

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2025] SGHCF 18

Divorce (Transferred) No 4047 of 2022

Between

XIW

... Plaintiff

And

XIX

... Defendant

JUDGMENT

[Family Law — Matrimonial Assets — Division]

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XIW

v

XIX

[2025] SGHCF 18

General Division of the High Court (Family Division) — Divorce
(Transferred) No 4047 of 2022
Tan Siong Thye SJ
4 February 2025

5 March 2025

Judgment reserved.

Tan Siong Thye SJ:

Introduction

1 The plaintiff (the “Wife”) and the defendant (the “Husband”) were married on 23 October 1986 and their marriage lasted close to 37 years until the date of interim judgment on 31 May 2023 (“the IJ”).¹ They have two sons from this marriage aged 33 and 30 (collectively, the “Children”).²

2 The parties agree that there should be no spousal maintenance³ and that there is no maintenance for the Children as they have reached the age of

¹ Joint Summary (“JS”) at p 1 paras 1(1)–1(3).

² JS at p 3 para 2(a).

³ Wife’s Written Submissions dated 29 October 2024 (“WWS”) at para 3; Husband’s Written Submissions dated 29 October 2024 (“HWS”) at para 8.

maturity. The central dispute in this case thus revolves around the sole issue of the division of matrimonial assets.

Facts

3 The Wife is 66 years old and is presently employed as a Director, Value Office (Quality Service Management) with [E].⁴

4 The Husband is 64 years old. Up until 27 January 2024, he held a regional operations role for electrical engineering for [F]. The Husband avers that he is presently retired, while the Wife believes that he is currently working on a contract basis with a Thai company.⁵

5 This was a dual-income marriage.⁶ On 1 September 2022, the Wife initiated divorce proceedings as she felt that the marriage had irretrievably broken down.⁷ The family court granted the IJ by consent on 31 May 2023, on the ground that the parties had lived apart for a continuous period of at least three years immediately preceding the filing of the writ for divorce.⁸ The parties thus appeared before me to resolve the sole ancillary issue relating to the division of matrimonial assets.

Issues to be determined

6 The following issues are for my determination:

⁴ WWS at para 2; HWS at para 3(g).

⁵ HWS at para 3(f); WWS at para 2.

⁶ WWS at para 31; HWS at para 15.

⁷ Writ for divorce FC/D 4047/2022 filed on 1 September 2022.

⁸ Interim Judgment FC/IJ 2456/2023 dated 31 May 2023, filed on 1 June 2023.

- (a) what are the proper identification and valuation of the matrimonial pool of assets; and
- (b) what are the parties' respective direct and indirect contributions.

7 The parties agree that this was a dual-income marriage and the structured approach, as outlined in *ANJ v ANK* [2015] 4 SLR 1043 (“*ANJ*”), ought to apply.⁹ Under the structured approach, the court will first “ascribe a ratio that represents each party’s direct contributions relative to that of the other party, having regard to the amount of financial contributions each party has made towards the acquisition or improvement of the matrimonial assets”. Next, the court will “ascribe a second ratio to represent each party’s indirect contribution to the well-being of the family relative to that of the other”. Finally, from each party’s respective direct and indirect contributions ratios, the court then “derives each party’s average percentage contribution to the family which would form the basis to divide the matrimonial assets” (*ANJ* at [22]).

8 The Wife’s counsel argues that the global assessment methodology, as opposed to the classification methodology, would be appropriate in the present case.¹⁰ The Husband’s counsel, at the hearing, however, appeared to take the position that the classification approach would be preferable with the parties’ matrimonial home (the “Matrimonial Property”) occupying a separate category. It seems that the Husband is simply seeking for the Matrimonial Property to be separated from the rest of the parties’ joint assets when the parties’ direct contributions ratio is derived. His request to adopt the classification methodology appears to be misguided. As explained by the Court of Appeal in

⁹ WWS at para 32; HWS at paras 91–93.

¹⁰ WWS at para 16.

NK v NL [2007] 3 SLR(R) 743 (“*NK v NL*”), the classification methodology entails ascribing separate and distinct direct contribution ratios for *each* class of assets identified by the parties, and subsequently deriving separate final ratios for each class, using the same indirect contribution ratio across the various classes (at [32] and [35]). In this case, the Husband has only derived a *single* direct contributions ratio and a *single* final ratio for the entire matrimonial pool of assets.¹¹ Although he claims that the Matrimonial Property should be divided in the ratio of 70:30 in his favour,¹² this appears to be based solely on what he alleges to be the parties’ direct financial contributions to the Matrimonial Property¹³ without factoring in the parties’ indirect contributions at all. Therefore, it would appear that the Husband is not actually applying the classification methodology. I am thus of the view that the global assessment methodology is appropriate as this does not appear to be a case where there are multiple classes of assets to which the parties have made different contributions (*NK v NL* at [35]).

