

Law Reform Report – Quick Guide

Civil Remedies

SAL Law Reform Committee



What's the issue?

The principle that judgment debts should be paid is a core part of our legal system – and, indeed, of our broader social fabric. If the court awards a claimant in a civil action damages, or some other payment, from a defendant, it's important that that claimant is able to recover what has been adjudicated as properly due and owing to them.

Yet at present, judgment creditors may face challenges and obstacles in trying to enforce such court awards against judgment debtors in Singapore.

For example, it may be difficult for them to identify what assets the judgment debtor has, or where they are held (and therefore, what enforcement action they can best take). Or those assets may be held jointly with a spouse, family member or other third party, in a joint bank account or jointly-owned property.

What can be done?

Given these challenges, the Law Reform Committee is recommending certain targeted legislative reforms designed to reduce those barriers and aid recovery, while still sufficiently protecting the rights of judgment debtors and, in particular, innocent third parties who may be affected. Those reforms include:

- * Dealing with the issue of a judgment debtor's joint interest in a house, land or other immovable property and, in appropriate cases, how these may be seized or sold to settle a debt.
- * New laws to allow the courts to order that money in bank accounts held jointly by the judgment debtor and others is used to satisfy the judgment debt. The changes proposed include safeguards to avoid unfairness to innocent third party joint account holders.
- * Enhancing the process by which judgment creditors may get information about what assets and liabilities the judgment debtor has from persons other than the judgment debtor, to help creditors decide how best to try to enforce the judgment.

To find out more and read the full report and recommendations, click [here](#).