

AWX v AWY
[2012] SGHC 4

Case Number : DT 4880 of 2009/W
Decision Date : 11 January 2012
Tribunal/Court : High Court
Coram : Chan Seng Onn J
Counsel Name(s) : Foo Siew Fong (Harry Elias Partnership LLP) for the plaintiff; Kelvin Lim (Kelvin Lim & Partners) for the defendant.
Parties : AWX — AWY

Family Law – Division of matrimonial assets

Family Law – Maintenance

11 January 2012

Chan Seng Onn J:

1 This judgment deals with AWX’s (“the wife”) claim to a share in the matrimonial assets and maintenance for herself and a child of the marriage, post-divorce. I awarded 55% of the matrimonial assets to AWY (“the husband”) and 45% to the wife. I also awarded maintenance for the child to be fixed at \$2,500 a month with the husband paying for all the child’s tuition lessons and chiropractic sessions. I awarded maintenance for the wife to be fixed at \$4,000 a month. Parties consented to joint custody, with care and control to the wife and reasonable access to the husband. I also ordered all real assets to be sold within 6 months in the open market via a mutually agreed agent, with the wife having the first option to buy over the matrimonial home at the highest offer obtained.

2 The wife has appealed against my decision to divide the matrimonial assets in the proportion above, as well as my decision to not include as part of the matrimonial assets, the money in a fixed deposit account in the joint names of the husband and his mother.

3 The husband has appealed against my decision regarding the quantum of maintenance for the wife and for the child, as well as my decision on the division of matrimonial assets in the proportion above. I now set out my reasons.

Introduction

4 The parties were married in 1978 and remained married for 32 years. [\[note: 1\]](#) During the marriage, the couple had two children, both girls. The first was born in 1982 and the second was born in 1996. Currently, the husband is a Senior Consultant at a local hospital, and the wife is a part-time general practitioner. Based on the Notice of Assessment issued by IRAS for the year 2010, the husband earned \$392,898.00 a year [\[note: 2\]](#) (\$32,741.50 a month) and the Wife earned \$36,412 a year [\[note: 3\]](#) (\$3,034.33 a month).

5 At the time of the marriage, both parties worked full time. [\[note: 4\]](#) Subsequently, and for a large part of the marriage, the husband was the breadwinner of the family. He stated that he earned

about 91% of the household income over 32 years of marriage. [\[note: 5\]](#) Throughout the entirety of the marriage, the husband had been fully responsible for all the household expenses, the maid's expenses, the children's expenses and the car expenses. [\[note: 6\]](#) The wife took care of the home and worked intermittently [\[note: 7\]](#), and mostly on a part time basis. [\[note: 8\]](#) The wife stopped working after the birth of their second child. [\[note: 9\]](#)

6 The wife commenced divorce proceedings against the husband on 5 October 2009 on an uncontested basis due to the husband's unreasonable behaviour. Interim Judgment for Divorce was granted on 7 June 2010.

Disputed matrimonial assets

7 Parties differed in their views on two specific issues relating to the composition of the matrimonial assets:

- (a) whether a fixed deposit account in the joint names of the husband and his mother was part of the matrimonial assets,
- (b) Whether an account in the husband's parents' joint names was part of the matrimonial assets.

8 Parties dealt with these issues at two hearings on 3 November 2011 and 9 November 2011.

The fixed deposit account in the joint names of the husband and his mother

9 After hearing the parties, I decided on a balance of probabilities that the money in the fixed deposit account in the joint names of the husband and his mother belonged to the husband's mother. The husband's mother had filed an affidavit stating that the money in the joint fixed deposit account belonged to her. [\[note: 10\]](#) The husband's mother had made transfers into this joint account from 2002 – 2008. I found that any assertion by the wife that alluded to the husband systematically dissipating or siphoning money via this route ran contrary to the objective facts; namely that the transfers began in 2002, long before marital problems arose. [\[note: 11\]](#) In my view, it was rather unlikely for the husband to have foreseen the breakdown of the marriage in 2002 and started planning the dissipation or siphoning of matrimonial assets so many years in advance in order to avoid having to account for them to the wife in the course of the division of matrimonial assets following the interim judgment in June 2010. Accordingly, the money in this fixed deposit account in the joint names of the husband and his mother was not part of the matrimonial assets.

