	:	16/1973
First Reading	:	7 March 1973
Second and Third Readings	:	20 March 1973
Commencement	:	6 April 1973 (section 2 read with the Schedule)

99. Act 34 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) (No. 3) Act, 1973

(Amendments made by section 2 read with item (e) of the Schedule to the above Act)

Bill	:	27/1973
First Reading	:	11 July 1973
Second and Third Readings	:	25 July 1973
Commencement	:	24 August 1973 (section 2 read with item (e) of the Schedule)

100. Act 8 of 1975 — Women's Charter (Amendment) Act, 1975

Bill	:	10/1975
First Reading	:	25 February 1975
Second and Third Readings	:	26 March 1975
Commencement	:	2 May 1975

101. Act 26 of 1980 — Women's Charter (Amendment) Act, 1980

Bill	:	23/1979
First Reading	:	15 May 1979
Second Reading	:	7 September 1979
Select Committee Report	:	Parl. 1 of 1980
Third Reading	:	25 June 1980
Commencement	:	1 June 1981

102. 1981 Reprint — Women's Charter (Chapter 47)

Reprint	:	15 August 1981
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103. 1985 Revised Edition — Women’s Charter (Chapter 353)

Operation : 30 March 1987

104. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993
(Amendments made by section 29(5) read with item (16) of the Schedule to the above Act)

Bill : 12/1993

First Reading : 26 February 1993

Second Reading : 12 April 1993

Notice of Amendments : 12 April 1993

Third Reading : 12 April 1993

Commencement : 1 July 1993 (section 29(5) read with item (16) of the Schedule)

105. Act 2 of 1994 — Judicial Committee (Repeal) Act 1994

(Amendments made by section 3 read with item (5) of the Schedule to the above Act)

Bill : 2/1994

First Reading : 17 January 1994

Second and Third Readings : 23 February 1994

Commencement : 8 April 1994 (section 3 read with item (5) of the Schedule)

106. Act 30 of 1996 — Women’s Charter (Amendment) Act 1996

Bill : 5/1996

First Reading : 18 January 1996

Second Reading : 2 May 1996

Select Committee Report : Parl. 3 of 1996

Third Reading : 27 August 1996

Commencement : 1 May 1997

107. 1997 Revised Edition — Women’s Charter (Chapter 353)

Operation : 30 May 1997

108. Act 20 of 2001 — Children and Young Persons (Amendment) Act 2001
(Amendments made by section 48 read with item (6) of the Schedule to the above Act)

Bill : 12/2001

First Reading	:	22 February 2001
Second and Third Readings	:	20 April 2001
Commencement	:	1 October 2001 (section 48 read with item (6) of the Schedule)

109. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005

(Amendments made by section 5 read with item (36) of the First Schedule to the above Act)

Bill	:	30/2005
First Reading	:	17 October 2005
Second and Third Readings	:	21 November 2005
Commencement	:	1 April 2006 (section 5 read with item (36) of the First Schedule)

110. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2007

(Amendments made by section 18 of the above Act)

Bill	:	14/2006
First Reading	:	8 November 2006
Second and Third Readings	:	22 January 2007
Commencement	:	1 March 2007 (section 18)

111. Act 51 of 2007 — Penal Code (Amendment) Act 2007

(Amendments made by section 107 read with item (8) of the Third Schedule to the above Act)

Bill	:	38/2007
First Reading	:	17 September 2007
Second Reading	:	22 October 2007
Third Reading	:	23 October 2007
Commencement	:	1 February 2008 (section 107 read with item (8) of the Third Schedule)

112. 2009 Revised Edition — Women’s Charter (Chapter 353)

Operation	:	31 October 2009
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113. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008

(Amendments made by section 33 read with item 1(53) of the Second Schedule to the above Act)

Bill	:	11/2008
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First Reading	:	21 July 2008
Second and Third Readings	:	15 September 2008
Commencement	:	1 March 2010 (section 33 read with item 1(53) of the Second Schedule)

114. Act 15 of 2010 — Criminal Procedure Code 2010

(Amendments made by section 430 read with item 115 of the Sixth Schedule to the above Act)

Bill	:	11/2010
First Reading	:	26 April 2010
Second Reading	:	18 May 2010
Third Reading	:	19 May 2010
Commencement	:	2 January 2011 (section 430 read with item 115 of the Sixth Schedule)

115. Act 2 of 2011 — Women’s Charter (Amendment) Act 2011

Bill	:	34/2010
First Reading	:	22 November 2010
Second and Third Readings	:	10 January 2011
Commencement	:	1 June 2011 (except sections 2(b), (c), (d) and (e), 3, 4 and 16) 1 September 2011 (sections 2(b), (c), (d) and (e), 3 and 4)

116. Act 25 of 2012 — Statutes (Miscellaneous Amendments) (No. 2) Act 2012

(Amendments made by section 10 of the above Act)

Bill	:	23/2012
First Reading	:	10 September 2012
Second and Third Readings	:	15 October 2012
Commencement	:	28 March 2013 (section 10)

117. Act 27 of 2014 — Family Justice Act 2014

(Amendments made by section 76 of the above Act)

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 (section 76 except section 76(j), (m), (u), (x), (zb), (zc), (zd), (zf), (zh) and (zi)) 1 January 2015 (section 76(j), (m), (u), (x), (zb), (zc), (zd), (zf), (zh) and (zi))

