



# ICLG

The International Comparative Legal Guide to:

## **Enforcement of Foreign Judgments 2017**

### **2nd Edition**

A practical cross-border insight into the enforcement of foreign judgments

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Global Legal Group Ltd.  
59 Tanner Street  
London SE1 3PL, UK  
Tel: +44 20 7367 0720  
Fax: +44 20 7407 5255  
Email: info@glgroup.co.uk  
URL: www.glgroup.co.uk

**GLG Cover Design**  
F&F Studio Design

**GLG Cover Image Source**  
iStockphoto

**Printed by**  
Stephens & George  
Print Group  
March 2017

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ISBN 978-1-911367-40-6  
ISSN 2397-1924

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## General Chapters:

1	<b>Enforcement Against State Parties in England: A Creditor's Long Journey Through Sovereign Immunity</b> – Louise Freeman & Chloé Bakshi, Covington & Burling LLP	1
2	<b>European Union</b> – Sébastien Champagne & Vanessa Foncke, Jones Day	7

## Country Question and Answer Chapters:

3	<b>Australia</b>	MinterEllison: Beverley Newbold & Tamlyn Mills	13
4	<b>Austria</b>	Schönherr Rechtsanwälte GmbH: Maximilian Raschhofer & Sebastian Lukic	19
5	<b>Belgium</b>	Linklaters LLP: Joost Verlinden & Nino De Lathauwer	25
6	<b>Brazil</b>	Pinheiro Neto Advogados: Renato Stephan Grion & Guilherme Piccardi de Andrade Silva	30
7	<b>Canada</b>	Blake, Cassels & Graydon LLP: Ryder Gilliland & Daniel Styler	36
8	<b>China</b>	Linklaters LLP: Melvin Sng & Justin Tang	42
9	<b>Cyprus</b>	Montanios & Montanios LLC: Yiannis Papapetrou	47
10	<b>Czech Republic</b>	Gürlich & Co., attorneys-at-law: Richard Gürlich & Kamila Janoušková	53
11	<b>England &amp; Wales</b>	Covington & Burling LLP: Louise Freeman & Chloé Bakshi	58
12	<b>Finland</b>	Waselius & Wist: Tanja Jussila	64
13	<b>France</b>	Archipel: Jacques-Alexandre Genet & Michaël Schlesinger	70
14	<b>Germany</b>	Hanefeld Rechtsanwälte Rechtsanwaltsgesellschaft mbH: Dr. Nils Schmidt-Ahrendts & Dr. Johanna Büstgens	75
15	<b>India</b>	Jafa&Javali, Advocates: Kirit S. Javali	82
16	<b>Indonesia</b>	Makarim & Taira S.: Alexandra Gerungan & Hendrik Alfian Pasaribu	86
17	<b>Ireland</b>	Matheson: Julie Murphy-O'Connor & Gearóid Carey	90
18	<b>Kenya</b>	TripleOKlaw Advocates LLP: John M. Ohaga & Gloria Mwika	97
19	<b>Liechtenstein</b>	GASSER PARTNER Attorneys at Law: Thomas Nigg & Domenik Vogt	102
20	<b>Macedonia</b>	Polenak Law Firm: Tatjana Popovski Buloski & Aleksandar Dimic	107
21	<b>Malaysia</b>	Rahmat Lim & Partners: Jack Yow	111
22	<b>Netherlands</b>	Eversheds Sutherland: Jurjen de Korte	116
23	<b>Nigeria</b>	Banwo & Ighodalo: Abimbola Akeredolu & Chinedum Umeche	120
24	<b>Philippines</b>	Gatmaytan Yap Patacsil Gutierrez & Protacio: Jess Raymund M. Lopez & Vladi Miguel S. Lazaro	125
25	<b>Portugal</b>	N-Advogados – Nuno Albuquerque, Deolinda Ribas, Sociedade de Advogados, R.L.: Nuno Albuquerque & Filipa Braga Ferreira	131
26	<b>Russia</b>	“Astashkevich and partners” Attorneys at Law: Anastasia Astashkevich	136
27	<b>Singapore</b>	Allen & Gledhill LLP: Tan Xeauwei & Melissa Mak	142
28	<b>South Africa</b>	Cliffe Dekker Hofmeyr: Jonathan Ripley-Evans & Fiorella Noriega Del Valle	148
29	<b>Spain</b>	King & Wood Mallesons: Alfredo Guerrero & Fernando Badenes	154
30	<b>Switzerland</b>	Bär & Karrer Ltd.: Saverio Lembo & Aurélie Conrad Hari	159
31	<b>Taiwan</b>	Brain Trust International Law Firm: Hung Ou Yang & Jia-Jun Fang	165
32	<b>UAE</b>	Hamdan AlShamsi Lawyers & Legal Consultants: Hamdan Alshamsi	169
33	<b>USA</b>	Hughes Hubbard & Reed LLP: Chris Paparella & Andrea Engels	174

