



THE STATUTES OF THE REPUBLIC OF SINGAPORE

STATE COURTS ACT

(CHAPTER 321)

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State Courts Act

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An Act relating to the constitution, jurisdiction and powers of the State Courts and the administration of justice therein.

[Act 5 of 2014 wef 07/03/2014]

[1st January 1971]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the State Courts Act.

[Act 5 of 2014 wef 07/03/2014]

Interpretation

2. In this Act, unless the context otherwise requires —

“action” means a civil proceeding commenced by summons or in such other manner as may be prescribed by Rules of Court;

“commissioner for oaths” means a commissioner for oaths appointed under section 68 of the Supreme Court of Judicature Act (Cap. 322);

“Coroner” has the same meaning as in section 2(1) of the Coroners Act 2010;

[14/2010 wef 02/01/2011]

“District Court limit” means \$250,000 or such other amount as may be specified by an order under section 30;

[Act 27 of 2014 wef 01/01/2015]

“judicial officer” means a District Judge, Magistrate or registrar;

[14/2010 wef 02/01/2011]

“Magistrate’s Court limit” means \$60,000[†] or such other amount as may be specified by an order under section 52(3);

“prescribed” means prescribed by Rules of Court;

“Public Prosecutor” includes a Deputy Public Prosecutor;

“registrar” means the registrar of the State Courts and includes a deputy registrar;

[Act 5 of 2014 wef 07/03/2014]

“Rules of Court” means Rules of Court made under this Act and includes forms;

“seal” includes stamp.

[34/73; 15/93]

PART II

CONSTITUTION

State Courts

3.—(1) There are within Singapore the following subordinate courts called the State Courts:

- (a) District Courts;
- (b) Magistrates’ Courts;
- (c) Coroners’ Courts;
- (d) Small Claims Tribunals;
- (e) Employment Claims Tribunals.

[Act 21 of 2016 wef 01/04/2017]

(1A) The District Courts and Magistrates’ Courts have such jurisdiction as is conferred by this Act and any other written law.

[Act 21 of 2016 wef 01/04/2017]

[†] O 2 (S 263/99) — Subordinate Courts (Variation of Magistrate’s Court Limit) Order.

(2) The Small Claims Tribunals shall have such jurisdiction as is conferred by the Small Claims Tribunals Act (Cap. 308) or any other written law.

(3) Except as provided in the Small Claims Tribunals Act, no provision of this Act or Rules of Court shall apply to a Small Claims Tribunal.

(4) The Coroners' Courts shall have such jurisdiction as is conferred by the Coroners Act 2010 and any other written law.

[14/2010 wef 02/01/2011]

(5) The Employment Claims Tribunals have such jurisdiction as is conferred by the Employment Claims Act 2016 and any other written law.

[Act 21 of 2016 wef 01/04/2017]

Court houses

4. The President may constitute under appropriate names so many State Courts as he shall think fit, and shall appoint some place or places as the court house or court houses of each such Court.

[Act 5 of 2014 wef 07/03/2014]

Seals of courts

5. The State Courts shall have and use as occasion may require a seal or seals of such nature as the Chief Justice may, by notification in the *Gazette**, prescribe.

[Act 5 of 2014 wef 07/03/2014]

Process of courts

6. Subject to Rules of Court, all writs, summonses, warrants, orders, notices and other mandatory processes issued by the State Courts shall be signed by a judicial officer and shall bear the seal of the court issuing the same.

[3/87]

[Act 5 of 2014 wef 07/03/2014]

* N 1, 1997 Ed. (S 230/75).

Sittings of State Courts

6A.—(1) Subject to subsection (2), every State Court shall sit on every day of the year except on Saturdays, Sundays and public holidays.

[8/98; 2/2007]

[Act 5 of 2014 wef 07/03/2014]

(2) Notwithstanding subsection (1), a judicial officer may lawfully sit on a Saturday, Sunday or public holiday or during a vacation authorised under section 61 if —

(a) the Presiding Judge of the State Courts, with the concurrence of the Chief Justice, has directed the judicial officer to sit on that day or during that vacation; or

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(b) in the opinion of the judicial officer, the business to be despatched is extremely urgent.

[8/98; 2/2007]

(3) Every State Court shall sit at such times as the Chief Justice may from time to time appoint.

