# 13.

E-FORM

P.2, r.13 FJ(G)R 2024

## **Originating Application for Permission to seek Financial Relief after Foreign Divorce**

You are applying for the Court’s permission to file an application for financial relief in Singapore after a foreign divorce. You do **NOT** need to serve your ex-spouse with this permission application.

Financial relief refers to: (a) division of immovable assets and movable assets; (b) maintenance for ex-spouse; (c) maintenance for child(ren).

Financial relief does **NOT** include custody, care and control or access orders for minor child.

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.

This form, when submitted to the Court, will be generated in accordance with the layout of the generated Originating Application (Form 53).

|  |
| --- |
| This Notice serves as a reminder to the Applicant and does not appear as part of the issued Originating Application.  **IMPORTANT**: **Duty to consider amicable resolution**  Pursuant to the Family Justice (General) Rules 2024 (“FJ(G)R 2024”), you are required to consider amicable resolution of the dispute before and after commencing Court proceedings. This means that you should either:   1. explore alternative ways of settling the dispute without resorting to legal action; OR 2. make an offer to the other party to settle the dispute.   For more information on your obligations, please refer to the Information Sheet on Amicable Dispute Resolution and Part 4 of the FJ(G)R 2024. |

### Section A: **Details of Application**

Please use **Section A1 to A4 (where applicable)** in the **Originating Application: Generic Sections (Form 53B)** to provide the details of application.

### Section B: **The Parties**

Please use **Section B** in the **Originating Application: Generic Sections (Form 53B)** to provide the Parties’ information.

### Section 1: My Application

|  |  |  |
| --- | --- | --- |
| 1. | I am applying for:  The Court’s permission to file an application for financial relief against Enter name here (Enter identity no. here), the intended Respondent after a foreign divorce.  The orders which I intend to seek are set out in [**Annex A**](#_Annex_A:_Draft).  (If you are seeking any other relief(s), state them below) | *Notes* |
| 2. | State the reliefs which you are claiming here. |  |
| 3. | State the reliefs which you are claiming here. |  |
| 4. | State the reliefs which you are claiming here. |  |
| 5. | **Costs of this Application**  No orders as to costs.  Each party to bear own costs.  Costs to be paid by:   |  | | --- | | Enter name or party type here. |   Costs to be reserved to   |  | | --- | | Enter event here. |   Others:   |  | | --- | | Enter details here. | | *If you opt to reserve costs, please state the event at which costs is to be decided e.g. reserved to the final hearing.* |
|  | **The reasons for this Application are stated in the supporting affidavit.** | |

### Annex A: Draft orders

|  |  |  |  |
| --- | --- | --- | --- |
| Select the applicable categories and enter your preferred orders.  In this Annex, 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. | | | |
| 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;   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 Order of Court. | | |
| 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 Order of Court.  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. | | | *Notes*  *Use these references to prepare the orders:*  *I = Applicant*  *My ex-spouse = Respondent*  *Eg. The order should read: The flat shall be transferred to the Respondent (instead of “my ex-spouse”).* |
| 2. | **Maintenance for spouse** | | |
|  | ***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. | | | *Notes*  *Use these references to prepare the orders:*  *I = Applicant*  *My ex-spouse = Respondent*  *Eg. The order should read: There shall be no maintenance for the Respondent (instead of “my ex-spouse”).* |
|  |  |  | |
| 3. | **Maintenance for child(ren)** | | |
|  | ***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. | | | *Notes*  *Use these references to prepare the orders:*  *I = Applicant*  *My spouse = Respondent*  *Eg. The order should read: The Respondent (instead of “my ex-spouse”) shall pay $x as monthly as maintenance for the children.* |

## Affidavit

Complete all questions and details in Sections 1 to 9 unless otherwise stated.

The relevant exhibits are to be included at Section 10.