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# Australia

Beverley Newbold



Tamlyn Mills



MinterEllison

## 1 Country Finder

**1.1 Please set out the various regimes applicable to recognising and enforcing judgments in your jurisdiction and the names of the countries to which such special regimes apply.**

Applicable Law/ Statutory Regime	Relevant Jurisdiction(s)	Corresponding Section Below
<i>Trans-Tasman Proceedings Act 2010</i> (Cth)	New Zealand	Section 3

## 2 General Regime

**2.1 Absent any applicable special regime, what is the legal framework under which a foreign judgment would be recognised and enforced in your jurisdiction?**

### Statutory Regime

There is a statutory regime for the recognition and enforcement of certain foreign judgments in Australia under the *Foreign Judgments Act 1991* (Cth) (the **FJA**). The FJA provides a national regime for the recognition and enforcement of foreign judgments in Australia, avoiding the need to bring a common law action.

The statutory regime applies on the basis of substantial reciprocity to the judgments of the superior courts (and specified inferior courts) of the jurisdictions specified in the *Foreign Judgments Regulations 1992* (Cth). The statutory regime currently applies to the following jurisdictions: Alberta, Bahamas, British Columbia, British Virgin Islands, Cayman Islands, Dominica, Falkland Islands, Fiji, France, Germany, Gibraltar, Grenada, Hong Kong, Israel, Italy, Japan, Korea, Malawi, Manitoba, Montserrat, Papua New Guinea, Poland, St. Helena, St. Kitts and Nevis, St. Vincent and the Grenadines, Seychelles, Singapore, Solomon Islands, Sri Lanka, Switzerland, Taiwan, Tonga, Tuvalu, United Kingdom and Western Samoa. There are some notable omissions from the scope of the FJA, including the USA, China and India. Accordingly, it is necessary to consider both the statutory regime and the enforcement of foreign judgments at common law.

### Common Law

Where the FJA does not apply, foreign judgments in Australia must be enforced under the common law principles for the enforcement of foreign judgments.

**2.2 What requirements (in form and substance) must a foreign judgment satisfy in order to be recognised and enforceable in your jurisdiction?**

### Statutory Regime

In order to be recognised and enforced under the FJA, a judgment must be:

- for payment of a sum of money; and
- final and conclusive.

A judgment can still be considered “final and conclusive” if it is subject to an appeal. However, the Australian court may stay enforcement of the judgment if it is satisfied that the judgment debtor has appealed or intends to appeal (expeditiously) against the judgment.

The FJA applies to both final and interlocutory orders in civil proceedings. With the exception of New Zealand and Papua New Guinea tax matters, the FJA does not apply to amounts payable in respect of taxes, fines or other penalties. However, judgments in criminal proceedings for the payment of compensation or damages to an injured party fall within the statutory regime.

While the operation of the FJA may theoretically be extended to prescribed non-money judgments, no provision currently exists for the enforcement of non-money judgments from the courts of any country.

A foreign judgment cannot be registered if, at the date of the application:

- it has been wholly satisfied; or
- it could not be enforced in the country in which it was made.

An authenticated copy of the judgment and, if the judgment is not in English, a certified translation, are required to be provided with an application for registration under the FJA.

### Common Law

Four conditions must be satisfied for a foreign judgment to be recognised and enforced at common law:

- the foreign court must have exercised an ‘international’ jurisdiction that Australian courts recognise;
- the judgment must be final and conclusive;
- the parties must be the same; and
- the judgment must be for a fixed sum (although certain non-money judgments may be enforceable in equity).

### Jurisdiction

The question of jurisdiction is not determined by reference to the rules of the foreign court. The question is whether the foreign court exercised a jurisdiction recognised under Australian conflict of laws rules.