[8/98]

[Act 5 of 2014 wef 07/03/2014]

Sittings in camera, etc.

7.—(1) The place in which any State Court is held shall be deemed an open and public court to which the public generally may have access.

[Act 5 of 2014 wef 07/03/2014]

(2) A State Court shall have power to hear any matter or proceeding or any part thereof in camera if the court is satisfied that it is expedient in the interests of justice, public safety, public security or propriety, or for other sufficient reason to do so.

[Act 5 of 2014 wef 07/03/2014]

[Act 19 of 2018 wef 31/10/2018]

(2A) A State Court may, in any matter or proceeding or any part thereof tried or held or to be tried or held before it, if satisfied that it is expedient in the interests of justice, public safety, public security or propriety, or for other sufficient reason to do so, order that —

- (a) the name, address or photograph of any witness; or
- (b) any evidence or any other thing likely to lead to the identification of such witness by a person other than the party to that matter or proceeding,

which is contained in any court document intended to be produced before the court, be removed or be sufficiently redacted.

[15/2010 wef 02/01/2011]

[Act 5 of 2014 wef 07/03/2014]

- (3) A State Court may at any time order that no person shall —
 - (a) publish the name, address or photograph of any witness in any matter or proceeding or any part thereof tried or held or to be tried or held before it, or any evidence or any other thing likely to lead to the identification of any such witness; or
 - (b) do any other act which is likely to lead to the identification of such a witness.

[15/2010 wef 02/01/2011]

[Act 5 of 2014 wef 07/03/2014]

(4) Any person who acts in contravention of any order under subsection (2A) or (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

[15/2010 wef 02/01/2011]

(5) A State Court that hears the whole or any part of any matter or proceeding in camera may, in its discretion, permit any of the following individuals to be present in the courtroom while that matter or proceeding is heard in camera:

- (a) any journalist who reports news for a newspaper or a broadcasting service;
- (b) any individual whom the court determines has a sufficient interest in that matter or proceeding;
- (c) any other individual that the court specifies in any particular case.

[Act 19 of 2018 wef 31/10/2018]

(6) For the purposes of subsection (2), the matters that a State Court may consider, when deciding whether it is expedient in the interests of justice, public safety, public security or propriety, or for other sufficient reason, to hear the whole or any part of any matter or proceeding in camera, include the following matters:

- (a) whether the defence of any accused person in that matter or proceeding will be prejudiced by the presence of any member of the public in the courtroom;
- (b) whether any accused person or witness in that matter or proceeding has any legitimate interest in privacy that needs to be protected;
- (c) whether the object of that matter or proceeding will be defeated by publicity if that matter or proceeding is heard in open court;
- (d) whether any accused person or witness in that matter or proceeding has any legitimate interest in protecting the confidentiality of any information that may be disclosed during the hearing of that matter or proceeding;
- (e) whether any information that may be disclosed during the hearing of that matter or proceeding will be prejudicial to the interests of Singapore.

[Act 19 of 2018 wef 31/10/2018]

(7) In this section —

“broadcasting service” has the same meaning as in section 2(1) of the Broadcasting Act (Cap. 28);

“newspaper” has the same meaning as in section 2(1) of the Newspaper and Printing Presses Act (Cap. 206).

[Act 19 of 2018 wef 31/10/2018]

State Court may conduct hearing through electronic means of communication

8.—(1) Without limiting section 7, a State Court may conduct the hearing of any matter or proceeding through a live video link, a live television link or any other electronic means of communication.

(2) Subsection (1) does not affect the operation of section 62A of the Evidence Act (Cap. 97) and section 281 of the Criminal Procedure Code (Cap. 68).

[Act 46 of 2018 wef 01/01/2019]

PART III

APPOINTMENTS, POWERS AND DUTIES

Appointment of Presiding Judge of State Courts

8A.—(1) For the purposes of the administration of this Act, the President may, on the recommendation of the Chief Justice, appoint a Judge or Judicial Commissioner of the Supreme Court to be the Presiding Judge of the State Courts for such period as the Chief Justice may recommend.

(2) Notwithstanding any other written law, the Presiding Judge of the State Courts may sit in any State Court and act as a judge (however described) thereof, in which case he shall have all the jurisdiction, power and privileges of such a judge.

