IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 138

FC/OAD 1728/2025

Between

YKM

… *Applicant*

And

YKN

… *Respondent*

JUDGEMENT – ANCILLARY MATTERS

Family Law *– Maintenance – Former husband – Incapacitated former husband – Husband blind in right eye with severe heart condition but still working as delivery rider – Whether husband incapacitated from earning a livelihood – Distinction between ability to do some work, ability to earn a living, and ability to maintain oneself – Section 2 and s 113(1)(b) Women's Charter 1961*

Family Law *– Maintenance – Wife – Nominal maintenance – Employed wife with pre-existing slipped-disc condition – Wife earning substantially more than husband who is in poor health – Whether preserving right to future maintenance justified – Section 113(1)(a) Women's Charter 1961*

Family Law *– Matrimonial assets – Division – Long dual-income marriage – Whether indirect contributions ratio may be set to offset direct contributions and produce equal division – Whether there should be an inclination towards equal division in long dual-income marriages*

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YKM
v
YKN

[2026] SGFC 138

FC/OAD 1728/2025 (Ancillary Matters)

District Judge Kow Keng Siong
23 September, 23 October 2026

23 October 2026

District Judge Kow Keng Siong:

Introduction

1 The parties married in 1997. They separated in or around October/November 2024. The Husband filed for divorce about six months thereafter, and interim judgment of divorce was granted on 1 October 2025, to be made final after three months. The marriage ended on 1 January 2026.

2 Following the divorce, two ancillary matters remain to be resolved. *One*, the division of the parties' matrimonial assets. *Two*, the parties' cross-applications for spousal maintenance. The Husband seeks $500/month as an "incapacitated former husband". The Wife seeks nominal maintenance of $1/month.

Summary of decision

3 In brief, my decision on these matters is as follows.

(a) *Division of matrimonial assets.* The matrimonial assets, valued at $568,985.22, are to be divided **25:75 in the Wife's favour**. I disagree with the Husband that there should be equal division of the assets just because the parties had a long dual-income marriage of 28 years.

(b) *The Husband's application for maintenance is dismissed.* I accept that the Husband has medical conditions that are serious. However, he has not proved that he is an "incapacitated former husband" as defined in s 2 of the Women's Charter 1961 ("**Charter**").

(c) *The Wife's application for nominal maintenance is also dismissed*. On the medical evidence and the parties' respective financial positions, her slipped-disc condition does not justify preserving a potential maintenance obligation against the Husband. This is especially when he earns less than 40% of what she earns and is himself in poor health.

Background

4 The parties married when the Husband was about 22 and the Wife about 21 years old. Their roles in the family changed considerably over the course of their marriage. Broadly, it went through three phases.

(a) *The early years (1997 to about 2002).* After their marriage, the parties lived at Block 282. The Husband worked as an assistant manager

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at a fast-food restaurant.[1] The Wife stopped working as a flight stewardess and became a homemaker.[2] The first child was born in January 1998 and the second in May 2000. In 2000, the Husband started a car dealership business which was lucrative for a few years. The third child was born in August 2002.

(b) *The bankruptcy years (about 2003 to 2012).* In July 2003, the fourth child was born. In the same year, the Husband was adjudged a bankrupt. His business folded in 2005. From 2006, he did *ad hoc* work before eventually becoming a driver.[3] In 2009, the Wife returned to work in the aviation industry. In November 2011, the parties sold Block 282 and bought the matrimonial flat ("**Flat**").[4] In 2012, the Wife began working full-time as a flight stewardess.[5] That same year, the Husband was discharged from bankruptcy.

(c) *The later years (2012 to 2024).* Both parties worked for the rest of the marriage. In 2018, the family moved in with the Husband's sister and his brother-in-law. The Flat was rented out, and the rental was used to cover the mortgage and household expenses. During the COVID-19 pandemic, the Husband worked as a food delivery rider and the Wife

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1 Husband's submissions dated 10.09.26 at [5]; Husband's affidavit dated 10.12.25 at page 13, item (h).

2 Wife's affidavit dated 26.11.25 at page 39 ([17]); Husband's submissions dated 10.09.26 at [5].

3 Husband's submissions dated 10.09.26 at [5]; Husband's affidavit dated 10.12.25 at page 13, item (h).

4 Wife's affidavit dated 26.11.25 at page 19

5 Wife's affidavit dated 26.11.25 at page 39 ([17]); Husband's submissions dated 10.09.26 at [5].

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took on odd jobs.[6] In 2023, the family lived in a rented flat. In late 2024, the parties separated, and the Wife moved with the children to live in her parents' flat.

5 The four children are now all working adults.

Child (age)	Living arrangements	Occupation
First (28)	Has moved out	Sales
Second (26)	Has moved out	Paralegal; studying part-time
Third (24)	Lives with the Wife	Administrative assistant
Fourth (23)	Lives with the Wife	Cabin crew

Division of matrimonial assets

6 I begin with the division of the matrimonial assets.

The approach

7 Both parties worked for most of the marriage. It is common ground that the "structured approach" to the division of matrimonial assets – as set out in *ANJ v ANK* [2015] 4 SLR 1043 ("***ANJ***") at [22] to [29] – applies in this case.[7] Under this approach, the Court –

(a) Identifies the matrimonial assets and their net value;

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6 Husband's submissions dated 10.09.26 at [5]; Husband's affidavit dated 10.12.25 at page 13, item (h).

7 Husband's submissions dated 10.09.26 at [6] and [11]; Wife's submissions dated 08.09.26 at [10].

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(b) Assesses (i) a ratio for the parties' direct financial contributions to the acquisition and improvement of those assets and (ii) a separate ratio for their indirect contributions to the well-being of the family;

(c) Derives an overall ratio by averaging the two ratios described above – giving them equal weight unless there is reason to do otherwise;

(d) Then uses the average ratio to divide the assets.

Value of the matrimonial assets

8 In this case, there are two matrimonial assets of significant value. The first is the Flat. The second are the balances in their respective CPF accounts.[8] The total value of these two assets is **$568,985.22**.

	Matrimonial assets	Value ($)
(a)	The Flat (net of the outstanding mortgage)[9]	324,418.04
(b)	CPF balances (see [14] below)	244,567.18
(c)	**Total**	**568,985.22**

[8] There are other assets in the parties' sole names. They are of negligible value and I did not include them in the division.

