



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**RECIPROCAL ENFORCEMENT OF
COMMONWEALTH JUDGMENTS
ACT 1921**

2020 REVISED EDITION

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Reciprocal Enforcement of Commonwealth Judgments Act 1921

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An Act to facilitate the reciprocal enforcement of judgments and awards in Singapore and other parts of the Commonwealth.

[6 January 1922]

Short title

1. This Act is the Reciprocal Enforcement of Commonwealth Judgments Act 1921.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“judgment” means any judgment or order given or made by a court in any civil proceedings, whether before or after the passing of this Act, whereby any sum of money is made payable, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place;

“judgment creditor” means the person by whom the judgment was obtained, and includes the successors and assigns of that person;

“judgment debtor” means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable in the place where it was given;

“original court”, in relation to any judgment, means the court by which the judgment was given;

“registering court”, in relation to any judgment, means the court to which application to register a judgment is made or by which a judgment has been registered.

(2) Subject to the Rules of Court mentioned in section 6 and the Family Justice Rules mentioned in section 7, any of the powers conferred by this Act on any court may be exercised by a judge of the court.

[16/2016]

Application

2A. This Act does not apply to any judgment which may be recognised or enforced in Singapore under the Choice of Court Agreements Act 2016.

[14/2016]

Registration in Singapore of judgments obtained in superior courts in the United Kingdom

3.—(1) Where a judgment has been obtained in a superior court of the United Kingdom of Great Britain and Northern Ireland the judgment creditor may apply to the General Division of the High Court at any time within 12 months after the date of the judgment, or such longer period as may be allowed by the General Division of the High Court, to have the judgment registered in the General Division of the High Court, and on any such application the General Division of the High Court may, if in all the circumstances of the case it thinks it is just and convenient that the judgment should be enforced in Singapore, and subject to this section, order the judgment to be registered accordingly.

[40/2019]

Restrictions on registration

(2) No judgment shall be ordered to be registered under this section if —

- (a) the original court acted without jurisdiction;
- (b) the judgment debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit or agree to submit to the jurisdiction of that court;
- (c) the judgment debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, notwithstanding that he was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court;
- (d) the judgment was obtained by fraud;
- (e) the judgment debtor satisfies the registering court either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment; or

(f) the judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason could not have been entertained by the registering court.

(3) Where a judgment is registered under this section —

(a) the judgment shall, as from the date of registration, be of the same force and effect, and proceedings may be taken thereon, as if it had been a judgment originally obtained or entered upon the date of registration in the registering court;

(b) the registering court shall have the same control and jurisdiction over the judgment as it has over similar judgments given by itself, but insofar only as relates to execution under this section;

(c) the reasonable costs of and incidental to the registration of the judgment (including the costs of obtaining a certified copy thereof from the original court and of the application for registration) shall be recoverable in like manner as if they were sums payable under the judgment.

(4) The Rules of Court mentioned in section 6, and the Family Justice Rules mentioned in section 7, must provide —

(a) for service on the judgment debtor of notice of the registration of a judgment under this section;

(b) for enabling the General Division of the High Court on an application by the judgment debtor to set aside the registration of a judgment under this section on such terms as the General Division of the High Court thinks fit; and

(c) for suspending the execution of a judgment registered under this section until the expiration of the period during which the judgment debtor may apply to have the registration set aside.

[16/2016; 40/2019]

(5) In any action brought in the General Division of the High Court on any judgment which might be ordered to be registered under this section, the plaintiff shall not be entitled to recover any costs of the

action unless an application to register the judgment under this section has previously been refused, or unless the General Division of the High Court otherwise orders.

[40/2019]

Issue of certificates of judgments obtained in Singapore

4. Where a judgment has been obtained in the General Division of the High Court against any person the General Division of the High Court shall, on an application made by the judgment creditor and on proof that the judgment debtor is resident in the United Kingdom of Great Britain and Northern Ireland, issue to the judgment creditor a certified copy of the judgment.

