**ANNEX I: SAMPLE DRAFT ANCILLARY MATTERS CONSENT ORDER**

**[Red font – Information to be filled in]**

|  |  |
| --- | --- |
| **Draft for Approval** | **Draft for Approval** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**(Firm of the Plaintiff’s Solicitors)** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**(Firm of the Defendant’s Solicitors/Name of litigant in person)** |
| Solicitors for the Plaintiff[REF:]  | The Defendant litigant in person acknowledges having read and fully understood the contents herein, and chooses not to seek independent legal advice although hereby advised to do so. Before me, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**A COMMISSIONER FOR OATHS** |

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

Divorce Suit )
No. FC/D XXXX/2021 )

Between

**(PLAINTIFF’S NAME)**

(NRIC No. SXXXXXXXG)

 ...Plaintiff

**And**

**(DEFENDANT’S NAME)**

(NRIC No. SXXXXXXXG)

...Defendant

**DRAFT CONSENT ORDER**

1. **Date of Order**
2. **Nature of Hearing (in Chambers)**
3. **Name of District Judge Making the Order**
4. **Parties Present**

The Plaintiff and the Defendant.

1. **Orders Made (By Consent):** [[1]](#endnote-1)
2. That the marriage be dissolved.
3. Custody of and care and control of the child of the marriage

That the Plaintiff and the Defendant be granted joint custody of the children of the marriage, namely (CHILD’S NAME) (Birth Certificate No. TXXXXXXXH) (referred to as “(NAME)”) and (CHILD’S NAME) (Birth Certificate No. TXXXXXXXG) (referred to as “(NAME)”) (hereinafter collectively referred to as “the children”) with care and control of the children to the Plaintiff/Defendant.

1. Access to the child of the marriage

That the Plaintiff/Defendant shall have reasonable access of the children of the marriage set out as follows:

1. **Weekday access**
2. The Plaintiff/Defendant shall have evening access to the children on weekday, on\_\_\_\_\_, from \_\_\_ p.m. to \_\_\_p.m.
3. **Weekend access**
4. The Plaintiff/Defendant shall have overnight weekend access on every Saturday of the month from \_\_\_\_\_\_p.m. to Sunday \_\_\_\_\_p.m.
5. Should the children’s school activity, enrichment classes or tuition classes fall during the weekend access, the Plaintiff/Defendant is to send the children to attend such classes.
6. The Plaintiff/Defendant is to inform the Plaintiff/Defendant at least 3 days in advance if he/she is overseas or unavailable to exercise his/her weekend access. The overnight access shall only be exercised upon the Plaintiff/Defendant vacating the matrimonial property or (month)(year), whichever is earlier.
7. The Plaintiff/Defendant shall inform the Plaintiff/Defendant in writing of the location of the place of accommodation for the children during the overnight access.
8. **School holiday access**
9. Mid and year end school holidays:

 For May/June holidays and November/ December school holidays, the Plaintiff/Defendant shall have overnight access to the children for the first half / second half of the school holidays.

1. For March and September school holidays, the Plaintiff/Defendant shall always have overnight access to the children for the first half of the school holidays.
2. The above school holiday access shall only be exercised upon the Plaintiff/Defendant vacating the matrimonial property or (month)(year), whichever is earlier.

(iv) **Overseas access**

If either party intends to bring the children overseas, he or she is to provide the other party in writing the following details before the start of the trip:

1. Destination and travel itinerary;
2. Names of all persons who are accompanying on the trip, who shall be limited to the immediate family members of both parties;
3. Flight and transport details; and
4. Accommodation and contact details for the duration of the trip.

(v) **Birthdays**

The Plaintiff/Defendant shall be at liberty to celebrate the children’s birthday together with the Plaintiff/Defendant.

(vi) **Chinese New Year**

With effect from year 2021(year) and on every even/odd year thereafter, the Plaintiff/Defendant shall have access to the children on Chinese New Year eve and Second Day of Chinese New Year.

(vii) **Public Holiday access**

Except for Chinese New Year holidays and school holidays, the Plaintiff/Defendant shall also have access to the children on alternate public holidays, from \_\_\_\_\_\_\_a.m. to \_\_\_\_\_\_\_p.m.

1. Division of the matrimonial home
2. That the Plaintiff/Defendant shall transfer all his/her rights, title and interest in the matrimonial property at (address) (“XX property”) to the Plaintiff/Defendant without any CPF refunds to the Plaintiff/Defendant within 6 months from the date of the Final Judgment and the Plaintiff/Defendant (where applicable) shall repay the sum of $\_\_\_\_\_\_ to the Plaintiff/Defendant (where applicable) upon completion. The Plaintiff/Defendant (where application) shall also take over the outstanding mortgage loan on the XX property.
3. Division of the matrimonial assets (other than the matrimonial home)
	* 1. Pursuant to Section 112(5) of the Women’s Charter, the Plaintiff/Defendant shall pay to the Plaintiff/Defendant a further sum of $\_\_\_\_\_ (where applicable).
		2. The Registrar of the Family Justice Courts under section 31 of the Family Justice Act (No. 27 of 2014) is empowered to execute, sign, or indorse all necessary documents relating to matters contained in this order on behalf of either party should either party fail to do so within 7 days of written request being made to the other party. In such event, the defaulting party shall be liable for all costs and incidentals incurred on an indemnity basis.
		3. This shall be in full and final settlement of division for other matrimonial assets. Save for the above, the parties shall retain all other respective matrimonial assets (aside from the matrimonial home) held in his/her sole name.
4. Maintenance for the Wife

That the Defendant shall pay to the Plaintiff $\_\_\_\_\_\_ as monthly maintenance.

1. Maintenance for the child of the marriage

That the Defendant (where applicable) is to pay to the Plaintiff $\_\_\_\_ per child as monthly maintenance for each of the two (2) children of the marriage with effect from the date of this Order and thereafter on the 1st day of each subsequent month thereafter. Payment is to be made into the Plaintiff’s designated bank account.

1. Each party to bear their own costs.
2. Liberty to apply generally.
3. Signed:

Registrar:

Date:

1. See Extracts from FJC Case Management Handbook at this link for sample clauses: https://www.familyjusticecourts.gov.sg/docs/default-source/resources/reports-and-publications/brochures/handbook\_casemanagementfordivorcematters.pdf

In particular, see the following:

(a) Pages 106-108 on Orders

(b) Pages 86-89 on HDB

(c) Standard CPF Clauses, see <https://www.familyjusticecourts.gov.sg/docs/default-source/resources/forms/cpf/cpfsuggestedclauses_charging_2018july01.pdf>

 [↑](#endnote-ref-1)