



ENFORCEMENT PROCEEDINGS
IN THE HIGH COURT
Frequently Asked Questions
(FAQs)

SUPREME COURT
1 Supreme Court Lane
Singapore 178879

This pamphlet contains only general information. For more information, please access the website. If you require any legal advice, please consult a lawyer.

WRIT OF POSSESSION

(A) INFORMATION FOR THE GENERAL PUBLIC

1. What is a Writ Of Possession?

Where a judgment or order for the payment of monies has not been complied with, the judgment creditor (i.e. the person to whom money is owed) may apply to the Court for a Writ of Possession.

Such an order enables the Sheriff to take possession of immovable property (e.g. land, buildings, apartment, factory) owned by the judgment debtor (i.e. the person who is liable for the debt) in order to recover debts owed by the judgment debtor.

2. Who is the Sheriff/Bailiff?

The Sheriff's duties are to enforce the orders made by the Court. The Sheriff of Singapore is the Registrar of the Supreme Court.

Bailiffs are officers attached to the Sheriff's office who are empowered under the Sheriff's authority to execute and carry out writs of execution and court orders.

The Sheriff and his Bailiffs are empowered to enter the house of the judgment debtor or premises of a third party to seize assets belonging to the debtor.

3. How can I identify the Sheriff/Bailiff?

The Sheriff or Bailiff will:

- carry a warrant identification card and a badge;
- wear a Sheriff's jacket;
- have a copy of the following documents:
 - a) the Court order/judgment; and
 - b) the Writ of Possession.

(B) INFORMATION FOR JUDGEMENT CREDITORS

4. How will I know if my application for a Writ of Possession has been successful?

The Sheriff's Office will inform you via an Appointment Letter of the date on which the Writ will be executed.

If you have not received notification of the appointment date from the Sheriff's Section of the Supreme Court within three working days of filing of the application, please contact the Sheriff's Section at 63324286 or 63324287.

5. Do I have to be present on the appointment date?

Yes, the judgment creditor is required to be present at the site/premises on the appointment date and time. However, if you are unable to be present, you may authorise a representative to attend on your behalf by way of a Letter of Authorisation incorporated with the indemnity condition therein on the appointed date and time for the execution of the writ.

6. What documents must I bring on the appointment date?

On the appointment date and time, please bring with you (or your representatives) the following documents:

- The Letter of Authorisation signed by you or the law firm acting on your behalf (if you have nominated a representative to attend in your absence);
- The attendance fee payable by way of a cheque drawn in favour of "The Sheriff of Singapore" (please refer to the Appointment Letter for the amount of attendance fee payable).

(C) INFORMATION FOR JUDGEMENT DEBTORS/TENANTS

7. How will I know if a Writ of Possession has been issued against me?

When the judgment creditor or his lawyer(s) applies for a Writ of Possession to be executed, the Sheriff's Office will issue a Notice of Eviction to the judgment debtor, informing him of the date and time for eviction to be carried out. The Notice serves to inform the occupant to vacate the land/premises.

8. Who should I speak with if I have further questions about the Notice of Eviction?

All enquiries on the Notice of Eviction are to be directed to the judgment creditor or his lawyers.

9. **I have been informed to vacate the land/premises that I am currently occupying, but I do not own the property. What should I do?**

It is the judgment debtor's duty to inform the tenant of the Notice of Eviction. If you are a tenant and have been informed by the Sheriff's Office to vacate the land/premises, please contact your landlord for more information.

10. **What will happen after the Notice of Eviction has been issued?**

On the appointed date and time indicated in the Notice of Eviction, the Sheriff and/or Bailiff will enter into the premises and take possession of the property. If required, a locksmith may be in attendance to break into the premises. The Sheriff and/or Bailiff will then take stock of the inventory of the goods and chattels.

The occupier or tenant must vacate the premises once the Sheriff takes possession of the property. However, if the judgment creditor and/or his solicitors permit, the Sheriff may give the occupier or the tenant a reasonable time to move out before taking possession of the premises.

After the Sheriff has taken possession of the premises, the occupier or the tenant must seek the permission of the judgment creditor and/or his lawyers if they wish to re-enter the premises.

11. **As a judgment debtor, what can I do to facilitate the eviction process?**

- DO co-operate by allowing the Sheriff and/or Bailiff and the judgment creditor or his/her representatives, to enter the premises and take possession of the property.
- DO NOT attempt to interfere with the seized property without the authority of the Sheriff and/or Bailiff, as these goods are in the legal custody of the Sheriff once they have been seized. Removing items without the authority of the Sheriff and/or Bailiff may constitute an offence of theft.

