

**IN THE SUBORDINATE COURTS OF THE REPUBLIC OF  
SINGAPORE  
PRACTICE DIRECTIONS  
AMENDMENT NO 2 OF 2013**

It is hereby notified for general information that, with effect from 29<sup>th</sup> April 2013, the Subordinate Courts Practice Directions will be amended as follows:

- (a) the existing paragraph 127 will be deleted and replaced by the following paragraph respectively:

*[New paragraphs 127](#)*

- (b) the existing forms 44 and 45 in Appendix B will be deleted and replaced by the following forms respectively:

*[New Forms 44 and Forms 45 of Appendix B](#)*

2. The new paragraph 127 and forms 44 and 45 simplify the procedure for Judgment Debtors to answer questions raised by Judgment Creditors for the purposes of Examination of Judgment Debtor hearings.

Dated this 22<sup>nd</sup> day of April 2013.



JENNIFER MARIE  
REGISTRAR  
SUBORDINATE COURTS

**127. Examination of Judgment Debtor**

- (1) A questionnaire in the recommended format as set out in Form 44 or 45 of Appendix B (whichever is appropriate) shall be annexed to the Order for Examination of Judgment Debtor when the said Order is served on the Judgment Debtor. Solicitors may modify the questions according to the circumstances of each case.
- (2) If the Judgment Debtor or his solicitor is of the view that any question is unreasonable, he is to contact the solicitor for the Judgment Creditor to ascertain whether the issue can be resolved prior to the hearing.
- (3) At the hearing, the answered questionnaire is to be produced to the Deputy Registrar and received as evidence upon the Judgment Debtor's confirmation on oath that his answers provided are true and correct. Counsel for the Judgment Creditor may then apply to discharge the Judgment Debtor or proceed with further questioning.
- (4) The Judgment Debtor need not attend at the examination hearing if:
  - (a) he is able to provide his answers to the questionnaire by way of an affidavit or statutory declaration; and
  - (b) the counsel for the Judgment Creditor agrees to discharge the Order for Examination at the examination hearing.

**Form 44**

(Title as in the action)

**QUESTIONNAIRE FOR THE EXAMINATION OF  
(NAME OF INDIVIDUAL JUDGMENT DEBTOR)**

Please be informed that you, (name of judgment debtor), have been summoned by the abovementioned judgment creditor to attend at the Subordinate Courts on (date and time) to —

- (a) provide answers to the questions set out herein; and
- (b) produce documents set out below:
  - (i) your bank statements for the past 6 months;
  - (ii) your payslips for the past 3 months;
  - (iii) your income tax returns and Form IR8A for the last period of assessment;
  - (iv) your last 3 statements from the Central Provident Fund (CPF) Board;
  - (v) your last 3 statements from the Central Depository (CDP) and/or your securities broker or fund manager in respect of your shares, bonds and/or unit trusts;
  - (vi) your motor vehicle log card/printout of your vehicle registration details and hire purchase agreement in respect of your motor vehicle;
  - (vii) your lease agreements, title deeds or certificates of title in respect of your properties, or your rental agreements.

Please answer these questions carefully as the Court will require you to confirm on oath that your answers are true to the best of your knowledge, information and belief. Please bring this completed questionnaire and the documents with you at the Court hearing.

**IMPORTANT NOTICE:** You are required to attend the hearing unless you have obtained the consent of the judgment creditor to dispense with your attendance in Court or to discharge the Order requiring your attendance. If you fail to attend the hearing without obtaining the consent of the judgment creditor, the judgment creditor may commence committal proceedings against you for your failure to attend Court. The penalty that may be imposed by Court for such failure is fine and/or imprisonment.

You may therefore wish to contact the solicitor for the judgment creditor (name of law firm and solicitor having conduct of the case) at (address and telephone contact no.) to obtain the consent of the judgment creditor for the necessary dispensation and discharge. You may also choose to engage your own solicitor to advise you on your rights and duties in relation to these proceedings.


### Personal particulars

1.	Full Name:
2.	NRIC/Passport No.:
3.	Home Address:
4.	Mobile Number:
5.	Email Address:

### Work particulars

6.	Occupation:
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7	If you are an employee, please state the following:
(a)	the name and address of your employer;
(b)	your monthly income; and
(c)	when your monthly income is paid to you and how you are paid (whether by GIRO or otherwise).

 Income includes salary, allowances, commissions and bonuses

8.	If you are self-employed, please state the following:
(a)	the name and address of your business (sole proprietorship or partnership);
(b)	the nature of the business; and
(c)	your monthly income including salary, allowances, commissions and

bonuses.

