63.

#### O. 34, r. 5 NOTIFICATION OF SETTING DOWN ACTION

(Title as in action)

Take notice that we have this day set down the above action for trial.

Dated this day of 20

Solicitors for the

To the other parties to the action.

[CAP. 322, R 5

p. 598 2006 Ed.]

64.

#### O. 34A, r. 3 NOTICE OF PRE-TRIAL CONFERENCE

(Title as in action or proceedings)

To

Take notice that you are required to attend before the Judge (or Registrar) on (date/time) for a pre-trial conference.

And further take notice that you are required to comply with the following directions:

Dated this day of 20.

Registrar.

#### O. 35, r. 7 CERTIFICATE OF OFFICER AFTER TRIAL

(Title as in action)

65.

I certify that this action was heard before His Honour, on the day of 20 . (and on the day of 20 ) and occupied the time of the Court as follows:

On the day of

20 , from

to

The total time occupied was hours minutes.

The Judge directed that (state precisely the terms of the judgment or order or directions given).

Dated this day of 20.

Clerk of the Court.

66.

O. 35, r. 8

#### LIST OF EXHIBITS

(Title as in action)

Heard on day of 20 , before His Honour

Number of Exhibit	Description of Exhibit	Party who put in Exhibit	Witness who proved Exhibit	Notes		

Dated this day of

Clerk of the Court.

20

67.

O. 38, r. 14

## SUBPOENA TO TESTIFY<sup>5</sup>

(Title as in action)

To

You are required to attend before at on the day of 20, at m. and so from day to day until the end of the above proceedings, to give evidence on behalf of the in the said proceedings.

Dated this day of 20.

Entered No. of 20 .

Clerk.

(Seal)

Rules of Court

p. 600 2006 Ed.]

[CAP. 322, R 5

THIS SUBPOENA		request of icitor's firm), so	(name of solicitor)
Phone number of	solicitor		
Fax number			
		68.	
O. 38, r. 14 S	UBPOENA TO P	RODUCE DO	CUMENTS <sup>1</sup>
	(Title	e as in action)	
То			
on th	red to attend either ne day of d of the above pro-	20	by an agent at at m. and so from day duce the following documents:
on behalf of the		in the said pro	oceedings.
Dated this	day of	20 .	
Entered No.	of 20 .		
Clerk.			
		(Seal)	
			Registrar.
THIS SUBPOENA		request of icitor's firm), so	(name of solicitor)
Phone number of	solicitor		
Fax number			

69.

O. 38, r. 14 SUBPOENA TO TESTIFY<sup>5</sup>
AND TO PRODUCE DOCUMENTS<sup>1</sup>

(Title as in action)

To

You are required to attend before \$at\$ on the day of 20, at m. and so from day to day until the end of the above proceedings to give evidence and produce the following documents:

on behalf of the in the said proceedings.

Dated this day of 20.

Entered No. of 20 .

Clerk.

(Seal)

Registrar.

THIS SUBPOENA is issued at the request of (name of solicitor) of (name of solicitor's firm), solicitor for the

Phone number of solicitor

Fax number .

p. 602 2006 Ed.]

Rules of Court

[CAP. 322, R 5

70.

O. 38, r. 14

# REQUEST<sup>4</sup> FOR SUBPOENA

(Title as in action)

Witness's name in full:

His (Her) residence or place of business:

His (Her) occupation:

If documents or books are required to be produced here specify them.

If witness is not required to give evidence but only to produce documents, so state.

Dated this day of 20

Solicitor for the

71.

# O. 38, r. 21 AFFIDAVIT FOR AN ORDER FOR THE PRODUCTION OF A PERSON IN PRISON

(Title as in action)

 $I, \hspace{1cm} \text{, of } \\ \text{do make oath (or affirm) and say:} \\$ 

- 1. That the above action is fixed for hearing on the day of 20 and that now a prisoner confined in the prison, will be a material witness for me at the hearing (or is a party to the action).
- 2. That I am advised and verily believe that I cannot safely proceed to the hearing of this action without the evidence of the said (or my evidence).

- 3. I hereby apply for an order under section 38 of the Prisons Act (Chapter 247) that the said may be brought before the Court.
- 4. I hereby undertake to pay the costs of conveyance of the said in safe custody to and from the Court and of maintenance of him and the officers in charge of him while attending the Court.