WRIT OF SEIZURE AND SALE

(A) INFORMATION FOR THE GENERAL PUBLIC

1. **What is a Writ of Seizure and Sale?**

Where a judgment or order for the payment of monies has not been complied with, the judgment creditor (i.e. the person to whom money is owed) may apply to the Court for a Writ of Seizure and Sale.

Such an order enables the Sheriff to seize the assets and/or property of the judgment debtor (i.e. the person who is liable for the debt) and sell it, in order that the proceeds of sale may be used towards satisfying the debt in full or in part.

For instance, if the judgment debtor who has failed to comply with the order of the Court to pay a certain sum of money is the owner of a vehicle, the judgment creditor can apply to the Court for an order to seize the vehicle and have it sold by the Sheriff in order to satisfy the debt.

2. **Who Is the Sheriff/Bailiff?**

The Sheriff's duties are to enforce the orders made by the Court. The Sheriff of Singapore is the Registrar of the Supreme Court.

Bailiffs are officers attached to the Sheriff's office who are empowered under the Sheriff's authority to execute and carry out writs of execution and court orders.

The Sheriff and his bailiffs are empowered to enter the house of the judgment debtor or premises of a third party to seize assets/property belonging to the debtor.

3. How can I identify the Sheriff/Bailiff?

The Sheriff or Bailiff will:

- carry a warrant identification card and a badge;
- wear a Sheriff's jacket;
- have a copy of the following documents:
 - a) the Court order/judgment; and
 - b) the Writ of Seizure and Sale.

4. Are there items that cannot be seized by the Sheriff/Bailiff?

Yes, the following items cannot be seized by the Sheriff/Bailiff:

- The clothing and bedding of the debtor or his family.
- Tools of trade that would be necessary for the judgment debtor to earn his living (where the value of such items does not exceed S\$1,000).
- Wages and salary of the judgment debtor.
- Pensions, gratuity or allowance granted by the Government.

(B) INFORMATION FOR JUDGEMENT CREDITORS

5. How will I know if my application for a Writ of Seizure & Sale has been successful?

The Sheriff's Office will inform you via an Appointment Letter of the date on which the Writ will be executed.

If you have not received notification of the appointment date from the Sheriff's Section of the Supreme Court within three working days of filing of the application, please contact the Sheriff's Section at 63324286 or 63324287.

6. Do I have to be present on the day of the seizure?

Yes, the judgment creditor is required to be present at the site/premises on the day and time of seizure. However, if you are unable to be present, you may authorise a representative to attend on your behalf by way of a Letter of Authorisation incorporated with the indemnity condition therein on the appointed date and time for the execution of the writ.

7. What documents must I bring on the day of seizure?

On the day of seizure, please bring with you the following documents:

- The Letter of Authorisation signed by you or the law firm acting on your behalf (if you have nominated a representative to attend in your absence);
- The deposit amount by way of a cheque drawn in favour of "The Sheriff of Singapore" (please refer to the Appointment Letter for the amount of deposit payable).

(C) INFORMATION FOR JUDGEMENT DEBTORS/TENANTS

8. What happens after the seizure of the assets/property?

Once the asset/property (collectively referred to as "property") has been seized, you have **seven (7) working days (excluding any Saturdays, Sundays and public holidays)** to settle the debt.

If the debt is not settled and/or no court order is obtained to stop a sale of the seized property within 7 working days from the date of seizure, the judgment creditor will notify the Sheriff, who will then arrange for an auction to sell the seized property.

9. What if the seized property does not belong to me?

If a third party has a claim to the property seized, the third party can submit a claim to the Sheriff by filling up Form 22 (The form is available at www.supremecourt.gov.sg).

The judgment creditor can then contest the third party's claim by way of an application called an "Interpleader Summons". The Court will hear the "Interpleader Summons" and determine who is rightfully entitled to the property seized.

10. As a judgment debtor, what can I do to facilitate the seizure process?

- DO co-operate by allowing the Sheriff/Bailiff and the judgment creditor or his/her representatives, to enter the premises to seize property identified by the judgment creditor.
- DO NOT attempt to remove seized properties or interfere with them without the authority of the Sheriff or the Bailiff, as these properties are in the legal custody of the Sheriff once they have been seized. Removing items without the authority of the Sheriff or the Bailiff may constitute an offence of theft.

For more information on bankruptcy and bankruptcy proceedings in the High Court, please visit www.supremecourt.gov.sg