[9] This is the Husband's valuation as at 10.12.25. I prefer it over the Wife's valuation (as at 25.11.25) because it is closer to the date of the ancillary matters hearing: *BPC v BPB and another appeal* [2019] 1 SLR 608; *XNM v XNN* [2025] SGHCF 42 at [8].

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Parties' position

9 The parties submit that the contribution ratios (Husband:Wife) should be as follows.

Contributions	Husband's position[10]	Wife's position[11]
Direct financial contributions	21:79	28:72
Indirect contributions	80:20	15:85 (alternatively, 20:80)
Average	**50:50**	**21.50:78.50 (alternatively, 25:75)**

Direct financial contributions

The Flat

10 My findings on the parties' direct financial contributions to acquisition and improvement of the Flat are set out below.[12] In total, the Husband contributed **$103,576.23** and the Wife contributed **$220,841.81**.

	Contribution	Husband ($)	Wife ($)
(a)	CPF monies	42,180.00	108,052.00
(b)	Stamp duty and legal fees	–	2,468.80

10 Husband's submissions dated 10.09.26 at [53] and [66].

11 Wife's submissions dated 08.09.26 at [5], [18], [36] to [40].

12 Husband's submissions dated 10.09.26 at [26] and [27]; Wife's submissions dated 08.09.26 at [18] to [24].

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	Contribution	Husband ($)	Wife ($)
(c)	Renovation and furnishing	12,000.00	5,000.00
(d)	Total of (a) to (c)	**54,180.00**	**115,520.80**
(e)	Combined total of (d)	169,700.80	
(f)	**Share of net value of Flat** Based on (d) ÷ (e) × $324,418.04	**103,576.23**	**220,841.81**

11 Only one item in the above table is disputed: the Wife's $5,000-contribution to the renovation and furnishing of the Flat in 2012. She claims that she had borrowed this money from her parents and later repaid it. The Husband disputes her claim. He highlights that there is no contemporaneous record of the $5,000-loan. Instead, the purported loan is reflected in a "Loan Acknowledgment and Repayment Confirmation" ("**Acknowledgment**") signed by the Wife and her parents only in 2025 – more than a decade later.[13]

12 I accept, on a balance of probabilities, the Wife's claim that she had contributed $5,000 towards the Flat's renovation and furnishing. These are my reasons.

(a) The lateness in which the Acknowledgment was created does not, by itself, show that the Wife did not take the loan. It simply affects how much weight the Acknowledgment carries. In this regard, I note that the Acknowledgment merely seeks to confirm that the loan was given for the purpose stated by the Wife.

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13 Husband's submissions dated 10.09.26 at [79]. The Acknowledgment is in the Wife's affidavit dated 11.06.26 at page 241.

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(b) In my view, the mere absence of a contemporaneous record of the loan does not raise any suspicion about the Wife's claim. *One*, the loan amount is relatively small. *Two*, it was given between family members. *Three*, the loan was for an innocuous purpose and interest-free. In these circumstances, it is not surprising that no one thought of documenting the loan at the material time.

(c) The Wife's claim that she had to take a loan to renovate and furnish the Flat is inherently credible. At the material time, the Husband was still an undischarged bankrupt. On his own evidence, the family's finances were tight.[14] This is corroborated by the fact that the Wife had to work *full-time* in 2012 to supplement the family income – the same year when the loan was taken.

13 In any event, nothing turns on the $5,000 contribution by the Wife when matters are viewed in perspective. This amount is relatively insignificant when compared to two figures that are used to compute the direct financial contributions ratio. *One*, the total financial contributions to the Flat ($164,700.80).[15] *Two*, the total value of the matrimonial assets ($568,985.22).[16] In the circumstances, even if the $5,000 is excluded, this would not have affected the overall ratio for dividing the matrimonial assets.

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14 Husband's affidavit dated 16.06.26 at [57].

15 This excludes the $5,000 from the parties' contributions to the Flat.

16 See [8(c)] above.

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CPF balances

14 I turn to the parties' CPF balances. It is not disputed that the Husband has **$7,161.58** and the Wife has **$237,405.60** in their respective CPF accounts.

	Account	Husband ($)[17]	Wife ($)[18]
(a)	Ordinary Account	187.02	91,232.56
(b)	Special Account	6,597.21	75,589.57
(c)	MediSave Account	377.35	70,583.47
(d)	Total of (a) to (c)	**7,161.58**	**237,405.60**
(e)	Combined total of (d)	244,567.18	

Direct financial contributions ratio

15 Based on the above, I assess the direct financial contributions ratio to be **19.5:80.5 in the Wife's favour.**

		Husband ($)	Wife ($)
(a)	Share of the Flat: see [10]	103,576.23	220,841.81
(b)	CPF balances: see [14]	7,161.58	237,405.60
(c)	Total of (a) and (b)	110,737.81	458,247.41
(d)	Total of (c)	568,985.22	
(e)	Contribution ratio: (c) ÷ (d)	**19.46%**	**80.54%**

[17] Value as at 26.09.25: Binding Summary of Positions at page 7.

[18] Value as at 03.11.25: Binding Summary of Positions at page 7.

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Rent before April 2025

16 Before turning to the parties' indirect contributions, I address a point raised by the Husband. It concerns the rent from the Flat between 2018 (when it was first let) and March 2025.

17 It is not disputed that the Wife was authorised to apply the rent to the mortgage and family expenses.[19] It is also undisputed that since April 2025 (when the Husband filed for divorce), she has been paying him his share of the rent.

18 The Husband now claims half of the rent that she had received *before* April 2025 – as a co-owner of the Flat and because he suspects that there were surpluses after the mortgage and family expenses were paid. In the alternative, he asks for his half share of the rent to be credited as his indirect financial contributions to the family.[20]

19 The Wife's objects, submitting that the Husband's requests contradict their agreement all along on how the rent was to be applied.[21]

20 Like the Wife, I am unable to agree with the Husband's requests.

(a) A spouse who has spent money for purposes that both parties accepted should not, without good reason, be required to account for the

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19 Husband's submissions dated 10.09.26 at [28]; Wife's submissions dated 08.09.26 at [34] and [35].