(3) A Judge or Judicial Commissioner of the Supreme Court may, during the period of his appointment as the Presiding Judge of the State Courts, continue to sit in the High Court or the Court of Appeal in accordance with the Supreme Court of Judicature Act (Cap. 322).

(4) Any person appointed to be the Presiding Judge of the State Courts shall, although the period of his appointment as such has expired or his appointment as such has been revoked, in relation to any case heard by him as a judge (however described) of a State Court, continue to sit as such a judge for the purpose of giving judgment or otherwise.

[Act 5 of 2014 wef 14/04/2014]

Appointments and qualifications of District Judges

9.—(1) Subject to section 8A, a District Court shall be presided over by a District Judge appointed by the President on the recommendation of the Chief Justice.

[Act 5 of 2014 wef 14/04/2014]

(2) *[Deleted by Act 5 of 2014 wef 14/04/2014]*

(3) No person shall be appointed to be or to act as a District Judge unless he has been for not less than 7 years a qualified person as defined in section 2 of the Legal Profession Act (Cap. 161).

[Act 5 of 2014 wef 07/03/2014]

(3A) Notwithstanding subsection (3), a person may be appointed to be or to act as a District Judge if —

(a) he has been for not less than 5 years a qualified person as defined in section 2 of the Legal Profession Act; and

(b) the Chief Justice, after having regard to the qualifications and experience of the person, is of the opinion that the person is suitable to be appointed as a District Judge.

[Act 5 of 2014 wef 07/03/2014]

(4) Any person appointed to be or to act as a District Judge shall, although the period of his appointment has expired or his appointment has been revoked, sit as a District Judge for the purpose of giving judgment or otherwise in relation to any case heard by him.

(5) Every person appointed to be or to act as a District Judge shall be ex officio a Magistrate.

Appointments and qualifications of Magistrates

10.—(1) The President may, on the recommendation of the Chief Justice, appoint any fit and proper person to be a Magistrate.

[14/2010 wef 02/01/2011]

(2) No person shall be appointed to be or to act as a Magistrate unless he has been for not less than 3 years a qualified person as defined in section 2 of the Legal Profession Act.

[Act 5 of 2014 wef 07/03/2014]

(3) Notwithstanding subsection (2), a person may be appointed to be or to act as a Magistrate if —

(a) he has been for not less than one year a qualified person as defined in section 2 of the Legal Profession Act; and

(b) the Chief Justice, after having regard to the qualifications and experience of the person, is of the opinion that the person is suitable to be appointed as a Magistrate.

[Act 5 of 2014 wef 07/03/2014]

Justices of the Peace

11.—(1) The President may, by warrant under his hand, appoint fit and proper persons to be Justices of the Peace.

(2) Justices of the Peace shall have and may exercise such powers and perform such duties of a Magistrate as may be conferred on them by any written law.

Appointments and qualifications of registrar and deputy registrars of State Courts

12.—(1) There shall be appointed by the Chief Justice a registrar and so many deputy registrars as may be necessary for the State Courts.

[Act 5 of 2014 wef 07/03/2014]

(2) No person shall be appointed to be or to act as registrar unless he is a qualified person as defined in section 2 of the Legal Profession Act, except that the Chief Justice may, in his discretion, appoint any person who is not a qualified person under that Act.

(3) The registrar and the deputy registrars shall be ex officio commissioners for oaths.

Powers and duties of deputy registrars

13. Subject to Rules of Court, all the powers and duties conferred and imposed on the registrar may be exercised by a deputy registrar.

State Court officers

14. There shall be attached to the State Courts such commissioners for oaths, interpreters, clerks, bailiffs, process servers and other officers as, from time to time, may appear to the Chief Justice to be necessary for the administration of justice and the due execution of all powers and duties which are vested in the State Courts.

[Act 5 of 2014 wef 07/03/2014]

Powers and duties of certain State Court officers

15. The bailiffs and process servers shall —

(a) execute all writs, summonses, warrants, orders, notices and other mandatory processes of the State Courts given to them;

[Act 5 of 2014 wef 07/03/2014]

(b) make a return of the same together with the manner of the execution thereof to the court from which the process issued; and

(c) arrest and receive all such persons and property as are committed to the custody of the State Courts.

