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P.3, r.19 FJ(G)R 2024

Para 35(1) PD 2024

## Respondent’s Affidavit Statement in Response to an Application for Enforcement of Maintenance Order

**IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE**

|  |  |
| --- | --- |
| Maintenance Summons No  MSS [number]/[year] | Between  [Applicant’s name]  [ID No.]  … Applicant(s)  And  [Respondent’s name]  [ID No.]  … Respondent(s) |

**RESPONDENT’S  AFFIDAVIT  STATEMENT**

### Section 1: Introduction

I, [Enter name and NRIC] of [Enter address here] am the Respondent in this matter.

|  |
| --- |
| **Details of application** |
| *To note:*   1. *Each paragraph is to be numbered consecutively.* 2. *Dates, sums and other numbers must be expressed in figures and not in words.* 3. *Facts should be set out clearly and chronologically or in some other logical sequence.* |

2. Under a Court Order [Enter Maintenance Order / Variation Order number] dated [Enter date here], I was ordered to pay [Enter terms of Maintenance Order here].

A copy of the Order of Court is attached as R1 to this statement.

*Select the applicable option for paragraph 3 and enter the applicable details.*

3. My position on the enforcement application is as follows:

I do not owe any arrears under the Court order.

I agree that I am in arrears as calculated by the applicant.

I agree that I am in arrears but disagree with the applicant’s calculation. The arrears should be $[Enter amount here] as set out in my Computation of Arrears.

### Section 2: Respondent’s Background

4. I am currently working as a [Enter occupation here] at [Employer’s name and address]. My Gross Income is $[Enter amount here] whilst my net income or take-home pay is $[Enter amount here].

5. I  do  do not have other sources of income.

|  |
| --- |
| [Where you have other sources of income, state these sources of income and the amount here] |

*Select the applicable option for paragraph 6 and enter the applicable details.*

6.  *(If you are not attaching the List of Expenses together with supporting receipts)* My monthly expenses are as follows:

|  |  |
| --- | --- |
| Description of my monthly Expenses[[1]](#footnote-1) | Amount ($) |
| [Enter description of monthly expenses] | [Enter amount here] |

*(If you are attaching the List of Expenses together with supporting receipts)* My monthly expenses are as shown in the List of Expenses Form at Exhibit R2, together with supporting receipts[[2]](#footnote-2).

*Select the applicable option for paragraph 7 and enter the applicable details. Please note that paragraph 7 only applies where the application is for/includes enforcement of maintenance of a child or children.*

7.  *(If you are not attaching the List of Expenses together with supporting receipts)* The child/ children’s monthly expenses are as follows:

|  |  |
| --- | --- |
| Description of child/ children’s monthly Expenses[[3]](#footnote-3) | Amount ($) |
| [Enter description of monthly expenses] | [Enter amount here] |

*(If you are attaching the List of Expenses together with supporting receipts)* The child/ children’s monthly expenses are as shown in the List of Expenses Form at Exhibit R3, together with supporting receipts.

8. *(If applicable)* I would like the Court to take into account the following:

|  |
| --- |
| [Enter details of any special needs or circumstances such as health, disability etc., if applicable] |

The documentary evidence is at Exhibit R4.

### Section 3: Supporting Documents

9. I understand that I have to provide a standard list of required documents as follows:

1. Computation of arrears of maintenance (*only if disputing the arrears)*;
2. Documents to prove that maintenance has been paid according to the maintenance order. (e.g updated bank passbooks and/ or bank statements and/or deposit slips);
3. Documents and receipts to prove the monthly expenses;
4. Documents to prove debts;
5. Payslips and CPF statements for the last 6 months;
6. Evidence of employment (eg. Employer’s letter or employment contract);
7. Notice of Assessment of Income for the past 3 years; and
8. Updated bank passbooks and/or updated bank statements (including sole and joint accounts).