20 Husband's submissions dated 10.09.26 at [27(b)] to [31] and [80(k)].

21 Wife's submissions dated 08.09.26 at [7], [24] and [41] to [48].

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money once the marriage has broken down. This is especially so when the other spouse did not raise any issue with how the money had been spent over the course of many years. As the High Court put it in *WJM v WJN* [2023] SGHCF 18 ("***WJM***") at [8], a divorce does not retrospectively undo the mutual give and take in a marriage.

(b) The Husband has failed to provide a good reason why he is entitled to renege on the original agreement – which the Wife had acted on since 2018. His suspicion that there were surpluses from the rent is not supported by any evidence.

(c) As for the Husband's alternative request for half the rent to be credited as his indirect contributions, I find this to be unnecessary. This is because applying the same logic, the Wife's half of the rent would also have to be credited to her in the same way. What this means is that the parties' indirect contributions from the rent would effectively cancel out each other.

Indirect contributions

Applicable considerations

21 Next, I turn to assess the parties' indirect contributions to the family.

22 In general, such contributions include the following: (a) their financial contributions to household expenses, (b) the extent to which each of them had shared in the household chores, (c) their respective role in childcare, (d) the improvements that they had made to the matrimonial home, (e) the improvements that they had made to the family members' quality of life, (f) the material personal sacrifices each of them had made for the family, and (g)

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whether there was significant support that each of them had provided to the spouse or other family members: *ANJ* at [24] and [25]; *USB v USA and another appeal* [2020] 2 SLR 588 at [43] to [45]; *XDZ v XEA* [2024] SGFC 90 at [29(b)].

The parties' case

23 I have summarised key aspects of the parties' case regarding their respective indirect contributions to the family in **Annex A**.[22]

24 Before moving to the indirect contributions ratio, I address three preliminary issues.

Issue 1: Should a long dual-income marriage lead to equal division?

25 The Husband submits that the Court should incline towards *equal* division of the matrimonial assets as the parties had a long marriage. In support of this submission, he relies on *UKA v UKB* [2018] 4 SLR 779 ("***UKA***") at [82] and *UYP v UYQ* [2020] 3 SLR 683 ("***UYP***") at [48] to [50]. To achieve an equal division, there is a need to offset the Wife's greater *direct* contributions. Accordingly, he asks the Court to assess the parties' *indirect* contributions at 80:20 in his favour.[23]

26 I am unable to accept the Husband's submission. These are my reasons.

27 First, the authorities that he has cited do not support his submission.

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22 Husband's affidavit dated 10.12.25 at page 16 ([51]); Wife's affidavit dated 11.06.26 at [43] to [60].

23 Husband's submissions dated 10.09.26 at [12] to [14].

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(a) In *UKA*, the parties played substantially different roles in the family. The husband was responsible for building the family's wealth through his business. The wife, on the other hand, was responsible for the home and for raising their four children. In light of this, the Court described their 28-year marriage as an "equal partnership of different efforts" and ordered equal division. Contrary to the Husband's submission, that outcome did *not* rest on a presumption of equality of division. Nor was it reached by giving a larger share of indirect contributions to the husband who had done less of the homemaking and childcare: at [81] and [82].

(b) In *UYP*, the High Court applied the structured approach and arrived at 67.5:32.5 in the wife's favour. It then adjusted the division to 60:40, partly because of the length of the marriage (38 years) and an inclination towards equal division in long dual-income marriages. The Court of Appeal set aside the adjustment and divided the assets 67:33 in the wife's favour: *UYQ v UYP* [2020] 1 SLR 551 ("***UYQ***") at [5]. Two points from *UYQ* are especially relevant to the present case. *One*, the Court of Appeal expressly left open the issue of whether there should be an inclination towards equal division in long dual income marriages. *Two*, it held that, even if there should be such an inclination, this is not "writ in legal stone" and must give way to the facts of the case: *UYQ* at [5]. The Court of Appeal had thus made it clear that even where the marriage is long and both spouses earn an income, an *unequal* division may still be the just and equitable outcome on the facts.

28 Second, the Husband's submission reverses the proper sequence of inquiry under the structured approach.

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(a) Under the structured approach, the Court first assesses the parties' relative direct and indirect contributions, before considering the appropriate overall division. The assessment of indirect contributions is informed by what the parties *actually* did for the family.

(b) The Husband's approach however *starts from the result* that he wants (equal division) – and then *works backwards* to arrive at an indirect contribution ratio that would produce it. Under this approach, the assessment of the indirect contributions becomes an exercise in arithmetic rather than a judgment of the actual contributions made.

Issue 2: The arrangement for the mortgage and household expenses

29 I come to the second issue. According to the Husband, the parties had an arrangement whereby the Wife would use her CPF monies to pay the mortgage while he would use his cash earnings for the family's expenses. This is because she had a stable and regular income which allowed her to build up substantial CPF savings. On the other hand, his income (as a taxi driver, a private-hire driver and subsequently a part-time delivery rider) was irregular and much lower and thus could not build up comparable CPF savings. Given the arrangement, the Husband submits that it would be unfair to recognise the Wife's CPF mortgage payments without also giving him due credit for his cash spending on the family.[24]

30 I accept that the arrangement described by the Husband is relevant when assessing the parties' contributions to the family. That said, two points bear emphasis.

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[24] Husband's submissions dated 10.09.26 at [82]; Husband's affidavit dated 10.12.25 at page 12 ([50]).

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(a) How much weight the arrangement carries depends on how it had worked in practice. Regular and substantial financial support over many years may carry considerable weight. Sporadic or limited financial support, while the other spouse paid both the mortgage and a large share of the living expenses, will carry less.

(b) The Wife's CPF monies were from her own earnings. Their savings into her CPF accounts were required by law. These savings did not grow just because the Husband had paid the household expenses.

31 In my view, the mere fact that the arrangement existed does not justify giving the Husband a larger share of indirect contributions.

(a) On his own case, during the bankruptcy and later years, the Husband's income was irregular and much lower than the Wife's. Given her higher and regular income at the material time, it is probable that the Wife would have paid a significant portion of the family expenses.

(b) The Husband's contributions in paying the household expenses are only one component of the parties' overall indirect contributions. There are other components: see [22] above. Giving the Husband due recognition for his financial contributions should not result in unfairly diminishing the Wife's contributions in the other components.