118. Act 7 of 2016 — Women’s Charter (Amendment) Act 2016

Bill	:	6/2016
First Reading	:	26 January 2016
Second and Third Readings	:	29 February 2016
Commencement	:	1 July 2016 (except sections 6, 7(b) and (d), 20(2), 21, 22, 47 and 48(4)) 1 October 2016 (sections 6, 7(b), 22 and 47) 1 December 2016 (sections 21 and 48(4)) 1 January 2017 (sections 7(d) and 20(2))

119. Act 19 of 2016 — Administration of Justice (Protection) Act 2016
(Amendments made by section 46 of the above Act)

Bill	:	23/2016
First Reading	:	11 July 2016
Second and Third Readings	:	15 August 2016
Commencement	:	1 October 2017 (section 46)

120. Act 27 of 2018 — Vulnerable Adults Act 2018
(Amendments made by section 42 of the above Act)

Bill	:	20/2018
First Reading	:	20 March 2018
Second and Third Readings	:	18 May 2018
Commencement	:	19 December 2018 (section 42)

121. Act 15 of 2019 — Criminal Law Reform Act 2019
(Amendments made by section 189 of the above Act)

Bill	:	6/2019
First Reading	:	11 February 2019

- | | | |
|----------------------|---|------------------------------|
| Second Reading | : | 6 May 2019 |
| Notice of Amendments | : | 6 May 2019 |
| Third Reading | : | 6 May 2019 |
| Commencement | : | 1 January 2020 (section 189) |
- 122. Act 30 of 2019 — Children and Young Persons (Amendment) Act 2019**
(Amendments made by section 75 of the above Act)
- | | | |
|----------------|---|--------------------------|
| Bill | : | 22/2019 |
| First Reading | : | 5 August 2019 |
| Second Reading | : | 3 September 2019 |
| Third Reading | : | 4 September 2019 |
| Commencement | : | 1 July 2020 (section 75) |
- 123. Act 40 of 2018 — Insolvency, Restructuring and Dissolution Act 2018**
(Amendments made by section 523 of the above Act)
- | | | |
|---------------------------|---|----------------------------|
| Bill | : | 32/2018 |
| First Reading | : | 10 September 2018 |
| Second and Third Readings | : | 1 October 2018 |
| Commencement | : | 30 July 2020 (section 523) |
- 124. Act 36 of 2019 — Women’s Charter (Amendment) Act 2019**
- | | | |
|---------------------------|---|-----------------|
| Bill | : | 29/2019 |
| First Reading | : | 7 October 2019 |
| Second and Third Readings | : | 4 November 2019 |
| Commencement | : | 7 August 2020 |
- 125. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**
(Amendments made by section 28(1) read with item 165 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 165 of the Schedule) |

126. 2020 Revised Edition — Women's Charter 1961

Operation : 31 December 2021

127. Act 21 of 2023 — Women's Charter (Family Violence and Other Matters) (Amendment) Act 2023

Bill : 18/2023

First Reading : 9 May 2023

Second and Third Readings : 4 July 2023

Commencement : 1 July 2024

128. 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
15 October 2024 (section 221(a), (b)
and (c))

129. Act 20 of 2022 — Adoption of Children Act 2022

Bill : 12/2022

First Reading : 4 April 2022

Second and Third Readings : 9 May 2022

Commencement : 15 October 2024

130. Act 31 of 2023 — Immigration (Amendment) Act 2023

Bill : 26/2023

First Reading : 2 August 2023

Second and Third Readings : 18 September 2023

Commencement : 31 December 2024

131. Act 18 of 2023 — Family Justice Reform Act 2023
(Amendments made by the above Act)

Bill : 15/2023

First Reading : 20 April 2023

Second and Third Readings : 8 May 2023

Commencement : 31 January 2024 (Section 37(a), (b),
(e), (f) and (g))

15 October 2024 (Section 37(*h*) to
(*zd*))

2 January 2025 (Sections 26 and 28)

132. Act 3 of 2022 — Women’s Charter (Amendment) Act 2022

Bill	:	43/2021
First Reading	:	1 November 2021
Second and Third Readings	:	10 January 2022
Commencement	:	30 December 2022 25 September 2023 1 July 2024 2 January 2025 (Section 35)

133. Act 32 of 2024 — Statutes (Miscellaneous Amendments) (No. 2) Act 2024

Bill	:	28/2024
First Reading	:	9 September 2024
Second and Third Readings	:	14 October 2024
Commencement	:	2 January 2025 (Section 13)

134. Act 21 of 2023 — Women’s Charter (Family Violence and Other Matters) (Amendment) Act 2023

Bill	:	18/2023
First Reading	:	9 May 2023
Second and Third Readings	:	4 July 2023
Commencement	:	2 January 2025 16 January 2025

135. Act 18 of 2023 — Family Justice Reform Act 2023

Bill	:	15/2023
First Reading	:	20 April 2023
Second and Third Readings	:	12 June 2023
Commencement	:	16 January 2025

136. Act 5 of 2025 — Electronic Gazette and Legislation Act 2025

Bill	:	47/2024
First Reading	:	11 November 2024
Second and Third Readings	:	7 January 2025

Commencement : 9 March 2025

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
WOMEN'S CHARTER 1961

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.	2009 Ed.
—	131—(3) [<i>Deleted by Act 19 of 2016</i>]
—	140—(5) [<i>Deleted by Act 15 of 2019</i>]