Identification and valuation of the matrimonial pool of assets

Valuation of the matrimonial pool of assets

9 The parties agree that the appropriate date for the identification of the matrimonial assets is the date of the IJ, *ie*, 31 May 2023. To ascertain the value of the matrimonial fixed assets, the parties agree that the relevant date should be the date closest to the hearing of the ancillary matters. The parties also agree that the date for assessing the value of the matrimonial liquid assets should be

¹¹ HWS at paras 103, 113 and 117–118.

¹² HWS at para 120.

¹³ HWS at paras 99–100.

the date closest to the IJ.¹⁴ Finally, the parties do not dispute the net value of the assets held in their sole names.¹⁵ The parties, however, differ slightly over the appropriate valuation of some of the joint assets.

10 For ease of reference, I reproduce the four joint assets which the parties dispute the value of (the “Disputed Assets”). The parties’ respective valuation of the Disputed Assets are as follows:¹⁶

Disputed Assets	Wife’s value	Husband’s value
Citibank CitiAccess Account No. XXXXXX-7034	USD 6,320.36 (S\$8,566.49)	USD 6,320.36 (S\$8,565.80)
Citibank Global Foreign Currency Account No. XXXXXX-7026	AUD 130.59 (S\$148.87)	AUD 130.59 (S\$148.88)
Citibank Global Foreign Currency Account No. XXXXXX-9418	GBP 958.92 (S\$1,648.48)	GBP 958.92 (S\$1,610.58)
Citibank Investment Fund Account No. XXXXXX-7001	GBP 4,030.81 (S\$ 6,928.96)	GBP 4,030.81 (S\$ 6,770.04)

11 From the parties’ joint summary, the disagreement over the appropriate value of the Disputed Assets stems from the difference in the exchange rate which they have adopted. Although the parties agree that the relevant exchange rate is the rate at the date of the IJ (*ie*, 31 May 2023), they submit that the

¹⁴ JS at p 3 para 3.

¹⁵ JS at p 4 para 3(b) and p 24 para 3(c).

¹⁶ JS at pp 6–7 paras 3(a)(v)–3(a)(viii).

following exchange rates ought to be adopted for the three currencies listed above (at [10]):¹⁷

Currency (as of 31 May 2023)	Wife's value	Husband's value
USD (to 1 SGD)	0.7378	0.737860
AUD (to 1 SGD)	1.1400	1.140067
GBP (to 1 SGD)	0.5953	0.595389

12 The differences in the parties' values for the applicable exchange rate are due to the Wife rounding off the values to four decimal places whilst the Husband utilises values up to six decimal places. Given that the Husband uses a more precise value for the appropriate exchange rate, I shall adopt his values for the Disputed Assets.

13 On the valuation of the Disputed Assets, I am mindful of the advisory of the Court of Appeal in *UYQ v UYP* [2020] 1 SLR 551, that "a rigid, mechanistic and overly-arithmetical application of the structured approach in *ANJ v ANK* must be assiduously avoided" as "flooding the court with details ... would obscure rather than illuminate" [emphasis in original removed] (at [3]–[4]). Parties should not be enmeshed in petty arguments when trying to derive the total value of the matrimonial pool, particularly when the monetary difference in their position can be considered *de minimis* when viewed in the context of the overall matrimonial pool of assets. In this case the total difference between the parties' positions is only S\$197.50 and the total value of their matrimonial pool of assets exceeds S\$8,000,000.¹⁸ Parties should avoid being caught up in

¹⁷ JS at p 4 para 3.

¹⁸ WWS at para 29; HWS at para 96.

disputes over a value worth *less* than 0.0025% of the value of their total matrimonial pool.

14 As a final point on the valuation of the matrimonial pool of assets, I wish to comment on how the value of the Wife’s SGX Individual Account No. [XX] (the “SGX Account”)¹⁹ was derived. In her written submission, the Wife has been candid and upfront in stating that between the date of the IJ and the date of the ancillary matters hearing, she had sold various shares in the SGX Account. As it transpired, the three lots of shares which she sold were at a value lower than what their prices would have been had she retained them until the date of the ancillary matters hearing. Relying on the authority of *CYH v CYI* [2024] 4 SLR 517, the Wife accepts that the appropriate value of her SGX Account ought to be the higher value of the two (*ie*, the value as of the date of the ancillary matters hearing).²⁰ At the hearing before me, and in further correspondence to the court,²¹ the parties confirmed that they were in agreement to using the value of the Wife’s SGX Account, as of the date of the ancillary matters hearing, to calculate the value of the assets to be included in the matrimonial pool. I thus adopt the value as set out by the Wife as I agree with her approach of using the higher sale prices and thank her for her candour in raising this point on her own volition.