[Act 5 of 2014 wef 07/03/2014]

Solicitor, etc., authorised to act as bailiff

15A.—(1) Subject to such directions as may be given by the Presiding Judge of the State Courts, the registrar may authorise a solicitor or a person employed by a solicitor to exercise the powers and perform the duties of a bailiff during such period or on such occasion as the registrar thinks fit and subject to such terms and conditions as the registrar may determine.

[15/93]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(2) Section 68(2) shall apply to a solicitor or person authorised under subsection (1) as it applies to an officer of a State Court.

[15/93]

[Act 5 of 2014 wef 07/03/2014]

Special powers of bailiffs

16. The bailiffs in executing any writ of seizure and sale or any other writ of execution or of distress may effect an entry into any building, and for that purpose, if necessary, may break open any outer or inner door or window of the building or any receptacle therein, using such force as is reasonably necessary to effect an entry.

Oaths of judicial officers and certain other officers

17.—(1) All judicial officers and such other officers of the State Courts as may be required by the Chief Justice shall, before exercising the functions of their respective offices, take and subscribe the appropriate oath of office and allegiance set out in the Schedule.

[Act 5 of 2014 wef 07/03/2014]

(2) The oath referred to in subsection (1) may be taken and subscribed before the Presiding Judge of the State Courts, the Presiding Judge of the Family Justice Courts or a Judge or Judicial Commissioner of the Supreme Court.

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

[Act 27 of 2014 wef 01/10/2014]

(3) Where the oath is taken before the Presiding Judge of the State Courts, he shall —

(a) enter in the record of the State Courts that the oath was duly administered and taken before him; and

[Act 5 of 2014 wef 07/03/2014]

[4/2010 wef 17/02/2010]

(b) transmit a certified copy of the entry to the Registrar of the Supreme Court.

[Act 5 of 2014 wef 14/04/2014]

(4) Where the oath is taken before the Presiding Judge of the Family Justice Courts, he shall —

(a) enter in the record of the Family Justice Courts that the oath was duly administered and taken before him;

(b) transmit a certified copy of the entry to the Registrar of the Supreme Court; and

(c) transmit a certified copy of the entry to the Presiding Judge of the State Courts.

[Act 27 of 2014 wef 01/10/2014]

Appointments and revocations to be gazetted

18. All appointments and revocations made under this Part shall be published in the *Gazette*.

PART IV
JURISDICTION

Civil Jurisdiction of District Courts

General civil jurisdiction

19.—(1) A District Court exercising civil jurisdiction shall be a court of record.

(2) Subject to subsections (3) and (4), a District Court shall have all the jurisdiction of the High Court to hear and try any action in personam where —

- (a) the defendant is served with a writ of summons or any other originating process —
 - (i) in Singapore in the manner prescribed by Rules of Court; or
 - (ii) outside Singapore in the circumstances authorised by and in the manner prescribed by Rules of Court; or
- (b) the defendant submits to the jurisdiction of a District Court.

[31/2010 wef 01/01/2011]

(3) Subject to section 28A of the Supreme Court of Judicature Act (Cap. 322) and any order under subsection (1) thereof, a District Court's jurisdiction under subsection (2) shall not include —

- (a) any supervisory jurisdiction or revisionary jurisdiction;
- (b) any jurisdiction relating to the judicial review of any act done or decision made by any person or authority, including the issue of any of the following prerogative orders:
 - (i) a Mandatory Order;
 - (ii) a Prohibiting Order;
 - (iii) a Quashing Order;
 - (iv) an Order for Review of Detention;
- (c) any jurisdiction vested exclusively in the High Court, in a Family Court, in a Youth Court, in any other State Court, or

in any judicial, quasi-judicial or administrative tribunal, by written law; and

[Act 5 of 2014 wef 07/03/2014]

[Act 27 of 2014 wef 01/10/2014]

(d) any jurisdiction expressly excluded by written law.

[31/2010 wef 01/01/2011]

(4) Subject to sections 22 and 23, a District Court's jurisdiction under subsection (2) shall not include jurisdiction to hear and try any action where —

(a) the amount claimed in the action exceeds the District Court limit; or

(b) any remedy or relief sought in the action is in respect of a subject-matter the value of which exceeds the District Court limit.

