



Replay  [Book now](#) visitBritain BRITISH AIRWAYS

Singapore **FIND**  
Powered by rednano  
 Min:24 °C Max:29 °C  
[Weather Details](#)

**THE STRAITS TIMES**  
BREAKING NEWS January 5, 2009 Monday  
Updated 5:03 pm

Click here to go to print edition  
**THE STRAITS TIMES**  
DIGITAL [Subscribe today](#)

**THE STRAITS TIMES**  
**RECESSION REPORT**

[Straits Times Headlines](#) [Israeli tanks, troops advance into Gaza](#) [Bangkok fire: Two more S'poreans among the dead](#) [Inside](#) [Pakatan needs](#)

[TOP STORIES](#) | [SINGAPORE](#) | [SE ASIA](#) | [ASIA](#) | [WORLD](#) | [MONEY](#) | [SPORT](#) | [TECH & SCIENCE](#) | [LIFESTYLE](#) | [BLOGS](#)

Home > Breaking News > Singapore > Story  
Jan 5, 2009

## Firm recovers money owed

By K. C. Vijayan Law Correspondent

A PANAMA-REGISTERED firm that chased a state-owned Serbian company for 15 years through Switzerland and England to get back S\$75 million owed to it brought its long-drawn saga to the Singapore courts.

And after several rounds of legal battles here lasting four years, the Republic's highest court, the Court of Appeal, has allowed Westacre Investments to recover some US\$14 million (S\$21.6 million) from Serbian-based firm Yugoimports SDPR.

Yugoimports had parked US\$14.8 million in a bank account here through a firm which it held a 49 per cent stake in.

The dispute between the two firms date back to 1990 when Westacre went into a consultancy agreement with Yugoimport for the sale of military equipment to Kuwait. Yugoimport later cancelled the deal, saying the contract was void as it involved bribing Kuwaiti officials. The dispute then went for arbitration.

Westacre was eventually awarded US\$50 million and 1.02 million pounds (S\$2.2 million) after the arbitration in Switzerland in 1994.

But that was to be the start of 14 years of toil for Westacre, which had to go to the courts in England, Kuwait and elsewhere to try to enforce the arbitrator's award, but with very limited success.

In 2004, Westacre found out that Yugoimports had millions stashed in Singapore and filed a lawsuit here to try to get some of its money back.

The High Court initially dismissed the suit, but the Court of Appeal overturned the decision.

Yugoimports' lawyers argued that Westacre had busted a one-year deadline to enforce a judgment. Under the law, a party has a year to seek judgment in other Commonwealth countries for an arbitration order to be enforced. However, the court can extend this deadline if deemed justified.

Although Westacre missed the deadline by over six years, the Court of Appeal held that the delay was justified because of the difficulties it faced.



The three-judge court, presided by Chief Justice Chan Sek Keong, said it was prepared to allow such claims despite the delay if the applicant had a reasonable explanation and had been diligent in trying to enforce the judgment and where the debtor had tried to block its efforts.

In this case, Westacre's lawyers here, led by Mr Khoo Boo Jin from law firm Wee Swee Teow & Co, argued that the delay was due to factors beyond its control and had shown diligence had been thwarted by Yugoimport's conduct which prevented the detection of the Singapore bank account earlier.

Among other things, the court pointed out that the political turmoil in Serbia between 1997 and 2002 made it impractical to search Yugoslav government records for the firm's assets, given its 'central role' in the country's national defence.

The Court of Appeal said it was 'just and convenient' to allow the suit, despite the delay.

Judge of Appeal V. K. Rajah wrote in the judgment that 'it was only by a stroke of luck' that Westacre came to know of the defendant's alleged assets in Singapore.

-  [email](#)
-  [print](#)
-  [larger](#)
-  [smaller](#)
-  [discuss](#)

### singapore

- [New drug to fight pain](#) 11:09 PM
- [Retiree raises alert](#) 11:08 PM
- [MM Lee gives students' tips](#) 11 01 PM
- [Firm recovers money owed](#) 9:29 PM
- [Little Red Dot packs a punch](#) 8:03 PM
- [Celebrating the stars & nature](#) 8:03 PM
- [Call for 'quick fix' budget](#) 6:50 PM
- [NRIC registration in schools](#) 4:02 PM
- [Families of victims in BK](#) 10:21 PM
- [Mum of caned boy charged](#) 3:14 PM
- [Madrasah gets new home](#) 9:24 PM
- [River Hongbao at Marina Bay](#) 2:15 PM
- [Smaller pay rises for 2009](#) 1:52 PM
- [Jail for raping daughter](#) 1:29 PM
- [\\$120,000 fine for graft](#) 1:27 PM
- [Fined for molesting woman](#) 12:55 PM
- [Forums on tackling crisis](#) 12:07 PM
- [Tampines flat broken into](#) 11:48 AM
- [Pub boss on molest charge](#) 11:26 AM
- [Ming Yi to go on trial in April](#) 11:21 AM
- [Mum a fighter till the end](#) 6:00 AM
- [Teens not sleeping enough](#) 6:00 AM
- [Jamuna goes home](#) 6:00 AM
- [ST beefs up its bureaus](#) 6:00 AM
- [His last words to wife](#) 6:00 AM
- [Faith groups help students](#) 6:00 AM
- [2 more S'poreans dead](#) 6:00 AM

RSS

### most popular

- [stories](#)
- [commented](#)
- [emailed](#)

#### stories

- 1 Rapped for insensitivity
- 2 Cut in top govt pay
- 3 Home prices erode further
- 4 Attacked at MRT station
- 5 Be realistic in asking price
- 6 S'pore in sharp recession
- 7 30,000 jobs this year
- 8 Penal system works
- 9 Mindef has 2,000 posts to fill
- 10 Arrest my son

#### commented

- 1 Cats in HDB flats: Don't punish responsible pet owners
- 2 Real violence: Its effect on children a worry
- 3 Means testing of hospital patients starts today
- 4 Drivers refuse to give way