

**Reciprocal Enforcement of Foreign Judgments Act
(CHAPTER 265)**

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RECIPROCAL ENFORCEMENT OF FOREIGN JUDGMENTS ACT

(CHAPTER 265)

(Original Enactment: Ordinance 29 of 1959)

REVISED EDITION 2001

(31st July 2001)

An Act to make provision for the enforcement in Singapore of judgments and awards given in foreign countries which afford reciprocal treatment to judgments given in Singapore, for facilitating the enforcement in foreign countries of judgments given in Singapore and for matters connected therewith.

[26th March 1959]

PART I

REGISTRATION OF FOREIGN JUDGMENTS

Short title

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

Interpretation

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

“appeal” includes any proceedings by way of discharging or setting aside a

judgment or an application for a new trial or stay of execution;

“country” includes a territory;

“country of the original court” means the country in which the original court is situated;

“foreign country” means any country outside Singapore which is not part of the Commonwealth;

“judgment” means a judgment or order given or made by a court in any civil proceedings, or a judgment or order given or made by a court in any criminal proceedings for the payment of a sum of money in respect of compensation or damages to an injured party;

“judgment creditor” means the person in whose favour the judgment was given, and includes any person in whom the rights under the judgment have become vested by succession or assignment or otherwise;

“judgment debtor” means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable under the law of the original court;

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

“prescribed” means prescribed by Rules of Court;

“registration” means registration under Part I and “register” and “registered” shall be construed accordingly;

“registering court”, in relation to any judgment, means the court to which an application to register the judgment is made.

[\[2/99\]](#)

(2) For the purposes of this Act, “action in personam” shall not be deemed to include any matrimonial cause or any proceedings in connection with any of the following matters:

- (a) matrimonial matters;
- (b) administration of the estates of deceased persons;
- (c) bankruptcy;
- (d) winding-up of companies;
- (e) lunacy; or

(f) guardianship of infants.

(3) 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.

Power to extend Part I to foreign countries giving reciprocal treatment

3.—(1) The Minister, if he is satisfied that, in the event of the benefits conferred by this Part being extended to judgments given in the superior courts of any foreign country, substantial reciprocity of treatment will be assured as respects the enforcement in that foreign country of judgments given in the High Court of Singapore, may by order published in the *Gazette* direct —

- (a) that this Part shall extend to that foreign country; and
- (b) that such courts of that foreign country as are specified in the order shall be deemed superior courts of that country for the purposes of this Part.

(2) Any judgment of a superior court of a foreign country to which this Part extends, other than a judgment of such a court given on appeal from a court which is not a superior court, shall be a judgment to which this Part applies, if —

- (a) it is final and conclusive as between the parties thereto;
- (b) there is payable thereunder a sum of money, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty; and
- (c) it is given after the coming into operation of the order directing that this Part shall extend to that foreign country.

[\[S 227/95\]](#)

(3) For the purposes of this section, a judgment shall be deemed to be final and conclusive notwithstanding that an appeal may be pending against it, or that it may still be subject to appeal, in the courts of the country of the original court.

(4) An order directing that this Part shall extend to a foreign country may provide that the order shall come into operation before, on or after 25th February 1999.

[\[2/99\]](#)

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

Application for, and effect of, registration of foreign judgment

4.—(1) A person, being a judgment creditor under a judgment to which this Part

applies, may apply to the High Court at any time —

- (a) within 6 years after the date of the judgment; or
- (b) where there have been proceedings by way of appeal against the judgment, after the date of the last judgment given in those proceedings,

to have the judgment registered in the High Court.

(2) On an application under subsection (1), the court shall, subject to proof of the prescribed matters and to the provisions of this Act, order the judgment to be registered.

(3) A judgment shall not be registered under this section if at the date of the application —

- (a) it has been wholly satisfied; or
- (b) it could not be enforced by execution in the country of the original court.

(4) Subject to the provisions of this Act with respect to the setting aside of registration —

- (a) a registered judgment shall, for the purposes of execution, be of the same force and effect;
- (b) proceedings may be taken on a registered judgment;
- (c) the sum for which a judgment is registered shall carry interest; and
- (d) the registering court shall have the same control over the execution of a registered judgment,

as if the judgment had been a judgment originally given in the registering court and entered on the date of registration.

(5) Execution shall not issue on the judgment so long as, under this Part and the Rules of Court made thereunder, it is competent for any party to make an application to have the registration of the judgment set aside or, where such application is made, until after the application has been finally determined.

(6) If at the date of the application for registration the judgment of the original court has been partly satisfied, the judgment shall not be registered in respect of the whole sum payable under the judgment of the original court, but only in respect of the balance remaining payable at the date.

(7) If, on an application for the registration of a judgment, it appears to the registering court that the judgment is in respect of different matters and that some, but not all, of the provisions of the judgment are such that if those provisions had been contained in separate judgments those judgments could properly have been registered, the judgment