

**Maintenance Orders (Facilities for Enforcement) Act
(CHAPTER 168)**

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MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT

(CHAPTER 168)

(Original Enactment: Ordinance 8 of 1921)

REVISED EDITION 1985

(30th March 1987)

An Act to facilitate the enforcement in Singapore of maintenance orders made in other parts of the Commonwealth and vice versa.

[8th April 1921]

Short title

1. This Act may be cited as the Maintenance Orders (Facilities for Enforcement) Act*.

* This Act will be repealed on the coming into force of section 19(1) of the Maintenance Orders (Reciprocal Enforcement) Act (Cap. 169).

Interpretation

2. In this Act —

“certified copy”, in relation to an order of court, means a copy of the order certified by the proper officer of the court to be a true copy;

“dependants” of any person means such persons as that person is, according to the law in force in the part of the Commonwealth in which a maintenance order was made, liable to maintain;

“Magistrate’s Court” and “District Court” mean a Magistrate’s Court and a District Court having powers or jurisdiction under the Criminal Procedure Code [Cap. 68];

“maintenance order” means an order other than an order of affiliation for the periodical payment of sums of money towards the maintenance of the wife or other dependants of the person against whom the order is made, and includes, with reference to Northern Ireland, an order or decree for the recovery or repayment of the cost of relief or maintenance made by virtue of the provisions of any enactment for the time being in force relating to poor relief.

Enforcement in Singapore of maintenance orders made in England and Northern Ireland

3. Where a maintenance order has been made against any person by any court in England or Northern Ireland, and a certified copy of the order has been transmitted by a Secretary of State to the Minister, the Minister shall send a copy of the order to a District Court for registration; and on receipt thereof, the order shall be registered in the prescribed manner, and shall from the date of the registration be of the same force and effect, and, subject to the provisions of this Act, all proceedings may be taken on that order as if it had been an order originally obtained in the District Court, and that court shall have power to enforce the order accordingly.

Transmission of maintenance orders made in Singapore

4. Where a Magistrate's Court or District Court has made a maintenance order against any person, and it is proved to that court that the person against whom the order was made is resident in England or Northern Ireland, the court shall send to the Minister for transmission to a Secretary of State a certified copy of the order.

Power to make provisional orders of maintenance against persons resident in England or Northern Ireland

5.—(1) Where an application is made to a Magistrate's Court or District Court for a maintenance order against any person, and it is proved that that person is resident in England or Northern Ireland, the court may, in the absence of that person, if after hearing the evidence it is satisfied of the justice of the application, make any such order as it might have made if a summons had been duly served on that person and he had failed to appear at the hearing, but in such case the order shall be provisional only, and shall have no effect unless confirmed by a competent court in England or Northern Ireland.

(2) The evidence of any witness who is examined on any such application shall be put into writing, and the deposition shall be read over to and signed by him.

(3) Where such an order is made, the court shall send to the Minister for transmission to a Secretary of State the depositions so taken and a certified copy of the order, together with a statement of the grounds on which the making of the order might have been opposed if the person against whom the order is made had been duly served with a summons and had appeared at the hearing, and such information as the court possesses for facilitating the identification of that person, and ascertaining his whereabouts.

(4) Where any such provisional order has come before a competent court in England or Northern Ireland for confirmation, and the order has by that court been remitted to the Magistrate's Court or District Court which made the order for the purpose of taking further evidence, the Magistrate's Court or District Court shall, after giving the prescribed notice, proceed to take the evidence in like manner and subject to the like conditions as the evidence in support of the original application. If upon the hearing of such evidence it appears to the court that the order ought not to have been made, the court may rescind the order, but in any other case the depositions shall be sent to the