Identification of the matrimonial pool of assets

15 I shall now deal with the categorisation of the assets in the matrimonial pool of assets. The parties are broadly in agreement as to which assets ought to

¹⁹ JS at p 22 para 3(c)(lxxvi).

²⁰ WWS at paras 24–28.

²¹ Rajan Chettiar LLC’s letter to court dated 10 February 2025 at para 4; Damodara Ong LLC’s letter to court dated 11 February 2025 at paras 10–12.

be classified as either the parties' joint or sole assets. However, in her written submission, the Wife appears to depart from her position in the joint summary with respect to four assets. These are: (a) the Citibank Investment Funds Account No. XXXXXX-7001 (the "Citibank Account"); (b) the Singapore Island Country Club Membership No. [XX] (the "SICC Membership"); (c) a Lexus R300 Luxury (the "Car"); and (d) 110,000 shares on the Shanghai Exchange (the "Shares"). I shall address each of these assets in turn.

16 In the joint summary, the Wife and the Husband declared that the Citibank Account, the SICC Membership and the Car should be categorised as the Wife's sole assets.²² However, in the Wife's written submission, she classifies these three assets as joint assets instead, although they are held in her sole name.²³

17 The Husband, in his written submission, alleges that the SICC Membership and the Car serve as examples of the fact that it was his direct financial assistance which contributed to the Wife's net worth and the growth of assets in her name.²⁴ As regards the Car, the Husband contends that he bought the Car with his moneys and the Wife only serviced the car loan of S\$50,000.²⁵ As for the SICC Membership, the Husband alleges that he bought it with his moneys, and that he was the principal member before the membership was transferred to the Wife in 2020.²⁶ The Husband does not make any specific submission on the Citibank Account.

²² JS at p 24 paras 3(c)(lxxx)–3(c)(lxxxi).

²³ WWS at paras 36 and 39.

²⁴ HWS at para 37.

²⁵ HWS at para 38.

²⁶ HWS at para 39.

18 In view of the parties' submissions, I find that it would be appropriate for the Wife to classify the Citibank Account, the SICC Membership and the Car as joint assets. However, I am unable to accept the Husband's assertion that it was his financial contributions which "enabled the Wife to grow her financial worth/standing" such that her assets, including the SICC Membership and the Car, were almost solely funded by him.²⁷ In *UJF v UJG* [2019] 3 SLR 178, Aedit Abdullah J observed that while the "court takes "a rough and ready" approach in the absence of sufficient evidence", as per s 116 illustration (g) of the Evidence Act 1893 (2020 Rev Ed), "[t]he evidential burden lies on the party asserting a proposition, or refuting other evidence brought into play. In the absence of such evidence, the contrary position stands." (at [53] and [55]). In the premises, since the Husband is asserting that the Wife's various assets, such as the SICC Membership and the Car were largely (or even solely) funded by him, despite being in the Wife's sole name, the burden rests on him to prove this.

19 In his written submission, the Husband makes the general assertion that the Wife withdrew moneys from the DBS Joint Account No. XXX-XXXXXX-3 (the "DBS JA") and the POSB Account No. XXX-XXXXXX-3 (the "POSB JA") to, *inter alia*, make her investments. According to the Husband, the sums within the DBS JA and POSB JA consist purely of the Husband's salary and not the Wife's.²⁸ Consequently, the Husband submits that the Wife was only able to grow her financial worth and the assets in her name by relying on his contributions. This is because the savings in the aforementioned joint accounts would be used to make family financial investments "in the Wife's name so that their various investment instruments may be managed more easily". To further

²⁷ HWS at paras 34–39.

²⁸ HWS at paras 20–26.

illustrate this point, the Husband also outlines, as an example, how the SICC Membership and the Car were, in effect, paid by him.²⁹

20 I shall first deal with the Husband’s general contention that his income was the main source by which the Wife was able to accumulate her sole assets, before addressing his more specific contentions on the SICC Membership and the Car. To this end, I also note that as regards the Citibank Account, although the Husband has not made any specific submission on this asset, it would fall under his general claim that the Wife’s investments were the result of his income and thus contributions. The crucial flaw in the Husband’s argument in this respect is that even if it was true that the monies which make up the DBS JA and the POSB JA came solely from him, he has not shown that the Wife subsequently used the sums in these joint accounts to purchase the investments and assets under her name, such as the SICC Membership or the Car. Here, apart from bare assertions on affidavit that the SICC Membership and the Car were paid for by him, the Husband has not adduced any positive evidence to suggest that it is true.