Issue 3: The Wife's credit-card liabilities

32 I turn to the third issue. It concerns the Wife's credit card liabilities. As of November 2025, they stood at about $656,324.26. According to her, these liabilities began in 2003 at about $11,067.71. They were incurred for family expenses and had grown to about $656,324.26 through interest and charges. She

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does not ask for these liabilities to be deducted from the matrimonial pool. Instead, she asks the Court to consider them as evidence of her indirect contributions.[25] The Husband denies knowledge of these liabilities and disputes whether they were incurred for family purposes.[26]

33 It is well settled that credit card liabilities that a spouse can prove to have been incurred for the family may be recognised as an indirect financial contribution. In this case, the Wife has not shown how the sum of $656,324.26 relates to family expenditure, nor how it had purportedly grown from $11,067.71.[27] Given this, I am unable to treat the Wife's credit card liabilities of $656,324.26 as evidence of her indirect financial contributions to the family.

Findings on indirect contributions

34 Having addressed the preliminary issues, I come to the assessment of the parties' indirect contributions.

35 These are my findings.

(a) *Financial contributions to household expenses.*

(i) During the first six years of the marriage, the Husband was the sole breadwinner. He paid all the family's expenses, including the Block 282 mortgage. While his business prospered, he paid for two domestic helpers. During the bankruptcy and

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25 Wife's submissions dated 08.09.26 at [49] and [50].

26 Husband's submissions dated 10.09.26 at [10], [24] and [25].

27 Husband's submissions dated 10.09.26 at [21] to [23].

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later years, I accept that he spent most of his income on the family.

(ii) Considering the entire duration of the marriage, I find that the Wife's financial contributions were greater. Through the bankruptcy years, which lasted about a decade, she relieved the family's financial pressures by pawning her jewellery and taking on *ad hoc*, and later, full-time work. After the Husband was discharged from bankruptcy, she continued working full-time for the next 12 years. At all material times, her income was higher and more regular than the Husband's. She was therefore able to contribute more, and more consistently, to the household expenses.

(b) *Childcare.*

(i) I accept the Husband's evidence – which is corroborated by the children – that he was often at home and had made sure that the children were fed during the bankruptcy years and while the Wife was away on flights.

(ii) Over the whole marriage, I find that the Wife's contribution was the greater. It is undisputed that the Wife was the principal caregiver in the early years and during the children's infancy. Through the many years of financial hardship, she had also cared for the four young children while also working.

(c) *Household chores.* In the early years, the Wife ran the household with the help of the domestic helpers whom the Husband paid for. The

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Wife accepts that the Husband had helped in the household matters during the bankruptcy and the later years. Over the whole marriage, I find that the parties' contributions were broadly comparable.

(d) *Improvements to the home and the family's quality of life.* Similarly, I find the parties' contributions to be broadly comparable. The Husband employed two helpers to alleviate the Wife's burden during the early years and did the household repairs. The Wife organised holidays, celebrations and outings, and took the children overseas.

(e) *Material sacrifices.* Both parties made genuine sacrifices in the bankruptcy years. The Husband worked long hours and sometimes slept in his taxi. The Wife pawned her jewellery and worked while caring for young children. These contributions are broadly comparable.

(f) *Support for each other and the wider family.* In the early years, the Husband paid the Wife's mother $2,000/month and helped with her parents' mortgage. He also supported the Wife through her illness from 2019. The Wife helped to care for the Husband's mother in the early years. Both parties provided financial help to the first child after she was involved in a scam. Overall, the parties' contributions are broadly comparable. In coming to this view, I did not consider the Wife's financial support during the bankruptcy years, as this has already been taken into account at (a)(ii) above.

36 Considering the matter holistically, I find that *the Wife* has contributed *more* to the family during the 28-year marriage. The decisive factors are under categories [35(a)] and [35(b)] above.

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37 In my view, the Wife's proposed ratio of 15:85 in her favour undervalues the Husband's contributions.

38 Taking a broad-brush approach, I assess the indirect contributions ratio at **30:70 in the Wife's favour.**

The division

39 Giving equal weightage to (1) the ratio for direct financial contributions and (2) the ratio for indirect contributions, **the matrimonial assets are divided 25:75 in the Wife's favour**. Their respective shares of the matrimonial assets are set out below.

	Contributions	Husband	Wife
(a)	Direct ([15] above)	19.46%	80.54%
(b)	Indirect ([38] above)	30%	70%
(c)	Average of (a) and (b)	24.73%	75.27%
(d)	**Overall ratio (rounded)**	**25%**	**75%**
(e)	**Share of the matrimonial assets:** **$568,985.22 x the ratio in (d)**	**$142,246.31**	**$426,738.92**

40 Each party will keep the CPF balances in his or her CPF accounts. The balance of each party's share of the matrimonial assets will therefore have to come from the Flat. As a result, the Husband will get **$135,084.73** and the Wife will get **$189,333.32** from the Flat.

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		Husband ($)	Wife ($)
(a)	Share of matrimonial assets	142,246.31	426,738.92
(b)	Less: CPF balances retained	(7,161.58)	(237,405.60)
(c)	**Share of the Flat**: (a) minus (b)	**135,084.73**	**189,333.32**
(d)	Percentage of the Flat's net value ($324,418.04)	41.64%	58.36%

Consequential orders

41 In line with the above, and taking into account the Wife's request to be given a right of first option to the Flat, I make the following orders.

(a) Each party shall retain the monies in his or her CPF accounts and all other assets in his or her sole name.

(b) The Wife may elect to retain the Flat by notifying the Husband in writing **by 20 November 2026**.

(c) If the Wife elects to retain the Flat –

(i) The Wife shall pay the Husband $135,084.73 ("**Payment Amount**") by way of the refunds and cash payment described in (1) and (2) below.

(ii) The Husband's rights, title and interest in the Flat shall be transferred (other than by way of sale) to the Wife upon –

(1) The Wife making the **full required CPF refunds** to the Husband's CPF account; **and**

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(2) The Wife paying to the Husband **in cash** the balance of the Payment Amount after deducting the full required CPF refunds in (1) above.

(iii) The refund and cash payment described in (1) and (2) above shall be made **within three months** of the Wife notifying the Husband in writing of her election to retain the Flat.