### Section 1: Introduction

|  |  |
| --- | --- |
| Name of maker: | Enter full name as per NRIC/ Passport here. |
| Identity No.: | Enter NRIC/ FIN/ Passport no. here. |
| Address: | Enter address here. |
| Occupation: | Enter occupation here. |

|  |  |
| --- | --- |
| 1a. | I am the Applicant. |
| 1b. | This affidavit is in support of the Originating Application. |
| 1c. | Where the facts in this affidavit are within my personal knowledge, they are true. Where they are not within my personal knowledge, they are true to the best of my knowledge, information and belief. |

### Section 2: General

|  |  |  |
| --- | --- | --- |
| **Marriage details** | | |
|  |  | *Notes* |
| 2a. | **Date of solemnisation of marriage:**   |  | | --- | | Enter date here. | |  |
| 2b. | **Country of solemnisation:**   |  | | --- | | State country here. | |  |
| 2c. | **Ex-spouse’s details:**  Name:Enter full name as per NRIC/ Passport here.  NRIC/ FIN/ Passport Number:Enter NRIC/ FIN/ Passport no. here. |  |
| 2d. | **Is your marriage certificate in English?**  Yes.  No. | *You are required to exhibit the marriage certificate (original and translated if not in English), with your application.* |

|  |  |  |
| --- | --- | --- |
| **Dissolution of marriage** | | |
| 3a. | **Date of dissolution of marriage:**   |  | | --- | | Enter date here. | |  |
| 3b. | **Country of dissolution:**   |  | | --- | | State country here. | |  |
| 3c. | **Is there any reason why the dissolution may not be recognised under Singapore law?**  No. Provide any evidence that the dissolution is recognised.  Yes. State your reasons below:   |  | | --- | | Enter details here. | |  |
| 3d. | **Is the Court Order in English?**  Yes.  No. | *You are required to exhibit the foreign Court Order (original and translated if not in English), with your application.* |

|  |  |  |
| --- | --- | --- |
| **Children** | | |
| 4. | |  |  | | --- | --- | | **Number of living child(ren):** | Enter no. of children here. |   **Do you have a child below 21 years old who is**  **(a) born of this marriage or**  **(b) accepted as a child of this marriage?**  No. *Proceed to* ***Section 3****.*  Yes. *Complete* ***Table A*** *for every child below 21 years old.* | *Including those above the age of 21 years.*  *You are required to exhibit the birth certificate(s) of each child(ren) (original and translated if not in English), with your application.* |

### Section 3: Jurisdiction

This section explains why this Court has the legal power to deal with your application. Select the applicable option(s) under questions 5a or 5b and complete the information under that question.

If questions 5a or 5b are not applicable but you believe that Singapore has jurisdiction to deal with your application, select question 5c and explain your reasons.

|  |  |  |
| --- | --- | --- |
|  |  | *Notes* |
| The Family Justice Courts of Singapore has jurisdiction to grant my application because: | |  |
| 5a. | I am a  My ex-spouse is a  My ex-spouse and I are  Singapore citizen(s) at the time  of this application.  my marriage was dissolved in the foreign country. |  |
| 5b. | I am  My ex-spouse is  My ex-spouse and I are  habitually resident in Singapore for a continous period of 1 year before  this application.  my marriage was dissolved in the foreign country.  At the material time,  I  My ex-spouse  Both parties lived in:   |  |  | | --- | --- | | **My address** | | | *Singapore residential address:* | *Period of residence:* | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. |  |  |  | | --- | --- | | **My ex-spouse’s address** | | | *Singapore residential address:* | *Period of residence:* | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. | | Enter address here. | State period of residence here. | | *If you are or your ex-spouse is a Singapore Permanent Resident, select the option “habitual residence” and provide the requested details.*  *Please seek legal advice if none of the options apply to you.* |
| 5c. | Other reasons:   |  | | --- | | Enter details here. | |  |

### Section 4: Connection of Parties to Different Countries

Complete questions 6a, 6b and 6c.

|  |  |
| --- | --- |
|  |  |
| 6a. | **Connection to Singapore**  Select the applicable option(s) and complete the information under that option.  The parties have no connection to Singapore. The details are as follows:   |  | | --- | | Enter details here. |   The parties have the following connection to Singapore:   |  |  | | --- | --- | | Person | Connection to Singapore | | I | Citizen  Permanent Resident  Live(s) in Singapore  Others:   |  | | --- | | Enter details here. | | | My ex-spouse | Citizen  Permanent Resident  Live(s) in Singapore  Others:   |  | | --- | | Enter details here. | | | All children  The following child(ren): Enter name(s) of child(ren) here. | Citizen  Permanent Resident  Live(s) in Singapore  Others:   |  | | --- | | Enter details here. | | | Others: Enter details here. | Citizen  Permanent Resident  Live(s) in Singapore  Others:   |  | | --- | | Enter details here. | | |
| 6b. | **Connection to country that dissolved the marriage**  Select the applicable option(s) and complete the information under that option.  The parties have no connection to the country that dissolved the marriage. The details are as follows:   |  | | --- | | Enter details here. |   The parties have the following connection to the country that dissolved the marriage:   |  |  | | --- | --- | | Person | Connection to the country that dissolved the marriage | | I | Citizen  Permanent Resident  Live(s) in that country  Others:   |  | | --- | | Enter details here. | | | My ex-spouse | Citizen  Permanent Resident  Live(s) in that country  Others:   |  | | --- | | Enter details here. | | | All children  The following child(ren): Enter name(s) of child(ren) here. | Citizen  Permanent Resident  Live(s) in that country  Others:   |  | | --- | | Enter details here. | | | Others: Enter details here. | Citizen  Permanent Resident  Live(s) in that country  Others:   |  | | --- | | Enter details here. | | |
| 6c. | **Connection to any other country**  Besides Singapore and the country which dissolved the marriage,  the parties have no connection to any other country.  the parties have connections to other countries. The brief details are as follows:   |  | | --- | | Enter details here. | |