10 As a safeguard and on my directions, the husband had, on 10 November 2011, made a statutory declaration stating that all the money in this joint fixed deposit account was money that belonged entirely to his mother. I further directed that copies of this statutory declaration be sent to his brother in Australia, to counsel for the wife, and to his mother. This was to notify all possibly interested parties of the money in the joint fixed deposit account and to prevent the husband from later claiming the money as his own.

Account in husband's parents' joint names

11 I decided that the money in the account in the husband's parents' joint names was part of the matrimonial assets. This account contained \$167,487.72. The husband's case was that it was out of love and filial duty that he gave money regularly to his mother, depositing this money into a UOB

account in Singapore under his parent's joint names. [\[note: 12\]](#) Unlike the account in the joint names of the husband and his mother, there was no evidence of a long and continuing trend of payments. Instead, there was just one page in the affidavit which reflected the current balance in the account.

12 In the hearing before me on 9 November 2011, it was the husband's position that the money in this account was also for medical expenses. I posed the question as to whether this was ever used for medical expenses as argued. The response was that it was never used for medical expenses, but earmarked as such. I was not convinced, based on the production of a single bank account balance document, that there was a regular stream of payments to the husband's mother as claimed. I was also not convinced that, without more, these sums were to be used for medical expenses, when it was clear that no money from the account was ever used as such.

Husband's joint accounts with daughters

13 I should also add that, by the parties' consent, money in the older daughter's joint account with the husband with DBS was to be placed in a new account solely in the name of the older daughter. Similarly, money in the joint account of the younger daughter and the husband with POSB was to be placed in a new account solely in the name of the younger daughter. The monies in both the husband's joint accounts with the daughters were, by consent, to be excluded from the pool of matrimonial assets for division.

Division of matrimonial assets

The law

14 It is useful to set out the factors the court will take into consideration in the division of matrimonial assets. These are set out in s 112(2) of the Women's Charter (Cap 353, 2009 Rev Ed):

Power of court to order division of matrimonial assets

112.

...

(2) It shall be the duty of the court in deciding whether to exercise its powers under subsection (1) and, if so, in what manner, to have regard to all the circumstances of the case, including the following matters:

(a) the extent of the contributions made by each party in money, property or work towards acquiring, improving or maintaining the matrimonial assets;

(b) any debt owing or obligation incurred or undertaken by either party for their joint benefit or for the benefit of any child of the marriage;

(c) the needs of the children (if any) of the marriage;

(d) the extent of the contributions made by each party to the welfare of the family, including looking after the home or caring for the family or any aged or infirm relative or dependant of either party;

(e) any agreement between the parties with respect to the ownership and division of the

matrimonial assets made in contemplation of divorce;

(f) any period of rent-free occupation or other benefit enjoyed by one party in the matrimonial home to the exclusion of the other party;

(g) the giving of assistance or support by one party to the other party (whether or not of a material kind), including the giving of assistance or support which aids the other party in the carrying on of his or her occupation or business; and

(h) the matters referred to in section 114(1) so far as they are relevant.

15 The law relating to the division of matrimonial assets was recently set out in *Yeo Chong Lin v Tay Ang Choo Nancy and another appeal* [2011] 2 SLR 1157 (“**Yeo Chong Lin**”), where the Court of Appeal stated (at [76]):

Section 112(2) of the Charter provides a non-exhaustive list of factors which a court is required to have regard in determining how the matrimonial assets are to be divided. A wide discretion is conferred upon the court. The section does not prescribe the weight which should be attributed to each factor or how each factor should be regarded as against another factor. In most instances, the difficulty lies in evaluating the non-financial contributions of the homemaker wife as such contributions are not easily reducible into monetary terms. In *Lock Yeng Fun v Chua Hock Chye* [2007] 3 SLR(R) 520 (“*Lock Yeng Fun*”) this court noted (at [39]) that non-financial contributions were by their very nature “difficult to measure because they are, intrinsically, incapable of being measured in precise financial terms”. That having been said, the court went on to state that such difficulty should never be a ground to refuse that spouse his or her equitable share in the matrimonial assets.