(iv) The Wife shall bear the costs related to the transfer of the Husband's rights, title and interest in the Flat to the Wife.

(d) If the Wife either (1) does not elect to retain the Flat or (2) fails to make the refunds and cash payment within the time stated in (c)(iii) above –

(i) The Flat shall be sold on the open market **within nine months from 20 November 2026**.

(ii) The sale of the Flat shall be conducted jointly by both parties.

(iii) The Registrar / Assistant Registrar of the Family Justice Courts under s 31 of the Family Justice Act 2014 is empowered to execute, sign, or endorse all necessary documents relating to matters contained in this order on behalf of either party should either party fail to do so within seven days of written request being made to the party.

(iv) The proceeds from the sale of the Flat shall be applied as follows: -

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(1) To make full payment of the outstanding housing loan (if any) to the HDB.

(2) To pay the HDB resale levy (if any).

(3) To pay the requisite CPF refunds in accordance with applicable CPF Rules and Regulations to the Parties' respective CPF accounts.

(4) To pay all costs and expenses incidental and relating to the sale of the property.

(5) The balance sale proceeds shall be divided in the following manner: **41.6%** to the Husband and **58.4%** to the Wife.[28]

(v) The CPF refunds required for each party shall be paid out of that party's share of the sale proceeds.

(e) Until the transfer or sale is completed, the rent from the Flat shall continue to be shared as it has been since April 2025.

(f) The parties may file a consent order **by 4 December 2026** varying (b) to (e) above.

42 Next, I turn to the parties' application for maintenance, beginning with the Husband's.

[28] See [40(d)] of the judgement.

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The Husband's application for maintenance

The application

43 Pursuant to s 113(1)(b) of the Charter, the Husband seeks maintenance of $500/month from the date of final judgment.[29] He relies on two medical conditions to support his application.

(a) *Impaired vision.* In February 2025, he was certified permanently blind in his *right* eye. (A medical memorandum of April 2026 states that his *left* eye is healthy and does not have glaucoma.) According to the Husband, his impaired vision makes it hard for him to see kerbs and obstacles in poor light and prevents him from working evening and night shifts.[30]

(b) *Heart condition.* In June 2025, the Husband had a heart attack and was hospitalised for six days. In February 2026, his left ventricular systolic function was found to be severely impaired (28%) and he was offered cardiac catheterisation. In March 2026, his doctors advised him to avoid strenuous activity and not to drive taxis.[31]

44 The Wife opposes the Husband's application for maintenance. She submits that he has not shown that his conditions incapacitate him from earning

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29 Husband's submissions dated 10.09.26 at [15] to [18] and [67] to [77].

30 Husband's affidavit dated 10.12.25 at [28] and page 208; Husband's affidavit dated 16.06.26 at [4(j)] and page 250.

31 Husband's affidavit dated 10.12.25 at [28] and page 210; Husband's affidavit dated 16.06.26 at [4(j)] and page 249.

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a livelihood, or that he cannot maintain himself. She points, in particular, to the fact that he still works as a delivery rider.[32]

Section 113(1)(b)

Two stage process – Eligibility and discretion

45 Section 113(1)(b) provides that –

> The court *may* … order a woman to pay maintenance to her *incapacitated husband* or *incapacitated former husband* … when granting or subsequent to the grant of a judgment of divorce, judicial separation or nullity of marriage.
>
> [emphasis added]

46 On a plain reading, there are two stages to the inquiry under s 113(1)(b). *First*, the former husband must show that he is an "incapacitated former husband". *Second*, if he succeeds, the court must then decide whether to order maintenance and, if so, how much.

Stage 1: Whether the applicant is an "incapacitated former husband"

47 Section 2 of the Charter defines an "incapacitated former husband", in relation to a dissolved marriage, as a former husband who –

> (a) during the subsistence of the marriage, was or became –
>
> (i) incapacitated, by any physical or mental disability or any illness, from earning a livelihood; and
>
> (ii) unable to maintain himself; and

[32] Wife's submissions dated 08.09.26 at [14] to [16] and [57] to [64].

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(b) continues to be unable to maintain himself;

48 The definition sets four cumulative requirements that the former husband must prove.

(a) Requirement 1: During the marriage, he had a physical or mental disability or an illness;

(b) Requirement 2: During the marriage, that condition incapacitated him from earning a livelihood;

(c) Requirement 3: During the marriage, he was unable to maintain himself; and

(d) Requirement 4: He remains unable to maintain himself when his application for maintenance is heard.

49 I pause to make some observations regarding the above requirements.

Requirements 1 and 2: Incapacity from earning a livelihood

50 I begin with Requirements 1 and 2. I consider these two requirements together because the definition requires a causal link between the former husband's condition and his inability to earn a livelihood. The question is not simply whether the husband has a disability or illness. It is whether that condition prevents him from earning a livelihood.

51 A "livelihood" has been interpreted as the means of securing the necessities of life: *USA v USB* [2020] 4 SLR 288 ("***USA***") at [125]. To satisfy Requirement 2, a former husband must thus show that because of his condition, he cannot earn enough to secure the necessities of life.

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52 To be clear, the husband need not prove that he is incapable of any work at all. This is because a person may be able to do some work, or earn a modest income, and yet be unable to earn a living. The distinction is thus between *being able to do some work* and *being able to earn a living*.

(a) *USA* illustrates this distinction. The husband was a lawyer with Ménière's disease, which caused hearing loss, vertigo and tinnitus. He claimed that he could no longer practise as before and earned only about $600/month from limited legal work. The Court accepted that the disease affected him to some extent. However, it found insufficient evidence that the disease incapacitated him from earning a livelihood. This is because the medical reports did not state that he was unable to work. They merely indicated that he might be unable to work during attacks of vertigo. Further, there was little objective evidence of how often or how severely those attacks occurred. The Court held that although the husband's condition might affect litigation and court work, it had not been shown that he could not do other kinds of legal work to earn a living: *USA* at [124] to [126].