9. Aside from your income from your employment, please state all your other sources of income and the amount received.

**i** Sources of income includes rental, dividends, royalties from intellectual property.

**Particulars of your Debtors**

10. Please state whether you have any debtors.  
Yes / No. If yes, please provide the details in Annex A

**i** Debtors are people who owe you money.

**Particulars of your immovable properties situated locally or overseas**

11. Please state the following if you own any immovable property locally or overseas:  
(a) the address(es) of property owned;  
(b) the names of joint-owners (if any); and  
(c) the names of mortgagee/chargee (if any) and the amount outstanding.

**i** Immoveable property means houses, apartments etc.

12. Please state if you are leasing any immovable property.  
Yes / No. If yes, please provide the details in Annex B.


13. Please state if you have any tenants/subtenants in respect of your owned or leased properties.  
Yes/No. If yes, please provide the details in Annex B.

### Particulars of your motor vehicles

14. Please state if you own a motor vehicle.  Yes/No. If yes, please provide the details in Annex B.
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### Particulars of your bank accounts

15. Please state the following if you have any bank accounts or safe deposit boxes:
(a) name and branch of the Bank where your account or safe deposit box is maintained;
(b) the account number;
(c) type of account held (e.g. current, savings, fixed deposit, overdraft);
(d) name of joint account holder (if any);
(e) the balance due to you at this date (for fixed deposits, please state the date of maturity and the amount due to you at that date)

 **Bank** accounts include accounts held in your sole name or jointly with others.

### Particulars of your other assets

16. Please state if you have any insurance policies.  Yes/No. If yes, please provide details in Annex C
17. Please state if you own any shares and/or unit trusts.  Yes/No. If yes, please provide details in Annex C
18. Please state if you are a beneficiary under any trust, will or estate in intestacy.  Yes/No. If yes, please provide details in Annex C

19. Please state if you are a member (whether in Singapore or overseas) of any country clubs, timeshare holiday clubs.

Yes/No. If yes, please provide details in Annex C

20. Please state if you own any other assets, savings or investments not listed thus far (e.g. antiques, collectibles, jewellery, paintings).

Yes/No. If yes, please provide details in Annex C

21. What offer of repayment do you wish to make to the judgment creditor?

**Additional questions by the judgment creditor**

22. (Please state additional questions if any.)

**Confirmation statement**

I, \_\_\_\_\_ (name of judgment debtor and NRIC No.) confirm that my answers to the questions above are true to the best of my knowledge, information and belief.

\_\_\_\_\_

(Signature of judgment debtor)

Dated this      day of                      20



## ANNEX A

### Particulars of Debtors and Creditors

**(From Question 10)**

(1) Please list the names of your **debtors** (i.e. people who owe you money) as follows:

<u>Name</u>	<u>Contact Particulars</u>	<u>Amount owed</u>	<u>Due date for payment</u>	<u>How did the debt arise?</u>

(2) Please state the following if you have commenced legal proceedings against your **debtors** to recover your debt:

<u>Name of Debtor</u>	<u>MC/DC/Suit No.</u>	<u>Amount claimed</u>	<u>Status of action</u>

## **ANNEX B**

### **Particulars of Property Owned or Rented**

#### **(From question 12)**

Please provide details of the immovable property that you have leased out:

- (3) Name of landlord:
  
- (4) Address of rented property:
  
- (5) Period of tenancy:
  
- (6) Amount of monthly rental paid and due date of rental:
  
- (7) Whether there is any written tenancy agreement:

#### **(From question 13)**

Please provide details of the tenancy of any immovable property that you own:

- (8) Name of tenant:
  
- (9) Address of tenanted property:
  
- (10) Period of tenancy:
  
- (11) Amount of monthly rental received and due date of rental:
  
- (12) Whether there is any written tenancy agreement:

#### **(From question 14)**

Please provide details of any motor vehicles that you own:

- (13) The registration number of the motor vehicle(s):
  
- (14) The colour and make of the motor vehicle(s):
  
- (15) Whether the motor vehicle(s) is/are on hire purchase:
  
- (16) If on hire purchase, the name of the finance company and the amount outstanding under the hire purchase agreement:

## ANNEX C

### Particulars of Other Assets

#### Insurance Policies (From Question 16)

<u>Name of Insurer</u>	<u>Type of policy/ Policy No.</u>	<u>Amount insured</u>	<u>Monthly premium payable</u>

