FAMILY JUSTICE REFORM ACT 2023

Phase 1 of the Maintenance Enforcement Process (MEP)

A new MEP will be implemented in phases starting from 16 January 2025. In Phase 1, eligible repeat applications to enforce payments owed under a maintenance order will be referred to Maintenance Enforcement Officers (MEOs) in the Ministry of Law's Maintenance Enforcement Division.

What is the new MEP?

The new MEP will:

- deter non-payment of maintenance;
- make enforcement easier when there is non-payment of maintenance;
- facilitate sustainable maintenance outcomes; and
- increase access to justice for applicants, especially those who are self-represented.



What do the MEOs do?

Under the MEP, the MEOs can:

- conduct conciliation sessions to facilitate amicable and sustainable settlements between parties;
- obtain information from parties involved and, if necessary, banks and other third parties such as public agencies (e.g. IRAS, CPFB, HDB, SLA);
- submit a report to the Court so that the Court can make more targeted and effective enforcement orders; and
- refer suitable parties to financial assistance.

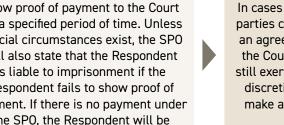


If conciliation is successful. the Court will record a Consent Order based on parties' agreement.

If the application proceeds to trial, and the Court finds that the Respondent has not paid maintenance without good reason, the Court will make an order specifying the amount of maintenance arrears the Respondent has to pay and how the Respondent is to pay the arrears.

In contested cases, the Court will also make a Show Payment Order (SPO). The SPO requires the Respondent to show proof of payment to the Court for a specified period of time. Unless special circumstances exist, the SPO will also state that the Respondent is liable to imprisonment if the Respondent fails to show proof of payment. If there is no payment under the SPO, the Respondent will be imprisoned, unless the Respondent can show good reason for failing to do so.

In cases where parties come to an agreement, the Court can still exercise its discretion to make a SPO.



How will the phases work?

- Phase 1 will take effect on 16 January 2025, and will apply to eligible repeat maintenance enforcement applications. An eligible repeat maintenance enforcement application is an application to enforce a maintenance order (made under the Women's Charter 1961, the Guardianship of Infants Act 1934, the Administration of Muslim Law Act 1966, and the Maintenance of Parents Act 1995) in respect of which:
 - (a) there is at least one concluded maintenance enforcement application (i.e. the application and any appeal have been disposed of, and/or the time for appeal has lapsed); and
 - (b) there is no pending maintenance enforcement application.
- The MEP will be expanded to more categories of maintenance enforcement applications in later phases.

How to apply for Phase 1 of the MEP?

No separate application is required for Phase 1 of the MEP to apply. It will automatically apply to all eligible repeat maintenance enforcement applications (unless the Court directs otherwise).

If this is your first maintenance enforcement application, the MEP will not apply to you during Phase 1. Instead, FJC's existing maintenance enforcement process will apply.