21 For instance, in relation to the Car, the Husband asserts that “a large part of the purchase of the [Car] was paid in cash on [sic] April 2018 through the payment of S\$259,705.48” from the POSB JA.³⁰ The Wife had filed an interrogatory on 8 February 2024 requesting, *inter alia*, information on where the exact same sum of S\$259,705.48, which was withdrawn on 4 April 2018 from the POSB JA, was held.³¹ The Husband’s response to the Wife’s interrogatory was that he was unable to retrieve any details of the transaction

²⁹ HWS at paras 34–39.

³⁰ Husband’s 2nd Affidavit of Asset and Means dated 26 July 2024 (“H-2”) at para 69.

³¹ H-2 at p 30.

from the POSB master database,³² which appears to contradict his claim that the sum was used to finance the purchase of the Car. In totality, this present state of the evidence appears to point against the Husband's claim that the cash withdrawal was done using *solely* his moneys to fund the purchase of the Wife's Car.

22 As for the Husband's claim that the SICC Membership was bought with funds from the DBS JA, where all of his income was deposited into, I find his evidence on affidavit (which simply states that the bank account only contained deposits from him) insufficient to support his claim that the SICC Membership was paid solely with funds from that said account.³³

23 I am thus unable to agree that the Citibank Account, the SICC Membership and the Car were funded largely or solely by the Husband. Rather, it would be just and fair to characterise these assets as joint assets which the parties had made equal contributions towards. The parties agreed that the Citibank Account, the SICC Membership and the Car are worth S\$17,534.78, S\$330,000 and S\$125,000, respectively.³⁴ Hence, the parties' joint assets and the Wife's sole assets will increase and decrease, accordingly, by those amounts.

24 In relation to the Shares, the Wife has inexplicably departed from her original position in the joint summary.³⁵ Despite initially characterising the Shares, which the Husband holds on the Shanghai Exchange with an ex-

³² H-2 at p 102.

³³ See HWS at para 39 citing H-2 at para 24(b).

³⁴ JS at p 24 paras 3(c)(lxxx)–3(c)(lxxxi).

³⁵ JS at p 9 para 3(a)(xi).

colleague, as joint assets, the Wife now accepts that the Shares belong to the Husband.³⁶ The Husband, in his affidavit, claims that the Shares belong to him.³⁷ This increases the portion of the Husband’s direct financial contributions to the matrimonial pool of assets. I thus reduce the value of the joint assets by S\$15,193.66 (*ie*, the agreed value of the Shares)³⁸ and increase the Husband’s sole assets by the same sum accordingly.

25 Finally, as for the joint accounts between the Husband and the Children, the parties agree to have these joint accounts excluded from the matrimonial pool of assets. At the hearing, the parties’ counsel confirmed that these joint accounts should be taken out of the matrimonial pool of assets.

26 In light of the foregoing, the total matrimonial pool of assets are as follows:

Parties’ Assets	Amount
Joint Assets (including the Matrimonial Property)	S\$2,505,136.96
Husband’s Assets	S\$2,878,235.16
Wife’s Assets	S\$3,421,495.18
Total	S\$8,804,867.30

³⁶ WWS at para 29.

³⁷ Husband’s 1st Affidavit of Asset and Means dated 26 July 2024 (“H-1”) at p 6.

³⁸ JS at p 9 para 3(a)(xi).

Distribution of the matrimonial pool of assets

Direct Contributions

27 The parties agree that their respective contributions to the Matrimonial Property should be calculated separately from the rest of the matrimonial assets.³⁹ For the Matrimonial Property, the parties agree that their direct financial contributions towards the Matrimonial Property should mirror to their Central Provident Fund (“CPF”) contributions that were used towards the purchase of this asset.⁴⁰ As for the rest of the joint assets, the parties broadly agree that these joint assets should be equally attributable to both parties.⁴¹

28 I pause briefly to make two further observations.

29 First, the Wife, in deriving the ratio of the parties’ direct financial contributions in respect of the Matrimonial Property, uses the actual amount the parties had paid for the acquisition of the Matrimonial Property.⁴² On the other hand, the Husband uses the relative ratio of the actual amounts the parties had paid towards acquiring the Matrimonial Property and converts it to the current market value of the Matrimonial Property. The parties have agreed that for the purpose of the ancillary hearing, the value of the Matrimonial Property is to be worth S\$2,000,000, and adjustments will have to be made accordingly after the sale of the Matrimonial Property.⁴³ Depending on the method used, there will be a difference in the final ratio of the parties’ direct contributions. The Wife’s

³⁹ WWS at paras 34–35 and 39; HWS at paras 98–100.

