

Guardianship of Infants (Amendment) Bill

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Bill No: 47/1965

Read the first time: 13th December 1965

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Guardianship of Infants (Amendment) Bill

Bill No. 47/1965

Read the first time on 13th December 1965.

An Act to amend the Guardianship of Infants Ordinance (Chapter 16 of the Revised Edition).

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 Guardianship of Infants (Amendment) Act, 1965.

Repeal and re-enactment of sections 3 to 9

2. Sections 3 to 9 of the Guardianship of Infants Ordinance are hereby repealed and the following substituted therefor: —

“Welfare of infant to be paramount consideration

3. Where in any proceedings before any court the custody or upbringing of an infant or the administration of any property belonging to or held in trust for an infant or the application of the income thereof is in question, the court, in deciding that question, shall regard the welfare of the infant as the first and paramount consideration and save in so far as such welfare otherwise requires the father of an infant shall not be deemed to have any right superior to that of the mother in respect of such custody, administration or application nor shall the mother be deemed to have any claim superior to that of the father.

Equal right of mother to apply to court

4. The mother of an infant shall have the like powers of applying to the court in respect of any matter affecting the infant as are possessed by the father.

Power of court to make, discharge or amend orders for custody and maintenance of infants

5. The court may, upon the application of either parent or of any guardian appointed under this Ordinance, make orders as it may think fit regarding the custody of such infant, the right of access thereto and the payment of any sum towards the maintenance of the infant and may alter, vary or discharge such order on the application of either parent or of any guardian appointed under this Ordinance.

Rights of surviving parent as to guardianship

6.—(1) (a) On the death of the father of an infant, the mother, if surviving, shall, subject to the provisions of this Ordinance, be guardian of the infant, either alone or jointly with any guardian appointed by the father. When no guardian has been appointed by the father or if the guardian or guardians appointed by the father is or are dead or refuses or refuse to act, the court may if it thinks fit appoint a guardian to act jointly with the mother.

(b) On the death of the mother of an infant, the father, if surviving, shall, subject to the provisions of this Ordinance, be guardian of the infant,