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MAINTENANCE OF PARENTS ACT 1995

MAINTENANCE OF PARENTS (AMENDMENT) RULES 2024

In exercise of the powers conferred by section 21 of the Maintenance of Parents Act 1995, the Minister for Social and Family Development makes the following Rules:

Citation and commencement

1. These Rules are the Maintenance of Parents (Amendment) Rules 2024 and come into operation on 1 July 2024.

Replacement of rule 1A

2. In the Maintenance of Parents Rules (R 1) (called in these Rules the principal Rules), replace rule 1A with —

“Definitions

1A. In these Rules —

“relevant Form”, in relation to any purpose for which a specific form is required to be used, means the relevant form that is set out for that purpose on the Internet website of the Tribunal at <https://www.msf.gov.sg/tmp>;

“Secretary” means the Secretary to the Tribunal appointed under section 13(12) of the Act.”.

Amendment of rule 2

3. In the principal Rules, in rule 2 —

(a) in paragraph (1), delete “in Form 1 or 2”; and

(b) after paragraph (1), insert —

“(1A) An application for the Minister’s approval under paragraph (1) must be made in the relevant Form.”.

Amendment of rule 3

4. In the principal Rules, in rule 3, delete “to the Tribunal (referred to in these Rules as the Secretary)”.

New rules 4A and 4B

5. In the principal Rules, after rule 4, insert —

“Record or purported record of abandonment, abuse or neglect

4A. For the purposes of the Act, a record against or relating to a person is a record or purported record of the person’s abandonment, abuse or neglect of a child of the person if the record —

- (a) is a record mentioned in Part 1 of the Schedule in relation to the child; and
- (b) indicates or purportedly indicates that the person abandoned, abused or neglected the child.

Application under section 3B(2) of Act

4B.—(1) An application to the Tribunal under section 3B(2) of the Act (by, on behalf of or in respect of a parent who has a record or purported record of abandonment, abuse or neglect of a child of the parent) must be lodged with the Secretary.

(2) The application must be made in the relevant Form for the application and must include or be accompanied by —

- (a) the particulars of the parent;
- (b) if the application is made —
 - (i) by a person on behalf of the parent — the particulars of that person; or

- (ii) by an approved person or organisation in respect of the parent — the particulars of that approved person or organisation;
 - (c) a statement setting out —
 - (i) the act or omission which indicates or purportedly indicates abandonment, abuse or neglect of the child by the parent;
 - (ii) if it is claimed that the parent did not abandon, abuse or neglect the child — the circumstances that resulted in the record or purported record of abandonment, abuse or neglect; and
 - (iii) the reasons in support of the application;
 - (d) documents in support of the statement mentioned in sub-paragraph (c);
 - (e) documents in support of the parent's physical or mental disability, if any; and
 - (f) any other document required in the relevant Form for the application.
- (3) After the application is lodged with the Secretary, the Secretary must —
- (a) indicate on the application the date on which it was received;
 - (b) assign a number to the application;
 - (c) if the president or a deputy president of the Tribunal refers the application to the Tribunal under section 3B(3)(b) of the Act for decision — fix a time and date for the hearing of the application before the Tribunal; and
 - (d) inform the following persons of the time and date fixed under sub-paragraph (c):
 - (i) the person who made the application;

- (ii) if section 3B(2)(a) and (b) of the Act applies — the child.

(4) The title of the application is the number assigned to the application under paragraph (3)(b).”.

Replacement of rule 5

6. In the principal Rules, replace rule 5 with —

“Application under section 3 or 8(2) of Act

5.—(1) Each of the following applications must be made in the relevant Form for the application and lodged with the Secretary:

- (a) an application for maintenance under section 3 of the Act;
- (b) an application under section 8(2) of the Act for variation or rescission of —
 - (i) a maintenance order;
 - (ii) a direction given under section 6(5) of the Act; or
 - (iii) an order made under section 6(8) of the Act.