Traditionally, the jurisdiction of the foreign court over the judgment debtor can arise by the presence or residence of the judgment debtor in the foreign jurisdiction (for example, where the defendant was personally served with the originating process while physically present in the jurisdiction) or by the voluntary submission of the defendant to that jurisdiction (for example, by appearing as a party in the proceedings or consenting to jurisdiction through a contractual clause).

However, section 11 of the FJA, which applies to enforcement actions brought at common law, provides that a foreign court does not have jurisdiction merely because the judgment debtor appeared or participated in proceedings to the extent necessary to:

- protect or obtain the release of property seized or threatened with seizure in the proceedings;
- contest the jurisdiction of the court; or
- invite the court in its discretion not to exercise its jurisdiction in the proceedings.

#### *Final and conclusive*

The key test for finality is whether the foreign court treats the judgment as *res judicata* of the disputed issues. The existence or availability of an appeal does not affect the finality of a foreign judgment although the Australian court may stay enforcement of the judgment pending the outcome of the foreign court appeal.

#### *Identity of the parties*

The parties to the enforcement proceedings must be the same as those in the foreign judgment. Where a foreign judgment is made against several defendants, enforcement proceedings may be brought against any or all of them in an Australian court.

#### *Type of judgments that may be enforced*

Enforcement of foreign judgments at common law is only available for judgments for the payment of a fixed or readily calculable sum of money. However, enforcement of certain non-money judgments may be available in equity (see, for example, *White v Verkouille* [1990] 2 Qd R 191; *Davis v Turning Properties Pty Ltd* (2005) 222 ALR 676; *Independent Trustee Services Ltd v Morris* (2010) 79 NSWLR 425).

### **2.3 Is there a difference between recognition and enforcement of judgments? If so, what are the legal effects of recognition and enforcement respectively?**

#### **Statutory Regime**

The FJA provides for enforcement by registration. Registration is akin to recognition. Once registered, a foreign judgment can be enforced in the same way as a judgment of the relevant Australian court.

#### **Common Law**

The foreign judgment must be made a judgment of a local Australian court as a prerequisite to enforcement. A judgment creditor seeking enforcement of a foreign judgment at common law must commence fresh proceedings in an Australian court for the judgment debt. The judgment of the Australian court in those proceedings is then enforceable in the same way as any other Australian judgment.

### **2.4 Briefly explain the procedure for recognising and enforcing a foreign judgment in your jurisdiction.**

#### **Statutory Regime**

A judgment creditor who has obtained a judgment from a relevant court in a country to which the FJA applies can apply to the Supreme Court of any Australian State or Territory for registration of the

judgment (the Federal Court of Australia has jurisdiction in respect of New Zealand Commerce Act proceedings). Once registered, the foreign judgment has the same force and effect as a judgment of the local court and can be enforced in the same way, including in other Australian States and Territories.

The rules for each State and Territory court prescribe the formal requirements for an application for registration and the evidence that must be filed in support. This means the procedure for recognition and enforcement varies between Australian jurisdictions.

A judgment creditor can recover the reasonable costs of registration and any interest due under the law of the original court up to the date of registration.

An application for registration can be made *ex parte*, as there is no requirement to give notice to the judgment debtor under the FJA or any of the applicable court rules.

If the requirements of the FJA are satisfied, the court must order that the judgment be registered. The judgment creditor is then required to serve a notice of registration on the judgment debtor. The notice of registration must state the right of the judgment debtor to apply for an order setting aside the registration and the deadline for such an application. During the period within which the judgment debtor may apply to set aside registration, the judgment creditor cannot enforce the judgment. Evidence of service of the notice of registration is required before the judgment creditor can take steps to enforce the judgment.

#### **Common Law**

To enforce a foreign judgment at common law, the judgment creditor must bring a fresh action in the appropriate Australian court.

There are two bases for a common law action to enforce a foreign judgment. First, the judgment creditor can sue for the judgment amount as a debt in an Australian court. Alternatively, or in addition, the judgment creditor may bring an action in an Australian court on the original cause of action for which judgment was obtained in the foreign court. The judgment creditor can then rely on the foreign judgment as creating an estoppel which prevents the judgment debtor from raising any defence which was or could have been raised in the foreign proceedings.

The court rules applicable in the jurisdiction in which the common law proceedings are commenced will apply to the proceeding.