(b) The decision in *USA* may be contrasted with *VJF v VJG* [2020] SGFC 54 ("***VJF***"). The husband, who had suffered a workplace injury, applied for maintenance under s 69(1A) of the Charter. This provision applies the corresponding definition of an "incapacitated husband" in s 2 of the Charter. Unlike the husband in *USA*, he produced medical reports stating expressly that he was permanently unfit for work. He had no formal educational qualifications. The work realistically open to him, given his past employment, was likely to be physically demanding. His condition was therefore likely to exclude him from most of the work

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available to someone with his background. His incapacity to earn a livelihood was thus found to be established: *VJF* at [27] to [34].

53 Given the authorities, the factors that are relevant to assessing whether Requirements 1 and 2 are met include the following: (a) the nature and severity of the condition, (b) its effect on the husband's functioning, (c) the reliability of the medical evidence, and (d) his education, qualifications, work experience and the kinds of work he can realistically do. On its own, a medical diagnosis, a period of unemployment, or low current earnings may not be sufficient to satisfy Requirements 1 and 2.

Requirement 3: Inability to maintain himself

54 Next, I turn to Requirement 3. This requirement concerns the husband's ability to *maintain* himself. This is conceptually different from Requirement 2 which looks at the husband's capacity to *earn a livelihood*.[33]

55 This conceptual difference is logical. A husband who cannot earn a livelihood may still have enough resources – such as savings, assets, insurance payouts and investment income – to support (and thus maintain) himself. The Court must therefore look at his overall financial position and not just his employment income. This distinction between the husband's ability to earn a livelihood and his ability to maintain himself is also clear from the Second Reading of the Women's Charter (Amendment) Bill 2016. On that occasion, the Minister for Social and Family Development explained that the amendments were not meant to cover an incapacitated husband who has other means, such as investment income or insurance payouts, sufficient to support himself:

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[33] Wife's submissions dated 08.09.26 at [61].

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Singapore Parliamentary Debates, Official Report (29 February 2016) vol 94 at pages, 37, 38 and 69.

Requirement 4: Continuing inability

56 Next, Requirement 4. This looks at the husband's position *after* the marriage has ended. Often, the application for spousal maintenance is considered at the hearing on ancillary matters. At this stage, the financial provision that the husband will receive from the division of the matrimonial assets is especially important.

57 If the financial provision is substantial, involves assets that are accessible and liquid, and is enough to meet his reasonable living expenses, then Requirement 4 may not be easily satisfied. Two decisions illustrate the point.

(a) In *YIJ v YIK* [2026] SGHCF 29 ("***YIJ***"), a 90-year-old husband sought maintenance based on his medical and mobility problems and limited income. The High Court dismissed his application, finding that he would receive more than $2 million from the division of matrimonial assets, and that this was sufficient for the rest of his life: at [35] and [36]. Although the High Court reached its conclusion by applying s 114(1) of the Charter, rather than expressly determining whether the husband satisfied the definition in s 2, its reasoning illustrates the importance of considering the financial resources available to the husband after the division of assets.

(b) In *WJM*, the husband was wheelchair-bound and certified as disabled. The High Court affirmed an order that the wife pay him maintenance of $150/month for one year. In coming to this decision, the Court considered the wife's limited earning capacity, the government

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assistance received by the husband and the lump sum that he would receive upon the sale of the matrimonial home: at [11] and [13].

Stage 2: Whether to exercise the discretion

58 A former husband who meets all four requirements is not automatically entitled to maintenance. This is because s 113(1) provides that the Court with a discretion whether to order it ("may"). In exercising this discretion, the Court will have to consider all the circumstances, including those set out in s 114(1) of the Charter.

My decision

59 In this case, the marriage ended on 1 January 2026: see [1] above. The period relevant to Requirements 1 to 3 therefore runs up to 31 December 2025.

60 Having considered the matter, I dismiss the Husband's application for spousal maintenance. These are my reasons.

Incapacity from earning a livelihood has not been shown

61 I accept that the Husband's conditions are serious. The loss of sight in his right eye is permanent, and his cardiac function is severely impaired. These conditions genuinely restrict the work that he can safely do. Further, I note that he is about 51 years old and that his highest educational qualification is the Primary School Leaving Examination. Taken together, these factors narrow the range of work that is realistically open to him.

62 Nevertheless, the evidence does not establish that the Husband's conditions incapacitate him from earning a livelihood.

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(a) The Husband continues to work as a delivery rider and earns a net income of about $2,725/month. That exceeds what he himself says he needs for the necessities of life – food ($700), transport ($600), utilities ($100), telephone and internet ($40) and rent ($750) – which total $2,190/month.

(b) The Husband is concerned that delivery work is dangerous for him given his vision and heart condition. I accept that a person may keep working because he needs the income – even if this puts his health at risk.

(c) That said, the law cannot turn an apprehension into an incapacity. A person's own belief that his work is unsafe does not, without more, mean that Requirements 1 and 2 are satisfied. To properly establish these requirements, *clear and objective medical evidence* is needed. The Husband has failed to provide such evidence. The medical evidence that he has produced simply states that he should avoid strenuous activities and driving taxis. In my view, the fact that some kinds of work are unsuitable does not mean that a former husband is incapacitated from earning a livelihood. Something more is needed – such as medical evidence certifying that he is permanently unfit for work, as in the case of *VJF*.

63 For the above reasons, Requirements 1 and 2 are not satisfied.

Inability to maintain himself has not been shown

64 On his own evidence, the Husband receives about $2,725/month in net employment income and $520/month in rent, a total of about $3,245/month.

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According to him, his expenses are about $3,819/month. This leaves a shortfall of about $574/month.[34]

65 In my view, the mere fact that there is a gap between his declared income and claimed expenses does not mean that the Husband is unable to maintain himself. He has the burden to show, in the first place, that his claimed expenses (a) are substantiated, (b) are necessary, and (c) cannot be met by resources available to him.

66 In this regard, I find that the Husband has failed to explain the following expense items and show why they are necessary.

(a) *$500/month for "amenities, necessities and cigarettes"*.[35] The amount is relatively significant.

(i) It is unclear from the Husband's evidence what exactly this item covers. It is also unclear why it is necessary given that he has already made separate claims for food ($700), transport and fuel ($600), utilities ($100), telephone and internet ($40), debt repayment ($779.90) and rent ($750).

