

SECOND STUDY COMMISSION

COMPULSORY ENFORCEMENT OF JUDGEMENTS

QUESTIONNAIRE

1. How can a judgement for the recovery of money be enforced?
2. Does your legal system establish a special proceeding to recover money in Family Law? (alimony)
3. Should imprisonment or fine be used as a punishment:
 - a) for the wilful non payment of a judgement debt?
 - b) for the deliberate non compliance with an order of the Court other than the payment of a money judgement?
4. How is it possible to enforce a judgement concerning the recovery of the possession of chattels or land?
5. If the subject of the obligation is an act of the obligor, what kind of remedy can the obligee obtain by the Court in case of deliberate non compliance?
6. What is the remedy if the obligation has forbearance for its subject?
7. What is the remedy available if the obligation has a juristic act for its subject?
8. In case of unfair dismissal of an employee, how can reinstatement be obtained?
9. How is it possible to enforce a judgement regarding the custody of a child, or the right of access to it?
10. Do you think that your legal system should be improved, with reference to the compulsory enforcement of judgements?