

Our Ref: LS/81/07/AC/lcl

Your Ref:

6 September 2007

Central Provident Fund Board
CPF Building
79 Robinson Road
Singapore 068897

BY E-MAIL AND POST

E-mail: naina_d.parwani@cpf.gov.sg
No. of pages: 2 page(s)
(including this page)

**Attention: Ms Naina Parwani
Principal Legal Officer**

Dear Sirs

FEEDBACK ON DRAFT SUGGESTED CPF CLAUSES IN ORDER OF COURT – PART IIIA OF THE CPF (AMENDMENT) BILL 2007

We refer to your e-mail message dated 24 July 2007 requesting for the Law Society's comments on the draft suggested CPF Clauses in Order of Court ("the Suggested Clauses"), taking into account the changes as contained in Part IIIA of the CPF (Amendment) Bill 2007.

This matter was referred to our Family Law Practice Committee for views.

We also wish to thank the CPF Board for taking the time to hold a dialogue session on 17 August 2007 with representatives of the Committee to explain the Suggested Clauses and the CPF (Amendment) Bill 2007.

The Committee has carefully considered the Suggested Clauses and would like to seek clarification on the following matters:

1. Are the amounts to be charged or transferred from the various accounts subject to the approval of the CPF Board or is it a matter for a decision by the Court?
2. With regard to footnote 4 of the Suggested Clauses for charging of moneys in CPF account under s112, is there a minimum sum requirement in the ordinary account? There is no reference to a minimum sum in the ordinary account but only to Retirement, Medisave and Living Expenses accounts.
3. It may be useful to provide information on how the minimum sum is computed. For example, does it take into account the balance in ordinary account as well as monies utilised from the account to purchase property?
4. Once a charge is imposed and the Order of Court is served on the Board, can the spouse whose account is charged use monies in the ordinary account to purchase property?
5. Paragraph 14 of the Suggested Clauses for transfer of moneys in CPF account reads "The parties, including the Board, ...". It may not be clear whether the Board is a party to the action or to the Order. The same would apply to paragraph 17 of the Suggested Clauses for charging of moneys in CPF account.



THE LAW SOCIETY
OF SINGAPORE

39 South Bridge Road
Singapore 058673
Tel: 6538 2500
Fax: 6533 5700
Email: lawsoc@lawsoc.org.sg
Website: www.lawsociety.org.sg

40 YEARS OF SERVICE &
LEADERSHIP 1967 - 2007

Council Members 2007

Philip Jeyaretnam, SC (President)
Michael Hwang, SC (Vice President)
Malathi Das (Vice President)
Michael S Chia (Treasurer)

Gan Hiang Chye
Jimmy Yim, SC
Wong Siew Hong
Alvin Yeo, SC
Francis Xavier
Leo Cheng Suan
Andrew Ong
Yap Teong Liang
Thio Shen Yi
Pradeep Kumar Gobind
Chia Boon Teck
Rajan Chettiar
Lisa Sam
Anand Nalanchandran
Lee Terk Yang
Laura Liew
Smitha Menon

Secretariat
Chief Executive Officer
Chua Lik Teng

Representation & Law Reform
Alvin Chen

Conduct
P O Ram
Marian Lee

Compliance
Sharmaine Lau

Pro Bono Services
Lim Tanguy
Rajvant Kaur

**Communications/
Membership Interests**
Shawn Toh

Publications
Sharmaine Lau

Continuing Professional Development
June Tan

Finance
Clifford Hang

Information Technology
Michael Lee

6. Footnotes 19 and 23 of the Suggested Clauses for transfer of moneys in CPF account and charging of moneys in CPF account respectively appear to have been omitted.

We look forward to hearing from you on the above.

Thank you for giving the Law Society the opportunity to give our views on the matter.

Yours faithfully



Alvin Chen
Director, Representation & Law Reform

cc (1) Council
(2) Family Law Practice Committee