
First published in the *Government Gazette*, Electronic Edition, on 1st November 2016 at 5:00 pm.

No. S 565

WOMEN'S CHARTER (CHAPTER 353)

WOMEN'S CHARTER (PARENTING PROGRAMME) RULES 2016

ARRANGEMENT OF RULES

Rule

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In exercise of the powers conferred by section 180(1) of the Women's Charter, the Minister for Social and Family Development makes the following Rules:

Citation and commencement

1. These Rules are the Women's Charter (Parenting Programme) Rules 2016 and come into operation on 1 December 2016.

Definitions

2. In these Rules —

“Director” means a director of the Ministry of Social and Family Development appointed by the Minister for the purposes of these Rules;

“parenting programme” has the same meaning as in section 94A(14) of the Act.

Prescribed party

3. For the purposes of section 94A of the Act and these Rules, “prescribed party” means a party to a marriage in relation to whom all of the following apply:

- (a) at least one party to the marriage intends to file, or files, a writ for divorce on or after 1 December 2016;
- (b) there is at least one child of the marriage who is below the age of 14 years when the party mentioned in paragraph (a) intends to file, or files, the writ for divorce;
- (c) there is no agreement between the parties to the marriage on one or more of the following matters:
 - (i) whether the marriage has irretrievably broken down;
 - (ii) the facts relied on to support an allegation by a party to the marriage that the marriage has irretrievably broken down;
 - (iii) the ownership and division of the matrimonial assets;
 - (iv) the maintenance of the wife —
 - (A) during the course of the matrimonial proceedings; or
 - (B) subsequent to the grant of a judgment of divorce;
 - (v) if the husband is an incapacitated husband, the maintenance of the husband —
 - (A) during the course of the matrimonial proceedings; or
 - (B) subsequent to the grant of a judgment of divorce;
 - (vi) the custody, or the care and control, of any child of the marriage who is below the age of 21 years;
 - (vii) the maintenance of any child of the marriage —
 - (A) who is below the age of 21 years; or

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- (B) who has attained the age of 21 years, but in relation to whom the provision of the maintenance is necessary because of any matter specified in section 69(5)(a), (b), (c) or (d) of the Act;
 - (viii) any other arrangements for the welfare of any child of the marriage who is below the age of 21 years.

Time for completing parenting programme

4.—(1) For the purposes of section 94A(1) of the Act, a prescribed party who wishes to file in the court a writ for divorce must complete a parenting programme before filing the writ for divorce, but not earlier than 2 years before the date on which the writ for divorce is filed.

(2) For the purposes of section 94A(1) of the Act, a prescribed party who is a defendant in proceedings for divorce must complete a parenting programme —

- (a) if the prescribed party wishes to file in the court a counterclaim in those proceedings — before filing the counterclaim; and
- (b) in any event —
 - (i) not earlier than 2 years before the date on which the writ for divorce in those proceedings is filed; and
 - (ii) not later than 22 days after the date on which the writ for divorce in those proceedings is served on the prescribed party.

Excluded party

5.—(1) A prescribed party is exempt from section 94A(1) of the Act, and is consequently an excluded party for the purposes of section 94A of the Act and these Rules, if —

- (a) the prescribed party lacks capacity within the meaning of section 4 of the Mental Capacity Act (Cap. 177A); and

(b) on a request made on behalf of the prescribed party, the Director issues a note stating that the prescribed party is an excluded party.

(2) The request in paragraph (1)(b) must be made within such time and in such manner, and supported by such documents, as the Director may require.

Appeal to Minister

6.—(1) For the purposes of section 94A(11) of the Act, a person who is dissatisfied with a determination under section 94A(10) of the Act must, if the person wishes to appeal to the Minister, submit the appeal to the Director within 21 days after the date on which the determination is made.

(2) The appeal must be submitted in such manner, and supported by such documents, as the Director may require.

Made on 17 October 2016.

CHEW HOCK YONG
*Permanent Secretary,
Ministry of Social and Family
Development,
Singapore.*

[MSF 76-02-01 v39; AG/LEGIS/SL/353/2015/3 Vol. 1]

(To be presented to Parliament under section 180(2) of the Women's Charter).