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MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) ACT (CHAPTER 169)

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) REGULATIONS 2016

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In exercise of the powers conferred by section 18A of the Maintenance Orders (Reciprocal Enforcement) Act, the Minister for Law makes the following Regulations:

Citation and commencement

1. These Regulations are the Maintenance Orders (Reciprocal Enforcement) Regulations 2016 and come into operation on 1 January 2017.

Definition

2. In these Regulations, unless the context otherwise requires, “Official Assignee” has the same meaning as in section 2(1) of the Bankruptcy Act (Cap. 20).

Application

3. These Regulations apply to —
- (a) every registered order, whether made or registered before, on or after 1 January 2017; and

- (b) all proceedings under section 7 or 8 of the Act, whether commenced before, on or after 1 January 2017.

Method of payment of sums due under registered order

4.—(1) For the purposes of section 16(1) of the Act, payments of sums due under a registered order must, while the order is registered in a court in Singapore, be made through the Official Assignee.

(2) The Official Assignee must —

(a) collect the sums due under the registered order in the same manner as though the registered order was made under Part VIII of the Women’s Charter (Cap. 353), and then send those sums when so collected to the person to whom those sums are due; or

(b) make arrangements for those sums to be paid to the person to whom those sums are due.

(3) Where paragraph (2)(b) applies, the Official Assignee must inform the court in writing, within 14 days after the arrangements mentioned in paragraph (2)(b) are made, of the manner in which the sums due under the registered order are to be paid to the person to whom those sums are due.

(4) The Official Assignee may take proceedings in the Official Assignee’s own name for enforcing payment of the sums due under the registered order.

Official Assignee may appear in proceedings

5.—(1) In any proceedings for the confirmation of a provisional order made by a court in a reciprocating country under section 7 of the Act, the person in whose favour the provisional order is made may be represented in the court in Singapore —

(a) by the Official Assignee; or

(b) by a solicitor authorised, in writing, by the Official Assignee to act on behalf of the Official Assignee.

(2) In any proceedings for the enforcement of a registered order under section 8 of the Act, the person in whose favour the registered order is made may be represented in the court in Singapore —

- (a) by the Official Assignee; or
- (b) by a solicitor authorised, in writing, by the Official Assignee to act on behalf of the Official Assignee.

Made on 24 November 2016.

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

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