Sworn (or affirmed) as in Form 78.

72.

#### O. 38. r. 21 ORDER TO PRODUCE PERSON IN PRISON

(Title as in action)

To the Officer-in-charge of the

You are hereby required upon tender made to you of a reasonable sum for the conveyance and maintenance of a proper officer and of now a prisoner in the in going to, remaining at and returning from the Supreme Court/Subordinate Courts, to bring the said on the day of 20 at m. to give testimony on behalf of and after the said shall have given his testimony before the Court or the Court shall have dispensed with his further attendance you are required to cause him to be conveyed under safe and sure conduct back to the said .

Dated this day of 20

(Seal)

[CAP. 322, R 5

p. 604 2006 Ed.]

73.

# O. 39, r. 1 ORDER FOR THE EXAMINATION BEFORE TRIAL

(Title as in action)

Upon the application of and upon reading the affidavit of filed the day of 20 and upon hearing and that the Court is desirous of obtaining the testimony of (name of person).

It is ordered that do attend before the Judge (or Registrar) on , the day of 20 at m. or such other day and time as the Judge (or Registrar) may appoint and do there submit to be examined upon oath or affirmation touching the testimony so required as aforesaid and do then and there produce (description of documents, if any, required to be produced).

Dated this day of 20

(Seal)

Registrar.

74.

#### O. 39, r. 2 ORDER FOR ISSUE OF LETTER OF REQUEST TO JUDICIAL AUTHORITY OUT OF JURISDICTION

(Title as in action)

Upon the application (as in Form 73).

It is ordered that a letter of request do issue directed to the proper judicial authority for the examination of the following witnesses, namely:

of

of

And it is ordered that the deposition taken pursuant thereto when received be filed in the Registry of the Supreme Court and that office copies thereof may be read and given in evidence on the trial of this action, saving all just exceptions, without any further proof of the absence of the said witnesses than the affidavit of the solicitor of the party using the same as to his belief.

And it is ordered that (the trial of this action be stayed until the said depositions have been filed and that) the costs of and incidental to the application for this order and the said letter of request and examination be (costs in the cause).

Dated this	day of	20 .	
		(Seal)	
			Registrar
	_	75.	

# O. 39, r. 2 ORDER FOR APPOINTMENT OF EXAMINER TO TAKE EVIDENCE OF WITNESS OUT OF JURISDICTION

(Title as in action)

Upon the application of and upon reading the affidavit of filed the day of 20, and upon hearing .

It is ordered that the Singapore Consul or his deputy at (or Esq.) be appointed as special examiner for the purpose of taking the examination, cross-examination and re-examination orally on oath or affirmation, of witnesses on the part of in (name of country). The examiner shall be at liberty to invite the attendance of the witnesses and the production of documents, but shall not exercise any compulsory powers. Otherwise such examination shall be taken in accordance with the Singapore procedure. solicitors to give to the solicitors days' notice in writing of the date on which they propose to send out this order for execution, and that days after the service of such notice the solicitors for the plaintiff and defendant respectively do exchange the names of their agents at to whom notice relating to the examination of the said witnesses may be sent. And that days (exclusive of Sunday) before the examination of any witness hereunder notice of such examination shall be given by the agent of the party on whose behalf such witness is to be examined to the agent p. 606 2006 Ed.]

of the other party, unless such notice be dispensed with. And that the depositions when taken, together with any documents referred to therein, or certified copies of such documents or of extracts therefrom, be sent by the examiner, under seal, to the Registrar of the Supreme Court (insert address) on or before the day of next, or such further or other day as may be ordered, there to be filed in the Registry. And that either party be at liberty to read and give such depositions in evidence on the trial of this action, saving all just exceptions. And that the trial of this action be stayed until the filing of such depositions. And that the costs of and incidental to the application for this order and such examination be costs in the cause.

Dated this day of 20 .

(Seal)

\*\*Registrar.\*\*

76.

