[Français](http://www.ontario.ca/fr/lois/loi/90r05)

Reciprocal Enforcement of Judgments Act

R.S.O. 1990, Chapter R.5

**Consolidation Period:** From June 22, 2006 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1).

Legislative History: [2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1).

Definitions

**1** (1)  In this Act,

“judgment” means a judgment or an order of a court in any civil proceedings whereby any sum of money is payable, and includes an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the province or territory where it was made, become enforceable in the same manner as a judgment given by a court therein; (“jugement”)

“judgment creditor” means the person by whom the judgment was obtained, and includes the executors, administrators, successors and assigns of that person; (“créancier en vertu du jugement”)

“judgment debtor” means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable in the place where it was given; (“débiteur en vertu du jugement”)

“original court”, in relation to a judgment, means the court by which the judgment was given; (“tribunal d’origine”)

“registering court”, in relation to a judgment, means the court in which the judgment is registered under this Act. (“tribunal d’enregistrement”)

Powers of court, how exercised

(2) Subject to the rules of court, any of the powers conferred by this Act on a court may be exercised by a judge of the court. R.S.O. 1990, c. R.5, s. 1.

Registration of judgment

**2** (1)  Where a judgment has been given in a court in a reciprocating state, the judgment creditor may apply to any court in Ontario having jurisdiction over the subject-matter of the judgment, or, despite the subject-matter, to the Superior Court of Justice at any time within six years after the date of the judgment to have the judgment registered in that court, and on any such application the court may, subject to this Act, order the judgment to be registered. R.S.O. 1990, c. R.5, s. 2 (1); 2006, c. 19, Sched. C, s. 1 (1).

Notice of application to register

(2)  Reasonable notice of the application shall be given to the judgment debtor in all cases in which the judgment debtor was not personally served with process in the original action and did not appear or defend or otherwise submit to the jurisdiction of the original court, but in all other cases the order may be made without notice. R.S.O. 1990, c. R.5, s. 2 (2).

Registration of judgment

(3)  The judgment may be registered by filing with the registrar or clerk of the registering court an exemplification or a certified copy of the judgment, together with the order for such registration, whereupon the judgment shall be entered as a judgment of the registering court. R.S.O. 1990, c. R.5, s. 2 (3).

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1) - 22/06/2006

Conditions of registration

**3** No judgment shall be ordered to be registered under this Act if it is shown to the registering court that,

(a) the original court acted without jurisdiction; or

(b) the judgment debtor, being a person who was neither carrying on business nor ordinarily resident within the jurisdiction of the original court, did not voluntarily appear or otherwise submit during the proceedings to the jurisdiction of that court; or

(c) the judgment debtor, being the defendant in the proceedings, was not duly served with the process of the original court and did not appear, despite the fact that the judgment debtor was ordinarily resident or was carrying on business within the jurisdiction of that court or agreed to submit to the jurisdiction of that court; or

(d) the judgment was obtained by fraud; or

(e) an appeal is pending, or the judgment debtor is entitled and intends to appeal against the judgment; or

(f) the judgment was in respect of a cause of action which for reasons of public policy or for some other similar reason would not have been entertained by the registering court; or

(g) the judgment debtor would have a good defence if an action were brought on the original judgment. R.S.O. 1990, c. R.5, s. 3.

Effect of registration

**4** Where a judgment is registered under this Act,

(a) the judgment is, as from the date of the registration, of the same force and effect and, subject to this Act, proceedings may be taken thereon as if it had been a judgment originally obtained or entered up in the registering court on the date of the registration; and

(b) the registering court has the same control and jurisdiction over the judgment as it has over judgments given by itself; and

(c) the reasonable costs of and incidental to the registration of the judgment, including the costs of obtaining an exemplification or certified copy thereof from the original court, and of the application for registration, are recoverable in like manner as if they were sums payable under the judgment, such costs to be first taxed by the proper officer of the registering court, and his or her certificate thereof endorsed on the order for registration. R.S.O. 1990, c. R.5, s. 4.

Notice of registration on order made without notice

**5** In all cases in which registration is made upon an order made without notice, notice thereof shall be given to the judgment debtor within one month after the registration, and the notice shall be served in the manner provided by the practice of the registering court for service of originating process, and no sale under the judgment of any property of the judgment debtor is valid if made prior to the expiration of the period fixed by section 6 or such further period as the court may order. R.S.O. 1990, c. R.5, s. 5.

Setting aside order made without notice

**6** In all cases in which registration is made upon an order made without notice, the registering court may on the application of the judgment debtor set aside the registration upon such terms as the court thinks fit, and such application shall be made within one month after the judgment debtor has notice of the registration, and the applicant is entitled to have the registration set aside upon any of the grounds mentioned in section 3. R.S.O. 1990, c. R.5, s. 6.

Application of Act

**7** Where the Lieutenant Governor is satisfied that reciprocal provision has been or will be made by any other province or territory of Canada for the enforcement within that province or territory of judgments obtained in the Superior Court of Justice, the Lieutenant Governor may direct that this Act applies to that province or territory, and thereupon this Act applies accordingly. R.S.O. 1990, c. R.5, s. 7; 2006, c. 19, Sched. C, s. 1 (1).

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1) - 22/06/2006

Effect of Act

**8** Nothing in this Act deprives any judgment creditor of the right to bring an action for the recovery of the amount of a judgment instead of proceeding under this Act. R.S.O. 1990, c. R.5, s. 8.

Note: As of April 30, 1999, this Act applies to Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland, Nova Scotia, Nunavut, Prince Edward Island, Saskatchewan, the Northwest Territories and the Yukon Territory. See: O. Reg. 322/92, as amended by O. Reg. 298/99.

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