### **2.5 On what grounds can recognition/enforcement of a judgment be challenged? When can such a challenge be made?**

#### **Statutory Regime**

After a foreign judgment has been registered, the judgment debtor can apply to the Supreme Court in which the judgment was registered to have the registration set aside. The court in which the foreign judgment is registered must specify the period within which such an application can be made.

If the judgment debtor can satisfy the court of one of the following matters, the court has no discretion and must set aside registration of the judgment:

- the judgment is not, or has ceased to be, a judgment to which the FJA applies;
- the judgment was registered for an amount greater than the amount payable under it at the date of registration;
- the judgment was registered in contravention of the FJA;
- the courts of the country of the original court had no jurisdiction in the case;
- if the judgment debtor was the defendant in the proceedings in the original court, that the judgment debtor did not receive



notice of the proceedings in the original court in sufficient time to enable the judgment debtor to defend the proceedings and did not appear;

- the judgment was obtained by fraud;
- the judgment has been reversed on appeal or otherwise set aside in the courts of the country of the original court;
- the rights under the judgment are not vested in the person by whom the application for registration was made;
- the judgment has been discharged;
- the judgment has been wholly satisfied; or
- enforcement of the judgment would be contrary to public policy.

Section 7(3) of the FJA sets out when the foreign court is deemed to have jurisdiction.

If the judgment debtor can satisfy the court that the matter in dispute in the proceedings in the original court had, before the date of the judgment in the original court, already been the subject of a final and conclusive judgment by another court having jurisdiction, the court has a discretion whether to set aside registration of the judgment.

If registration is set aside on the basis that the judgment was registered for an amount greater than the amount payable under it at the date of registration, the judgment creditor can apply for re-registration.

If registration is set aside solely on the basis that it was not enforceable in the country of the original court at the date of the application for registration, the judgment creditor can apply for re-registration if and when the judgment becomes enforceable in that country.

#### Common Law

A final and conclusive money judgment made by a court having jurisdiction recognised by the Australian courts is *prima facie* entitled to enforcement in Australia. A judgment debtor cannot raise in proceedings for the recognition and enforcement of a foreign judgment in Australia a defence that was or could have been raised in the foreign proceedings. Accordingly, there are limited grounds on which a judgment debtor can resist the recognition and enforcement of a foreign judgment at common law.

There are four recognised defences in a common law action to enforce a foreign judgment:

- the foreign judgment was obtained by fraud;
- the foreign judgment is contrary to public policy;
- the foreign court acted contrary to natural justice; and
- the foreign judgment is penal or a judgment for a revenue debt (although the unenforceable part of an award of damages may be severed from the enforceable part if it is practical to do so).

These defences must be raised by the judgment debtor in the common law action seeking recognition and enforcement of the foreign judgment.

#### 2.6 What, if any, is the relevant legal framework applicable to recognising and enforcing foreign judgments relating to specific subject matters?

Enforcement of foreign judgments at common law and under the FJA is limited to judgments for the payment of a liquidated sum. There may be specific rules for the recognition and enforcement of judgments *in rem*, being judgments that affect the status of a person or property, for example under bankruptcy, corporations or family law provisions.

The *Foreign Proceedings (Excess of Jurisdiction) Act 1984* (Cth) applies specifically to anti-trust proceedings in foreign courts and

gives the Australian Attorney-General discretionary powers which can prevent the recognition and enforcement of foreign judgments in relation to anti-trust matters in Australia in whole or part.

#### 2.7 What is your court's approach to recognition and enforcement of a foreign judgment when there is: (a) a conflicting local judgment between the parties relating to the same issue; or (b) local proceedings pending between the parties?

##### Statutory Regime

- (a) The court has discretion to set aside the registration of a foreign judgment if the matter in dispute has been the subject of a final and conclusive judgment by another court having jurisdiction in the matter (section 7(2)(b) of the FJA). This provision is not limited to conflicting local judgments of Australian courts.
- (b) A judgment to which the FJA applies, or would have applied if it were a money judgment, must be recognised in any Australian court as conclusive between the parties to it in all proceedings founded on the same cause of action and may be relied on by way of defence or counter-claim in any such proceedings (section 12(a) of the FJA). This applies whether or not the foreign judgment is, or can be, registered under the FJA.