O. 39, r. 3

LETTER OF REQUEST FOR
EXAMINATION OF WITNESS
OUT OF JURISDICTION

To the Competent Judicial Authority of in the of

Whereas an action is now pending in the High Court in Singapore, in which is plaintiff and is defendant and in which the plaintiff claims

And whereas it has been represented to the said Court that it is necessary for the purposes of justice and for the due determination of the matters in dispute between the parties that the following persons should be examined as witnesses upon oath touching such matters, namely of and of and it appears that such witnesses are resident within your jurisdiction.

Now I, the Registrar of the Supreme Court in Singapore hereby request that for the reasons aforesaid and for the assistance of the said Court you will be pleased to summon the said witnesses (and such other witnesses as the agents of the said plaintiff and defendant shall humbly request you in writing so to summon) to attend at such time and place as you shall appoint before you,

or such other person as according to your procedure is competent to take the examination of witnesses, and that you will cause such witnesses to be examined orally (or upon the interrogatories which accompany this letter of request) touching the said matters in question in the presence of the agents of the plaintiff and defendant or such of them as shall, on due notice given, attend the examination.

And I further request that you will permit the agents of both the plaintiff and defendant or such of them as shall be present to examine (upon interrogatories and oral examination upon the subject-matter thereof or arising out of the answers thereto) such witnesses as may, after due notice in writing, be produced on their behalf, and the other party to cross-examine the said witnesses (upon cross-interrogatories and oral examination) and the party producing the witness for examination to examine him orally.

And I further request that you will be pleased to cause the evidence of the said witnesses (or the answers of the said witnesses and all additional oral questions, whether on examination, cross-examination or re-examination) to be reduced into writing and all books, letters, papers and documents produced on such examination to be duly marked for identification, and that you will be further pleased to authenticate such examination by the seal of your tribunal or in such other way as is in accordance with your procedure and to return it together with (the interrogatories and cross-interrogatories and) a note of the charges and expenses payable in respect of the execution of this request through the Singapore Consul from whom the same was received (or the Minister for Foreign Affairs) for transmission to the Supreme Court in Singapore.

And I further request that you will cause me, or the agents of the parties if appointed, to be informed of the date and place where the examination is to take place.

Dated this day of 20 (Seal)

Commissioner for Oaths.

p. 608 2006 Ed.]

77.

#### O. 39, r. 3 SOLICITOR'S UNDERTAKING AS TO EXPENSES

(Title as in action)

I (We) hereby undertake to be responsible for all expenses incurred by the Minister for Foreign Affairs in respect of the letter of request issued herein on the , and on receiving due notification of the amount of such expenses undertake to pay the same as directed by the Registrar of the Supreme Court.

The following have been appointed as agents for the parties in connection with the execution of the above letter of request.

Plaintiff's Agent:				
	of			
Defendant's Agent:				
	of			
Dated this day of	20 .			
			Solicitor fo	or the
	78.			
O. 41, r. 1 FOF	RMS OF ATTESTATION <sup>6</sup>			
	(Title as in action)			
(a) To an affidavit by one de	ponent			
Sworn (or affirmed) on to (through the interpretation of		20	at	
			Befor	re me

(b)	) <i>To</i>	an	affidavit	by	2	or	more	deponents	

Sworn (or affirmed) by the deponents and (or by both (or all) of the abovenamed deponents) on the 20 at (through the interpretation of ).

Before me

Commissioner for Oaths.

(c) To an affidavit by an illiterate or blind person

Sworn (or affirmed) on the day of

20 at

I, having truly, distinctly and audibly read over the contents of the above affidavit (add if exhibits are referred to in the affidavit "and explained the nature and effect of the exhibits therein referred to") to the said deponent who seemed perfectly to understand the same and who made his mark thereto in my presence (through the interpretation of ).

Before me

Commissioner for Oaths.

(d) To an affidavit by a person who does not understand English.

Sworn (or affirmed) on the through the interpretation of Interpreter add the following:

day of

20 at

(if the interpreter is not a Court

"the said having been first sworn that he had truly, distinctly, and audibly translated the contents of his affidavit to the deponent and that he would truly and faithfully interpret the oath (or affirmation) about to be administered unto him the said ").

Before me

Commissioner for Oaths.

Rules of Court

[CAP. 322, R 5

p. 610 2006 Ed.]

79.

