
First published in the Government *Gazette*, Electronic Edition, on 30th September 2014 at 5:00 pm.

No. S 659

**MAINTENANCE ORDERS
(RECIPROCAL ENFORCEMENT) ACT
(CHAPTER 169)**

**MAINTENANCE ORDERS
(RECIPROCAL ENFORCEMENT)
RULES 2014**

ARRANGEMENT OF RULES

Rule

1. Citation and commencement
2. Definitions
3. Prescribed officer
4. Application for transmission of Singapore maintenance order to reciprocating country
5. Content of and undertaking to pay expenses for application for transmission of Singapore maintenance order
6. Complaint under section 4 of Act
7. Undertaking to pay expenses for complaint under section 4 of Act
8. Applications under sections 5 and 9 of Act
9. Undertaking to pay expenses for application under section 5 of Act
10. Authentication of documents setting out or summarising evidence
11. Method of transmission of documents to reciprocating country
12. Consideration for revocation of maintenance orders
13. Registration of orders other than provisional orders
14. Method of payment of sums due under registered orders
15. Procedure for taking evidence in Singapore at request of court in reciprocating country
16. Transmission of order varying or revoking maintenance order to which section 5 of Act applies
17. Transmission of order varying or revoking registered order under section 9 of Act
18. Transmission of order confirming maintenance order under section 7 of Act

Rule

19. Notice to be given to Minister where order is registered
 20. Notice to be given to payer where order is registered or cancelled
 21. Official Assignee may appear in proceedings
-

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

Citation and commencement

1. These Rules may be cited as the Maintenance Orders (Reciprocal Enforcement) Rules 2014 and shall come into operation on 1 October 2014.

Definitions

2. In these Rules, unless the context otherwise requires —

“Official Assignee” has the same meaning as in section 2 of the Bankruptcy Act (Cap. 20);

“Registrar” means the registrar of the Family Justice Courts and includes the deputy registrar and the assistant registrars;

“Singapore maintenance order” means a maintenance order made by a court in Singapore, and includes a provisional order made by a court in Singapore and confirmed under section 4(6) of the Act by a competent court in a reciprocating country.

Prescribed officer

3. For the purposes of the Act, the “prescribed officer” is the Registrar.

Application for transmission of Singapore maintenance order to reciprocating country

4. An application for a Singapore maintenance order to be sent to a reciprocating country under section 3(1) of the Act must be made by or on behalf of the payee under the maintenance order in the same

manner, and in accordance with the same procedure, as applications for summons are made and to be heard by a District Court or Magistrate's Court under the provisions of the Criminal Procedure Code (Cap. 68).

Content of and undertaking to pay expenses for application for transmission of Singapore maintenance order

5.—(1) An application referred to in rule 4 for a Singapore maintenance order to be sent to a reciprocating country under section 3(1) of the Act must —

- (a) specify the date on which the Singapore maintenance order to which the application relates was made;
- (b) contain such particulars as are known to the payee under the Singapore maintenance order of the whereabouts of the payer;
- (c) specify any matters likely to assist in the identification of the payer; and
- (d) where available, be accompanied by a recent photograph of the payer.

(2) An application referred to in rule 4 must be accompanied —

- (a) by an undertaking by the payee to be responsible personally for such expenses, as may be incurred and where requested by the responsible authority in the reciprocating country, for the service on the payer of the Singapore maintenance order; and
- (b) by any other document for the purpose of enforcement of the Singapore maintenance order in the reciprocating country.

(3) The payee must, on receiving notification of the amount of the expenses in paragraph (2) by the Registrar, pay that amount to such person as the Registrar may direct.

Complaint under section 4 of Act

6. A complaint under section 4(1) of the Act against a person residing in a reciprocating country must be made in the same manner, and in accordance with the same procedure, as applications for

summons are made and to be heard by a District Court or Magistrate's Court under the provisions of the Criminal Procedure Code (Cap. 68).

Undertaking to pay expenses for complaint under section 4 of Act

7.—(1) A complaint made under section 4(1) of the Act against a person residing in a reciprocating country must be accompanied —

- (a) by an undertaking by the complainant to be responsible personally for such expenses, as may be incurred and where requested by the responsible authority in the reciprocating country, for the service on the payer of a provisional order made by a court in Singapore upon hearing that complaint; and
- (b) by any other document for the purpose of confirmation of the provisional order in the reciprocating country.

(2) The complainant must, on receiving notification of the amount of the expenses in paragraph (1) by the Registrar, pay that amount to such person as the Registrar may direct.

Applications under sections 5 and 9 of Act

8. An application referred to —

- (a) in section 5 of the Act for the variation or revocation of a Singapore maintenance order; or
- (b) in section 9 of the Act for the variation or revocation of a maintenance order registered in a Singapore court,

must be made in the same manner, and in accordance with the same procedure, as applications for summons are made and to be heard by a District Court or Magistrate's Court under the provisions of the Criminal Procedure Code (Cap. 68).

Undertaking to pay expenses for application under section 5 of Act

9.—(1) An application referred to in section 5(3) of the Act to vary a Singapore maintenance order must be accompanied —

- (a) by an undertaking by the applicant to be responsible personally for such expenses, as may be incurred and where requested by a court in the reciprocating country concerned, for the service on a payer of a provisional order made by a court in Singapore upon hearing the application; and
- (b) by any other document for the purpose of confirmation of the provisional order in the reciprocating country.

(2) The applicant must, on receiving the notification of the amount of the expenses in paragraph (1) by the Registrar, pay that amount to such person as the Registrar may direct.

Authentication of documents setting out or summarising evidence

10. A document setting out or summarising any evidence required by section 4(5)(b), 5(4) or 9(5) of the Act to be authenticated must be authenticated by a certificate, signed by the court before whom the evidence was given, that —

- (a) the document is the original document setting out or summarising that evidence; or
- (b) the document is a true copy of that original document.

Method of transmission of documents to reciprocating country

11. Any document required by section 5(4) or 9(5) of the Act to be sent to a court in a reciprocating country must be sent to that court by post.

Consideration for revocation of maintenance orders

12.—(1) For the purposes of section 5(9) of the Act, the court in Singapore which made a maintenance order that is to be confirmed by a competent court in a reciprocating country must serve on the person on whose application the maintenance order was made a notice —

- (a) that sets out the evidence received or taken, as the case may be, for the purpose of proceedings relating to the confirmation of the maintenance order;