### Section 5: Time Period between the Foreign Order and this Application

|  |  |
| --- | --- |
|  |  |
| 7. | This application is taken out Enter no. of months/years after the foreign court order was made. The reasons for the time taken are:   |  | | --- | | Enter details here. | |

### Section 6: Financial Reliefs in the Foreign Orders

|  |  |  |
| --- | --- | --- |
|  |  | *Notes* |
| 8a. | The foreign court made orders on these issues:   |  |  |  |  | | --- | --- | --- | --- | | **Financial relief**  (Tick the box if orders have been made by a foreign court on the relief) | | **Are the orders complied with?**  (If you have selected ‘No’ or ‘Partially’, provide details in question 8b below) | **If any part of the foreign order is not complied with, state who should comply with the orders?** | | Division of immovable properties | Outside Singapore | Yes  No  Partially | I  My ex-spouse  Both parties | | In Singapore | Yes  No  Partially | I  My ex-spouse  Both parties | | Division of movable assets | Outside Singapore | Yes  No  Partially | I  My ex-spouse  Both parties | | In Singapore | Yes  No  Partially | I  My ex-spouse  Both parties | | Maintenance for ex-spouse | | Yes  No  Partially | I  My ex-spouse  Both parties | | Maintenance for child(ren) | | Yes  No  Partially | I  My ex-spouse  Both parties | | Others: Enter details here. | | Yes  No  Partially | I  My ex-spouse  Both parties | | Others: Enter details here. | | Yes  No  Partially | I  My ex-spouse  Both parties | | Others: Enter details here. | | Yes  No  Partially | I  My ex-spouse  Both parties | | *You are required to exhibit the foreign Court Order (original and translated, if not in English), with your application.*  *This includes any relevant decision or reasons requiring any party to the marriage to make payment to the other party or transfer any matrimonial asset to either of the parties or to a child of the marriage that the foreign court has given, other than the foreign Court Order.*  *Any relevant agreement relating to financial relief between parties should also be exhibited.* |
| 8b. | I provide more details on:   1. the parts of the orders which are not complied with and 2. why the orders have not been complied with:  |  | | --- | | Enter details here. | |  |
| 8c. | Apart from the foreign court order, will the parties or the child(ren) receive other financial benefits?  No  Yes. Provide details in 8d below. |  |
| 8d. | I provide more details on the other financial benefits below:   |  | | --- | | Enter details here. | | *Optional, unless “Yes” is selected at question 8c.* |
| 8e. | You may provide other reasons and/or information below:   |  | | --- | | Enter details here. | |  |
| 9. | Financial reliefs omitted from the foreign court order  The foreign court did not deal with the following financial reliefs:   |  |  |  | | --- | --- | --- | | S/N | State the reliefs | Explain why the foreign court did not deal with the reliefs | | (a) | Enter details here. | Enter details here. | | (b) | Enter details here. | Enter details here. | | (c) | Enter details here. | Enter details here. | | (d) | Enter details here. | Enter details here. | | *For e.g., if there are Singapore assets that the foreign Court has not made any order(s) on.*  *Use additional rows if required.* |

### Section 7: Reasons for Seeking a Singapore Order

|  |  |  |
| --- | --- | --- |
|  |  | *Notes* |
| 10a. | Are you seeking an order in respect of assets located in Singapore?  No  Yes. The details are in Annex A attached to the application. |  |
| 10b. | (If you are seeking only maintenance)  Are there available Singapore assets against which a Singapore order can be enforced?  No  Yes.  This question is mandatory if you had selected “Yes”.  The details are as follows:   |  | | --- | | Enter details here. | |  |
| 10c. | My reasons for seeking a Singapore order for financial relief are set out below.   |  | | --- | | Enter details here. | | *For easy reference, number each paragraph and sub-points clearly. Use headers or titles to identify different issues.* |