(ii) Further, this item appears to include discretionary expenses, such as cigarettes. It bears emphasis that maintenance is intended to provide for reasonable financial needs, not to underwrite every item of personal expenditure. In my view, it is not reasonable to require the Wife to provide financial support

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34 Husband's affidavit dated 10.12.25 at [24(a)] and pages 3 to 5.

35 Husband's affidavit dated 10.12.25 at page 5; see also Wife's submissions dated 08.09.26 at [62] and [63].

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for an expenditure such as cigarettes, which is a matter of personal choice.

(b) *$100/month as "maintenance"*.[36]

(i) The Husband did not explain for whom the amount of $100/month is for.

(ii) There is evidence that some of the children would occasionally ask him for money, which he has "consistently provided".[37] These payments appear to be made from affection or generosity. If the $100/month is meant for his children, then I find that it is not reasonable to compel the Wife to pay the amount by way of a maintenance order. The children are adults and gainfully employed. There is no evidence that they come within the scope of s 69(5) of the Charter.

67 For the above reasons, Requirements 3 and 4 are not satisfied.

The Husband's concerns for the future

68 The Husband is concerned that his medical conditions will worsen and that he will eventually be unable to work as a delivery rider. Given his age, education and medical restrictions, he believes that he will "need financial assistance to survive in the years ahead".[38]

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36 Husband's affidavit dated 10.12.25 at page 5.

37 Husband's submissions dated 07.10.26 at [18].

38 Husband's affidavit dated 10.12.25 at page 6 ([28]).

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69 The Husband's concerns about *future* hardship are understandable. They however cannot be a basis for ordering the Wife to pay maintenance. The definition of "incapacitated former husband" in s 2 requires the Husband to show, among others, that (a) he is *presently* incapacitated from earning a livelihood and (b) he is *presently* unable to maintain himself. These requirements are not met merely because he may, *at some future date*, become incapacitated and unable to support himself.

70 The Husband's application for maintenance is therefore dismissed.

The Wife's application for nominal maintenance

The application

71 Finally, I turn to the Wife's application for maintenance. She seeks nominal maintenance of $1/month. She relies on two points to support her application. *First*, she has a pre-existing lumbar slipped-disc condition. *Second*, nominal maintenance was ordered in *ANJ* for a wife with a similar condition.[39]

72 The Husband opposes the application. He points out that the Wife is employed and earns about $7,903.55/month, while his gross monthly earnings are much lesser at about $2,986.33. Further, he has serious medical conditions.[40]

The law

73 Nominal maintenance preserves a former wife's right to apply for substantive maintenance if the need arises later. This is an important point

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39 Wife's submissions dated 08.09.26 at [65], [66] and [80(h)].

40 Husband's submissions dated 10.09.26 at [19] and [76].

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because once a claim for maintenance has been refused at the ancillary matters stage, a former wife is generally unable to apply for it again later: *ATE v ATD and another appeal* [2016] 2 SLR 725 ("***ATE***") at [27].

74 It is settled law that nominal maintenance is not ordered as a matter of course. In assessing whether such maintenance is appropriate, the Court asks whether the former wife has an existing condition or circumstance which gives a credible basis for concern about her future ability to maintain herself. If so, the Court then asks whether preserving her right to maintenance is justified in all the circumstances: *ATE* at [28] to [34], [43] and [44].

My decision

75 Having considered the matter, I decline to order nominal maintenance in this case. These are my reasons.

76 First, the medical evidence on the Wife's condition is limited. It states that her condition is under "conservative management".[41] It does not explain (a) how severe the condition is, (b) how it is likely to progress, or (c) how it might affect her ability to keep working in the future. This may be contrasted with *ANJ*, where the evidence showed that the wife had a pre-existing slipped-disc condition which might result in a need for financial support in the future: *ANJ* at [44].

77 Second, *ANJ* does not assist the Wife because its facts are materially different.

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41 Wife's affidavit dated 11.06.26 at page E205.

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(a) In that case, the wife earned $6,810/month, while the husband earned a higher income at about $12,700/month. Here, the position is reversed. The Wife earns about $7,903.55/month, roughly 2.6 times the Husband's gross earnings of about $2,986.33/month.

(b) Unlike the husband in *ANJ*, the Husband suffers from serious conditions – permanent blindness in one eye and severely impaired cardiac function. These conditions restrict his work and raise legitimate concerns about his future earning capacity.

(c) The significance of nominal maintenance lies in the possible future obligation to pay substantive maintenance. Preserving that obligation here would make the Husband, who has much lower means and a poor health condition, the insurer of the Wife who earns far more and has better health. This is the outcome that *ATE* warns against.

78 Third, the Wife will receive $426,738.92 (including CPF monies of $237,405.60) from the division of the matrimonial assets. This should enable her to maintain herself in the future.

79 For the above reasons, I dismiss the Wife's application for nominal maintenance.

Conclusion

80 In summary –

(a) The matrimonial assets are divided 25:75 in the Wife's favour.

(b) The Husband's application for maintenance is dismissed.

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(c) The Wife's application for nominal maintenance is dismissed.

81 I turn to the issue of costs. The usual practice in ancillary matters is for each party to bear his or her own costs: *JBB v JBA* [2015] 5 SLR 153 at [24] to [33]. There are exceptions to this practice: see *YEV v YEW* [2026] SGFC 102 at [6] and [7]. In my view, these exceptions do not apply in the present case. The parties have not sought costs either. Accordingly, I order that each party shall bear his or her own costs.

82 I close with some words for the parties.

To the Husband:

My decision to dismiss your application for maintenance does not mean that you will face future difficulties alone. You have four adult children, all of whom are gainfully employed. Parliament has recognised, in the Maintenance of Parents Act 1995, that children have a responsibility towards parents in need.

Your counsel rightly submitted that I cannot assume that your children will be able, or willing, to provide financial help if you need it in future.[42] I have not relied on that possibility in dismissing your application.

Nonetheless, I hope that should you require such help in the future, you and your children will approach the issue with understanding and a shared sense of family responsibility.

To both parties:

You have worked together to successfully raise four children through very difficult years. Each of you contributed to this success in your own way.

I hope that both of you can work together, one more time, to ensure that the remaining steps needed to wind up the marriage – the transfer or sale of the Flat – can proceed as smoothly as possible.

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42 Husband's submissions dated 07.10.26; Wife's submissions dated 07.10.26.