⁴⁰ WWS at para 34; HWS at para 99.

⁴¹ WWS at paras 36–37; HWS at para 101.

⁴² WWS at para 39.

⁴³ HWS at para 100.

method will give rise to a ratio for direct contributions as 52.88:47.12, in the Wife's favour. While the Husband's method will result in a ratio of 49.09:50.91, in the Husband's favour. In other words, the Wife's methodology increases her direct contributions by 3.79%. A more detailed calculation and comparison of the parties' approaches can be found below at Annex 1. In my view, the Husband's approach is more reflective of the reality of the present value of the Matrimonial Property. Further, it is not disputed that the Husband contributed more towards the Matrimonial Property. Thus, I am inclined to accept the Husband's approach.

30 Second, the Husband submits that as he "contributed all of his income towards the family during the marriage", his estimated total direct financial contributions is thus S\$7,146,930.57. The Husband derives this figure of S\$7,146,930.57 by aggregating his annual income from 1990 to 2024 (save for the years 2003 and 2004) as well as his CPF contribution to the Matrimonial Property – *ie*, Net Income: S\$6,871,958.92 + CPF contribution: S\$274,971.65.⁴⁴ Since this sum (of S\$7,146,930.57) makes up 81.17% of the total matrimonial assets of S\$8,804,867.30 the Husband thus argues that his direct financial contributions should be adjusted to 81.17%.⁴⁵ I disagree entirely. This methodology only takes into account the Husband's direct contributions without accounting for the Wife's direct contributions. Hence, it is inaccurate and misleading.

31 In *BNS v BNT* [2017] 4 SLR 213 ("*BNS*"), Valerie Thean JC (as she then was) rejected the husband's attempt to use each party's total income, accrued over the course of the marriage, as a rough gauge of the ratio of their direct

⁴⁴ HWS at paras 30–31.

⁴⁵ HWS at paras 115–117.

contributions. Thean JC found that such an approach was unduly skewed in the husband's favour who had expended more of his income into the family's expenses rather than in accruing matrimonial assets. It would instead be more accurate to use the respective party's direct contributions to the matrimonial pool to derive their direct contributions.

32 More significantly, I find the Husband's methodology of calculating his direct contributions as 81.17%, using his cumulative income during the marriage, to be fundamentally flawed. By only relying on *his* accumulated income over the years, from 1990 to 2024, (see [30] above) the Husband is essentially presupposing that he had spent every single cent, that he earned throughout those years, into the acquisition of the matrimonial assets. This is clearly contradictory to the Husband's own case as he also contends (see [38] below) that he had been responsible for the lion's share in the payment of expenses such as daily expenses, the Children's education, and family holidays.⁴⁶ This would suggest that a significant amount of the Husband's income was expended into other avenues other than towards the acquisition of the matrimonial assets.

33 Finally, if the Husband wanted to rely on an income-based approach to ascertain the parties' respective direct contributions, he should have taken into account and compiled the Wife's total accumulated income throughout the parties' marriage. This will determine the respective ratio of the parties' total accumulated income and show their direct contributions. Having not done that, I cannot accept the Husband's position that the Wife's direct contributions should be limited to the difference between the total value of the matrimonial pool and the sum of his total net income during the years of marriage and his

⁴⁶ HWS at paras 40–46.

CPF contribution to the Matrimonial Property (*ie*, S\$8,804,867.30 – S\$7,146,930.57 = S\$1,657,936.73 (18.83%)⁴⁷).

34 In summary, the parties' direct contributions to the matrimonial pool of assets are thus as follows:

Parties' Direct Contributions	Wife	Husband
Matrimonial Property (assuming the Matrimonial Property is worth S\$2 million)	S\$639,418.13	S\$1,360,581.87
Joint Assets (less Matrimonial Property)	S\$252,568.48	S\$252,568.48
Sole Assets	S\$3,421,495.18	S\$2,878,235.16
Total	S\$4,313,481.79	S\$4,491,385.51
Ratio	48.99%	51.01%

Indirect Contributions

35 In relation to the indirect contributions, the Wife seeks for a ratio of 65:35 in her favour.⁴⁸ Conversely, the Husband argues that a ratio of 50:50 should be ascribed for the parties' indirect contributions.⁴⁹ In the alternative, he submits that a ratio of 60:40, in favour of the Wife, would be more appropriate than the Wife's suggested ratio.⁵⁰

⁴⁷ HWS at paras 115 and 117.

⁴⁸ WWS at para 53.

⁴⁹ HWS at para 111.