16 In addition, a broad brush approach should be adopted to reach what the court holds is a just and equitable division. In *Yeo Chong Lin*, it was held that this meant that “the court is not expected to make an exact calculation of each spouse’s contributions, whether financial or non-financial”. In the same case, it was held that each case was fact sensitive and the overarching guidance Parliament set out as the objective of the court was to come to a “just and equitable decision”. This comes down to “feel and the court’s sense of justice”.

Factors in the division of matrimonial assets

17 Having gone through the evidence presented before me, I decided on the 55:45 division of matrimonial assets for the following reasons.

The marriage lasted 32 years

18 This was a long marriage. I have no doubt that both parties gave each other the best years of their lives. As set out in *Yow Mee Lan v Chen Kai Buan* [2000] 2 SLR(R) 659 at [43], parties to the marriage “often have unequal abilities whether as parents or income earners but, as between them, this disparity of roles and talents should not result in unequal rewards *where the contributions are made consistently and over a long period of time*” [emphasis added]. On the evidence, both parties, despite their unequal abilities, did contribute consistently to the household in monetary and non-monetary terms over a long period of time. I now go on to illustrate these contributions.

Both parties made substantial contributions in the differing spheres of family life

19 The wife was, at times, working, but it was evident she assumed the homemaking role. The husband was the breadwinner of the family. However, in saying this, I noted that the wife had made a substantial contribution towards the payment of the first matrimonial home. I will address the wife's contribution to the properties acquired later in my judgment.

Husband's career

20 The husband earned a comfortable salary. However, to get to his present position, the husband had to put in the hours at his workplace. For one, he was pursuing his post-graduate degree in Obstetrics and Gynaecology at the time the first child was born. In addition, the wife stated that the husband worked night shifts 3-4 times a week at the hospital. [\[note: 13\]](#) The job involved having to work through "sleepless nights" and on weekends at times. [\[note: 14\]](#) He had to work irregular hours and be on call. [\[note: 15\]](#) It was stated by the wife, and not denied by the husband, that the wife would bring the older daughter (when she was young) to the hospital to join the husband for dinner. [\[note: 16\]](#) The husband wished to concentrate on his career and build up his practice. By the husband's own account, he had to continually travel to conferences for professional development. I also noted that the wife had the second child when she was 42 years old. She stated that it was a difficult pregnancy [\[note: 17\]](#), and she stopped working to take care of the second child.

21 Taking all these factors into account, I did not accept the husband's contention that he did not need *any* help from the wife and could pursue his career and take care of the children and the family at the same time. He stated that he had this ability due to his training as a gynaecologist which allowed him to make sound judgments and decisions despite working odd hours and despite little sleep. [\[note: 18\]](#) However, I also found in his affidavit the following: "The quality of life that my family now enjoys largely came from my *hard work, perseverance and dedication to **career building*** . [\[note: 19\]](#) *As I am working in a public hospital, **the needs of the community and country came first*** " [\[note: 20\]](#) . While he put in the required time and effort in his job, for which his public spiritedness should be applauded, his wife was at home taking care of the household. On the facts of this case (see [\[22\]](#)-[\[28\]](#)), it was clear that the husband's claim of not needing *any* help from the wife was unsustainable. I would add here that the wife also referred clients to the husband. [\[note: 21\]](#) This helped him to build up his patient base. Therefore, in addition to providing support to the husband by taking care of the home (which aided him in carrying on his occupation or business), the wife also provided assistance to generate more business for the husband.

22 I now highlight a few examples which would illustrate how the husband needed the help of the wife in taking care of the household.

Wife's post-delivery actions

23 The wife went back to work four and a half months after the birth of the couple's first child. [\[note: 22\]](#) This was despite the wife's intention to resign from her job and work part time after the delivery of the first child [\[note: 23\]](#), in line with her description of herself as being the "mother type" [\[note: 24\]](#) . The wife stated that she had to work full time, breastfeed the baby, cook and clean the house. The feeding of the infant took place at odd hours and that meant the wife could only sleep 2 or 3 hours every night, which left her exhausted in the day. This went on for one year. [\[note: 25\]](#)

24 The husband stated that this was due to him being mindful that maternity leave was for 8

weeks at the time and that both parties needed their jobs to support the repayment of the loan towards their first matrimonial home. In addition, he "discouraged the Plaintiff from resigning because Credit POSB gave preferential interest rates to staff in the Ministry of Health." [\[note: 26\]](#) I was of the view that the wife's return to work after delivery for the sake of paying off the loan *despite* her own inclinations to stay at home should be taken into account when I divided the matrimonial assets. To apply an observation by the Court of Appeal in *Yeo Chong Lin* to the present case, the family here was relatively less well off in the early years of the marriage, and the wife's role would have been harder then. This was evident during the early years of this marriage, where the wife had to juggle both work and household responsibilities including that of looking after the children.