(2) Every application mentioned in paragraph (1) must include or be accompanied by —

- (a) if the application is made by, on behalf of or in respect of a parent —
 - (i) the particulars of the parent; and
 - (ii) if the application is made —
 - (A) by a person on behalf of the parent — the particulars of that person; or
 - (B) by an approved person or organisation in respect of the parent — the particulars of that approved person or organisation;
- (b) if the application is made by or on behalf of a respondent —

- (i) the particulars of the respondent; and
 - (ii) if the application is made by a person on behalf of the respondent — the particulars of that person;
- (c) a statement of the financial needs, income, earning capacity and other financial resources of —
 - (i) for an application mentioned in paragraph (1)(a) that is made by or on behalf of a parent, or by an approved person or organisation in respect of the parent — the parent; or
 - (ii) for an application mentioned in paragraph (1)(b) —
 - (A) if the application is made by or on behalf of a parent, or by an approved person or organisation in respect of the parent — the parent; or
 - (B) if the application is made by or on behalf of a respondent — the respondent;
- (d) documents in support of the physical or mental disability (if any) of —
 - (i) for an application mentioned in paragraph (1)(a) that is made by or on behalf of a parent, or by an approved person or organisation in respect of the parent — the parent; or
 - (ii) for an application mentioned in paragraph (1)(b) —
 - (A) if the application is made by or on behalf of a parent, or by an approved person or organisation in respect of the parent — the parent; or
 - (B) if the application is made by or on behalf of a respondent — the respondent; and

- (e) any other document required in the relevant Form for the application.”.

Amendment of rule 6

7. In the principal Rules, in rule 6 —

- (a) in paragraph (1), replace “applicant” with “respondent’s parent”;
- (b) in paragraph (1), replace “Form 9” with “the relevant Form”; and
- (c) in paragraph (2), replace “Form 10” with “the relevant Form”.

Amendment of rule 7

8. In the principal Rules, in rule 7 —

- (a) in the rule heading, after “**application**”, insert “**mentioned in rule 5(1) or 6(1)**”;
- (b) in paragraph (1), replace “for maintenance, joinder of respondents or variation of a maintenance order” with “mentioned in rule 5(1) or 6(1)”;
- (c) in paragraph (1)(c) and (d), replace “conciliation officer” with “mediator”;
- (d) in paragraph (1)(c), replace “section 5(6) of the Act” with “section 5(7) or 8(4) of the Act, as the case may be”;
- (e) in paragraph (1)(d), replace “Form 11” with “the relevant Form”; and
- (f) replace paragraph (2) with —
 - “(2) For an application mentioned in rule 5(1), the Secretary must attach a copy of the application to every notice given under paragraph (1)(d) for the application, except the notice given to the person who made the application.”.

Amendment of rule 8

9. In the principal Rules, in rule 8 —

- (a) in paragraph (1), replace “the notice of application or notice for joinder of respondents” with “a notice under rule 7(1)(d)”;
- (b) in paragraph (1), delete “in Form 12”;
- (c) in paragraph (2), after “The answer shall be”, insert “in the relevant Form and”; and
- (d) in paragraph (2)(c), replace “applicant” with “respondent’s parent”.

Amendment of rule 9

10. In the principal Rules, in rule 9 —

- (a) in paragraph (1), replace “conciliation officer” with “mediator mentioned in rule 7(1)(c) or 10(5)(a)”;
- (b) in paragraph (1)(a), after “application”, insert “mentioned in rule 7(1)”;
- (c) in paragraph (2), replace “conciliation officer” with “mediator”.

Amendment of rule 10

11. In the principal Rules, in rule 10 —

- (a) in paragraph (1), after “an application”, insert “mentioned in rule 7(1)”;
- (b) in paragraph (2), delete “in Form 13”;
- (c) after paragraph (2), insert —
 - “(2A) An application under paragraph (2) to set aside an order must be made in the relevant Form.”;
- (d) replace paragraph (4) with —
 - “(4) The Secretary must attach a copy of the application mentioned in paragraph (3) to every notice given under paragraph (3)(b) for the

application, except the notice given to the person who made the application.”; and

- (e) in paragraph (5)(a), replace “application to a conciliation officer” with “application mentioned in rule 7(1) to a mediator”.

