



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

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The following Act was passed by Parliament on 2 September 2019 and assented to by the President on 23 September 2019:—

### REPUBLIC OF SINGAPORE

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**No. 25 of 2019.**

I assent.



HALIMAH YACOB,  
*President.*  
23 September 2019.

An Act to amend the Reciprocal Enforcement of Foreign Judgments Act (Chapter 265 of the 2001 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Reciprocal Enforcement of Foreign Judgments (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 2**

2. Section 2 of the Reciprocal Enforcement of Foreign Judgments Act (called in this Act the principal Act) is amended —

- (a) by inserting, immediately after the definition of “country of the original court” in subsection (1), the following definition:

““Family Justice Rules” means the Family Justice Rules made under section 46 of the Family Justice Act 2014 (Act 27 of 2014);”;

- (b) by deleting the words “which is not part of the Commonwealth” in the definition of “foreign country” in subsection (1);
- (c) by deleting the words “a judgment or order given or made by a court in any civil proceedings” in the definition of “judgment” in subsection (1) and substituting the words “an interlocutory or final judgment or order given or made by a court in any civil proceedings”;
- (d) by inserting, immediately after the words “injured party” in the definition of “judgment” in subsection (1), the words “, and includes a consent judgment, a consent order and a judicial settlement”;
- (e) by inserting, immediately after the word “given” in the definitions of “judgment creditor” and “judgment debtor” in subsection (1), the words “(whether or not a sum of money is payable under the judgment)”;
- (f) by inserting, immediately after the definition of “judgment debtor” in subsection (1), the following definitions:

““judicial settlement” —

(a) means a contract approved by, or concluded before, a court in the course of proceedings, being a contract —

(i) between the parties to proceedings before that court;

(ii) by which those parties end those proceedings; and

(iii) that is recorded by that court in an official document; but

(b) does not include a consent order or consent judgment;

“money judgment” means a judgment under which a sum of money is payable, not being a sum payable in respect of taxes or other charges of a similar nature or in respect of a fine or other penalty;

“non-money judgment” means a judgment that is not a money judgment, but does not include a judgment under which a sum of money is payable in respect of taxes or other charges of a similar nature or in respect of a fine or other penalty;” and

(g) by inserting, immediately after subsection (2), the following subsection:

“(2A) A reference to the making or giving of a judgment, in the case of a judgment that is a judicial settlement, is a reference to the making or concluding of the contract in paragraph (a) of the definition of “judicial settlement” in subsection (1).”.

**Repeal and re-enactment of section 3**

3. Section 3 of the principal Act is repealed and the following section substituted therefor:

**“Extension of Part to judgments of recognised courts of foreign countries on basis of reciprocity**

3.—(1) If the Minister is satisfied that, in the event of the benefits conferred by this Part being extended to a particular description of judgments given in a particular court or description of courts of a foreign country, substantial reciprocity of treatment will be assured as respects the enforcement in that foreign country of similar judgments given in a similar court or similar courts of Singapore, the Minister may, by order in the *Gazette*, direct that —

- (a) this Part applies to that foreign country;
- (b) the court or courts of the foreign country specified in the order is a recognised court or are recognised courts of the foreign country for the purposes of this Part; and
- (c) judgments specified in the order of any such recognised court or courts, if within subsection (2), are judgments to which this Part applies.

(2) A judgment of a recognised court of a foreign country is within this subsection if —

- (a) it is given after the coming into operation of the order; and
- (b) it is final and conclusive as between the parties to it, unless it is an interlocutory judgment.

(3) A judgment —

- (a) specified in an order under subsection (1) of a recognised court of a foreign country specified in the order; and
- (b) that is within subsection (2),

is a judgment to which this Part applies.

(4) However, the following judgments of a recognised court of a foreign country are not judgments to which this Part applies:

- (a) a judgment given by that court on appeal from a court that is not a recognised court;
- (b) a judgment or other instrument that is regarded for the purposes of its enforcement as a judgment of that court but which was given or made in another foreign country;
- (c) a judgment given by that court in proceedings founded on a judgment of a court in another foreign country and having as their object the enforcement of the second-mentioned judgment.

(5) For the purposes of this section, a judgment is taken to be final and conclusive even though —

- (a) an appeal may be pending against it; or
- (b) it may still be subject to appeal,

in the courts of the country of the original court.

(6) The Minister may by a subsequent order in the *Gazette* vary or revoke any order previously made under this section.”.

#### **Amendment of section 4**

**4.** Section 4 of the principal Act is amended —

- (a) by deleting the word “or” at the end of paragraph (a) of subsection (3), and by inserting immediately thereafter the following paragraph:

“(aa) it has been discharged; or”;

- (b) by inserting, immediately after subsection (3), the following subsections:

“(3A) The registering court —

- (a) may only register a non-money judgment if, having regard to the circumstances of the case and the nature of the relief contained in the judgment, it is satisfied