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MAINTENANCE OF PARENTS (AMENDMENT) ACT 2023

MAINTENANCE OF PARENTS (AMENDMENT) ACT 2023 (SAVING AND TRANSITIONAL PROVISIONS) REGULATIONS 2024

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In exercise of the powers conferred by section 19 of the Maintenance of Parents (Amendment) Act 2023, the Minister for Social and Family Development makes the following Regulations:

Citation and commencement

1. These Regulations are the Maintenance of Parents (Amendment) Act 2023 (Saving and Transitional Provisions) Regulations 2024 and come into operation on 1 July 2024.

Definitions

2. In these Regulations —

“amended Act” means the Maintenance of Parents Act 1995 as amended by the Maintenance of Parents (Amendment) Act 2023;

“previous Act” means the Maintenance of Parents Act 1995 as in force immediately before 1 July 2024;

“subsequent application for maintenance” means an application for maintenance that is —

- (a) made (or intended to be made) under section 3(1) or (2) of the amended Act on or after 1 July 2024; and
- (b) in respect of a claim that is not required (by section 3(3) of the amended Act) to be referred to the Commissioner by reason of a previous application for maintenance made (under section 3(1) or (2) of the previous Act or section 3(1) or (2) of the amended Act, as the case may be) in respect of that claim.

When section 3(10) of amended Act does not apply

3. Subject to regulation 9, section 3(10) of the amended Act does not apply to an application for maintenance that is —

- (a) made under section 3(1) or (2) of the previous Act before, and is pending on, 1 July 2024; or
- (b) made under section 3(1) or (2) of the amended Act on or after that date,

if the application is in respect of a claim referred to the Commissioner under section 3(3) of the previous Act before that date.

When sections 3A and 12A of amended Act do not apply

4. Sections 3A and 12A of the amended Act do not apply to a claim that is referred to the Commissioner under section 3(3) of the previous Act before 1 July 2024.

When section 3B of amended Act does not apply

5. Subject to regulation 9, section 3B of the amended Act does not apply to an application for maintenance that is —

- (a) made under section 3(1) or (2) of the previous Act before, and is pending on, 1 July 2024; or

- (b) made, or intended to be made, under section 3(1) or (2) of the amended Act on or after that date,

if the application is in respect of a claim referred to the Commissioner under section 3(3) of the previous Act before that date.

When section 6(5) to (10) of amended Act does not apply

6. Subject to regulation 9, section 6(5) to (10) of the amended Act does not apply to an application for maintenance that is —

- (a) made under section 3(1) or (2) of the previous Act before, and is pending on, 1 July 2024; or
- (b) made under section 3(1) or (2) of the amended Act on or after that date,

if the application is in respect of a claim referred to the Commissioner under section 3(3) of the previous Act before that date.

When section 8 of amended Act does not apply

7. If an application for variation or rescission of a maintenance order is made under section 8 of the previous Act before, and is pending on, 1 July 2024 —

- (a) section 8 of the amended Act does not apply to that application; and
- (b) section 8 of the previous Act continues to apply to that application on or after that date, as if section 9 of the Maintenance of Parents (Amendment) Act 2023 had not been enacted.

When section 14(7)(a) of amended Act does not apply

8.—(1) Subject to regulation 9, section 14(7)(a) of the amended Act does not apply to —

- (a) an application for maintenance that is in respect of a claim referred to the Commissioner under section 3(3) of the previous Act before 1 July 2024, and is —
 - (i) made under section 3(1) or (2) of the previous Act before, and is pending on, that date; or

- (ii) made under section 3(1) or (2) of the amended Act on or after that date; or
 - (b) an application for variation or rescission of a maintenance order that is made under section 8 of the previous Act before, and is pending on, that date.
- (2) Section 14(7)(a) of the previous Act continues to apply to an application mentioned in paragraph (1)(a) or (b) on or after 1 July 2024, as if section 14(c) of the Maintenance of Parents (Amendment) Act 2023 had not been enacted.

Subsequent application for maintenance

9. Sections 3(10), 3B, 6(5) to (10) and 14(7)(a) of the amended Act apply to a subsequent application for maintenance.

Claim, application or appeal against person below 21 years of age

10.—(1) Subject to paragraph (2), if a claim is referred to the Commissioner under section 3(3) of the previous Act before 1 July 2024 —

- (a) the claim may be dealt with under the applicable provision of the previous Act or the amended Act, as the case may be; and
- (b) any application or appeal in respect of that claim may be made or dealt with under the applicable provision of the previous Act or the amended Act, as the case may be,

on or after that date, despite that the claim, application or appeal is against a person who is below 21 years of age.

(2) If a subsequent application for maintenance is made on or after 1 July 2024 in respect of a claim mentioned in paragraph (1) —

- (a) the subsequent application for maintenance must not be made against a person who is below 21 years of age; and
- (b) a person who is below 21 years of age must not be joined as a respondent in the action relating to the subsequent application for maintenance.

Made on 27 June 2024.

AUBECK KAM
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Ministry of Social and Family
Development,
Singapore.*

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