Amendment of rule 12

12. In the principal Rules, in rule 12 —

- (a) after “awarded by the Tribunal”, insert “for a parent”; and
(b) replace “applicant” with “parent”.

New Schedule

13. In the principal Rules, after rule 18, insert —

“THE SCHEDULE

Rule 4A(a)

PART 1

RECORDS

1. For the purposes of rule 4A(a), a record in relation to a child is any of the following:

- (a) an order for the production of the child made under —
- (i) section 10(1) of the Children and Young Persons Act 1993;
 - (ii) section 8A(1) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2021);
 - (iii) section 9(1)(b) of the Children and Young Persons Act 1993 (as in force immediately before 20 July 2011); or
 - (iv) section 8(1)(b) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2001);
- (b) the removal of the child under —
- (i) section 11(1) of the Children and Young Persons Act 1993;
 - (ii) section 9(1) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2021);
 - (iii) section 9(1)(a) of the Children and Young Persons Act 1993 (as in force immediately before 20 July 2011); or

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- (iv) section 8(1)(a) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2001);
 - (c) the taking of the child to, or detention of the child in, a place of safety under —
 - (i) section 8(1) or (2) of the Children and Young Persons Act 1993 (as in force immediately before 1 October 2001); or
 - (ii) section 7(1) or (2) of the repealed Children and Young Persons Act (Cap. 38, 1985 Ed.);
 - (d) a voluntary care agreement, in relation to the child, entered into under —
 - (i) section 15(1) or (2) of the Children and Young Persons Act 1993;
 - (ii) section 11A(1) or (2) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2021); or
 - (iii) section 48A of the Children and Young Persons Act 1993 (as in force immediately before 1 July 2020);
 - (e) an order, in relation to the child, made under —
 - (i) section 54(1) of the Children and Young Persons Act 1993;
 - (ii) section 49(1) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2021);
 - (iii) section 48(1) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2001);
 - (iv) section 48 of the Children and Young Persons Act 1993 (as in force immediately before 1 October 2001); or
 - (v) section 63 of the repealed Children and Young Persons Act (Cap. 38, 1985 Ed.);
 - (f) an order, in relation to the child, made under —
 - (i) section 56(2) of the Children and Young Persons Act 1993; or
 - (ii) section 49B(2) of the Children and Young Persons Act 1993 (as in force immediately before 31 December 2021);

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- (g) a protection order, in relation to the child, made under —
 - (i) section 65(1) of the Women’s Charter 1961;
 - (ii) section 60B(1) of the Women’s Charter 1961 (as in force immediately before 30 May 1997); or
 - (iii) section 68(2) or (3) of the Women’s Charter 1961 (as in force immediately before 1 May 1997);
 - (h) an expedited order, in relation to the child, made under —
 - (i) section 66(1) of the Women’s Charter 1961;
 - (ii) section 60C(1) of the Women’s Charter 1961 (as in force immediately before 30 May 1997); or
 - (iii) section 68(5) of the Women’s Charter 1961 (as in force immediately before 1 May 1997);
 - (i) a sentence of imprisonment, in relation to the child, imposed under —
 - (i) section 71(1)(b) of the Women’s Charter 1961;
 - (ii) section 63(1)(b) of the Women’s Charter 1961 (as in force immediately before 30 May 1997); or
 - (iii) section 63(1) of the Women’s Charter 1961 (as in force immediately before 1 May 1997);
 - (j) the removal of the child under section 10(1) of the Vulnerable Adults Act 2018;
 - (k) an order, in relation to the child, made under section 14(1) of the Vulnerable Adults Act 2018;
 - (l) an expedited order, in relation to the child, made under section 15(2) of the Vulnerable Adults Act 2018;
 - (m) a conviction for any offence, in relation to the child, specified in Part 2 of this Schedule.

