

SUPREME COURT OF JUDICATURE ACT
(CHAPTER 322, SECTION 80)

SUPREME COURT (MAINTENANCE ORDERS) RULES

ARRANGEMENT OF RULES

Rule

1. Citation
 2. Definition
 3. Order of Court made outside Singapore
 4. Enforcement of order against defendent resident outside Singapore
 5. Provisional order
 6. Provisional order made by court outside Singapore
 7. Register to be kept by District Court
 8. Register open for inspection
 9. District Judge to send notice of decision
 10. Orders to be registered
 11. Payments
 12. Person to be informed of date of application
- The Schedule
-

[6th March 1933]

Citation

1. These Rules may be cited as the Supreme Court (Maintenance Orders) Rules*.

Definition

2. In these Rules, “section” means section of the Maintenance Orders (Facilities for Enforcement) Act (Cap. 168).

Order of Court made outside Singapore

3. The copy of an order made by a court outside Singapore and received by the Minister under section 3 shall be sent to the District Court.

*Previously known as the Maintenance Orders (Facilities for Enforcement) Rules 1932.

Enforcement of order against defendant resident outside Singapore

4. When it is desired to enforce under section 4 an order made in Singapore against a defendant resident outside Singapore, a certified copy of the order shall be forwarded by the Court which made the order to the Minister with a statement giving the full address and personal description of the defendant to which his photograph should, if possible, be attached.

Provisional order

5.—(1) When an order is made provisionally under section 5 against a defendant resident outside Singapore, the Court which made the order shall send to the Minister —

- (a) the depositions taken at the hearing, including a statement giving the full address and personal description of the defendant;
- (b) the certificate of marriage, if available; and
- (c) a certified copy of the order and a statement of the grounds, in the form set out in the Schedule, on which it might have been opposed if the defendant had appeared in obedience to a summons duly served on him.

(2) Such an order shall show clearly on the face of it that it is “Provisional”.

Provisional order made by court outside Singapore

6.—(1) The copy of a provisional order made by a court outside Singapore and received by the Minister under section 6 shall be sent to the District Court with the accompanying documents and a requisition for the issue of a summons.

(2) On the return of the summons the person in whose favour the provisional order has been made may be represented in Court by the Official Assignee or an Assistant Official Assignee.

Register to be kept by District Court

7. The District Court to which any order is sent in accordance with these Rules shall cause particulars thereof to be entered in a register to be kept for that purpose, and the copies so transmitted shall be filed in that Court.

Register open for inspection

8. The register shall be open to inspection upon payment of a search fee of \$1 and copies of orders so registered shall be supplied upon payment of a fee of \$1.

District Judge to send notice of decision

9. When an order provisionally made outside Singapore has been confirmed with or without modification under section 6 by the District Court or the Court has decided not to confirm it, the District Judge shall send notice thereof to the Court from which it was issued, and also to the Minister.

Orders to be registered

10. When an order has been registered in the District Court under section 3 or a provisional order has been confirmed by the Court under section 6, that Court shall, unless satisfied that it is undesirable to do so, direct that all payments due thereunder shall be made through the registrar of the State Courts, or such other person as it may specify for the purpose.

[S 131/2014 wef 07/03/2014]

Payments

11. The person through whom the payments are directed to be made shall collect the moneys due under the order in the same manner as though it were made under Part VIII of the Women's Charter (Cap. 353) and may take proceedings in his own name for enforcing payment, and shall send the moneys when so collected to the Minister for transmission to the person to whom they are due.

Person to be informed of date of application

12. When a provisional order made under section 5 has been remitted under subsection (4) of that section to a Magistrate’s Court or a District Court for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Registry of the State Courts to the person on whose application the provisional order was made.

[S 131/2014 wef 07/03/2014]

THE SCHEDULE

Rule 5(1)(c)

Statement of grounds under rule 5(1)(c):

In the District Court at

A. B.

vs.

C. B.

The grounds upon which the making of the order herein might have been opposed if C. B. had been duly served with a summons and had appeared at the hearing, are:

1. That he was not married to A. B.
2. That his marriage to A. B. was void in law.
3. That a decree of divorce or of nullity of marriage had been pronounced by a competent Court.
4. That a decree of judicial separation or an order having the effect of such a decree was in force at the time of the hearing.
5. That he and his wife A. B. were living apart by mutual consent or agreement.
6. That his wife had deserted him.
7. That A. B. had committed adultery which had not been condoned, connived at, or by wilful misconduct or neglect condoned to, by him.
8. That he had reasonable cause to leave his wife.

Given under my hand and seal this day of 19 at the Court aforesaid.

District Judge.

[G.N. Nos. 480/33, 1287/34]

LEGISLATIVE HISTORY
SUPREME COURT (MAINTENANCE ORDERS) RULES
(CHAPTER 322, R 2)

This Legislative History is provided for the convenience of users of the Supreme Court (Maintenance Orders) Rules. It is not part of these Rules.

1. G. N. No. 480/1933 — Supreme Court (Maintenance Orders) Rules 1933

Date of commencement : 6 March 1933

2. 1990 Revised Edition — Supreme Court (Maintenance Orders) Rules

Date of operation : 25 March 1992

3. 1997 Revised Edition — Supreme Court (Maintenance Orders) Rules

Date of operation : 26 September 1997

**4. G.N. No. S 131/2014 — Supreme Court (Maintenance Orders)
(Amendment) Rules 2014**

Date of commencement : 7 March 2014