

# Singapore Money Order Recognized and Enforced in China

*The following post is reproduced from a recent update by the Asian Business Law Institute (ABLI).*

*Many thanks to Catherine Shen for sharing the information.*

In a judgment (2023) Hu 01 Xie Wai Ren No. 28 dated January 8, 2025, the Shanghai International Commercial Court (**Shanghai Court**) recognized and enforced an order given by the General Division of the Singapore High Court after finding reciprocity between China and Singapore in the recognition and enforcement of each other's civil and commercial judgments.

## **The Singapore order**

Zhao, the applicant in the enforcement proceeding before the Shanghai Court, and Ye, the respondent, entered into a loan agreement in December 2013 where Zhao agreed to lend Ye HKD 10 million. The money was transferred to Ye in April 2014. As Ye failed to repay the money as agreed on time, Zhao filed a lawsuit in the Singapore High Court.

On August 23, 2022, the General Division of the Singapore High Court (**General Division**) gave Order HC/ORC5055/2022 which states, among others, that all subsequent proceedings of the matter will be stayed, except that the parties have the right to apply for enforcement without the need for any new proceeding to be issued and that Ye must repay Zhao an outstanding amount of close to HKD 9.5 million over three tranches.

Subsequently on June 16, 2023, the General Division gave Order HC/ORC2766/2023 which, among others, orders Ye to repay Zhao an amount of approximately HKD 9.3 million that was still outstanding, pay Zhao interest on judgment debt at the annual rate of 5.33% and bear SGD 2,500 in costs. Order HC/ORC2766/2023 states that it is the final order from the General Division with regard to the Tomlin order in HC/ORC5055/2022.

## **The China ruling**

As Ye still failed to make repayment pursuant to Order HC/ORC2766/2023, Zhao applied to the Shanghai Court for recognition and enforcement of Order HC/ORC2776/2023. Ye is found to own real estate in Shanghai.

China and Singapore have not entered into any bilateral agreement on the recognition and enforcement of each other's civil and commercial judgments. Nor have they joined any international treaty on the recognition and enforcement of foreign judgments. Accordingly this application needs to be reviewed based on whether reciprocity exists between Chinese and Singaporean courts. The Shanghai Court found that reciprocity exists on the basis of the Memorandum of Guidance between the Supreme People's Court of the People's Republic of China and the Supreme Court of Singapore on Recognition and Enforcement of Money Judgments in Commercial Cases as well as past precedents where the courts of the two countries have recognized and enforced each other's civil and commercial judgments. Zhao cited as support in her application [2014] SGHC 16 where the Singapore High Court recognized a judgment from the Suzhou Intermediate People's Court as well as (2017) Zhe 03 Xie Wai Ren No. 7 where the Wenzhou Intermediate People's Court recognized a Singapore civil judgment.

The Shanghai Court accordingly rendered a ruling to recognize and enforce Order HC/ORC2776/2023.

The original Chinese judgment can be read [here](#). We thank Dr Yu Meng for alerting us to this judgment.

More about ABLI's work on the recognition and enforcement of foreign judgments in Asia can be found [here](#) and [here](#).