# 8.

E-FORM

P.15, r.35 FJ(G)R 2024,

Para 17(3), 21(1) PD 2024

## Draft Ancillary Reliefs Order

This Form is used if all of the following criteria is satisfied:

1. There is an agreement on ancillary matters in any of the following matters:
2. Originating Application for Divorce / Judicial Separation / Nullity; or
3. Originating Application for Financial Relief (after foreign divorce or Syariah Court divorce).
4. The agreement is to be recorded as a Court order.
5. There are pending Court proceedings or you intend to commence proceedings to record the agreement.

This Form contains Notes to help you in the completion of the form. Please note that the Notes are **NOT** to be construed or regarded as a substitute for legal advice. Please seek legal advice if necessary.

### Section 1: General

|  |  |
| --- | --- |
| **Relevant case** | |
| |  |  | | --- | --- | | **State the main case number:** | Enter main case number here. | | *Notes*  *The case number should have the following prefixes:*  *OAD or OAF* |

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| **Part A: Bankruptcy Status** | | |
| For Part A, use the information in the following document. The information is accurate:  Originating Application for Divorce / Judicial Separation / Nullity  First Ancillary Affidavit filed on Enter date here.  *If the above is not applicable, complete the questions below.* | | *If both options are possible, select the latest version.* |
| 1a. | Are you an undischarged bankrupt?  Yes. *Proceed to question 1c.*  No. *Proceed to question 1b.* | *If you are or your spouse is an undischarged bankrupt, you must obtain approval for the draft order from the Official Assignee.* |
| 1b. | Are there pending bankruptcy proceedings filed against you?  Yes.  No.  *Proceed to question 1c.* |
| 1c. | Is your spouse an undischarged bankrupt?  Yes. *Proceed to question 2.*  No. *Proceed to question 1d.* |
| 1d. | Are there pending bankruptcy proceedings filed against your spouse?  Yes.  No. |
| *If there are matrimonial assets to be divided, proceed to* ***Part B****.*  *Otherwise, proceed to* ***Part C****.* | | |
| **Part B: Asset Pool** (If there are matrimonial assets to be divided) | | |
| 2a. | Does the agreement concern any property in which CPF monies is used and will require any of the following action to be taken:   1. Sell in the open market 2. Surrender to HDB 3. Transfer to another party with full refund of outgoing owner’s CPF monies 4. Sale of part-share to another party with full refund of outgoing owner’s CPF monies?   Yes. ***Mandatory****: Complete the CPF Checklist (Form 9) and annex to this Draft Ancillary Reliefs Order.*  No. |  |
| For questions 2b and 2c, use the information in the following document. The information is accurate:  Originating Application for Divorce / Judicial Separation / Nullity  First Ancillary Affidavit filed on Enter date here.  *If the above is not applicable, complete the questions 2b and 2c below.* | | *If both options are possible, select the latest version.* |
| 2b. | Based on my estimate, the total **gross** value of matrimonial assets which the Court is required to determine is:  Less that S$2 million  Between S$2 million and S$4.99 million  At least S$5 million | *Gross value: Market value of all assets without deducting outstanding liabilities and debts, e.g. gross value of an immovable asset = market value without deducting the loan.* |
| 2c. | At least 1 **immovable asset** in the asset pool is wholly or partially owned by someone (i.e. third party) other than my spouse and I.  Yes  No | *If the third party holds the asset jointly with you or your spouse, select “Yes”.* |
| *If you are asking for orders relating to children, proceed to* ***Part C****.*  *Otherwise, proceed to* ***Section 2****.* | | |
| **Part C: Children Orders** (If you are asking for orders on “Custody, care and control / Access”) | | |
| 3a. | Are parties seeking orders for split care and control of the children?  No  Yes. *Complete and file the Affidavit of Split Care and Control (Form 10).* | *Split care and control applies only if there is more than one child (eg. X and Y), and one parent will have primary care of X while the other parent will have primary care of Y.* |

