



### DIVORCE Q&A

**RAJAN CHETTIAR shares with The Finder several important matters to deliberate when considering a divorce in Singapore.**

**Q: Can expats file for divorce in Singapore?**

**A:** Yes, if the spouse is a Singapore citizen or the couple has lived in Singapore for three continuous years. Furthermore, they must have been married for three years at the time of the filing.

**Q: Can the Singapore Family Court make orders relating to assets or children away from Singapore?**

**A:** Yes, the Family Court can make orders pertaining to children living in and out of Singapore and assets overseas.

**Q: Will the Family Court apply the law of the country in which the parties were married?**

**A:** No. The Family Court can only apply Singapore's laws.

**Q: How will an expat know whether Singapore's or the country of origin's divorce laws are favourable to them?**

**A:** It is advisable for foreigners to obtain legal advice on the divorce laws both in Singapore and the country they are contemplating filing for divorce in to help decide where to commence their divorce proceedings.

**Q: What happens if one party wishes to file for divorce in Singapore and the other wants to file for divorce in the country they were originally married?**

**A:** This is known as stay of legal proceedings. If one files for divorce in Singapore and the spouse files for divorce in another country, the party here can then file an application in the other country to "stay" the divorce proceedings, citing why the Singapore Court is better suited to hear the divorce based on circumstance. Likewise, the spouse can also file for such an application in the Family Court here in Singapore if they wish.

**Q: Why should a foreign couple file for divorce in Singapore and not in the country in which they were married?**

**A:** If the couple both live here and they also have children, it is practical to file for divorce in Singapore where the legal system is known for its efficiency, speed and fairness to both parties.

Specialising in the areas of International Family Law Practice and Domestic Family Law Practice, Rajan Chettiar LLC assists expatriates with divorce and custody matters, international child abduction, registration of foreign divorce orders and more.

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