
First published in the *Government Gazette*, Electronic Edition, on 28th November 2016 at 5:00 pm.

No. S 612

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) ACT (CHAPTER 169)

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) (DESIGNATION OF RECIPROCATING COUNTRIES) NOTIFICATION 2016

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In exercise of the powers conferred by sections 17 and 19(2) of the Maintenance Orders (Reciprocal Enforcement) Act, the Minister for Law makes the following Notification:

Citation and commencement

1. This Notification is the Maintenance Orders (Reciprocal Enforcement) (Designation of Reciprocating Countries) Notification 2016 and comes into operation on 1 January 2017.

Definitions

2. In this Notification, unless the context otherwise requires —
“previous Act” means the Maintenance Orders (Facilities for Enforcement) Act (Cap. 168);

“relevant maintenance order” means any maintenance order other than —

- (a) an affiliation order;
- (b) an order (including an affiliation order or order consequent upon an affiliation order) which provides for the payment of a lump sum;
- (c) an order of the description in paragraph (b) of the definition of “maintenance order” in section 2 of the Act, for the payment of birth or funeral expenses of a child; or
- (d) an order which is not made by a civil court of competent jurisdiction;

“specified country” means any country or territory specified in the Schedule.

Designation of country or territory as reciprocating country

3.—(1) The Minister designates each specified country as a reciprocating country for the purposes of the Act as regards any relevant maintenance order.

(2) The Minister designates the Province of Manitoba as a reciprocating country for the purposes of the Act as regards maintenance orders generally.

Transitional provisions

4.—(1) Sections 2, 5 and 12 to 15 of the Act apply in relation to a relevant maintenance order transmitted under section 4 or 5 of the previous Act to any specified country and to which the previous Act applied immediately before 1 January 2017, as they apply in relation to a relevant maintenance order that —

- (a) is sent to that specified country under section 3 of the Act;
or
- (b) is made under section 4 of the Act and confirmed by a competent court in that specified country.

(2) A relevant maintenance order made by a court in any specified country that has been confirmed by a court in Singapore under section 6 of the previous Act and is in force immediately before 1 January 2017, is to be registered under section 7(5) of the Act as if it had been confirmed by that court in Singapore under section 7(2) of the Act.

(3) Sections 2 and 8 to 16 of the Act apply in relation to a relevant maintenance order made in any specified country and to which the previous Act applied immediately before 1 January 2017, as they apply in relation to a registered order.

(4) Where any proceedings brought under any provision of the previous Act in a court in Singapore (being proceedings affecting a person resident in any specified country) are pending immediately before 1 January 2017, those proceedings may be continued as if they had been brought under the corresponding provision of the Act.

Cancellation

5. The Maintenance Orders (Reciprocal Enforcement) (Designation of Reciprocating Countries — Province of Manitoba) Notification 2014 (G.N. No. S 657/2014) is cancelled.

THE SCHEDULE

Paragraph 2

SPECIFIED COUNTRIES

1. The Bailiwick of Guernsey
2. The Bailiwick of Jersey
3. Brunei Darussalam
4. The following provinces and territories of Canada:
 - (a) Alberta;
 - (b) Saskatchewan;
 - (c) Northwest Territories;
 - (d) Yukon;
 - (e) New Brunswick;
 - (f) British Columbia;

THE SCHEDULE — *continued*

- (g) Newfoundland and Labrador;
 - (h) Nova Scotia;
 - (i) Nunavut
5. Cook Islands
 6. All the States of the Republic of India except the States of Jammu and Kashmir
 7. The Republic of Malawi
 8. Malaysia
 9. Niue
 10. The Independent State of Samoa (formerly known as Western Samoa)
 11. The Democratic Socialist Republic of Sri Lanka
 12. Saint Vincent and the Grenadines
 13. The Republic of Zambia

Made on 24 November 2016.

NG HOW YUE
Permanent Secretary,
Ministry of Law,
Singapore.

[LAW 06/015/011 Vol 6; AG/LEGIS/SL/169/2015/2 Vol. 1]