PART 2
OFFENCES

<i>Offences</i>	<i>Description*</i>
Children and Young Persons Act 1993	
1. Section 6(1)	Ill-treatment of child or young person
2. Section 5(1) (as in force immediately before 31 December 2021)	Ill-treatment of child or young person
3. Section 4(1) (as in force immediately before 31 December 2001)	Ill-treatment of child or young person
4. Section 4(1) (as in force immediately before 15 March 1994)	Cruelty to child or young person
5. Section 7(1)	Contribution to delinquency of child or young person
6. Section 6(1) (as in force immediately before 31 December 2021)	Contribution to delinquency of child or young person
7. Section 5(1) (as in force immediately before 31 December 2001)	Contribution to delinquency of child or young person
8. Section 8(1), (2) or (3)	Sexual exploitation of child or young person
9. Section 7(1), (2) or (3) (as in force immediately before 31 December 2021)	Sexual exploitation of child or young person
10. Section 6 (as in force immediately before 31 December 2001)	Sexual exploitation of child or young person
11. Section 14(2)	Child or young person taking part in public entertainment

12. Section 11(2) (as in force immediately before 31 December 2021)	Child or young person taking part in public entertainment
13. Section 16(1)	Unlawful transfer of possession, custody or control of child or young person
14. Section 12(1) (as in force immediately before 31 December 2021)	Unlawful transfer of possession, custody or control of child or young person
Repealed Children and Young Persons Act (Cap. 38, 1985 Ed.)	
15. Section 4(1)	Cruelty to child or young person
16. Section 5(1)	Begging
17. Section 11	Child or young person taking part in public entertainment
18. Section 25(1)	Unlawful transfer of possession, custody or control of child
Employment Act 1968	
19. Section 74	Employment of child or young person
Films Act 1981	
20. Section 32(1)	Child or young person involved in offence relating to obscene film
21. Section 29C(1) (as in force immediately before 15 December 1998)	Child or young person involved in offence relating to obscene film
Misuse of Drugs Act 1973	
22. Section 11B(1) or (2)	Exposing child to drugs, etc., or permitting young person to consume drugs
23. Section 11E	Causing or procuring young person or vulnerable person to traffic, import or export controlled drug
24. Section 12A (as in force immediately before 1 August 2019)	Causing or procuring young person or vulnerable person to traffic, import or export controlled drug

Penal Code 1871	
25. Section 305(1)(b) or (c)	Abetment of attempted suicide of minor or person who lacks mental capacity
26. Section 305 (as in force immediately before 1 January 2020)	Abetment of suicide of child or insane person
27. Section 307(1)	Attempt to murder
28. Section 308	Attempt to commit culpable homicide
29. Section 317	Exposure or abandonment of child below 12 years of age by parent or person having care of child
30. Section 323	Voluntarily causing hurt
31. Section 323A	Voluntarily causing hurt which causes grievous hurt
32. Section 324	Voluntarily causing hurt by dangerous weapons or means
33. Section 325	Voluntarily causing grievous hurt
34. Section 326	Voluntarily causing grievous hurt by dangerous weapons or means
35. Section 327	Voluntarily causing hurt to extort property or to constrain to illegal act
36. Section 328	Causing hurt by means of poison, etc., with intent to commit offence
37. Section 329	Voluntarily causing grievous hurt to extort property or to constrain to illegal act
38. Section 334	Voluntarily causing hurt on provocation

39. Section 334A	Voluntarily causing hurt on provocation which causes grievous hurt
40. Section 335	Causing grievous hurt on provocation
41. Section 335A(2)	Allowing neglect, physical or sexual abuse of vulnerable person
42. Section 335B	Endangering life or personal safety of others with knowledge or belief that it is likely to cause death
43. Section 336	Endangering life or personal safety of others
44. Section 337	Causing hurt by act which endangers life or personal safety of others
45. Section 338	Causing grievous hurt by act which endangers life or personal safety of others
46. Section 341	Wrongful restraint
47. Section 342	Wrongful confinement
48. Section 345	Wrongful confinement of person for whose liberation writ has been issued
49. Section 346	Wrongful confinement in secret
50. Section 352	Use of criminal force otherwise than on grave and sudden provocation
51. Section 354	Assault or use of criminal force with intent to outrage modesty
52. Section 354A	Outraging modesty in certain circumstances
53. Section 355	Assault or use of criminal force with intent to dishonour otherwise than on grave and sudden provocation