This rule does not apply where registration of a judgment has been set aside or could be set aside on any of the following grounds:

- the courts of the country of the original court had no jurisdiction in the case;
- if the judgment debtor was the defendant in the proceedings in the original court, that the judgment debtor did not receive notice of the proceedings in the original court in sufficient time to enable the judgment debtor to defend the proceedings and did not appear;
- the judgment was obtained by fraud;
- the judgment has been reversed on appeal or otherwise set aside in the courts of the country of the original court; or
- enforcement of the judgment would be contrary to public policy.

##### Common Law

- (a) If there is a conflict between a foreign judgment and an earlier judgment of an Australian court on the same matter and between the same parties, the local judgment will be preferred.
- (b) A foreign judgment which has been satisfied can be relied on as creating a cause of action estoppel in any local Australian proceedings pending in relation to the same parties on the same cause of action. For a foreign judgment to be relied on as a bar to local proceedings, the parties must be identical and the causes of action and heads of damage recoverable the same. However, it is not necessary that the applicable law be the same or that the foreign proceedings were instituted before the local proceedings commenced.

A foreign judgment can also be relied on by way of issue estoppel to prevent the reopening of an issue that has been previously litigated between the same parties. For an issue estoppel to arise, the following requirements must be met:

- the same question has been decided;
- the decision was final; and
- the parties to the decision were the same as the parties to the proceeding in which the estoppel is raised.

However, an Australian court will be cautious in applying the doctrine of issue estoppel where the issue in question was not fully litigated or considered by the foreign court.

## 2.8 What is your court's approach to recognition and enforcement of a foreign judgment when there is a conflicting local law or prior judgment on the same or a similar issue, but between different parties?

Conflicting local law or prior judgment on the same or similar issue between different parties is not a basis on which registration of a foreign judgment can be set aside under the FJA. Australian courts have applied the principle enunciated by Justice Blackburn in *Godard v Gray* (1870) LR 6 QB 139 that a foreign judgment cannot be refused recognition and enforcement on the basis that the foreign court mistook either the facts or the law.

Accordingly, the fact that an Australian court would have decided the case differently is not grounds for refusing recognition and enforcement at common law. Of course, recognition and enforcement will be refused if it would be contrary to Australian public policy but this is a narrow defence which only applies to cases involving fundamental questions of moral and ethical policy, fairness of procedure and illegality.

## 2.9 What is your court's approach to recognition and enforcement of a foreign judgment that purports to apply the law of your country?

No special rules apply where a foreign judgment purports to apply Australian law. Because Australian courts will not refuse recognition and enforcement of a foreign judgment based on an error on the merits, the fact that a foreign court has applied Australian law is not a basis for refusing recognition and enforcement of the judgment even if an Australian court would have reached a different result.

## 2.10 Are there any differences in the rules and procedure of recognition and enforcement between the various states/regions/provinces in your country? Please explain.

The FJA provides a national regime for the recognition and enforcement of the foreign judgments to which it applies. However, the Act leaves the court rules of Australia's State and Territory Supreme Courts free to prescribe the formal requirements for an application for registration and the matters to be proved on an application for registration. This means that the rules and procedure for recognition and enforcement do vary between Australian States and Territories.

Similarly, at common law the doctrine of precedent means that decisions of the courts in one State or Territory are not binding on the courts of another State or Territory. This has potential to lead to divergence in the common law principles applicable to the enforcement of foreign judgments between jurisdictions in the absence of binding High Court (Australia's highest court) authority.

## 2.11 What is the relevant limitation period to recognise and enforce a foreign judgment?

### Statutory Regime

The limitation period for an application for registration of a foreign judgment under the FJA is six years from the date of judgment or, if the judgment has been appealed, the date of the last judgment in the appeal proceedings (section 6(1) of the FJA).

### Common Law

The limitation period for a common law action to enforce a foreign judgment is determined by the relevant State and Territory law relating to limitation periods.

Generally, the limitation period for action upon a judgment is 12 years from the date on which the judgment becomes enforceable in the place where judgment was given: (section 10(4)-(4A) *Limitation of Actions Act 1974* (Qld); section 17 *Limitation Act 1969* (NSW); section 4(4) *Limitation Act 1974* (Tas); section 14 *Limitation Act 1985* (ACT); and section 15 *Limitation Act* (NT)).

A longer period of 15 years applies in Victoria and South Australia (section 5(4) *Limitation of Actions Act 1958* (Vic) and section 34 *Limitation of Actions Act 1936* (SA)).