10. I have attached to this Statement as Exhibit R5, the following documents[[4]](#footnote-4):

|  |  |
| --- | --- |
| a. | Please state the document that you have attached *E.g. Computation of arrears of maintenance (only if disputing the arrears).* |
| b. | Please state the document that you have attached *E.g. Documents to prove that maintenance has been paid according to the maintenance order. (e.g. updated bank passbooks and/ or bank statements and/or deposit slips)*. |
| c. | Please state the document that you have attached *E.g. Documents and receipts to prove the monthly expenses.* |
| d. | Please state the document that you have attached *E.g. Documents to prove debts.* |
| e. | Please state the document that you have attached *E.g. Payslips and CPF Statements for the last 6 months.* |
| f. | Please state the document that you have attached *E.g. Evidence of Employment (Employer’s letter/ employment contract).* |
| g. | Please state the documents that you have attached *E.g. Notice of Assessment of Income for the past 3 years.* |
| h. | Please state the documents that you have attached in accordance with the standard list of documents. *E.g. Updated bank passbooks and/or updated bank statements (including sole and joint accounts).* |

11. I am unable to provide the following documents[[5]](#footnote-5):

|  |  |
| --- | --- |
| a. | Please state the document that you have been unable to provide. *E.g. Computation of arrears of maintenance (only if disputing the arrears).* |
| b. | Please state the document that you have been unable to provide. *E.g. Documents to prove that maintenance has been paid according to the maintenance order. (e.g. updated bank passbooks and/ or bank statements and/or deposit slips)*. |
| c. | Please state the document that you have been unable to provide. *E.g. Documents and receipts to prove the monthly expenses.* |
| d. | Please state the document that you have been unable to provide. *E.g. Documents to prove debts.* |
| e. | Please state the document that you have been unable to provide. *E.g. Payslips and CPF Statements for the last 6 months.* |
| f. | Please state the document that you have been unable to provide. *E.g. Evidence of Employment (Employer’s letter/ employment contract).* |
| g. | Please state the document that you have been unable to provide. *E.g. Notice of Assessment of Income for the past 3 years.* |
| h. | Please state the document that you have been unable to provide. *E.g. Updated bank passbooks and/or updated bank statements (including sole and joint accounts).* |

12. I am unable to provide the documents because

|  |
| --- |
| Please state reasons for being unable to provide the documents. If an alternative document is provided instead, please state the alternative document. |

13. I understand that if I do not have good reasons for the lack of documents, the Court may draw a negative conclusion (i.e.. adverse inference) from my failure to produce.

14. I also understand that if I am requesting for disclosure of additional relevant documents that are not part of the standard list of documents that the other party has to provide in his/her Statement, I have to file a request for disclosure[[6]](#footnote-6) together with this Statement.

### Section 4: Conclusion

*Select the applicable option for paragraph 15 and enter the applicable details.*

15.  I ask for the application to be dismissed.

I ask for the following orders:

|  |
| --- |
| Where orders are sought, please set out the relevant orders sought from the court. |

### Section 5: Affirmation or Declaration

The affidavit is to be sworn / affirmed in accordance with the Form of Attestation (Form 106) or signed / declared in accordance with the Form of Declaration (Form 107) of the Family Justice (General) Rules 2024, whichever is applicable.

1. Itemise the monthly expenses and state each type of monthly expenses in a different row. Add more rows if necessary. [↑](#footnote-ref-1)
2. Examples include: bills/receipts for utilities, town council, credit cards etc. / tenancy agreement. [↑](#footnote-ref-2)
3. Itemise the monthly expenses and state each type of monthly expenses in a different row. Add more rows if necessary. [↑](#footnote-ref-3)
4. Add rows if necessary / delete rows accordingly. [↑](#footnote-ref-4)
5. Add rows if necessary / delete rows accordingly. [↑](#footnote-ref-5)
6. The request for disclosure is set out in Form 31 of Family Justice Courts Practice Directions 2024. [↑](#footnote-ref-6)