The family's time in Australia: 1984-1985, 2006-2007

25 In 1984, the family moved to Australia and lived there for a year. The wife stated that the family only had help with the chores twice a week for the last few months of their stay. [\[note: 27\]](#) Besides cooking, the wife also took the older daughter to playschool, and taught her how to read. The wife did not work during the year. [\[note: 28\]](#)

26 In 2005, the husband sat for the Australian specialist medical examination so that he could obtain employment that was linked to the grant of Permanent Residency in Australia. [\[note: 29\]](#) The job required the husband to work for two years in what he termed "a small country town of 60,000 people" [\[note: 30\]](#). Thus he spent 2006 and 2007 in Hervey Bay, Queensland [\[note: 31\]](#). In his Defence for the divorce filed on 27 October 2009, the husband stated that he thought that separation would avoid further friction that could easily arise in a brand new environment, as the marital relationship was becoming unsettled then [\[note: 32\]](#) (this was denied by the wife) [\[note: 33\]](#). Subsequently, he stated in his affidavit that he thought it was better for the family to live in Adelaide for safety reasons. [\[note: 34\]](#) The wife asserted that the husband's reasons were less altruistic; he simply could not concentrate on a new job in a new place and cope with family responsibilities at the same time. [\[note: 35\]](#) Even if the husband's reason was true, the arrangement would have left the wife to take care of the household. Indeed, the wife took care of the household during her year in Adelaide without the aid of domestic help. [\[note: 36\]](#)

The wife's role in contributing to the properties acquired during marriage

27 A lot of ink was spilt in the husband's affidavit on how the wife looked at the marriage as a business [\[note: 37\]](#) and how she was obsessed with money. On the wife's end, she stated that the husband was a poor steward of money [\[note: 38\]](#), had poor judgment when it came to investments [\[note: 39\]](#), and had denied her money to invest in properties [\[note: 40\]](#). She stated that the couple had different perspectives when it came to investments. She suggested investments to him and pushed him to invest in said investments. To my mind, these views were not irreconcilable. The wife was right in saying that the couple had different views towards investments. The wife thought property investments were the best way to grow their money. The husband was constantly prodded to provide money towards this goal. [\[note: 41\]](#) In return, he felt that the wife was obsessed with having money to invest in properties. The wife's attempts to grow the matrimonial assets were noted. If not for the wife's astute choice of investment in properties, the total value of matrimonial assets available for distribution might not be as much as what it is now. Her contribution in this regard must also be factored into the division of assets. In addition, she did contribute funds to the purchase of property. In *Lock Yeng Fun v Chua Hock Chye* [2007] 3 SLR(R) 520, it was held (at [41]):

Furthermore, in addition to the non-financial contributions of a spouse (more often than not, the wife), attention must be given to his or her direct financial contributions through his or her efforts in increasing the total value of the matrimonial assets. This contribution must be taken into account for the purpose of increasing the proportion of matrimonial assets to be awarded to that spouse. This is not only logical but is also eminently fair.

28 The wife contributed to the purchases of the current matrimonial home and previous matrimonial property using CPF as well as proceeds from the sale of previous matrimonial homes. The proceeds of the sale of the first matrimonial home (which, as stated in [\[19\]](#), also involved payments by the wife [\[note: 42\]](#)) subsequently went towards the purchase of the second matrimonial home. The purchase of the fourth and current matrimonial home stemmed from financing arising out of the sale of the third matrimonial home. [\[note: 43\]](#) It was also not disputed that the wife contributed \$153,700 from her CPF account to the purchase of the current matrimonial home. Accordingly, it was clear to me that the wife did contribute money towards acquiring the matrimonial assets.

