



IN THE KNOW

Professional lawyer-mediator and collaborative lawyer RAJAN CHETTIAR answers questions on filing for divorce as an expat in Singapore.

Q: I moved here just six months ago. Can I still file for divorce?

A: If you've not resided in Singapore for three continuous years, the Singapore Family Court will not grant you divorce. You should file for divorce in the country you were married in, or last lived in.

Q: Can I file for divorce if I've been married for less than one year?

A: You must be married for at least three years before you can file for divorce. But you can obtain a court order for permission to file for divorce before the three years, if you're able to produce evidence of exceptional hardship - such as mental illness caused to you by the breakdown of the marriage. However, be prepared - the Singapore Family Court can be slow in granting such orders.

Q: Must I separate from my spouse before filing for divorce?

A: This is a common misconception. There's no need for you to be separated from your spouse before filing for divorce. Separation is a reason to use to obtain a divorce. You can file for divorce based on three years of separation with your spouse's consent, or four years without.

Q: My spouse is abusive towards me. He's also starting to reduce the amount of "housekeeping money" allocated to my children and I. What can I do?

A: In most situations, abuse and reducing of - or failure to pay - any form of maintenance is the precursor to divorce proceedings. It's often one of the only tangible consequences of the emotional turmoil an estranged couple finds themselves in. If the abuse is strictly verbal, think carefully before applying for a personal protection order. This involves a separate set of proceedings from divorce proceedings, which can add costs. And once you file for divorce, your lawyer may be able to make a request to your spouse's lawyer, to advise him or her to stop the abusive behaviour. Between a personal protection order for verbal abuse and moving on with divorce proceedings, try to focus on the bigger picture. You can also apply for another separate set of proceedings known as interim maintenance. But before doing so, try talking to your spouse to resolve matters.

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