

Maintenance of Parents (Amendment) Bill

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Bill No: 32/2010

Read the first time: 18th October 2010

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Expenditure of Public Money

Maintenance of Parents (Amendment) Bill

Bill No. 32/2010

Read the first time on 18th October 2010.

An Act to amend the Maintenance of Parents Act (Chapter 167B of the 1996 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Maintenance of Parents (Amendment) Act 2010 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 3

2. Section 3 of the Maintenance of Parents Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately after subsection (2), the following subsection:

“(2A) Where any person wishes to make an application under this section, whether on his own behalf or on behalf of a parent, in respect of any claim for which no application had previously been made under this section, he shall, before making the application, refer the claim to the Commissioner for review under section 12(5).”;

(b) by inserting, immediately after the word “food” in subsection (4), the words “, medical costs”; and

(c) by inserting, immediately after subsection (5), the following subsections:

“(6) The President or a deputy President of the Tribunal may dismiss any application made under this section, if he is of the opinion that the application is frivolous or vexatious, or if the applicant has failed to comply with subsection (2A), and give the reasons for the dismissal.

(7) An applicant who is aggrieved by any decision made under subsection (6) may, within 14 days of the decision, appeal in writing

to the Tribunal.

(8) The President or deputy President, as the case may be, who made the decision under subsection (6) that is under appeal shall not participate in the proceedings or determination of the appeal.”.

Amendment of section 5

3. Section 5 of the principal Act is amended by inserting, immediately after subsection (2), the following subsection:

“(2A) Without prejudice to the Tribunal’s powers under the Act, the President or a deputy President of the Tribunal may, with the consent of the applicant and the respondent, make a maintenance order reflecting the terms of any agreement reached between the parties in respect of a claim, and such order shall be deemed to be a maintenance order made by the Tribunal under this Act and enforceable in accordance with its terms.”.

Amendment of section 8

4. Section 8 of the principal Act is amended —

(a) by inserting, immediately after the word “respondent” in the last line of subsection (1), the words “, or for other good cause shown to the satisfaction of the Tribunal”; and

(b) by inserting, immediately after subsection (3), the following subsection:

“(4) The Tribunal may, before hearing an application under this section and where it considers it necessary or desirable to do so, refer the differences between the parties to a conciliation officer for mediation.”.

Amendment of section 10

5. Section 10 of the principal Act is amended by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) For the purposes of subsection (1), the District Court may adopt such measures as it deems relevant or appropriate for the enforcement of maintenance orders made under this Act.”.

Amendment of section 12

6. Section 12 of the principal Act is amended —

(a) by inserting, immediately after the words “Assistant Commissioner” in subsection (3), the words “or such other person as he thinks fit”; and

(b) by inserting, immediately after subsection (4), the following subsections:

“(5) Where a claim of a parent has been referred to the Commissioner under section 3(2A), the Commissioner shall review the claim and may do all or any of the following:

(a) refer the parent to any relevant Government or other agency for assistance;

(b) refer the differences between the parent and his children for conciliation;

(c) take such other measure as he thinks fit.

(6) If a claim has not been settled after referral to the relevant Government or other agency or for conciliation or any other measure taken under subsection (5), an application may be made to the Tribunal under section 3.

(7) The Commissioner may, by notice in writing, require any person to appear at any reasonable time and at any convenient place for the purposes of conciliation under subsection (5)(b), and any failure by the person to appear as required may be taken into consideration by the Tribunal when hearing and determining the relevant application for maintenance, in such manner as to the Tribunal seems proper.

(8) The Commissioner may generally do all such things as may be incidental to or consequential upon the discharge of his functions or the exercise of his powers under this Act.”.

Amendment of section 13

7. Section 13 of the principal Act is amended —

(a) by inserting, immediately after the word “President” in subsection (1), the words “, up to 4 deputy Presidents,”;

(b) by inserting, immediately after the word “President” wherever it appears in subsection (2), the words “, every deputy President”;

(c) by inserting, immediately after the word “President” in subsection (3), the words “and every deputy President”;

(d) by inserting, immediately after subsection (3), the following subsection: