



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**RECIPROCAL ENFORCEMENT OF COMMONWEALTH
JUDGMENTS ACT**

(CHAPTER 264)

(Original Enactment: Ordinance 34 of 1921)

REVISED EDITION 1985

(30th March 1987)

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

Informal Consolidation – version in force from 1/10/2016 to 1/12/2016

Reciprocal Enforcement of Commonwealth Judgments Act

ARRANGEMENT OF SECTIONS

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

[6th January 1921]

Short title

1. This Act may be cited as the Reciprocal Enforcement of Commonwealth Judgments Act.

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 Rules of Court, any of the powers conferred by this Act on any court may be exercised by a judge of the court.

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.

[Act 14 of 2016 wef 01/10/2016]

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 High Court at any time within 12 months after the date of the judgment, or such longer period as may be allowed by the Court, to have the judgment registered in the Court, and on any such application 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.

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 in so far 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 Judges of the Supreme Court or any 3 of them of whom the Chief Justice shall be one shall provide by rules —

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

(5) In any action brought in 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 Court otherwise orders.

Issue of certificates of judgments obtained in Singapore

4. Where a judgment has been obtained in the High Court against any person the 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.

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 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.

(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.

Power to make rules

6. The Judges of the Supreme Court or any 3 of them of whom the Chief Justice shall be one may by rules regulate the practice and procedure, including scales of fees, and evidence, in respect of proceedings of any kind under this Act.

LEGISLATIVE HISTORY
RECIPROCAL ENFORCEMENT OF COMMONWEALTH
JUDGMENTS ACT
(CHAPTER 264)

This Legislative History is provided for the convenience of users of the Reciprocal Enforcement of Commonwealth Judgments Act. It is not part of the Act.

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

Date of First, Second and Third Readings : Date not available

Date of commencement : 6 January 1921

2. Ordinance 35 of 1937 — Reciprocal Enforcement of Judgments (Amendment) Ordinance 1937

Date of First, Second and Third Readings : Date not available

Date of commencement : 17 May 1935

3. Ordinance 31 of 1953 — Reciprocal Enforcement of Judgments (Amendment) Ordinance 1953

Date of First, Second and Third Readings : Date not available

Date of commencement : 7 December 1953

4. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance 1959

Date of First, Second and Third Readings : Date not available

Date of commencement : 20 November 1959

5. 1985 Revised Edition — Reciprocal Enforcement of Commonwealth Judgments Act

Date of operation : 30 March 1987

6. Act 14 of 2016 — Choice of Court Agreements Act 2016

Date of First Reading : 4 April 2016 (Bill No. 14/2016 published on 4 April 2016)

Date of Second and Third Readings : 14 April 2016

Date of commencement : 1 October 2016