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P.14, r.1(9) FJ(G)R

Para 101(1)(a) PD

**Injunction Prohibiting Disposal of Assets Worldwide**

*Order is valid only if engrossed with the seal of the Court and signature of the Registrar*

**IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE**

|  |  |
| --- | --- |
| Main Case No.: Enter case no. here  Sub Case No. [number]/[year][[1]](#footnote-1) | Between  [Applicant’s name]  [ID No.]  … Applicant(s)  And  [Respondent’s name]  [ID No.]  … Respondent(s) |

**INJUNCTION PROHIBITING DISPOSAL OF ASSETS WORLDWIDE**

|  |  |
| --- | --- |
| Date of order: | Enter date here. |
| Hearing Judge: | Select the applicable option[[2]](#footnote-2) Enter name of judicial officer here. |
| Parties present: | Applicant  Applicant’s counsel  Respondent  Respondent’s counsel  Others. Enter party type/details here.  Hearing on paper. No parties are present.[[3]](#footnote-3)  Without notice.[[4]](#footnote-4) |
| Venue: | Family Justice Courts  Supreme Court  Open court  Chambers Enter court / chamber no. here. |
| Case no. (including Summons no.) and type of hearing: | Enter case / summons no. and type of hearing here. |

To: The respondent

1. This order prohibits you from dealing with your assets up to the amount stated. The order is subject to the exceptions stated at the end of the order. You should read all the terms of the order very carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this order.
2. If you disobey this order you will be guilty of contempt of Court and may be sent to prison or fined.

**THE ORDER**

Disposal of assets

1. (a) The respondent must not:

(i) remove from Singapore any of his/her assets which are in Singapore whether in his/her own name or not and whether solely or jointly owned up to the value of $[Enter amount here]; or

(ii) in any way dispose of or deal with or diminish the value of any of his/her assets whether they are in or outside Singapore whether in his/her own name or not and whether solely or jointly owned up to the same value.

(b) This prohibition includes the following assets, in particular:-

(i) the property known as [Enter address here] or the net sale money after payment of any mortgages if it has been sold;

(ii) the property and assets of the respondent's business known as [Enter details here] (or carried on at [Enter address here]) or the sale money if any of them have been sold; and

(iii) any money in the accounts numbered [Enter details here] at [Enter details here].

(c) If the total unencumbered value of the respondent’s assets in Singapore exceeds $[Enter amount here] the respondent may remove any of those assets from Singapore or may dispose of or deal with them so long as the total unencumbered value of his/her assets still in Singapore remains not less than $[Enter amount here]. If the total unencumbered value of the respondent’s assets in Singapore does not exceed $[Enter amount here], the respondent must not remove any of those assets from Singapore and must not dispose of or deal with any of them, but if he/she has other assets outside Singapore the respondent may dispose of or deal with those assets so long as the total unencumbered value of all his/her assets whether in or outside Singapore remains not less than $[Enter amount here].

Disclosure of information

2. The respondent must inform the applicant in writing at once of all his assets whether in or outside Singapore and whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets. The information must be confirmed in an affidavit which must be served on the applicant’s solicitors within

[ ] days after this order has been served on the respondent.

**EXCEPTIONS TO THIS ORDER**

3. This order does not prohibit the respondent from spending $[Enter amount here] a week towards his/her ordinary living expenses and also $[Enter amount here] a week (or a reasonable sum) on legal advice and representation. But before spending any money the respondent must tell the applicant's solicitors where the money is to come from.

4. This order does not prohibit the respondent from dealing with or disposing of any of his/her assets in the ordinary and proper course of business. The respondent must account to the applicant [state interval here] for the amount of money spent in this regard.

5. The respondent may agree with the applicant’s solicitors that the above spending limits should be increased or that this order should be varied in any other respect but any such agreement must be in writing.

**EFFECT OF THIS ORDER**

6. A respondent who is an individual who is ordered not to do something must not do it himself/herself or in any other way. He/She must not do it through others acting on his/her behalf or on his/her instructions or with his/her encouragement.

7. A respondent which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

**THIRD PARTIES**

Effect of this order

8. It is a contempt of Court for any person notified of this order knowingly to assist in or permit a breach of the order. Any person doing so may be sent to prison or fined.

Effect of this order outside Singapore

9. The terms of this order do not affect or concern anyone outside the jurisdiction of this Court until it is declared enforceable or is enforced by a Court in the relevant country and then they are to affect him/her only to the extent they have been declared enforceable or have been enforced UNLESS such person is:

(a) a person to whom this order is addressed or an officer or an agent appointed by power of attorney of such a person; or

(b) a person who is subject to the jurisdiction of this Court; and

(i) has been given written notice of this order at him/her residence or place of business within the jurisdiction of this Court; and

(ii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this order.