⁵⁰ HWS at para 118.

36 Before I delve into the facts of the present case, I believe that it would be useful for me to briefly set out the law regarding the determination of the parties' indirect contributions under the *ANJ* approach. In *TNL v TNK and another appeal and another matter* [2017] 1 SLR 609 (“*TNL*”), the Court of Appeal stressed that when determining the parties' indirect contributions, this determination “should *not* be further broken down into two sub-steps such that separate ratios are assigned to indirect financial contributions, on the one hand, and non-financial contributions, on the other” [emphasis in original] (at [47]). Rather, what “values to give to the indirect contributions of the parties is necessarily a matter of impression and judgment of the court ... and in that regard broad strokes would have to be the order of the day” (*ANJ* at [24], cited in *TNL* at [47]). It is with these principles in mind that I proceed to analyse the parties' submissions on the appropriate indirect contribution ratios.

37 The Wife submits that caregiving for the Children and housekeeping were her sole responsibility as the Husband had to travel overseas frequently. Despite having numerous domestic helpers from 1992 to 2004, the Wife argues that this did not lessen her contributions as she was the one who supervised and trained them. The parties also did not have any domestic helper after 2004.⁵¹ The Wife further argues that she had sacrificed her career development for the family when she left her full-time job in 1996 to do freelance work. She had to constantly change jobs as she struggled between maintaining a job and singlehandedly caring for the Children and managing the household. Indeed, she avers that she was solely responsible for various housekeeping tasks, such as the maintenance of the house and cooking for the family.⁵² When the Children experienced health or educational difficulties, the Wife had been the one to care

⁵¹ WWS at paras 41–43.

⁵² WWS at paras 44–46 and 49–50.

for them, while the Husband did not show much interest in the Children's well-being or education.⁵³ Finally, the Wife argues that she had also made indirect financial contributions towards the family expenses.⁵⁴

38 The Husband accepts that the “parties [had] agreed that the Wife would stay home to take care of the family and do freelance work instead of full-time work, while the Husband focused on his job with [F] since it would entail frequent travel”.⁵⁵ Moreover, he concedes that his “job at [F] was a regional one that required him to travel”.⁵⁶ However, he stresses that despite having to travel frequently, he would never be away for more than 183 days in a year and when he had to be overseas for a prolonged period (*eg*, upwards of a month) he would always return for one or two weeks before he travelled again.⁵⁷ When in Singapore, the Husband contends that he made it a point to spend time with his family and the Children, such as attending their sports competitions and spending time in the United Kingdom with the older son.⁵⁸ He thus strongly rejects the Wife's characterisation of him being unaware of or disinterested in the lives of their Children.⁵⁹ Above all, the Husband stresses his indirect financial contributions. He argues that it was his income which funded the parties' various household expenses, such as investments, family holidays, and major purchases.⁶⁰ Finally, the Husband urges the court not to place too much

⁵³ WWS at paras 46–48.

⁵⁴ WWS at para 52.

⁵⁵ HWS at para 50.

⁵⁶ HWS at para 49.

⁵⁷ HWS at paras 51–53.

⁵⁸ HWS at paras 54–59.

⁵⁹ HWS at paras 60–62.

⁶⁰ HWS at paras 40–44.

emphasis on the Wife’s indirect non-financial contributions given that domestic helpers were employed from 1992 to 2004.⁶¹

39 To begin, I set out a few helpful precedents which the parties cited with respect to the appropriate ratio of indirect contributions to award:

(a) In *WGE v WGF* [2023] SGHCF 26 (“*WGE*”), Mavis Chionh Size Chyi J held that an equitable indirect contributions ratio would be 70:30 in the wife’s favour (at [162]). In that case, Chionh J had observed that the wife had left her job “as a lead stewardess with Singapore Airlines” to take on the onerous burden of being the “primary caregiver”. In contrast, although the husband had made significant indirect financial contributions, he also spent “the bulk of his time at work and on traveling for work” and had spent his time outside of work visiting pubs to “decompress” (at [157]–[158]).

(b) In *TPY v TPZ and another appeal* [2017] SGHCF 2 (“*TPY*”), Choo Han Teck J decided on a ratio of 60:40, in favour of the wife, for the parties’ indirect contributions (at [33]). Choo J took into account the fact that “both the [h]usband and the [w]ife worked full-time throughout the marriage and relied on the domestic helper substantially for homemaking and caregiving in order to focus on their respective careers” but accepted that the wife had been the main supervisor of the helper while the husband travelled frequently (at [27]). That said, while the wife did make certain sacrifices in her career to care for the child, she remained highly successful in her career (at [28]). Choo J also

⁶¹ HWS at para 68.

upheld the lower court's finding that the parties had made equal indirect financial contributions (at [24]).