O. 42, r. 5

#### **JUDGMENTS**

(Title as in action)

[Notes: (O. 13, r. 1; O. 19, r. 2; O. 42, r. 5)]

#### (a) Default judgment in action for liquidated demand.

No appearance having been entered (or no defence having been served) by the defendant herein, it is this day adjudged that the defendant do pay the plaintiff \$\ \text{and \$}\ \text{costs (or costs to be taxed).}

(The above costs have been taxed and allowed at \$ as appears by the Registrar's certificate dated the day of 20 ).

Dated this

day of

20

(Seal)

Registrar.

[Notes: (O. 13, r. 2; O. 19, r. 3; O. 42, r. 5)]

#### (b) Default judgment in action for unliquidated damages

No appearance having been entered (or no defence having been served) by the defendant herein, it is this day adjudged that the defendant do pay the plaintiff damages to be assessed.

The amount found due to the plaintiff under this judgment having been certified at \$ as appears by the Registrar's certificate filed the day of 20.

It is adjudged that the defendant do pay the plaintiff \$\\$ and costs to be taxed.

The above costs, etc. (as in (a) above).

(*Note:* This form is a combined form of interlocutory and final judgment. The plaintiff may at his option enter interlocutory judgment by omitting the words below the line in the form and enter a separate final judgment in (f) below).

[Notes: (O. 13, r. 3; O. 19, r. 4; O. 42, r. 5)]

(c) Default judgment in action relating to detention of movable property.

No appearance having been entered (or no defence having been served) by the defendant herein,

It is this day adjudged that the defendant do deliver to the plaintiff the movable property described in the writ of summons (or statement of claim) as (description of movable property) or pay the plaintiff the value of the said property to be assessed (and also damages for their detention to be assessed).

or

It is this day adjudged that the defendant do pay the plaintiff the value of the movable property described in the writ of summons (or statement of claim) to be assessed (and also damages for their detention to be assessed).

The value of the said movable property having been assessed at \$ (and damages at \$ ) as appears by the Registrar's certificate filed the day of 20 .

It is adjudged that the defendant do pay the plaintiff \$\\$ and costs to be taxed.

The above costs, etc. (as in (a) above).

(*Note*: See the note to (b) above).

[Notes: (O. 13, r. 4; O. 19, r. 5; O. 42, r. 5)]

(d) Default judgment in action for possession of immovable property.

No appearance having been entered (or no defence having been served) by the defendant herein, it is this day adjudged that the defendant do give the plaintiff possession of the immovable property described in the writ of summons (or statement of claim) as and pay the plaintiff \$\\$ costs (or costs to be taxed).

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[Notes: O. 13, r. 4; O. 19, r. 6; O. 42, r. 5]

(e) Judgment in default in action for possession of immovable property, damages and costs.

No appearance having been entered (or no defence having been served) by the defendant herein, it is this day adjudged that the defendant do give the plaintiff possession of the immovable property described in the writ of summons (or statement of claim) as

And it is further adjudged that the defendant do pay the plaintiff (mesne profits) (damages) to be assessed.

The amount found due to the plaintiff under this judgment having been certified at the sum of \$ as appears by the Registrar's finding filed the day of 20.

It is adjudged that the defendant do pay the plaintiff \$ and costs to be taxed.

The above costs, etc. (as in (a) above).

(*Note:* See the note to (b) above).

[Note: O. 42, r. 5]

(f) Final judgment after assessment of damages, etc.

The day of

The plaintiff having on the day of 20 obtained interlocutory judgment herein against the defendant for damages (or as may be) to be assessed, and the amount found due to the plaintiff having been certified at \$ as appears by the Registrar's certificate filed the day of 20 .

20

It is this day adjudged that the defendant do pay the plaintiff \$\\$ and costs to be taxed.

\$

[2006 Ed. p. 613

[Notes: O. 14, r. 3; O. 42, r. 5]

(g) Judgment under Order 14.

The day of

20

The defendant having entered appearance herein and the Court having under Order 14, Rule 3, ordered that judgment as hereinafter provided be entered for the plaintiff against the defendant,

It is this day adjudged that the defendant do pay the plaintiff \$ and costs (or costs to be taxed)

or

pay the plaintiff damages to be assessed and costs to be taxed.

or

deliver to the plaintiff the movable property described in the writ of summons (or statement of claim) as (or pay the plaintiff the value of the said movable property to be assessed) (and also damages for their detention to be assessed) and costs to be taxed

or

give the plaintiff possession of the immovable property described in the writ of summons (or statement of claim) as and costs to be taxed.

