

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 54

MSS 1675 of 2025

Between

YBS

... Applicant

And

YBT

... Respondent

JUDGMENT

[Family Law — Maintenance — Section 69 of the Women’s Charter 1961]
[Family Law — Maintenance — Section 69 of the Women’s Charter 1961 —
Whether any orders may be made in respect of an application for child
maintenance under section 69 of the Women’s Charter when there is already an
existing Ancillary Matters order providing for child maintenance]
[Family Law — Family Procedure — Exercise of Judge-Led Powers in
determining Questions of Law]

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YBS

v

YBT

[2026] SGFC 54

Family Court — MSS 1675 of 2025
Magistrate Soh Kian Peng
6 February, 31 March 2026

20 April 2026

Magistrate Soh Kian Peng:

1 Matters of the heart rarely, if ever, follow lines of logic. Two lovers may part ways – due to the vagaries of fate, or things said and done which cannot be overcome – only to find their way back to each other at the very end.

2 This was what had happened in the present case. And as will soon be apparent, this had a material bearing on the Wife's application for maintenance for herself and the two children under s 69 of the Women's Charter 1961 (the "WC").

3 The Husband and the Wife were married in 2007. They had two children. Their relationship, however deteriorated over the years, and this led to the Wife filing for divorce in 2019. Their divorce was finalised on 4 March 2020 when final judgment was extracted. The ancillary matters were settled by consent. In particular, the consent order recorded (the "AM order") reflected

that the Husband was to pay \$1500 to the Wife for her maintenance, and a total of \$6000 per month for the maintenance of the two children. There has been no application taken out to revoke or vary that AM order.

4 Some five months later, on the 14th of August 2020, parties remarried. The Wife said they had remarried out of love. She said they remarried for the sake of the children.

5 Some five years later, the Wife filed MSS 1675. She sought maintenance for herself and her two children on exactly the same terms as reflected in the AM order. At the hearing before me, the Wife was self-represented. The Husband, on the other hand, was represented by Mr Wasiur Rehman.

6 One preliminary question I had to deal with was whether any such order under s 69 of the WC may be made, given the existing AM order which had not been revoked or varied. After having heard arguments from parties on this point, I considered that this was a question of law that was open to me to decide pursuant to my judge-led powers as set out P. 8 r 14 of the Family Justice (General) Rules 2024 (“FJ(G)R 2024”).

7 I deal first, with the Wife’s application for maintenance for herself. Given that she had remarried, her spousal maintenance as set out in the AM order has expired: s 117 of the WC. It is thus open to me to consider her application for maintenance for herself in MSS 1675, and to make any relevant orders (in the event the legal requirements under s 69 of the WC are made out).

8 The position in relation to the children is somewhat less clear. There is no provision in the WC which states that maintenance for the children expires upon remarriage. That alone may suggest that Parliament had intended for

orders made in the ancillary matters context providing for child maintenance to continue to run even in the event of parties' remarriage. In this vein, it has been noted in our jurisprudence that "remarriage in itself is not a free pass to avoiding pre-existing financial obligations owed to the family from an earlier marriage": *XIC v XID* [2025] SGFC 14 ("*XIC*") at [40] citing *George Sapooran Singh v Gordip d/o MD Garsingh* [2016] SGHC 197 at [39]; *UFG v UFH* [2017] SGFC 100 at [59]. It was also noted in the recent decision of the Appellate Division of the High Court that final ancillary matters orders on child maintenance was meant to ensure that "family obligations continue[d] to be discharged after the drastic event of a divorce": *XHG v XHH* [2025] SGHC(A) 24 at [58].

9 In other words, orders relating to child maintenance made in the context of ancillary matters will continue to run, even in the event of remarriage. The rationale of this, as observed in *XHG*, was to ensure that familial obligations towards the children continued to be discharged post-divorce.

10 Cases such as *XIC*, however, generally involved situations where the husband had moved on and started a new family. It may be argued that the present case, however, stands on a completely different footing in that parties had sought to fix, by remarrying each other, what had been irreparably broken with the extraction of the final judgment: see *VQB v VQC* [2021] SGHCF 5 at [14]. Through their act of remarriage, parties had chosen, not only to renew their vows to each other, but to resume all the obligations consequent upon remarriage. In this vein, it is arguable that if the purpose of final ancillary orders on child maintenance is to ensure that such obligations continue to be discharged post-divorce, then the remarriage of parties to each other may well obviate the need for such orders. After all, parties must be, once again, entitled to order their private family arrangements as they see fit (see *XHG* at [57]).

11 That being said, the inescapable fact is that the AM order, which provided for maintenance for both children to the tune of \$6000, still remained in force although the underlying set of circumstances had changed by virtue of parties' remarriage. That AM order is a valid order. Given this, and so long as the AM order continues to stand, I do not consider it open to me to make any order in respect of the Wife's application for child maintenance in MSS 1675. Doing so would only lead to two conflicting orders in respect of child maintenance and lead to greater confusion if and when these orders need to be enforced.

12 There shall therefore be no order on the Wife's application for child maintenance in MSS 1675. The trial will continue, and judgment will be given on the Wife's application for maintenance for herself.

Soh Kian Peng
Magistrate

The Wife in person and unrepresented;
Wasiur Rehman s/o Baligur Rehman (Regal Law LLC) for the
Husband.