(c) In *UTJ v UTK* [2019] SGHCF 6 (“*UTJ*”), Tan Puay Boon JC found that a ratio of 60:40, in favour of the Wife, would be just and equitable (at [74]). Both parties had worked during the entirety of their marriage. Although the husband had “paid for the bulk of the family’s expenses including [their son’s] education overseas”, the wife “was a full-time working mother [who] had contributed to the upbringing of the [son] and the running of the household whilst the [h]usband was preoccupied with work over the weekends”. Although the parties had a helper, it was clear that the wife had not delegated all household responsibilities to her (at [71]).

40 This case is broadly analogous to that of *TPY* and *UTJ*. Both cases involved situations where *both* the husband and the wife, much like in the present case, maintained their jobs and thus relied on domestic helpers to assist with the housekeeping and in taking care of the children. In this case, although the Wife did have the assistance of a domestic helper from 1992 to 2004, a period of about 12 years, it clearly cannot be said that she delegated all, or even most, of the household responsibilities to the helper. Indeed, even whilst the Husband advocates for his indirect contributions, he concedes that “the [Wife] did manage most of the day-to-day activities with [the Children]”.⁶² It is also undeniable that the Wife *had* made career sacrifices in order to care for the Children. The Husband further conceded that he had to “trave[l] intensively for the initial [ten] years”.⁶³ Moreover, the parties did not benefit from the

⁶² H-2 at paras 72–73.

⁶³ H-2 at paras 41–42.

assistance of a domestic helper from 2004 to 31 May 2023 (the date of the IJ). Thus, for about 19 years, which is slightly longer than half of their 37-year marriage, the parties did not have a domestic helper. Hence, the indirect contributions of the Wife for the latter half of the marriage were much more than the first half of the marriage as there was no domestic helper. Although, the Husband might have made indirect financial contributions, it is clear from *UTJ* that such contributions alone are not sufficient to skew the indirect contributions in favour of the breadwinner.

41 Indeed, in *WGE*, Chionh J had observed that although “credit ought to be given to the [h]usband’s substantial indirect financial contributions, that alone cannot swing the balance towards a roughly equal ratio of indirect contributions” (at [158]). In a similar vein, in light of the Wife’s much more significant indirect non-financial contributions in the form of housekeeping, child-rearing and her career sacrifices, even accepting that the Husband had taken on the majority of the family’s expenses, this is insufficient to tilt the balance in favour of a 50:50 split for indirect contributions. However, I did not find the Wife’s suggestion of a 65:35 split in her favour to be justifiable either. The facts of the present case are different from that of *WGE* wherein the wife in *WGE* had ceased working to be the primary caregiver for the child and she lacked the assistance of a domestic helper or even a family member (at [158]). The Husband in the present case is also more involved in the lives of his Children than the husband in *WGE* who, after moving out, only tried to see his child on weekends (at [159]). In contrast, here, the Wife accepted that the Husband had made an effort to “engage more with the Children when he was [in] Singapore” and that he had attended their older son’s sporting events and

competitions – though she contended that these were few and sparse events.⁶⁴ Regardless, it is clear that the Husband was much more involved in the Children’s lives, as compared to the husband in *WGE*.

42 Thus, I apply the structured approach in *ANJ*, while keeping in mind the cautionary observation made by the Court of Appeal in *TNL* regarding the assessment of the parties’ indirect contributions outlined above (see [36]). In summary, I find that a ratio of 60:40 in favour of the Wife for indirect contributions would be just and equitable.

Manner of division

43 Applying the *ANJ* approach, and adopting an equal weightage to both direct and indirect contributions (as the parties have done), the overall ratio of contributions is as follows:

Contribution	Wife	Husband
Direct Contributions	48.99%	51.01%
Indirect Contributions	60%	40%
Average ratio	54.495%	45.505%

44 Since the net asset value of the matrimonial pool of assets is S\$8,804,867.30, the Husband will receive S\$4,006,654.86 and the Wife will receive S\$4,798,212.44.

⁶⁴ Wife’s 3rd Affidavit of Asset and Means dated 20 September 2024 (“W-3”) at paras 12–13.

45 The Wife proposes that the Husband's rights, title and interest in the Matrimonial Property should be transferred, other than by way of sale, to her.⁶⁵ The Husband similarly requests for the Matrimonial Property to be transferred, other than by way of sale, to him.⁶⁶ I note that the Husband is currently residing at the Matrimonial Property with the parties' older son.⁶⁷ The Wife had moved out of the Matrimonial Property with the younger son in late February 2023.⁶⁸ The Wife had explained that this was to avoid any confrontation with her older son arising from an episode he experienced. She claimed that conflicts with the older son will likely happen as he "cannot always control his reactions".⁶⁹ It is apparent that the Wife cannot get along with her older son. I thus agree with the Husband that as he and the parties' older son are residing in the Matrimonial Property, he should get the right of first refusal.

