

# **Women's Charter (Amendment) Bill**

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**Bill No: 34/2010**

***Read the first time: 22nd November 2010***

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**Women's Charter (Amendment) Bill**

**Bill No. 34/2010**

*Read the first time on 22nd November 2010.*

An Act to amend the Women's Charter (Chapter 353 of the 2009 Revised Edition) and to make related amendments to the Central Provident Fund Act (Chapter 36 of the 2001 Revised Edition), the Children Development Co-Savings Act (Chapter 38A of the 2002 Revised Edition) and the Guardianship of Infants Act (Chapter 122 of the 1985 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 Women's Charter (Amendment) Act 2010 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Amendment of section 17**

2. Section 17 of the Women’s Charter is amended —

- (a) by deleting paragraph (a) of subsection (2) and substituting the following paragraph:

“(a) that, where any party to the intended marriage is not a citizen or permanent resident of Singapore, at least one of the parties has been physically present in Singapore for a period of at least 15 days preceding the date of the notice;”;

- (b) by deleting the word “and” at the end of subsection (2)(d);

- (c) by deleting the full-stop at the end of paragraph (e) of subsection (2) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

“(f) that, where any party to the intended marriage is a person to whom section 17A applies, both parties have attended and completed a marriage preparation programme.”;

- (d) by inserting, immediately after subsection (2), the following subsections:

“(2A) Where one of the parties to the proposed marriage has been previously married but is divorced, the Registrar shall not issue a marriage licence unless that party also states, in the statutory declaration referred to in subsection (2), whether he owes any arrears in respect of any maintenance which is payable under a maintenance order.

(2B) The statutory declaration referred to in subsection (2) shall be made by each party to the proposed marriage in the presence of the other party.”; and

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

“(4) In this section —

“maintenance order” means —

- (a) an order for the payment of a monthly allowance made or deemed to be made by a court under Part VIII;
- (b) an order for the payment of periodical sums by way of maintenance or alimony to a wife or for the benefit of any child under Part X;

- (c) an order for maintenance made by the Syariah Court under the Administration of Muslim Law Act (Cap. 3); or
- (d) a maintenance order as defined in section 2 of the Maintenance Orders (Facilities for Enforcement) Act (Cap. 168) or section 2 of the Maintenance Orders (Reciprocal Enforcement) Act (Cap. 169);

“marriage preparation programme” has the same meaning as in section 17A(3);

“permanent resident of Singapore” means a person who holds an entry permit under section 10 of the Immigration Act (Cap. 133) or a re-entry permit under section 11 of that Act.”.

### **New section 17A**

3. The Women’s Charter is amended by inserting, immediately after section 17, the following section:

#### **“Marriage preparation programme**

**17A.**—(1) This section shall apply to a person within the class of persons prescribed by the Minister as persons who must attend a marriage preparation programme.

(2) A person to whom this section applies shall not be issued with a marriage licence under section 17 or a special marriage licence under section 21 unless the person satisfies the Registrar or the Minister, as the case may be, that the person, together with the other party to the proposed marriage, have attended and completed a marriage preparation programme.

(3) In this section and section 21, “marriage preparation programme” means a marriage preparation programme which satisfies the description specified in the rules made under section 180.”.

### **Amendment of section 21**

4. Section 21 of the Women’s Charter is amended —

- (a) by deleting subsection (1) and substituting the following subsection:

“(1) The Minister may, if he thinks fit, dispense with the giving of notice and with the issue of a marriage licence, and may grant a special marriage licence in the prescribed form authorising the solemnization of a marriage between the parties named —

(a) upon proof being made to him by statutory declaration —

(i) that there is no lawful impediment to the proposed marriage; and

(ii) where any party to the proposed marriage is a person to whom section 17A applies, that both parties to the proposed marriage have attended and completed a marriage preparation programme;

(b) where one party to the proposed marriage has been previously married but is divorced, upon a statutory declaration being furnished by the party as to whether that party owes any arrears in respect of any maintenance which is payable under a maintenance order; and

(c) upon his being satisfied that the necessary consent, if any, to the marriage has been obtained, or that the consent has been dispensed with or given under section 13.”; and

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

“(5) In this section, “maintenance order” has the same meaning as in section 17(4).”.

## **Amendment of section 50**

5. Section 50 of the Women’s Charter is amended by inserting, immediately after subsection (3), the following subsections:

“(3A) A court before which any proceedings under Part X are being heard shall, where the proceedings involve such classes of persons (being persons who have children to the marriage) as may be prescribed by the Minister, do either or both of the following:

(a) order the parties to attend mediation conducted by such person as the court may appoint;