The above costs, etc. (as in (a) above).

[Notes: O. 14, r. 5; O. 42, r. 5]

(h) Judgment for the Defendant under Order 14.

The day of

20

The Court having under Order 14, Rule 5, ordered that judgment be entered for the defendant against the plaintiff on the counterclaim for \$\\$ and costs of the counterclaim.

It is this day adjudged that the plaintiff do pay the defendant \$ and costs of the counterclaim to be taxed.

p. 614

Rules of Court

[CAP. 322, R 5

[Note: O. 42, r. 5]

(i) Judgment after trial before Judge.

The day of

2006 Ed.]

20 .

This action having been tried before Justice on the day of 20 .

It is adjudged that the defendant do pay the plaintiff \$\\$ and his costs of action to be taxed (or that this action be dismissed and that the plaintiff do pay the defendant his costs to be taxed) (or as may be according to the Judge's order).

(It is further adjudged that execution be stayed for days) (and if within that time the gives notice of appeal, execution be further stayed until the determination of the appeal or as may be according to the Judge's direction).

The above costs, etc. (as in (a) above).

[Notes: O. 35, r. 1 (2); O. 42, r. 5]

(j) Judgment of Dismissal.

Dated and entered the day of

20

This action having on the day of 20 , been called on for hearing before Justice , and the plaintiff having failed to appear, and the defendant having thereupon become entitled under Order 35, Rule 1 (2), to judgment dismissing the action and the said having ordered that judgment be entered accordingly.

Therefore it is adjudged that this action do stand dismissed out of this Court with costs.

And it is further adjudged that the plaintiff do pay the defendant his costs to be taxed.

[Note: O. 42, r. 5]

(k) Judgment in pursuance of Order.

Pursuant to the Order of dated 20 , whereby it was ordered and default having been made,

It is this day adjudged that the defendant do pay the plaintiff \$ and costs to be taxed.

The above costs, etc. (as in (a) above).

[Note: O. 42, r. 5]

(l) Judgment after trial before Registrar.

Dated and entered the day of 20

This action by an order dated the day of 20 having been ordered to be tried before , Registrar of the Supreme Court/ Subordinate Courts and the said Registrar having tried the said action and having by his certificate dated the day of , 20 directed that judgment as hereinafter provided be entered for the plaintiff (or defendant),

It is adjudged that (as in (i) above according to the Registrar's certificate).

[Notes: O. 33, r. 5; O. 42, r. 5]

(m) Judgment after decision of preliminary issue.

Dated and entered the day of 20

The issue (or question) arising in this cause (or matter) by the order dated the day of 20 ordered to be tried before Justice having on the day of 20 been tried before the said and the said having found and having ordered that judgment as hereinafter provided be entered for the (or having dismissed the cause or matter),

It is this day adjudged that (the defendant do pay the plaintiff \$\) ) (and his costs of action to be taxed) (the plaintiff do pay the defendant his costs of defence to be taxed) (or as may be according to the order made).

Dated this day of 20 . (Seal)

[CAP. 322, R 5

p. 616 2006 Ed.]

[Note: O. 42, r. 5]

(n) Judgment for liquidated sum against personal representative.

Dated and entered the

day of

20

(Recital as in (a) or (f) to (n) according to the circumstances in which judgment was obtained),

It is adjudged that the defendant as executor (or administrator) of the abovenamed deceased do pay the plaintiff \$\\$ and costs to be taxed, the said sum and costs to be levied of the real and personal estate within the meaning of the Probate and Administration Act (Chapter 251) of the deceased at the time of his death come to the hands of the defendant as such executor (or administrator) to be administered, if he has or shall hereafter have so much thereof in his hands to be administered, and if he has not so much thereof, in his hands to be administered, then, as to the costs aforesaid, to be levied of the movable property of the defendant authorised by law to be seized in execution (or as may be according to the order made).

The above costs, etc. (as in (a) above).

[Note: O. 59, r. 10 (1)]

(o) Judgment for defendant's costs on discontinuance.

