



DIVORCE FAQ

A divorce can have legal effects both in Singapore and in your home country. RAJAN CHETTIAR shares information to review when considering a divorce.

Q: I wasn't married in Singapore. Can I file for divorce here?

A: If you've been married for and have lived in Singapore for three continuous years at the time of filing, the local courts can grant you a divorce, decide on child custody and maintenance and divide matrimonial assets both in and outside of Singapore. You can also apply for personal protection orders, interim maintenance, custody and access to the children and relocation orders even if you haven't lived in Singapore for three years.

Q: If my marriage is less than three years old, can I file for divorce in Singapore?

A: The three-year marriage rule must be satisfied in order to file for divorce. However, you can apply for a waiver of this rule if you can prove you have a mental condition which can only be cured or treated quicker through an early divorce, which would require strong evidence such as psychiatrist reports.

Q: Can I obtain a divorce under mutual consent or irreconcilable differences?

A: No. Under the Women's Charter - the statute governing Singapore divorce laws - divorce can only be based on the ground of "irretrievable breakdown of the marriage", which can be proved by one of these five "facts" - unreasonable behaviour, adultery, desertion of two years, three years' separation with your spouse's consent or four years without.

Q: Will a divorce affect our employment or immigration status in Singapore?

A: This depends on your employer's human resource policies. If you or your spouse is on a Dependant's Pass, you may need to inform Singapore's Immigration and Checkpoints Authority to apply for a suitable pass to remain in Singapore.

Q: Can I return to my home country or migrate whilst the divorce is ongoing in Singapore? Rajan: You don't need to live in Singapore?

A: You don't need to live in Singapore or attend court hearings after you have filed for a divorce, unless you are required to attend mediation or trials. We have plenty of experience working with clients who live and are employed overseas while undergoing divorce proceedings in Singapore.

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