### Section 2: Orders Sought

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| Select the applicable categories and enter your preferred orders.  In this Section, some commonly used orders (pre-populated orders) are provided for your selection. Select these orders ONLY if these are completely in line with your agreed terms. If you select the pre-populated orders, the orders will be auto-generated for your consideration.    If the pre-populated orders are not suitable, you may refer to the Family Orders Guide for other type of orders. | | | |
| **I am seeking these orders:** | | | |
| 1. | **Division of assets** | | |
|  | ***Pre-populated Order(s)*** | | |
| Address of property | Enter address here. | |
|  |  | | |
| 1a. | Sale of asset in the open market   |  |  |  | | --- | --- | --- | | What type of immovable asset? | What happens to the proceeds? | How should the balance be divided? | | HDB  Private property | Proceeds will be used to first:   1. to make full payment of the outstanding housing loan, if any; 2. to pay the HDB resale levy (if applicable); 3. to pay the requisite CPF refunds in accordance with applicable CPF laws to owners’ CPF accounts, if any; 4. to pay all costs and expenses incidental and relating to the sale of the property. | Applicant:  Enter % here.  Respondent:  Enter % here. |   Timeframe for transfer: within Enter no. of months of Final Judgment. | | |
| 1b. | Transfer of asset from one party to another party   |  |  |  | | --- | --- | --- | | What type of immovable asset? | Who transfers and receives? | Who is to make **full** refund of the outgoing owner’s CPF monies? | | HDB  Private property | Party to transfer:  Applicant  Respondent  Party to receive transfer:  Applicant  Respondent | Applicant  Respondent |   Timeframe for transfer: within Enter no. of months of Final Judgment.  Who pays for costs of transfer:  Applicant  Respondent | | |
| 1c. | Each party shall retain all other assets in their respective names. | | |
| 1d. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The flat shall be transferred to the Respondent (instead of “my spouse”).* |
|  |  | | |
| 2. | **Maintenance for spouse**  **(Not applicable for financial relief after Syariah Court divorce)** | | |
|  | ***Pre-populated Order(s)*** | | |
| 2a. | Monthly maintenance   |  |  |  | | --- | --- | --- | | Which party is to pay maintenance? | Which party is the maintenance for? | Monthly amount to be paid | | Applicant  Respondent | Applicant  Respondent | Enter amount here. |   1st payment date: Enter date here.  Recurring payment date: Enter date here. | | |
| 2b. | Payment to the party’s bank account   |  |  |  | | --- | --- | --- | | Whose bank account? | Which bank? | Account number | | Applicant  Respondent | Enter name of bank here. | Enter bank account number here. | | | |
| 2c. | There shall be no maintenance for the  Applicant  Respondent. | | |
| 2d. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: There shall be no maintenance for the Respondent (instead of “my spouse”).* |
|  |  | | |
| 3. | **Maintenance for child(ren)**  **(Not applicable for financial relief after Syariah Court divorce)** | | |
|  | ***Pre-populated Order(s)*** | | |
| 3a. | Monthly maintenance   |  |  |  | | --- | --- | --- | | Which parent is to pay maintenance? | Which child(ren) is the maintenance for? | Monthly amount to be paid | | Applicant  Respondent | Each child  The child  The children | Enter amount here. |   1st payment date: Enter date here.  Recurring payment date: Enter date here. | | |
| 3b.. | Payment to the party’s bank account   |  |  |  | | --- | --- | --- | | Whose bank account? | Which bank? | Account number | | Applicant  Respondent | Enter name of bank here. | Enter bank account number here. | | | |
| 3c. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The Respondent (instead of “my spouse”) shall pay $x as monthly as maintenance for the children.* |
| 4. | **Child(ren)’s arrangements**  **(Not applicable for financial relief after foreign divorce OR Syariah Court divorce)** | | |
| **Custody**  State who is to have custody of the children: | | | |
| 4a. | ***Pre-populated Order(s)***  Both parties to have joint custody of the child(ren) of the marriage, namely  all children: Enter full names as per NRIC/Passport here  Child’s name: Enter full name as per NRIC/Passport here | | |
| 4b. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The Applicant (instead of “I”) shall have sole custody of the children of the marriage.* |
| **Care and control**  State who is to have care and control of the children: | | | |
| 4c. | ***Pre-populated Order(s)***   |  |  |  | | --- | --- | --- | | Which parent is to have care and control? | | Which child(ren) does this care and control arrangement apply to? | | Applicant  Respondent  Enter full name as per NRIC/Passport here | shall have care and control of the child(ren) of the marriage, namely | All children: Enter full name as per NRIC/Passport here  Child’s name:  Enter full name as per NRIC/Passport here | | Applicant  Respondent  Enter full name as per NRIC/Passport here | All children: Enter full name as per NRIC/Passport here  Child’s name:  Enter full name as per NRIC/Passport here | | | |
| 4d. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The Applicant (instead of “I”) shall have care and control of the children.* |
| **Access**  State the access orders and any other orders related to the child(ren)’s arrangements: | | | |
| 4e. | ***Pre-populated Order(s)***  Reasonable access   |  |  | | --- | --- | | Which parent is to have access? | Which child(ren) does this access arrangement apply to? | | Applicant  Respondent  Enter full name as per NRIC/Passport here | The children | | | |
| 4f. | Weekly access   |  |  |  | | --- | --- | --- | | Which parent is to have access? | Which child(ren) does this access arrangement apply to? | Details of access | | Applicant  Respondent  Enter full name as per NRIC/Passport here | The child(ren) | Start of access:  Enter day here at Enter time here.  End of access:  Enter day here at Enter time here. | | | |
| 4g. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The Respondent (instead of “my spouse”) shall have reasonable access to the children from [day] at [time] to [day] at [time].* |
| 5. | **Others** | | |
| 5a.  5b. | ***Pre-populated Order(s)***  Parties shall be at liberty to apply.  That there shall be no orders as to costs of the proceedings. | | |
| 5c. | ***Other Order(s)***  *Enter your own orders below.*   |  | | --- | | Enter orders here. | | | *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The Respondent (instead of “my spouse”) shall return the sum of $x to the Applicant (instead of “I”).* |