The day of

20 .

The plaintiff having by a notice in writing dated the day of 20 , discontinued this action (or withdrawn his claim in this action for ) and the defendant's costs of the action (or of the claim withdrawn) having been taxed and allowed at \$ as appears by the Registrar's certificate dated the day of 20 , and the plaintiff not having paid the sum within 4 days after taxation,

It is this day adjudged that the plaintiff do pay the defendant \$ the said taxed costs.

Dated this day of

20

(Seal)

[Notes: O. 59, r. 10 (2), (3)]

(p) Judgment for costs after acceptance of money paid into Court.

The day of 20

The defendant having paid into Court in this action the sum of \$ in satisfaction of the plaintiff's cause(s) of action (or in satisfaction of the plaintiff's cause of action for ), and the plaintiff having by his notice dated accepted that sum in satisfaction of his cause(s) the day of of action (or in satisfaction of his cause of action for abandoned his other cause(s) of action), and the plaintiff's costs herein having been taxed and allowed at \$ as appears by the Registrar's certificate dated the , and the defendant not having paid the sum within day of 20 48 hours after taxation,

It is this day adjudged that the defendant do pay the plaintiff \$\\$ the said taxed costs.

Dated this day of 20

(Seal)

Registrar.

80.

#### O. 43, r. 2 ORDER FOR ACCOUNTS AND INQUIRIES

(Title as in action)

Upon the application of the plaintiff (or the defendant) in this action and upon reading the affidavit of of 20, and upon hearing the plaintiff (or the defendant) filed the day

It is ordered that the following accounts and inquiry be taken and made; that is to say,

- 1. An account of the movable property not specifically bequeathed of , deceased, the testator in the pleadings named, come to the hands of, etc.
- 2. An account of the testator's debts, (or where deceased died more than six years before judgment, (an inquiry whether there is any debt of the deceased remaining unpaid)).
  - 3. An account of the testator's funeral expenses.

- 4. An account of the legacies and annuities (if any) given by the testator's will.
- 5. An inquiry into what parts (if any) of the testator's said movable property are outstanding or undisposed of.

And it is ordered that the testator's personal estate not specifically bequeathed be applied in payment of his debts and funeral expenses in a due course of administering, and then in payment of the legacies and annuities (if any) given by his will.

(if ordered)

And it is ordered that the following further inquiries and accounts be made and taken; that is to say,

- 6. An inquiry into what immovable property the testator was seized of or entitled to at the time of his death.
- 7. An account of the rents and profits of the testator's immovable property received by, etc.
- 8. An inquiry into what encumbrances (if any) affect the testator's immovable property, or any and what parts thereof.

(if sale ordered)

- 9. An account of what is due to such of the encumbrancers as shall consent to the sale hereinafter directed in respect of their encumbrances.
- 10. An inquiry into what are the priorities of such last-mentioned encumbrances.

And it is ordered that the testator's immovable property be sold with the approbation of the Judge, etc.

And it is ordered that the further consideration of this cause be adjourned, and any of the parties are to be at liberty to apply as they may be advised.

Dated this day of 20

(Seal)

81.

#### O. 45, r. 7 NOTICE ON CERTAIN JUDGMENTS

The endorsement should be in the following words or words to the following effect:

- (a) In the case of a judgment or order requiring a person or body corporate to do an act within a specified time:
  - "If you, the within-named (or ) neglect to obey this judgment (or order) by the time therein limited, you will be liable to process of execution for the purpose of compelling you to obey the same.".
- (b) In the case of a judgment or order requiring a person to abstain from doing an act:
  - "If you, the within-named disobey this judgment (or order), you will be liable to process of execution for the purpose of compelling you to obey the same.".
- (c) In the case of a judgment or order requiring a body corporate to do or to abstain from doing the act, but it is sought to take enforcement proceedings against a director or other officer of that order:
  - "If neglect to obey this judgment (or order) by the time therein limited (or in the case of an order to abstain from doing an act), if disobey this judgment (or order), you (a director or officer of the said ) will be liable to process of execution for the purpose of compelling the said to obey the same.".

p. 620

Rules of Court

[CAP. 322, R 5

82.