- (17) Please identify the beneficiaries under your insurance policies apart from yourself:
- (18) If applicable, please state the dates when each of your insurance policies will mature and the surrender value as at this date:

#### Shares (From Question 17)

- (19) If you own shares, please state the name of the company and the number of shares held. If you use a securities broker, please give particulars:
- (20) If you own unit trusts, please state the name of the bank/financial institution managing your unit trusts:
- (21) Please state the estimated value of the shares/unit trusts:

#### Beneficiary of trust, will or estate in intestacy (From Question 18)

- (22) Please state the name of the person managing your beneficial interest i.e. your trustee, executor (where the deceased left a will) or administrator (where the deceased left no will):
- (23) Please state the name of the party leaving you the beneficial interest:
- (24) Please state the value of your interest:
- (25) If probate or letters of administration have been granted, please state the case no. for the grant:

#### Other Assets (From Question 20)

- (26) Please provide details of the assets listed in Question 20 and state the estimated value of each asset and the basis for the estimation:

**Form 45**

(Title as in the action)

**QUESTIONNAIRE FOR THE EXAMINATION OF (NAME OF OFFICER OF JUDGMENT DEBTOR)**

Please be informed that you, (name of officer of judgment debtor), have been summoned by the abovementioned judgment creditor to attend at the Subordinate Courts on (date and time) to:

- (a) provide answers to the questions set out herein; and
- (b) produce documents set out below:
  - (i) the Company's bank statements for the past 6 months;
  - (ii) the Company's audited returns for the last period of assessment;
  - (iii) the Company's last 3 statements from the Central Provident Fund (CPF) Board;
  - (iv) the Company's last 3 statements from the Central Depository (CDP) and/or its securities broker or fund manager in respect of its shares, bonds and/or unit trusts;
  - (v) the Company's motor vehicle log card/printout of its motor vehicle registration details and hire purchase agreement in respect of the Company's motor vehicle;
  - (vi) the Company's lease agreements, title deeds or certificates of title in respect of its properties, or its rental agreements.

Please answer these questions carefully as the Court will require you to confirm on oath that your answers are true to the best of your knowledge, information and belief. Please bring this completed questionnaire and the documents with you at the Court hearing.

**IMPORTANT NOTICE:** You are required to attend the hearing unless you have obtained the consent of the judgment creditor to dispense with your attendance in Court or to discharge the Order requiring your attendance. If you fail to attend the hearing without obtaining the consent of the judgment creditor, the judgment creditor may commence committal proceedings against you for your failure to attend Court. The penalty that may be imposed by Court for such failure is fine and/or imprisonment.

You may therefore wish to contact the solicitor for the judgment creditor (name of law firm and solicitor having conduct of the case) at (address and telephone contact no.) to obtain the consent of the judgment creditor for the necessary dispensation and discharge. You may also choose to engage your own solicitor to advise you on your rights and duties in relation to these proceedings.

### Personal particulars

1.	Full Name:
2.	NRIC/Passport No.:
3.	Home Address:
4.	Mobile Number:
5.	Email Address:

6.	Please state the position you are holding in the Judgment Debtor (“the Company”).
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### Company particulars

7.	Please state if the Company is still carrying on business:
(a)	Yes/No.      If yes, please state:
(i)	the business that the Company is presently engaged in;
(ii)	the present location of the Company’s business operations; and
(iii)	whether the Company is making trading profits or losses.

8.	Please state whether the Company declared any dividends this year or the last year:
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Yes/ No. If yes, please state when the dividends were declared, and how much was declared.

### **Remuneration**

9. Please state if the officers of the Company, including yourself, receive remuneration for work done for the Company (i.e. salary or director's fees).

Yes/No. If yes, please state how much remuneration each officer receives.

### **Auditors**

10. Please state the name and address of the accountants and auditors of the Company.

11. Please state the date when the accounts of the Company were last audited.

12. Please state the date when the Company last filed its Annual Returns with the Accounting and Corporate Regulatory Authority.

### **Particulars of the Company's Debtors**

13. Please state whether anyone owes the Company money.

Yes / No. If yes, please provide the details in Annex A


14. Please state whether the Company has taken any steps to apply or is it in the process of applying to Court for a Scheme of Arrangement to compromise its debts with its creditors under the Companies Act.

Yes/No. If yes, please state particulars.

### Particulars of immovable properties situated locally or overseas

15. Please state whether the Company owns any immovable property locally or overseas.

Yes/No. If yes, please provide details in Annex B.