### Section 3: Signature for Consent

If this Form is to be filed **together** with the Originating Application for Simplified Divorce / Judicial Separation, you do **not** need to complete this Section. Instead, complete Section 9A and Section 9B in the Originating Application for Simplified Divorce / Judicial Separation.

In all other circumstances, complete this Section before filing the Form.

This Section may be used by more than 1 person to indicate their consent if the **same options** apply to all persons. Otherwise, use a separate Section 3 for persons with different options selected.

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|  | | | | *Notes* | |
| By signing this document, each person in clause 4 states as follows: | | | |  | |
| 1. | I understand the nature and effect of the orders sought in this Form. | | |  | |
| 2. | I have read and understood the contents of the orders sought in this Form. | | |  | |
| 3. | I consent to the making of the orders sought in this Form. | | |  | |
| 4. | Person(s) signing this consent: | | | | |
| **Name** | | **NRIC/ FIN/ Passport number** | **Singapore address or e-mail address** | | **Party type in proceedings**  (e.g. Respondent / Co-Respondent / Named Person) |
| Enter full name as per NRIC/Passport here. | | Enter NRIC/ FIN/ Passport no. here. | Enter Singapore address or e-mail address here. | | Enter party type here. |
| Enter full name as per NRIC/Passport here. | | Enter NRIC/ FIN/ Passport no. here. | Enter Singapore address or e-mail address here. | | Enter party type here. |
| Enter full name as per NRIC/Passport here. | | Enter NRIC/ FIN/ Passport no. here. | Enter Singapore address or e-mail address here. | | Enter party type here. |
| Please note that each person listed here, or his/her lawyer (if any), is to provide his/her signature below. | | | | | |
| To be completed if you are acting in-person | | | | | |
| I acknowledge that I have considered this application and have been informed by the other party’s lawyer of my right to seek independent legal advice. | | | | *Select this option if you are* ***not*** *represented by a lawyer* ***and*** *the other party is represented by a lawyer.* | |
|  | | | | | |
| If you are not represented by a lawyer, you are required to sign this form before a Commissioner for Oaths.  The affidavit is to be sworn / affirmed in accordance with the Form of Attestation (Form 106) of the Family Justice (General) Rules 2024. | | | | | |
| To be completed by lawyer (if any) | | | | | |
| |  | | --- | | Counsel for the  Respondent/ Co-Respondent/ Named Person | | Enter name of law firm and lawyer’s name here. |   Date:   |  | | --- | | Enter date here. | | | | | *If you are represented by a lawyer, you are not required to sign this form. Instead, your lawyer may sign this form on your behalf.*  *If this is completed by your lawyer, your lawyer should update your records in eLitigation to ensure that he is the lawyer on record. Otherwise, the Court may require you to sign this document personally.* | |

### Section 4: Supporting Documents

File the applicable supporting documents together with the duly signed Draft Ancillary Reliefs Order.

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|  | **Scenarios** | **Supporting document(s) to include:** |
|  | You are not using the information on your / your spouse’s bankruptcy status from the Originating Application or First Ancillary Affidavit. | 1. My bankruptcy search results from the Ministry of Law’s Insolvency Office |
| 1. My spouse’s bankruptcy search results from the Ministry of Law’s Insolvency Office |
|  | You or your spouse is an undischarged bankrupt | Approval from the Official Assignee to the terms of the draft Order |
|  | The agreement requires parties to sell, transfer or surrender a property in which CPF monies is used  AND  there is to be a full or partial refund of CPF monies (which is not stated as a fixed sum). | CPF Checklist (Form 9) signed by both parties |
|  | Parties seeking orders for split care and control of the child(ren) | Affidavit of Split Care and Control (Form 10) |

The list is non-exhaustive – If the Court requires any other relevant information or documents to consider before granting the consent judgment or order, you may be required to provide such other relevant information or documents by way of an affidavit. You may incur additional fees as a result.