O. 45, r. 12

#### WRIT OF SEIZURE AND SALE

(Title as in action)

To the Sheriff/bailiff,

2006 Ed.]

You are directed that you cause to be levied and made out of the property liable to be seized under a writ of seizure and sale which shall be identified by or on behalf of (name of execution creditor) as belonging to (name of execution debtor) now or late of (address of execution debtor) by seizure and if it be necessary by sale thereof \$ which the said (name of execution creditor) lately in the High Court/Subordinate Courts recovered against the said (name of execution debtor) by a judgment (or order or as may be) bearing the day of 20 . And in what manner you shall have executed this writ make appear to this Court immediately after the execution thereof. And have there this writ.

Dated this day of 20

Entered No. of 20

Clerk.

(Seal)

Registrar.

#### Memorandum to be subscribed on the writ

This writ may not be served more than 12 months after the above date unless renewed by order of the Court.

#### Endorsement to be made on writ before issue

THIS WRIT is issued by of , solicitor for the execution creditor who resides at .

The execution debtor resides at

\$ cts

Amount of judgment and costs

Subsequent costs (if any)

Paid to account of judgment

Remaining due

Costs of this writ

Interest on \$ at % p.a. from to

Property seized on

Amount of levy paid on

Property sold on by

for Expenses of Execution —

Lotting and advertising

Auctioneers' commission

Court commission

Other Court fees

Watchmen's wages

Other legal expenses (specify them)

Paid into Court —

Paid to credit of landlord under

Paid to credit of Writ of Distress

Paid to credit of execution creditor

Paid to credit of execution debtor

Dated this day of 20

Sheriff/bailiff.

[CAP. 322, R 5

p. 622 2006 Ed.]

83.

O. 45, r. 12 WRIT OF SEIZURE AND SALE
O. 47, r. 4 IN RESPECT OF IMMOVABLE PROPERTY

(Title as in action)

Upon the application of  $$\operatorname{and}$  upon reading the affidavit of  $$\operatorname{day}$$  of  $$\operatorname{day}$$  of  $$\operatorname{20}$$  , and upon hearing

It is ordered that the interest of in the immovable property specified in the Schedule herein be attached and taken in execution to satisfy the judgment of the abovenamed dated .

Dated this day of 20

(Seal)

Registrar.

*Note:* This order shall, unless registered under any written law relating to such immovable property, remain in force for 6 months from the date hereof.

**SCHEDULE** 

.

84.

O. 45, r. 12

#### WRIT OF DELIVERY

(Title as in action)

To the Sheriff/bailiff,

You are directed that, without delay, you do seize and deliver, to the abovenamed (name of execution creditor) the following movable property, that is to say (describe the property delivery of which has been adjudged or ordered) (and \$ damages and \$ costs) which the said (name of execution creditor) lately in the High Court/Subordinate Courts recovered against the said (name of execution debtor) by a judgment (or order or as may be) bearing the day of 20 .

(And you are further directed that if the said movable property cannot be found within Singapore you cause to be levied and made out of the property liable to be seized under a writ of seizure and sale belonging to the said (name of execution debtor) and if necessary by sale thereof \$ , being the assessed value of the said property). And in what manner you have executed this writ make appear to this Court immediately after the execution thereof. And have there this writ.

Dated this day of 20 .

Entered No. of 20 .

Clerk.

(Seal)

Registrar.

Memorandum on Writ (as in Form 82).

Endorsements on Writ (as in Form 82 or as required).

85.

O. 45, r. 12

#### WRIT OF POSSESSION

(Title as in action)

To the Sheriff/bailiff,

Whereas lately, by a judgment of the High Court/Subordinate Courts bearing the day of 20 , it was adjudged (or ordered) that the defendant (name of defendant) do give the plaintiff (name of plaintiff) possession of (describe the immovable property delivery of which has been adjudged or ordered) and do pay him  $\$  and  $\$  costs.

You are directed that you enter the said immovable property and cause (name of plaintiff) to have possession of it.

And you are further directed that you cause to be levied and made out of the property liable to be seized under a writ of seizure and sale belonging to the said (name of defendant) and if necessary by sale thereof \$ . And in what manner you have executed this writ make appear to this Court immediately after the execution thereof. And have there this writ.

Dated this day of 20.