Conclusion

46 For the above reasons, I make the following orders:

- (a) The matrimonial pool of assets totalling S\$8,804,867.30, will be divided 54.495% in favour of the Wife and 45.505% for the Husband.
- (b) Within three months of this judgment, the Wife's rights, title and interest in the Matrimonial Property shall be transferred (other than by way of sale) to the Husband upon the Husband paying the Wife a sum

⁶⁵ WWS at para 59(a); see also Rajan Chettiar LLC's letter to court dated 10 February 2025 at para 3.

⁶⁶ HWS at para 124(ii); see also Damodara Ong LLC's letter to court dated 11 February 2025 at paras 3–9.

⁶⁷ H-1 at p 1; H-2 at para 92.

⁶⁸ Wife's 1st Affidavit of Asset and Means dated 18 January 2024 at p 1 and p 13 para 18.

⁶⁹ W-3 at paras 27–31.

to be agreed upon by the parties in accordance with [46(a)] as consideration. The Wife shall make the required CPF refunds to her CPF account. The Husband shall bear the costs and expenses of the transfer.

(c) In the event the Husband is unable to take over the Wife's share of the Matrimonial Property within three months due to whatever reason, the Wife shall have the option to have the Matrimonial Property be transferred (other than by way of sale) to her upon the Wife paying the Husband a sum to be agreed upon by the parties in accordance with [46(a)] as consideration. The Husband shall make the required CPF refunds to his CPF account. The Wife shall bear the costs and expenses of the transfer.

(d) In the event the Wife is unable to take over the Husband's share of the Matrimonial Property within three months and thus, neither party is able to take over the other's share of the Matrimonial Property, the Matrimonial Property shall be sold on the open market within six months from the date of the final judgment with the parties having joint conduct over the sale. The sale proceeds shall be used as follows:

- (i) the reimbursement of the sums from the Wife's and the Husband's CPF accounts that had been used towards the acquisition of the Matrimonial Property and the interest accrued to the parties' respective CPF accounts;
- (ii) costs and expenses of the sale of the Matrimonial Property, including any conveyancing fee, stamp duty, registration fee, administrative charges and legal fees (including any disbursements or other costs);

(iii) the balance of the net sale proceeds, after deducting items (i) and (ii) above, shall be apportioned between the parties so that the final matrimonial pool is divided as follows:

(A) 54.495% to the Wife after taking into account [46(e)] and [46(f)];

(B) 45.505% to the Husband after taking into account [46(e)] and [46(f)];

(iv) these orders are made subject to the Central Provident Fund Act 1953 (2020 Rev Ed) and the subsidiary legislation made thereunder in respect of the Member's CPF moneys, property and investments.

(e) The moneys in the bank accounts jointly held by the parties shall be closed and the moneys remaining in the accounts as at the date of closure shall be retained by the Husband, subject to [46(a)].

(f) Each party to retain all other assets in their respective sole names.

(g) The Registrar of the Supreme Court 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 the written request being made to the party.

47 If the parties are unable to agree on costs, costs submissions are to be provided within two weeks of the judgment.

Tan Siong Thye
Senior Judge

Chettiar Kamalarajan Malaiyandi and Navin Kangatharan (Rajan
Chettiar LLC) for the plaintiff;
Suresh s/o Damodara, S.M. Sukhmit Singh and Isabel Ho Ci Xian
(Isabel He Cixian) (Damodara Ong LLC) for the defendant.

Annex 1: Comparison of the Wife's and the Husband's methodologies for calculating the parties' direct financial contributions

A.1 The Wife's approach:

	Wife	Husband
Matrimonial Property	S\$129,255.49	S\$274,971.65
Joint Assets (less Matrimonial Property)	S\$243,801.09	S\$243,801.09
Sole Assets	S\$3,439,029.96	S\$2,878,235.16
Total	S\$3,812,086.54	S\$3,397,007.90
Ratio	52.88%	47.12%

A.2 The Husband's approach:

	Wife	Husband
Matrimonial Property	S\$639,418.13	S\$1,360,581.87
Joint Assets (less Matrimonial Property)	S\$243,801.09	S\$243,801.09
Sole Assets	S\$3,439,029.96	S\$2,878,235.16
Total	S\$4,322,249.18	S\$4,482,618.12
Ratio	49.09%	50.91%