There is no specific limitation period prescribed in Western Australia for an action to enforce a judgment. The general limitation period is six years from the time the cause of action accrued (section 13 *Limitation Act 2005* (WA)).

## 3 Special Enforcement Regimes Applicable to Judgments from Certain Countries

### 3.1 With reference to each of the specific regimes set out in question 1.1, what requirements (in form and substance) must the judgment satisfy in order to be recognised and enforceable under the respective regime?

The *Trans-Tasman Proceedings Act 2010* (Cth) deals with the recognition and enforcement in Australia of specified judgments of New Zealand courts and tribunals.

To be enforceable under the Act, a New Zealand judgment must be a "registrable NZ judgment" (see section 66). In general terms, a judgment must be final and conclusive and be:

- given in a civil proceeding by a New Zealand court;
- given in a civil proceeding by a New Zealand tribunal prescribed by the *Trans-Tasman Proceedings Regulation 2012* (Cth) and of a particular kind prescribed;
- given in a criminal proceeding by a New Zealand court and (i) wholly consist of a requirement to pay an injured party a sum of money by way of compensation, damages or reparation, or (ii) wholly consist of an imposition of a regulatory criminal fine and meet the conditions prescribed in the Regulation; or
- registered in a New Zealand court under the Reciprocal Enforcement of Judgments Act 1934 (New Zealand) (section 66).

The Act also applies to a certain proceedings in the High Court of New Zealand arising under the Commerce Act 1986 (New Zealand) and certain orders for the payment of expenses to witnesses (section 66(1)(e) and section 85(2)).

Specific types of judgments are excluded from the operation of the Act, for example orders under proceeds of crime legislation or orders relating to guardianship or child welfare (section 66(2)).

An authenticated copy of the New Zealand judgment must be filed at the relevant Australian court with an application for registration.

### 3.2 With reference to each of the specific regimes set out in question 1.1, does the regime specify a difference between recognition and enforcement? If so, what is the difference between the legal effect of recognition and enforcement?

The *Trans-Tasman Proceedings Act* provides a regime for the registration of New Zealand judgments in an Australian court. Once registered, the judgment has the same force as an Australian judgment and can be enforced as if the judgment had been given by an Australian court.

### 3.3 With reference to each of the specific regimes set out in question 1.1, briefly explain the procedure for recognising and enforcing a foreign judgment.

A judgment creditor seeking to enforce a New Zealand judgment under the Trans-Tasman Proceedings Act must make an application for registration in the form required by the Trans-Tasman Proceedings Regulation 2012.

An Australian court must, on an application under section 67 of the Act, register the New Zealand judgment. The judgment creditor must then serve a notice of registration within 15 working days after registration.

An application for registration must be made within six years after the day the judgment was given or the day of the last judgment in any appeal proceedings.

A registered New Zealand judgment can be enforced in Australia as soon as notice of registration is given. The judgment creditor does not need to wait until the period for applying to set aside registration has expired. However, if notice of registration has not been given, the judgment creditor cannot take steps to enforce the judgment for a period of 45 working days.

The judgment debtor can apply to the court for a stay of enforcement within 30 days after notice of the registration. A stay will only be granted on condition that the judgment debtor apply to set aside, vary or appeal the judgment in New Zealand within a specified time and that the application be pursued expeditiously.

### 3.4 With reference to each of the specific regimes set out in question 1.1, on what grounds can recognition/enforcement of a judgment be challenged under the special regime? When can such a challenge be made?

Registration of a New Zealand judgment under the Trans-Tasman Proceedings Act must be set aside if:

- the court is satisfied that enforcement of the judgment would be contrary to public policy;
- the judgment was registered in contravention of the Act; or
- for judgments relating to immovable property or judgments given *in rem* in relation to movable property, if the property was not situated in New Zealand at the time of the proceeding.

An application to set aside registration must be made within 30 days after the judgment debtor is given notice of registration.

A New Zealand judgment can only be enforced in Australia if it is capable of being enforced in New Zealand.

## 4 Enforcement

### 4.1 Once a foreign judgment is recognised and enforced, what are the general methods of enforcement available to a judgment creditor?

For the purposes of enforcement, once a foreign judgment is registered pursuant to the FJA or becomes a judgment of the local court in a common law action, the judgment has the same force and effect as a local judgment and may be enforced in the same way.