Appendix A	A			
p. 624	2006 Ed.]	Rules	of Court	[CAP. 322, R 5
Entered N	lo.	of 20 .		
Clerk.				
		(5	Seal)	
				Registrar.
Memoran	dum on Writ (a	as in Form 82).		
Endorsem	ents on Writ (	as in Form 82	or as required).	
			86.	
O. 46, r. 3	SUMMON	S FOR LEAV	E TO ISSUE EXE	ECUTION
		(Title as	s in action)	
(or writ of the judgm that 6 year	(da that seizure and sa ent herein date s have elapsed	te/time) on the  le, or as may be  ded the day  since such judg	may be at lee) against the defe y of	plication on the part of iberty to issue execution ndant (or as may be) on 20 , (notwithstanding ) and that the defendant
Dated	d this day	of	20 .	
Entered N	lo.	of 20 .		
Clerk.				
		(9	Seal)	

This summons is taken out by the plaintiff (or as may be) of (state address) to the defendant (or as may be).

[2006 Ed. p. 625]

87.

O. 46, r. 4 REQUEST<sup>4</sup> FOR WRIT OF EXECUTION
O. 46, r. 11

(Title as in action)

Name of person entitled to execution ("Judgment Creditor"):

Address of Judgment Creditor:

Name of Solicitor for Judgment Creditor:

Address of the Solicitor for Judgment Creditor:

Hereby request the Registrar to issue a:

(1)\* Writ of Seizure and Sale against the person subject to execution ("Judgment Debtor") at the Address of Execution to levy the amount which remains unsatisfied under the Judgment/Order obtained by the Judgment Creditor plus the costs and disbursements of this execution.

Name of Judgment Debtor:

Address of Execution:

Amount to be levied:

Attached herewith is a copy each of the —

- (a) Judgment/Order duly sealed; and
- (b) Calculation explaining the sums to be levied set out in Annex A.
- (2)\* Writ of Delivery against the Judgment Debtor at the Address of Execution for delivery of the movable property described below ("the Movable Property") pursuant to the Judgment/Order obtained by the Judgment Creditor and which the Judgment Debtor has failed to comply with (and if the Movable Property cannot be found, to levy the amount being the value thereof as assessed by the Court in the said Judgment/Order).

[And further to issue a Writ of Seizure and Sale as in (1) above].

Description of the Movable Property: (insert particulars)

p. 626 2006 Ed.]

(3)\* Writ of Possession against the Judgment Debtor at the Address of Execution to deliver possession thereon pursuant to the Judgment/Order obtained by the Judgment Creditor and which the Judgment Debtor has failed to comply with.

[And further to issue a Writ of Seizure and Sale and/or Writ of Delivery as in (1) and/or (2) above].

#### UNDERTAKING AND DECLARATION

- 1. I/We hereby undertake to pay all your charges. Please appoint a suitable date to execute the *Writ of Seizure and Sale/Delivery/Possession\*\**.
- 2.\* I/We hereby declare that as at the date of this Request<sup>4</sup>, the property the bailiff is requested to seize under this *Writ of Seizure and Sale/Delivery/Possession\*\* is/is not* the subject-matter of a seizure or attachment under any execution or order issued by the Subordinate Courts or the High Court.

(State particulars of prior execution if applicable)

3. For seizure of movable property under a Writ of Seizure and Sale/Delivery\*\*.

I/We hereby declare that, as at the date of this declaration, I/we have reason to believe that the Judgment Debtor is the owner or occupier at the Address of Execution or the owner of the property liable to be seized.

(State the grounds of belief)

(\*Use as appropriate)

(\*\*Delete as appropriate)

NAME OF DECLARANT:

Date of filing:

### Annex A to Form 87

# Calculation explaining the sum levied required under paragraph 1

Total amount owed under the Judgment/Order:		
(a) Principal Sum	\$	
(b) Costs allowed under the Judgment/Order	\$	
(c) Interest (Provide breakdown)	\$	
ADD Cost allowed for this Execution:		
(d) Basic Costs allowed under paragraph 6 in Part III of Appendix 2 to Order 59	\$	
(e) Disbursements (e.g. Stamp Fees, etc.)	\$	
SUB-TOTAL	\$	
LESS Payment by Judgment Debtor(s)		
TOTAL	\$	