Further comments

29 It is regrettable that the advice provided by the Court of Appeal in the case of *NK v NL* [2007] 3 SLR(R) 743 (“*NK v NL*”) was not heeded and the affidavits alluded to a number of allegations relating to extramarital relationships. To reiterate, the court in *NK v NL* held (at [12]) that in the light of the current “no fault” basis of divorce law, it would serve no purpose to dwell on the question of “who did what”, and that the adulterous behaviour of parties was irrelevant in the determination of the ancillaries.

30 The Court of Appeal there then went on to state the primary objective of the law: to facilitate the transitional period of emotional upheaval for all parties concerned, not least the children. This salutary objective was lost in the midst of all the crossfire that ensued in the affidavits; in this unfortunate case, it seemed that the elder daughter was now being treated for depression. The husband indicated that this was due to the breakup of a relationship the child was in. [\[note: 44\]](#) The wife stated that the depression was partly due to the dysfunctional family environment. [\[note: 45\]](#) While causation is difficult to set out in such matters of the heart, the proximity between the timing of the commencement of treatment for depression and the timing of the commencement of divorce proceedings is telling.

The Division

31 As set out in *NK v NL*, the court’s mandate was to come to a just and equitable division of the matrimonial assets having regard to all the circumstances of the case.

32 With that in mind, and having considered the factors I listed out above, I adopted a broad brush approach and awarded the husband 55% of the matrimonial assets and the wife 45% of the matrimonial assets.

33 In addition, I took the step of evaluating the two proposals that the husband had put forward in his written submissions [\[note: 46\]](#):

- (a) He wanted either 75% of all the matrimonial assets, or
- (b) He was willing to let the wife keep the matrimonial property at [address redacted] (“the Matrimonial Property”) with him keeping the remaining properties. These remaining properties were

a shophouse in Clementi with a value of S\$800,000 [\[note: 47\]](#). The valuations of the Australian properties were disputed, but I proceeded on the husband's valuation, as I wanted to make the point that even if I had accepted the husband's proposal, the ultimate result would not be any different from the result I arrived at independent of the proposal. In this particular proposal, he also wanted each party to keep assets held in their own names.

34 I considered but did not think that the first proposal was reasonable. The division of 75:25 was disproportionate in light of the contributions the wife had made to, among other things, the welfare of the family. I then considered the second proposal and I drew up the following table to facilitate understanding:

Wife		Husband	
The Matrimonial Property (Husband's appraisal: \$3.25 mil (June 2010), Wife's appraisal: \$2.5 mil (April 2010))	Average taken: S\$2.875 mil	Clementi Shophouse	S\$800,000
(e)		Queensland Property (based on husband's own assessment: AUD\$300,000)	S\$389,355.00
		Perth Property (based on husband's own assessment: AUD\$400,000)	S\$519,140.00
Own Assets	S\$1,190,199.47	Own Assets (this sum includes the money in UOB bank account in the husband's parents' joint names, see [11])	S\$3,387,750.65
Total:	\$4,065,199.47	Total:	\$5,096,245.65
Division	44.37%		55.63%

35 The wife's assets (excluding real property) added up to \$1,190,199.47. I found the husband's assets (excluding real property) to be valued at \$3,387,750.65. I did not include the monies in the joint bank accounts that I had earlier found were not part of the pool of matrimonial assets. These were the monies in (a) the husband's joint accounts with the elder daughter; (b) the husband's joint account with the younger daughter; and (c) and the husband's joint fixed deposit account with his mother. I included the money in the bank account in the husband's parents' joint names as though they were a part of the matrimonial assets. In his second proposal, the husband was essentially stating that he should get 55.63% and the wife 44.37% of the matrimonial assets. It is evident that these numbers did not materially differ from the percentages I independently arrived at, having considered the s 112 factors in totality.