54. Section 357	Assault or use of criminal force in attempting wrongfully to confine person
55. Section 358	Assault or use of criminal force on grave and sudden provocation
56. Section 372	Selling minor for purposes of prostitution, etc.
57. Section 374	Unlawful compulsory labour
58. Section 375(1), (1A) or (3)	Rape
59. Section 376(1) or (2) (as in force immediately before 1 February 2008)	Rape
60. Section 376(2) or (4)	Sexual assault involving penetration
61. Section 376A(1)	Sexual penetration of minor below 16 years of age
62. Section 376AA(1)	Exploitative sexual penetration of minor of or above 16 but below 18 years of age
63. Section 376E(1)	Sexual grooming of minor below 16 years of age
64. Section 376EA(1)	Exploitative sexual grooming of minor of or above 16 but below 18 years of age
65. Section 376EB(1)	Sexual communication with minor below 16 years of age
66. Section 376EC(1)	Exploitative sexual communication with minor of or above 16 but below 18 years of age
67. Section 376ED(1) or (2)	Sexual activity or image in presence of minor below 16 years of age
68. Section 376EE(1) or (2)	Exploitative sexual activity or image in presence of minor of or above 16 but below 18 years of age
69. Section 376G(1)	Incest

70. Section 376G(1) or (2) (as in force immediately before 1 January 2020)	Incest
71. Section 376B (as in force immediately before 1 February 2008)	Incest
72. Section 376C (as in force immediately before 1 February 2008)	Incest
73. Section 376H(1)	Procurement of sexual activity by deception or false representation
74. Section 377BB(1), (2), (3), (4), (5) or (6)	Voyeurism
75. Section 377BC(1) or (2)	Distribution of voyeuristic image or recording
76. Section 377BD(1)	Possession of or gaining access to voyeuristic or intimate image or recording
77. Section 377BE(1) or (2)	Distributing or threatening to distribute intimate image or recording
78. Section 377BF(1) or (2)	Sexual exposure
79. Section 377BG(1)	Using or involving child in production of child abuse material
80. Section 377BH(1)	Producing child abuse material
81. Section 377BL(2) or (3)	Exploitation by abusive material of minor of or above 16 but below 18 years of age
82. Section 377BO(1), (2), (3), (5), (6) or (7) (read with section 377BG(1), 377BH(1) or 377BL(2) or (3), as the case may be)	Child abuse material offences outside or partially outside Singapore

Protection from Harassment Act 2014	
83. Section 3(2)	Intentionally causing harassment, alarm or distress
84. Section 4(2)	Harassment, alarm or distress
85. Section 5(2)	Fear, provocation or facilitation of violence
86. Section 7(6)	Unlawful stalking
Women's Charter 1961	
87. Section 36(a)	Compelling person to marry against will
88. Section 35(a) (as in force immediately before 30 May 1997)	Compelling person to marry against will
89. Section 65(8) or (10)	Contravention of protection order or expedited order
90. Section 60B(8) (as in force immediately before 30 May 1997)	Contravention of protection order or expedited order
91. Section 91(1)	Non-compliance with attachment of earnings order or giving false notice or statement
92. Section 83(1) (as in force immediately before 30 May 1997)	Non-compliance with attachment of earnings order or giving false notice or statement
93. Section 140(1)	Prostitution
94. Section 141(1)	Traffic in women and girls
95. Section 143(1)	Permitting girl below age of 16 to use premises for sexual penetration
96. Section 143 (as in force immediately before 7 August 2020)	Permitting girl below age of 16 to use premises for sexual penetration

97. Section 145(1)	Causing or encouraging prostitution of girl below age of 18 or sexual penetration with, or indecent assault on, girl below age of 16
98. Section 145(1) (as in force immediately before 1 January 2020)	Causing or encouraging prostitution of, sexual penetration with, or indecent assault on, girl below age of 16

**Note:* The description of offences in Part 2 of this Schedule is for ease of reference only.”.

*[G.N. Nos. S 146/2011; S 135/2014; S 653/2014;
S 818/2014; S 175/2016; S 1022/2020]*

Made on 27 June 2024.

AUBECK KAM
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