**Section 8: Summary of Claim**

|  |  |  |
| --- | --- | --- |
|  |  | *Notes* |
| 11. | I am asking that the Court grants the Originating Application.    Others:   |  | | --- | | Enter details here. | |  |

### Table A: Child(ren)’s Details

Details of child(ren) below 21 years old:

Add a separate table if required.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Details of children** | **Child 1** | **Child 2** | **Child 3** | **Child 4** | **Child 5** |
| **Name** | Enter child’s full name (as per NRIC/passport) | Enter child’s full name (as per NRIC/passport) | Enter child’s full name (as per NRIC/passport) | Enter child’s full name (as per NRIC/passport) | Enter child’s full name (as per NRIC/passport) |
| **NRIC/ Passport Number** | Enter child’s NRIC/passport no. | Enter child’s NRIC/passport no. | Enter child’s NRIC/passport no. | Enter child’s NRIC/passport no. | Enter child’s NRIC/passport no. |
| **Date of Birth / Age** | Enter date and/or age here | Enter date and/or age here | Enter date and/or age here | Enter date and/or age here | Enter date and/or age here |
| **Gender** | Enter gender here | Enter gender here | Enter gender here | Enter gender here | Enter gender here |
| **Schooling  Working**  **Others** | Enter details here | Enter details here | Enter details here | Enter details here | Enter details here |

### Section 9: Affirmation

The affidavit is to be sworn / affirmed in accordance with the Generic Affidavit (Form 54) of the Family Justice (General) Rules 2024.

### Section 10: Exhibit Content Page

You must attach, with your application, a copy of the documents in Table 10-1 (if applicable) and all documents which you intend to rely on to support your position (collectively “Required Documents”).

If you are unable to provide the Required Documents, you must explain the lack of documents in Table 10-2.

You may wish to refer to Part 9, Rule 16 of the Family Justice (General) Rules 2024 for the consequences of not providing the Required Documents.

**Table 10-1**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  |  | | --- | --- | --- | | **Exhibit number** | **Reference in Affidavit to the exhibit**  *(e.g. Paragraph 1 of Section A2)* | **Page numbers** | | E1 | **Copy of Marriage Certificate** | Enter page no. here. | | E2 | **Translation of Marriage Certificate** (if not in English):  *The translation must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*. | Enter page no. here. | | E3 | Document(s) to show a **change in a party’s name or identification number** stated in the Marriage Certificate (where applicable) | Enter page no. here. | | E4 | **Evidence of Dissolution of Marriage** (e.g. Foreign Court Order) | Enter page no. here. | | E5 | **Translation of Foreign Court Order**  (if not in English):  *The translation must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*. | Enter page no. here. | | E6 | **Copy of child(ren)’s Birth Certificates** | Enter page no. here. | | E7 | **Translation of Birth Certificates** (if not in English):  *The translation must be done by either a Court interpreter or a certified translator with proof of the translator’s certification*. | Enter page no. here. | | E8 | Enter details of paragraph/section in which the exhibit relates to. | Enter page no. here. | | E9 | Enter details of paragraph/section in which the exhibit relates to. | Enter page no. here. | | E10 | Enter details of paragraph/section in which the exhibit relates to. | Enter page no. here. | | *Notes*  *Use this content page if you have documents as exhibits.*  *The page numbers for the exhibits should run consecutively from the last page of the affidavit or numbered differently for identification, eg. E1, E2, if the exhibit page starts as page 1.*  *Use additional rows if required.* |
| **Table 10-2**  *If any of the Required Document(s) listed in Table 10-1 is not provided, state your reasons below.*   |  |  | | --- | --- | | **State the name of the Required Document not provided** | 1. **State the reasons for lack of document** 2. **If alternative document is provided instead, state the alternative document.** | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | Enter details here. | Enter details here. | | *Use additional rows if required..* |
| *Please ensure that you have completed all relevant fields and attached all required documents. If there are missing information or documents, the Court may subsequently require you to provide these information or documents. You may incur additional fees as a result.*  *The exhibits are to be attached from this page onwards.*  *The exhibit cover page in accordance with the Generic Affidavit (Form 54) of the Family Justice (General) Rules 2024 to be placed between each distinct exhibit.* | |