Without Marriage Pitfalls Flowchart

Pitfalls of Co-Habitation Without Marriage (Illegitimate Children)

Common Law Rule of Legitimate Status

A child's relationship with his or her parents is legitimate only if the child is born during the existence of a valid marriage between them.

Rights Compromised / Non-Recognition

1. Intestate Succession
Child whose relationship with his or her parents is not legitimate is excluded from the estate.

2. Maintenance from Parent's Estate
Child whose relationship with his or her parents is illegitimate is excluded from entitlements of maintenance from the estate.

3. Registration of Surname at Birth
If father is not informant of birth of child, the surname will be of mother of the child.

4. Citizenship of Child
A child born in Singapore whose relationship with his or her parents is not legitimate will not acquire citizenship by birth if only father is citizen.

5. Housing Benefits
Biological parent and illegitimate child not considered a family nucleus under housing schemes.

6. Tax Relief
Unwed mothers do not enjoy same tax reliefs as married mothers.

Impact on issues

Maintenance

Parent and persons who have accepted the child as a family member are liable to provide reasonable maintenance regardless of the child's legitimacy.

Guardianship and Custody

Courts do not distinguish between the relationships with parents and children, legitimate or not, when making an order with regard to guardianship and custody.