36 I now turn to the issue of maintenance.

Monthly maintenance for the wife

37 At the end of the hearing, I awarded a sum of S\$4,000 per month as maintenance for the wife.

The law

38 Section 114 of the Women's Charter (Cap 353, 2009 Rev Ed) sets out the matters to be considered in the assessment of maintenance:

Assessment of maintenance

114. —(1) In determining the amount of any maintenance to be paid by a man to his wife or former wife, the court shall have regard to all the circumstances of the case including the following matters:

- (a) the income, earning capacity, property and other financial resources which each of the parties to the marriage has or is likely to have in the foreseeable future;
- (b) the financial needs, obligations and responsibilities which each of the parties to the marriage has or is likely to have in the foreseeable future;
- (c) the standard of living enjoyed by the family before the breakdown of the marriage;
- (d) the age of each party to the marriage and the duration of the marriage;
- (e) any physical or mental disability of either of the parties to the marriage;
- (f) the contributions made by each of the parties to the marriage to the welfare of the family, including any contribution made by looking after the home or caring for the family; and
- (g) in the case of proceedings for divorce or nullity of marriage, the value to either of the parties to the marriage of any benefit (for example, a pension) which, by reason of the dissolution or annulment of the marriage that party will lose the chance of acquiring.

(2) In exercising its powers under this section, the court shall endeavour so to place the parties, so far as it is practicable and, having regard to their conduct, just to do so, in the financial position in which they would have been if the marriage had not broken down and each had properly discharged his or her financial obligations and responsibilities towards the other.

39 Having regard to Section 114, I decided on the sum of \$4,000 per month for the wife's maintenance with the following considerations in mind.

Considerations in assessing wife's maintenance

40 First, the wife stated in her affidavit that her total monthly expenses during the marriage added up to \$10,287.00. This monthly sum comprised the following:

- (a) wife's monthly personal expenses (\$2786.17);
- (b) monthly household expenses (\$2756.10);
- (c) car expenses (\$1,800);

(d) domestic worker expenses (\$682.90); and

(e) monthly expenses for the child (\$2261.83) [\[note: 48\]](#)

41 I subtracted the monthly expenses for the child from the sum of the total expenses, as there would be a separate order for maintenance for the child. I also discounted a reasonable sum from the monthly household and domestic worker expenses that would represent the household expenses and maid expenses that should be allocated to the child to form part of the maintenance for the child. After such adjustments, the ordinary expenses for herself alone would probably be in the region of \$6,500 per month.

42 Second, in assessing the maintenance sum, I had in mind the fact that the marriage lasted for 32 years. This was a long marriage where the wife consciously contributed to home life and to the welfare of the family. Despite the husband's contentions, I find it difficult to believe that the career path towards being a senior consultant in a hospital would not detract *at all* from family life.

43 Third, in coming to the sum of \$4,000 as the maintenance sum, I had regard to the standard of living enjoyed by the family before the breakdown of the marriage. This was a family that enjoyed a comfortable quality of life. Moreover, this was a sum the husband could readily afford.

44 Fourth, I also had regard to the income and earning capacity which the wife was likely to have in the foreseeable future. In deciding the maintenance sum, I was cognizant of the fact that if the wife resumed work now on a part time basis as a locum, she could readily earn at least \$2,500 per month.

45 Fifth, I noted the wife's argument that the husband's expenses far exceeded hers in some areas. While that in and of itself did not reflect the wife's expenses, it did reflect the standard of living that the household was used to and the standard of living that was enjoyed by the family. To provide further context, and as the wife points out, both parties are doctors, with the husband being a specialist in obstetrics and gynaecology. Parties also live in landed property. The standard of living cannot be said to be any less than one of comfort.

46 Sixth, the wife has several medical concerns. [\[note: 49\]](#) Among others, she might require hormone replacement therapy. This is due to her irregular and prolonged menses from perimenopausal bleeding. [\[note: 50\]](#) I took these medical conditions into account in assessing the financial needs the wife had or was likely to have in the foreseeable future. As the \$4,000 monthly maintenance together with her potential monthly earning of \$2,500 per month as a part time locum was at a level that would meet her ordinary monthly expenses of \$6,500 per month, this would mean that she would not need to utilise or draw down on the approximate \$4,000,000 dollars that would be her 45% share of the matrimonial assets. Should there be any extraordinary medical expenses that she might have to incur in the future, I think these could be readily taken care of from her share of the matrimonial assets. There was no need to increase the \$4,000 monthly maintenance to provide for these extraordinary expenses.