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Kow Keng Siong
District Judge

Amelia Ang, Cheryl Sim & Lee Jia Ying (M/s Lee & Lee LLP) for the Husband;
Wife in person.

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ANNEX A

KEY ASPECTS OF THE PARTIES' CASE REGARDING THEIR INDIRECT CONTRIBUTIONS

Factors/Categories	Husband's case	Wife's case
(1) Financial contributions to household expenses	In the early years of the marriage, the Husband was the sole breadwinner of the family. He covered all the family's expenses, including the mortgage instalments on the parties' first matrimonial flat (Block 282).[43] (*Note*. The Wife accepts that the Husband was the sole breadwinner of the family during the early years.[44]) After the early years, the Husband continued to expend virtually all his income on the Wife and the family. In support, he referred to his bank statements which show the financial contributions that he had made.[45]	Since the bankruptcy years, the Wife was the main financial provider for the family.[46] (*Note.* The Husband disputes the Wife's claim that she was the main breadwinner for most of the marriage and that his financial contributions were sporadic and limited.[47])
(2) Household chores	During the bankruptcy years, the Husband assumed a substantial role in household responsibilities – especially	During the early years, the Wife trained and supervised the domestic helpers and managed the family budget.[50]

43 Husband's submissions dated 10.09.26 at [34].

44 Wife's submissions dated 08.09.26 at [26].

45 Husband's submissions dated 10.09.26 at [57] to [60].

46 Wife's submissions dated 08.09.26 at [28]; Wife's affidavit dated 26.11.25 at page 37 ([6]); Wife's affidavit dated 11.06.26 at [51].

47 Husband's affidavit dated 16.06.26 at [19],

50 Wife's submissions dated 08.09.26 at [27].

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Factors/Categories	Husband's case	Wife's case
	after the Wife began working as a flight stewardess.[48] (*Note*. The Wife accepts that the Husband had assisted with the household matters.[49])	During the bankruptcy years when she had to work, the Wife managed the household and the four children without domestic help.[51]
(3) Childcare	During the bankruptcy years, the Husband was often home to care for the children and manage the household, ensuring that the children had their meals regularly. He served as the primary contact with the school and attended parent-teacher conferences and school events.[52] The Husband provided evidence from the children to corroborate his claim that he had been an involved father throughout their lives.[53] (*Note*. The Wife accepts that the Husband had occasionally assisted in providing care to the children. According to her, such assistance was however not consistent.[54])	During the early years and the children's infancy, the Wife was the principal caregiver for the four children.[55] This included attending to their medical needs, arranging free tuition for the first and second child, driving them to lessons which sometimes ended at 11 pm, and attending to parent-teacher meetings. (*Note*. This is not disputed by the Husband.[56]) The Wife continued with her caregiving responsibilities after she resumed working. Her contributions in this area are more significant that the Husband's.[57]

48 Husband's submissions dated 10.09.26 at [33].

49 Wife's submissions dated 08.09.26 at [27] and [30].

51 Wife's submissions dated 08.09.26 at [30].

52 Husband's submissions dated 10.09.26 at [37] to [44].

53 Husband's submissions dated 10.09.26 at [54] to [56].

54 Wife's submissions dated 08.09.26 at [32] and [32].

55 Wife's submissions dated 08.09.26 at [26].

56 Husband's affidavit dated 16.06.26 at [21].

57 Wife's submissions dated 08.09.26 at [31] and [33].

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Factors/Categories	Husband's case	Wife's case
(4) Improvement to the matrimonial home	The Husband was the handyman in the house and would carry out simple repairs himself, including servicing the air-conditioners, attending to plumbing issues, fixing cupboards and replacing lightbulbs.[58]	Nothing beyond the Wife's $5,000 for renovation and furnishing, already counted as a direct contribution ([12] above).
(5) Improvement to the quality of life of family members	For several years when his car dealership business was lucrative, the Husband engaged two domestic helpers to ease the Wife's burden of managing the household chores and caring for the children.[59]	The Wife organized family vacations, festive celebrations and outings. She took the children on overseas flights to expose them to different cultures.
(6) Material sacrifices	During the bankruptcy years, the Husband worked very long hours to maximise his earnings and would even sleep in his taxi so that he could pick up passengers on short notice.[60] In August 2024, the Husband gave the Wife the RM 7,000 that he had won during a family trip to Genting trip for her use, when he could have saved the money to treat his glaucoma.[61]	During the bankruptcy years, the Wife pawned her jewellery to meet urgent family expenses and initially had to work two jobs.[62] Additionally, the Wife incurred credit card debts amounting to $11,067.71 for the household and family needs. According to her, these debts have since accumulated interests and now total $656,324.26.[63] (*Note.* The Husband denies

58 Husband's submissions dated 10.09.26 at [39].

59 Husband's submissions dated 10.09.26 at [34] and [35].

60 Husband's submissions dated 10.09.26 at [40].

61 Husband's submissions dated 10.09.26 at [52].

62 Wife's submissions dated 08.09.26 at [28]; Wife's affidavit dated 26.11.25 at page 37 ([6]); Wife's affidavit dated 11.06.26 at [51].

63 Wife's affidavit dated 11.06.26 at page 39 ([19]) and [68].

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Factors/Categories	Husband's case	Wife's case
	When the first child was defrauded in a scam transaction, the Husband helped to repay the resulting debts.	having any knowledge of the $656,324.26-debt.) When the first child was defrauded in a scam transaction, the Wife used her personal savings to help pay the resulting debts.
(7) Support for spouse and family	When the Wife was diagnosed with Hashimoto's disease in February 2019, the Husband accompanied her to her medical appointments, covered the cost of her medical bills and rearranged his working schedule around her check-ups until her condition stabilised.[64]	During the bankruptcy years, the Wife supported the family financially, thus relieving him of much of his financial burden.
(8) Others	During the early years of marriage, the Husband helped the Wife's parents with their mortgage and paid her mother a sum of $2,000/month.[65]	During the early years of marriage, the Wife assisted in the daily care of the Husband's mother, including meal preparation, personal hygiene, and medical appointments. The Wife is setting aside funds for the second child to pursue further education.

64 Husband's submissions dated 10.09.26 at [48].

65 Husband's submissions dated 10.09.26 at [35].

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