[31/2010 wef 01/01/2011]

(5) *[Deleted by Act 27 of 2014 wef 01/10/2014]*

(6) Without prejudice to the generality of subsection (2), a District Court shall have such jurisdiction as is vested in it by any other written law.

[15/93]

20. *[Repealed by Act 31/2010 wef 01/01/2011]*

21. *[Repealed by Act 31/2010 wef 01/01/2011]*

Abandonment of part of claim to give District Court jurisdiction

22.—(1) Where the amount claimed in an action exceeds the District Court limit, or any remedy or relief sought in an action is in respect of a subject-matter the value of which exceeds the District Court limit, and a District Court would have jurisdiction under section 19(2) to hear and try the action if the amount or value, as the case may be, did not exceed the District Court limit, the plaintiff may abandon the excess amount or that remedy or relief, as the case may be, and thereupon a District Court shall have jurisdiction under section 19(2) to hear and try the action, provided that the plaintiff —

- (a) shall not recover in the action an amount exceeding the District Court limit; and
- (b) shall not obtain in the action any remedy or relief in respect of a subject-matter the value of which exceeds the District Court limit.

[31/2010 wef 01/01/2011]

(2) Where a District Court has jurisdiction to hear and try an action by virtue of this section, the judgment of the court in the action shall be in full discharge of all demands in respect of the cause of action.

[15/93]

Jurisdiction by agreement in certain actions

23. Where the parties to an action agree, by a memorandum signed by them or their respective solicitors, a District Court shall have jurisdiction under section 19(2) to hear and try the action notwithstanding that —

- (a) the amount claimed in the action exceeds the District Court limit; or
- (b) any remedy or relief sought in the action is in respect of a subject-matter the value of which exceeds the District Court limit.

[31/2010 wef 01/01/2011]

Transfer of counterclaim from District Court to High Court

24. [Repealed by Act 26 of 2005]

Jurisdiction in actions for recovery of immovable property

25. Without prejudice to the generality of section 19, a District Court shall have jurisdiction under section 19(2) to hear and try any action for the recovery of immovable property with or without a claim for rent or mesne profits and whether or not the title to the property is in dispute, where —

- (a) the annual value of the property appearing in the Valuation List prepared under section 10 of the Property Tax Act (Cap. 254) does not exceed the District Court limit;

- (b) the annual rent payable by the tenant does not exceed the District Court limit or the monthly rent payable by the tenant does not exceed one-twelfth of the District Court limit; or
- (c) if the annual value, annual rent or monthly rent cannot be ascertained, the last transacted price of the property does not exceed 10 times the District Court limit.

[15/93]

[31/2010 wef 01/01/2011]

Equity jurisdiction

26. Without prejudice to the generality of section 19, a District Court shall have jurisdiction under section 19(2) to hear and try any of the following proceedings:

- (a) [*Deleted by Act 27 of 2014 wef 01/01/2015*]
- (b) proceedings for the execution of any trust or for a declaration that a trust subsists, where the amount or value of the property subject, or alleged to be subject, to the trust does not exceed the District Court limit;
- (c) proceedings for foreclosure or redemption of any mortgage or for enforcing any charge or lien, where the amount owing in respect of the mortgage, charge or lien does not exceed the District Court limit;
- (d) proceedings for the specific performance, or for the rectification, delivery up or cancellation of any agreement for the sale, purchase or lease of any property, where, in the case of a sale or purchase, the purchase money or, in the case of a lease, the amount or value of the property does not exceed the District Court limit;
- (e) [*Deleted by Act 27 of 2014 wef 01/10/2014*]
- (f) proceedings for the dissolution or winding up of any partnership (other than a limited liability partnership registered under the Limited Liability Partnerships Act 2005), whether or not the existence of the partnership is in

dispute, where the amount or value of all the assets of the partnership does not exceed the District Court limit;

- (g) proceedings for relief against fraud or mistake where the damage sustained or the amount or value of the estate or fund in respect of which relief is sought does not exceed the District Court limit.

[15/93; 5/2005]

[31/2010 wef 01/01/2011]

27. [Repealed by Act 27 of 2014 wef 01/01/2015]

Jurisdiction to issue writ of distress

28. A District Court shall have jurisdiction under the Distress Act (Cap. 84) in all cases where the amount of rent distrained or to be distrained does not exceed the District Court limit.