Each State or Territory's court rules provide a statutory regime for the enforcement of judgments. Generally, to enforce a judgment in Australia, the judgment creditor must make an application to the court for enforcement. In some jurisdictions, this is known as an application for an enforcement warrant or an enforcement order. Enforcement orders able to be made include:

- (a) an order for the seizure and sale of real and personal property in which the judgment debtor has an interest;
- (b) a garnishee order;
- (c) an instalment order authorising the satisfaction of the judgment debt in instalment payments;
- (d) a charging order against the judgment debtor's interest in any stocks, shares, bonds, debentures, etc.;
- (e) money in court and stop orders;
- (f) an order appointing a receiver;
- (g) committal of the judgment debtor; or
- (h) sequestration of the judgment debtor's property.

## 5 Other Matters

### 5.1 Have there been any noteworthy recent (in the last 12 months) legal developments in your jurisdiction relevant to the recognition and enforcement of foreign judgments? Please provide a brief description.

In December 2015, the High Court of Australia handed down its decision in *Firebird Global Master Fund II Ltd v Republic of Nauru* [2015] HCA 43. The case concerned the appellant's efforts to have a judgment against the Republic of Nauru made in Japan recognised and enforced in Australia under the FJA. Nauru sought to rely on its entitlement to foreign State immunity under the *Foreign States Immunities Act* 1985 (Cth). In summary, the High Court held that proceedings for registration of a foreign judgment under the FJA are proceedings to which the Immunities Act applies but, in this case, the exception for "commercial transactions" applied because the foreign judgment was based on an underlying commercial transaction. However, Nauru was found to be immune from enforcement against its property in Australia because the purposes for which the bank accounts in issue were in use were held not to be "commercial purposes". The case is notable for its consideration of the interaction of the Immunities Act with the FJA.

### 5.2 Are there any particular tips you would give, or critical issues that you would flag, to clients seeking to recognise and enforce a foreign judgment in your jurisdiction?

Clients seeking to recognise and enforce a foreign judgment or award in Australia should be aware of the distinction between the statutory regime, the common law regime and any special regimes for the enforcement of non-money judgments and ensure that they take steps under the appropriate regime. Clients should also consider the appropriate State or Territory in which to seek recognition and enforcement and make sure they are familiar with the particular rules and procedures that apply in that jurisdiction. Failure to comply with applicable procedural rules, for example, service of a notice of registration in the correct form, can result in enforcement of a foreign judgment being refused.



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Beverley Newbold is MinterEllison's Head of International Disputes. She is a recognised litigator and dispute resolution specialist dealing in international and large domestic corporate disputes, class actions, and regulatory and compliance investigations.

Recent major proceedings include representing Qantas in Federal Court proceedings against Rolls Royce over the headline Airbus A380 engine failure. In the class action space, she acted for Billabong International Limited in a class action brought by shareholders; for MFS group non-executive directors in a class action brought by unit holders; and also acted for Qantas in a class action brought by travel agents.

Beverley brings significant cross-border disputes experience to her practice, including international arbitrations, drawing upon several years' experience with the top-five global firm, Freshfields, in London. She has a Masters of Law in International Business Regulation, Litigation and Arbitration from New York University.



### Tamlyn Mills

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Tamlyn Mills is an experienced commercial litigator who has acted in complex and large-scale litigation in the Federal Court of Australia, the Queensland Supreme Court and the New South Wales Supreme Court for both public and private sector clients across a range of industry sectors, including energy and resources, construction, property, agriculture, health and government. In addition to court proceedings, Tamlyn also has experience advising clients on various alternative dispute resolution processes, including mediation, arbitration and expert determination.

Tamlyn specialises in arbitration, alternative dispute resolution and international disputes. She holds a Master of Laws with Distinction from the London School of Economics and Political Science where her studies focused on international commercial arbitration, international dispute resolution and ADR. Tamlyn is a member of the MinterEllison Trade Law Group and International Dispute Resolution Group.

## MinterEllison

MinterEllison is one of the largest full-service law firms in the Asia Pacific region. With more than 200 partners and 700 legal staff working throughout Australia and in Hong Kong, The People's Republic of China, Mongolia, New Zealand and the UK, MinterEllison supports leading industry and government clients, delivering practical, commercial solutions and helping clients achieve successful business outcomes.

Our focus is multi-disciplinary and industry-focused. Our lawyers work across industry sectors, specialist legal areas and offices to add value – offering clients the benefits of their industry knowledge, business acumen and global experience.



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