Enforcement against Swiss defendants

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Recognition of Singapore judgments in Switzerland

A Singapore judgment against a Swiss-domiciled defendant is recognised in Switzerland under Arts 25–27 PILA if the Singapore court had jurisdiction under Swiss indirect-jurisdiction rules, the judgment is final and no refusal ground applies. The indirect-jurisdiction grounds in Art. 26 PILA include the defendant's domicile in Singapore, a valid choice-of-court agreement, the defendant's submission without reservation and, for monetary claims, a counterclaim connection. A Singapore judgment against a Swiss defendant who did not submit and had no Singapore domicile will be recognised only on a specific ground. The parties must have agreed Singapore jurisdiction, or a ground such as the place of the tort under Art. 129 PILA must apply by analogy.[1] Refusal grounds are public policy, lack of proper service, denial of a hearing and a prior inconsistent Swiss judgment.

Enforcement then proceeds through the Swiss debt-enforcement system. The creditor files a payment summons and the debtor objects. The creditor then applies for definitive lifting of the objection under Art. 80 DEBA, in which proceeding the Swiss court decides recognition incidentally. An attachment under Art. 271 para. 1

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no. 6 DEBA is available on the strength of the foreign judgment as a definitive title, which lets the creditor freeze Swiss assets before the recognition decision. A Singapore proprietary judgment declaring a constructive trust over tokens held by a Swiss custodian presents the conceptual difficulty described in Chapter III. Swiss courts resolve it by enforcing the monetary component and treating the trust declaration under the Hague Trusts Convention where it applies.

Recognition of Swiss judgments in Singapore

A Swiss judgment is enforced in Singapore by a common-law action on the judgment, because Switzerland is not a country to which the Reciprocal Enforcement of Foreign Judgments Act 1959 has been extended.[2] The action requires a final and conclusive judgment for a fixed sum of money, given by a court of competent jurisdiction in the international sense, which means that the defendant was present in Switzerland when proceedings began or submitted to the Swiss court. Defences are fraud, breach of natural justice and public policy. The Singapore court will not review the merits. Summary judgment is the usual route, so a Swiss judgment can be converted into a Singapore judgment within a few months, after which the Singapore enforcement tools apply, including attachment of exchange balances.

The Hague Convention on Choice of Court Agreements, given effect in Singapore by the Choice of Court Agreements Act 2016, provides a treaty route for judgments based on exclusive choice-of-court clauses, but only between contracting states. Switzerland has signed the Convention but, as at 30 June 2026, had not ratified it, so the treaty route is unavailable between the two hubs.[3]

Issue	Singapore judgment in Switzerland	Swiss judgment in Singapore
Legal basis	Arts 25–27 PILA	Common law action on the judgment
Treaty	None (no Lugano, no Hague 2005 ratification by CH)	None

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Issue	Singapore judgment in Switzerland	Swiss judgment in Singapore
Jurisdiction test	Swiss indirect jurisdiction (Art. 26 PILA)	Presence or submission
Review of merits	No	No
Non-money judgments	Recognisable (declarations, orders)	Not at common law; money only
Interim orders	Not recognised	Not recognised; apply afresh under s 4(10A) CLA
Typical duration	6–12 months including DEBA proceedings	3–6 months to Singapore judgment
Pre-recognition freeze	Attachment Art. 271 para. 1 no. 6 DEBA	Mareva injunction in aid

Notes

1. Swiss Private International Law Act (PILA; IPRG), SR 291, Arts 25–27 and 149; the indirect jurisdiction for tort claims following Art. 149 para. 2 lit. f PILA. ↩
2. Reciprocal Enforcement of Foreign Judgments Act 1959, ss 3–4, Singapore Statutes Online (consulted June 2026). ↩
3. Choice of Court Agreements Act 2016, Singapore Statutes Online; Hague Conference on Private International Law, status table of the 2005 Convention on Choice of Court Agreements. ↩

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