# 14.

E-FORM

P.2, r.14, 15 FJ(G)R 2024

## Originating Application for Financial Relief after Foreign Divorce Division of Assets after Syariah Court Divorce

This Form is used if:

1. You are applying for financial relief in Singapore after a foreign divorce.

OR

1. You are applying for division of assets after Syariah Court divorce and you would like the Family Court to make the order instead of Syariah Court.

For financial relief after a foreign divorce, please note:

You **MUST** have obtained permission to make this application. If you have not done so, you must obtain the Court’s permission first. Unlike the permission application, you MUST serve your ex-spouse with this Application. Financial relief refers to: (a) division of immovable assets and movable assets; (b) maintenance for ex-spouse and (c) maintenance for child(ren).

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

For division of assets after Syariah Court divorce, please note:

You **MUST** have either (a) Syariah Court’s permission to commence this application OR (b) both you and your ex-spouse agree that the Family Court is to have jurisdiction.

The Family Court will only deal with immovable assets and movable assets through this application. This application cannot be used to apply for (a) maintenance for child(ren) (b) custody, care and control or access for minor child(ren) (c) maintenance for ex-spouse.

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).

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| 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

|  |  |  |
| --- | --- | --- |
| 1A.  1B.  2. | I am applying for:  financial relief after a foreign divorce pursuant to the permission granted to me by this Court on Enter date here. in Enter case number here.. *Proceed to question 2.*  division of assets after Syariah Court divorce. I meet the criteria to commence this application.  Complete the Notice of Syariah Court Proceedings Form (Form 58) and proceed to question 2.  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* |
| 3. | State the relief sought here. |  |
| 4. | State the relief sought here. |  |
| 5. | State the relief sought here. |  |
| 6. | **Costs of this Application**  No orders as to costs.  Each party to bear own costs.  Costs to be paid by:   |  | | --- | | Enter name or party status 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.* |
| **This Application is filed without a supporting affidavit as allowed by the Family Justice (General) Rules 2024.**  This option is to be selected if your application is for financial relief after a foreign divorce:  **This Application is to be served with the order of court granting permission.** | | |

### Annex A: Draft Orders

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| 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. | | | | |
| 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;   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 the 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 the 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”).* | |
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| 2. | **Maintenance for spouse**  **This option is not applicable if you are divorced in the Syariah Court.** | | | |
|  | ***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 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)**  **This option is not applicable if you are divorced in the Syariah Court.** | | | |
|  | ***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.* |
|  | | | | |
| 4. | **Others** | |  | |
|  | ***Pre-populated Order(s)*** | |  | |
| 4a. | Parties shall be at liberty to apply. | |  | |
| 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 Respondent (instead of “my ex-spouse”) shall return the sum of $x to the Applicant (instead of “I”).* | |