[40/2019]

Extension of this Act

5.—(1) When the Minister is satisfied that reciprocal provisions have been made by the legislature of any part of the Commonwealth outside the United Kingdom for the enforcement within that part of the Commonwealth of judgments obtained in the General Division of the High Court of Singapore the Minister may declare by notification published in the *Gazette* that this Act shall extend to judgments obtained in a superior court in that part of the Commonwealth in the like manner as it extends to judgments obtained in a superior court in the United Kingdom and on any such declaration being made this Act shall extend accordingly.

[40/2019]

(2) For the purposes of this section such courts of that part of the Commonwealth as are specified in the notification shall be deemed to be superior courts of that part of the Commonwealth.

Rules of Court

6.—(1) The Rules Committee constituted under section 80(3) of the Supreme Court of Judicature Act 1969 may make Rules of Court to regulate and prescribe the procedure and practice to be followed in the General Division of the High Court (other than the Family Division of the High Court) in proceedings under this Act, including the fees payable for, and the evidence in, such proceedings.

[16/2016; 40/2019]

(2) All Rules of Court made under this section are to be presented to Parliament as soon as possible after publication in the *Gazette*.

[16/2016]

Family Justice Rules

7.—(1) The Family Justice Rules Committee constituted under section 46(1) of the Family Justice Act 2014 may make Family Justice Rules to regulate and prescribe the procedure and practice to be followed in the Family Division of the High Court in proceedings under this Act, including the fees payable for, and the evidence in, such proceedings.

[16/2016]

(2) All Family Justice Rules made under this section are to be presented to Parliament as soon as possible after publication in the *Gazette*.

[16/2016]

LEGISLATIVE HISTORY
RECIPROCAL ENFORCEMENT OF
COMMONWEALTH JUDGMENTS
ACT 1921

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

1. Ordinance 34 of 1921 — Reciprocal Enforcement of Judgments Ordinance, 1921

Bill	:	G.N. No. 1533/1921
First Reading	:	3 October 1921
Second Reading	:	22 November 1921
Notice of Amendments	:	22 November 1921
Third Reading	:	19 December 1921
Commencement	:	31 December 1921 (assent) 6 January 1922 (publication)

2. 1926 Revised Edition — Ordinance No. 185 (Reciprocal Enforcement of Judgments)

Operation	:	1 August 1926
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3. Ordinance 35 of 1937 — Reciprocal Enforcement of Judgments (Amendment) Ordinance, 1937

Bill	:	G.N. No. 2739/1937
First Reading	:	25 October 1937
Second and Third Readings	:	17 November 1937
Commencement	:	17 May 1935

4. 1936 Revised Edition — Reciprocal Enforcement of Judgments Ordinance (Chapter 46)

Operation	:	1 September 1936
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5. Ordinance 31 of 1953 — Reciprocal Enforcement of Judgments (Amendment) Ordinance, 1953

Bill	:	22/1953
First Reading	:	20 October 1953
Second and Third Readings	:	24 November 1953

Commencement : 7 December 1953

6. 1955 Revised Edition — Reciprocal Enforcement of Judgments Ordinance (Chapter 18)

Operation : 1 July 1956

7. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance, 1959
(Amendments made by section 2 read with the First Schedule to the above Ordinance)

Bill : 31/1959

First Reading : 22 September 1959

Second and Reading : 11 November 1959

Notice of Amendments : 11 November 1959

Third Reading : 11 November 1959

Commencement : 20 November 1959 (section 2 read with the First Schedule)

8. 1970 Revised Edition — Reciprocal Enforcement of Commonwealth Judgments Act (Chapter 24)

Operation : 1 March 1971

9. 1985 Revised Edition — Reciprocal Enforcement of Commonwealth Judgments Act (Chapter 264)

Operation : 30 March 1987

10. Act 14 of 2016 — Choice of Court Agreements Act 2016
(Amendments made by section 25 of the above Act)

Bill : 14/2016

First Reading : 4 April 2016

Second and Third Readings : 14 April 2016

Commencement : 1 October 2016 (section 25)

11. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016
(Amendments made by section 33 of the above Act)

Bill : 15/2016

First Reading : 14 April 2016

Second and Third Readings : 9 May 2016

Commencement : 1 December 2016 (section 33)

12. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019
(Amendments made by section 28(1) read with item 132 of the Schedule to the above Act)

Bill	:	32/2019
First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 132 of the Schedule)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number