 Immoveable property means houses, apartments etc.

16. Please state the following if the Company is leasing any immovable property:

(a) name of landlord and address of rented property;

(b) period of tenancy, amount of monthly rental paid and due date of rental; and

(c) whether there is any written tenancy agreement.

17. Please state whether the Company has any tenants/subtenants in respect of the owned or leased properties.

Yes/No. If yes, please provide details in Annex B.

### Particulars of the Company's motor vehicles

18. Please state if the Company owns any motor vehicle.

Yes/No. If yes, please provide the details in Annex B.



### Particulars of the Company's bank accounts

19.	Please state the following if the Company has any bank accounts (held solely and/or jointly) or safe deposit boxes:
(a)	name and branch of the Bank where the account or safe deposit box is maintained;
(b)	the account number;
(c)	type of account held (e.g. current, savings, fixed deposit, overdraft);
(d)	name of joint account holder (if any);
(e)	the balance due to the Company at this date (for fixed deposits, please state the date of maturity and the amount due to the Company at that date)

### Particulars of the Company's other assets

20.	Please state if the Company has any insurance policies.  Yes/No.      If yes, please provide details in Annex C
21.	Please state if the Company owns any shares and/or unit trusts,  Yes/No.      If yes, please provide details in Annex C
22.	Please state if the Company owns any other assets, savings or investments not listed thus far.  Yes/No.      If yes, please provide details in Annex C

 Assets include antiques, collectibles, jewellery, paintings, royalties from intellectual property, club membership etc.

**Other Matters**

23. Are there any goods on the Company's premises that do not belong to the Company but belong to other people or are jointly owned with others? If so, please list the goods and how such ownership can be established.
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24. What offer of repayment do you wish to make to the judgment creditor?
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**Additional questions by the judgment creditor**

25. (Please state additional questions if any.)

**Confirmation statement**

I, \_\_\_\_\_(name of officer of judgment debtor and NRIC No.) confirm that my answers to the questions above are true to the best of my knowledge, information and belief.

\_\_\_\_\_

(Signature of officer of judgment debtor)

Dated this      day of                      20

## ANNEX A

### Particulars of Debtors

#### (From Question 13)

- (1) Please list the names of the Company's **debtors** (i.e. people who owe the Company money):

<u>Name</u>	<u>Contact Particulars</u>	<u>Amount owed</u>	<u>Due date for payment</u>	<u>How did the debt arise?</u>

- (2) Please state the following if the Company has commenced legal proceedings against its debtors to recover its debt:

<u>Name of debtor</u>	<u>MC/DC/Suit No.</u>	<u>Amount claimed</u>	<u>Status of action</u>

## ANNEX B

### Particulars of Property Owned or Leased

#### (From Question 15)

- (3) Please provide details of the properties owned by the Company:
- (a) Addresses of properties owned:
  - (b) Names of joint-owners (if any):
  - (c) Names of mortgagee/chargee (if any) and amount outstanding:

#### (From Question 17)

- (4) Please provide details of the tenancy of any immoveable property that the Company owns:
- (a) Name of tenant and address of tenanted property:
  - (b) Period of tenancy, amount of monthly rental received and due date of rental:
  - (c) Whether there is any written tenancy agreement:

#### (From Question 18)

- (5) Please provide details of the vehicles the Company owns:
- (a) The registration number, make and colour of the motor vehicle(s):
  - (b) Whether the motor vehicle(s) is/are on hire purchase:
  - (c) If on hire purchase, the name of the finance company and the amount outstanding under the hire purchase agreement:

## ANNEX C

### Particulars of Other Assets

#### Insurance Policies (From Question 20)

<u>Name of insurer</u>	<u>Type of policy/ Policy No.</u>	<u>Amount insured</u>	<u>Monthly premium payable</u>

- (6) Please identify the beneficiaries under the policies apart from the Company.
- (7) If applicable, please state the dates when each of the Company's policies will mature and the surrender value as at this date.

#### Shares/Unit Trusts (From Question 21)

- (8) If the Company owns shares in another company, please state the name of the company and the number of shares held. If the Company has a securities broker, please provide particulars of the same:
- (9) If the Company owns unit trusts, please state the name of the bank/financial institution managing the unit trusts:
- (10) Please state the estimated value of the shares/unit trusts and the basis for estimation:

#### Other Assets (From Question 22)

- (11) Please provide details of the assets listed in Question 22 and state the estimated value of each asset and the basis of the estimation.