Monthly maintenance for the child

47 The wife initially sought \$5,217.10 as monthly maintenance for the child. She calculated that the child's personal monthly expenses alone came up to \$2,261.83. The husband initially proposed \$687 as an initial working budget, which he stated he was happy to adjust for the child's sake from

time to time. [\[note: 51\]](#) However, I noted that this sum did not include a significant number of expenses related to outings, clothing, shoes, holidays and school materials, which were factored in the wife's calculations. The husband stated that he did not include these expenses as he would pay these sums directly to the child. [\[note: 52\]](#) In the same affidavit, the husband stated that he was willing to pay \$2,650 a month for the child's maintenance (this was an "all in" sum including personal expenses, household expenses and maid expenses) [\[note: 53\]](#).

48 When parties came before me again in November 2011, counsel for the husband said that his client was prepared to pay and was willing to do all that could be done for the family. I asked for an updated and itemised breakdown of the child's expenses, and having received further submissions on 1 November 2011, I varied the maintenance order for the child to \$2,500 a month, with the additional stipulation that the husband was to pay separately for the child's tuition classes, piano lessons, and chiropractic sessions.

[\[note: 1\]](#) Defendant's Skeletal Submissions of 12 July 2011 ("DS") at 1

[\[note: 2\]](#) Defendant's AAM 1 at 35

[\[note: 3\]](#) Plaintiff's AAM 1 at 53

[\[note: 4\]](#) PA1 at 25

[\[note: 5\]](#) Defendant's Affidavit for Ancillary Matters Hearing of 15 March 2011 ("DA3") at 70

[\[note: 6\]](#) PS at 3

[\[note: 7\]](#) DS at 4

[\[note: 8\]](#) DA3 at 70

[\[note: 9\]](#) PA2 at 22

[\[note: 10\]](#) Affidavit of Chew Chee Meng, filed 11 August 2011 at para 10, 13

[\[note: 11\]](#) Page 24. Defendant's Affidavit of 11 August

[\[note: 12\]](#) Page 4, Defendant's AAM 3

[\[note: 13\]](#) PA1 at 26, DA2 at 14

[\[note: 14\]](#) DA3 at 26, PA1 at 29

[\[note: 15\]](#) PA2 at 18

[\[note: 16\]](#) PA2 at 18, DA3 at 33

[\[note: 17\]](#) PA3 at 12

[\[note: 18\]](#) DA2 at 22

[\[note: 19\]](#) See also the same paragraph where he speaks of his “struggles at career building”

[\[note: 20\]](#) DA3 at 56

[\[note: 21\]](#) PA3 at 113

[\[note: 22\]](#) PA2 at 22

[\[note: 23\]](#) PA1 at 26

[\[note: 24\]](#) PA2 at 22

[\[note: 25\]](#) PA1 at 27

[\[note: 26\]](#) DA3 at 39, DA2 at 14

[\[note: 27\]](#) PA1 at 27

[\[note: 28\]](#) PA1 at 28

[\[note: 29\]](#) DS at 11

[\[note: 30\]](#) DS at 11

[\[note: 31\]](#) DA2 at 23

[\[note: 32\]](#) Defence para 2(c)

[\[note: 33\]](#) Reply para 1(c)(i)

[\[note: 34\]](#) DA3 at 15, DA2 at 23

[\[note: 35\]](#) PA2 at 6

[\[note: 36\]](#) PA2 at 10, DA3 at 23

[\[note: 37\]](#) DA3 at 33

[\[note: 38\]](#) PA2 at 18

[\[note: 39\]](#) PA 2 at 16

[\[note: 40\]](#) PA2 at 16

[\[note: 41\]](#) DA2 at 20

[\[note: 42\]](#) PA1 at 24

[\[note: 43\]](#) PA1 at 24

[\[note: 44\]](#) DA3 at 30

[\[note: 45\]](#) PA2 at 15

[\[note: 46\]](#) Defendant's Written Submissions at Page 33, Para 48

[\[note: 47\]](#) PA1 at 119

[\[note: 48\]](#) PA1 at 20

[\[note: 49\]](#) DA3 at 65

[\[note: 50\]](#) DA3 at 160, DA1 at 149

[\[note: 51\]](#) DA2 at 11

[\[note: 52\]](#) DA2 at 10

[\[note: 53\]](#) DA2 at 33, see also Plaintiff's Ancillary Matters Fact and Position Sheet at 13