

Maintenance of Parents Bill

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Bill No: 13/1994

Read the first time: 23rd May 1994

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Expenditure of Public Money

Maintenance of Parents Bill

Bill No. 13/1994

Read the first time on 23rd May 1994.

An Act to make provision for the maintenance of parents by their children.

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

Short title

1. This Act may be cited as the Maintenance of Parents Act 1994.

Interpretation

2. In this Act, unless the context otherwise requires —

“applicant” includes a person in whose favour a maintenance order has been made under the provisions of this Act;

“child” includes an illegitimate, adopted and step-child;

“respondent” includes a person against whom a maintenance order has been made under the provisions of this Act.

Parents’ right to apply for maintenance

3. Any person domiciled in Singapore who is unable to maintain himself adequately may apply to a District Court for an order that one or more of his children pay him a monthly allowance or a lump sum for his maintenance.

Joinder of respondents

4. A respondent may serve notice in the prescribed form on other persons liable to maintain the applicant joining them as respondents in the action.

Maintenance orders

5.—(1) The court may make a maintenance order if it considers that it is just and equitable that the respondent should maintain the applicant.

(2) When ordering maintenance for the benefit of an applicant, the court shall have regard to all the circumstances of the case including (but not limited to) the following matters:

- (a) the financial needs of the applicant, taking into account reasonable expenses for housing and medical costs;
- (b) the income, earning capacity, property and other financial resources of the applicant;
- (c) any physical or mental disability of the applicant;
- (d) the income, earning capacity, property and other financial resources of the respondent;
- (e) the expenses incurred by the respondent in supporting his spouse or children.

(3) If the court is satisfied upon due proof that the applicant abandoned, abused or neglected the respondent, it may dismiss the application or may reduce the quantum of maintenance ordered by such amount as may be just.

(4) The onus of proving abandonment, abuse or neglect shall be on the respondent alleging it.

(5) Where there is more than one respondent the court may apportion the maintenance among the various respondents in such manner as may be just.

Power of court to order security for maintenance

6.—(1) A maintenance order may provide for the payment of a lump sum or such periodical payment as the court may determine.

(2) The court may, in its discretion, when awarding maintenance, order the respondent to secure the whole or any part of it by vesting any property in trustees upon trust to pay the maintenance or part thereof out of the income from that property.

Duration of orders for maintenance

7.—(1) Except where an order for maintenance is expressed to be for any shorter period or where any such order has been rescinded, a maintenance order shall expire —

- (a) if the maintenance was unsecured, on the death of the applicant or the respondent, whichever is the earlier;
- (b) if the maintenance was secured, on the death of the applicant.