Assets located outside Singapore

10. Nothing in this order will, in respect of assets located outside Singapore, prevent any third party from complying with:

(a) what it reasonably believes to be its obligations, contractual or otherwise, under the laws and obligations of the country or state in which those assets are situated or under the proper law of any contract between itself and the respondent; and

(b) any orders of the Courts of that country or state, provided that reasonable notice of any application for such an order is given to the applicant’s solicitor.

Set-off by banks

11. This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the respondent before it was notified of the order.

Withdrawals by the respondent

12. No bank need enquire as to the application or proposed application of any money withdrawn by the respondent if the withdrawal appears to be permitted by this order.

**[[5]](#footnote-5)SERVICE OUT OF THE JURISDICTION AND SUBSTITUTED SERVICE**

13. (a) The applicant may serve the originating application on the respondent at [Enter address/details here] by [Enter mode of service here].

(b) If the respondent wishes to defend the action, the respondent should refer to the Notice of Proceedings annexed to the originating application for information on the steps to take.)

**UNDERTAKINGS**

14. The applicant gives to the Court the undertakings set out in Schedule 1 to this order.

**DURATION OF THIS ORDER**

15. This order will remain in force until the trial or further order.

**VARIATION OR DISCHARGE OF THIS ORDER**

16. The respondent (or anyone notified of this order) may apply to the Court at any time to vary or discharge this order (or so much of it as affects that person), but anyone wishing to do so must inform the applicant’s solicitors.

**NAME AND ADDRESS OF APPLICANT’S SOLICITORS**

17. The applicant’s solicitors are:-

Name of lawyer(s) having conduct of action or charge of matter

Name of law firm.

Address of law firm.

Email: Enter email address here

Tel: Enter telephone no. here.

Ref: Enter file reference of law firm here.

**INTERPRETATION OF THIS ORDER**

18. (a) In this order references to “he”, “him” or “his” include “she” or “her” and “it” or “its”.

(b) Where there are 2 or more respondents then (unless the context indicates differently)

(i) References to “the respondents” mean both or all of them;

(ii) An order requiring “the respondents” to do or not to do anything requires each respondent to do or not to do the specified thing; and

(iii) A requirement relating to service of this order, or of any legal proceedings, on “the respondents” means service on each of them.

**SCHEDULE 1**

*Undertakings given to the Court by the applicant*

1. If the Court later finds that this order has caused loss to the respondent, and decides that the respondent should be compensated for that loss, the applicant will comply with any order the Court may make.

2. The applicant, in respect of any order the Court may make pursuant to paragraph (1) above, will:

(a) on or before [date] provide to the respondent security in the sum of $ [ ] by causing [payment to be made into Court / a bond to be issued by an insurance company with a place of business within Singapore / a written guarantee to be issued from a bank with a place of business within Singapore / payment to the applicant’s solicitor to be held by the solicitor as an officer of the Court pending further order]\*; and

(b) cause evidence of the provision of security to be extended to the respondent immediately after the security has been put up.

3. As soon as practicable the applicant will (issue and) serve on the respondent (an) (the) originating application (in the form of the draft originating application produced to the Court) (claiming appropriate relief) together with this order.

4. The applicant will cause an affidavit to be sworn and filed (substantially in the terms of the draft affidavit produced to the Court) (confirming the substance of what was said to the Court by the applicant’s solicitors).

5. As soon as practicable the applicant will serve on the respondent a copy of the affidavits and exhibits containing the evidence relied on by the applicant.

6. Anyone notified of this order will be given a copy of it by the applicant’s solicitors.

7. The applicant will pay the reasonable costs of anyone other than the respondent which have been incurred as a result of this order including the costs of ascertaining whether that person holds any of the respondent’s assets and if the Court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the applicant will comply with any order the Court may make.

8. If this order ceases to have effect, the applicant will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or who he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.

(9. The applicant will not without the permission of the Court begin proceedings against the respondent in any other jurisdiction or use information obtained as a result of an order of the Court in this jurisdiction for the purpose of civil or criminal proceedings in any other jurisdiction.

10. The applicant will not without the permission of the Court seek to enforce this order in any country outside Singapore (or seek an order of a similar nature including orders conferring a charge or other security against the respondent or the respondent’s assets).)\*

*(\*Use as appropriate)*

1. To insert sub-case details if relevant. [↑](#footnote-ref-1)
2. The applicable options are: Assistant Registrar / Judge / Judicial Commissioner / District Judge / Deputy Registrar / Magistrate / Registrar / Others. [↑](#footnote-ref-2)
3. Applicable if the Court dealt with the summons / application without an oral hearing. [↑](#footnote-ref-3)
4. Applicable only if the summons / application is without notice, i.e. there is no responding party / Respondent. [↑](#footnote-ref-4)
5. Include this paragraph where applicable. [↑](#footnote-ref-5)