[15/93]

Jurisdiction to grant relief by interpleader

29.—(1) Without prejudice to the generality of section 19, a District Court shall have jurisdiction under section 19(2) to grant relief by way of interpleader —

- (a) where a bailiff of a District Court is charged with the execution of any writ or order of the Court and claim is made to any money or other movable property taken or intended to be taken in execution of the writ or order, or to the proceeds or value of any such property, by any person other than the person against whom the writ or order was issued or made; and
- (b) where the person seeking relief is under liability for any debt, money, or other movable property of which the amount or value does not exceed the District Court limit and for or in respect of which he has been or expects to be sued by 2 or more parties making adverse claims thereto.

[6/76; 3/86; 15/93]

[31/2010 wef 01/01/2011]

(2) If it appears to the High Court that any proceedings in the High Court by way of interpleader, in which the amount in dispute or value

of the subject-matter does not exceed the District Court limit, may be more conveniently tried in a District Court, the High Court may at any time order that the proceedings be transferred to a District Court.

[6/76; 3/86; 15/93]

Variation of District Court limit

30. The President may, after consulting the Chief Justice, by order vary the District Court limit mentioned in any of the foregoing provisions.

[15/93]

Powers of District Court same as High Court

31.—(1) A District Court, as regards any action within its jurisdiction, shall in any proceedings before it —

- (a) grant such relief, redress or remedy or combination of remedies, either absolute or conditional; and
- (b) give such and the like effect to every ground of defence or counterclaim equitable or legal,

as ought to be granted or given in the like action by the High Court and in as full and ample a manner.

[15/93]

(2) Without prejudice to the generality of subsection (1), a District Court shall, as regards any action within its jurisdiction, have power —

- (a) to grant an injunction whether or not any other relief is or could be claimed;
- (b) to make binding declarations of rights whether or not any consequential relief is or could be claimed; and

[15/93]

- (c) to order medical examination of a person who is a party to any proceedings where the physical or mental condition of the person is relevant to any matter in question in the proceedings.

[31/2010 wef 01/01/2011]

Powers of District Judge in chambers

32. A District Judge shall have power in any civil proceeding pending in a District Court to make any order or to exercise any authority or jurisdiction which, if it related to a proceeding pending in the High Court, might be made or exercised by a Judge of the High Court in chambers.

[15/93]

[31/2010 wef 01/01/2011]

Assessors

33.—(1) In any proceedings, a District Judge may, if he thinks fit on the application of any party, or on his own motion, summon to his assistance, in such manner as may be prescribed by Rules of Court, one or more persons of skill and experience in the matter to which the proceedings relate who may be willing to sit with the District Judge and act as assessors.

[15/93]

(2) Subject to subsection (3), the remuneration of assessors for sitting under this section shall be at such rate as may be prescribed by Rules of Court and shall be costs in the proceedings unless otherwise ordered by the District Judge.

[15/93]

(3) Where one or more assessors are summoned for the purposes of this section otherwise than on the application of a party to the proceedings, the remuneration of any such assessor shall be payable out of moneys provided by Parliament.

[15/93]

(4) Where any person is proposed to be summoned as an assessor, objection to him, either personally or in respect of his qualification, may be taken by any party in the prescribed manner.

[15/93]

Jurisdiction of registrar

34. Any jurisdiction and powers conferred on a District Court by this Act or any other written law relating to civil proceedings may be exercised to the extent authorised by this Act or any other written law or Rules of Court, by the registrar.

Division of causes of action

35. A cause of action shall not be divided for the purpose of bringing 2 or more actions.

Examination of witnesses abroad in District Court cases

36.—(1) The High Court shall, on application made in the manner prescribed by Rules of Court, have the same power to issue a request or an order to examine witnesses abroad for the purpose of civil proceedings in a District Court as it has for the purpose of an action or matter in the High Court.

(2) Where such an application is made, the High Court may, if it thinks fit, order the proceedings to be transferred to the High Court.

General power to transfer from High Court to District Court

37. *[Repealed by Act 26 of 2005]*

General power to transfer from District Court to High Court

38. *[Repealed by Act 26 of 2005]*

Costs of certain actions commenced in High Court which could have been commenced in a State Court

39.—(1) Where an action is commenced in the High Court which could have been commenced in a State Court, then, subject to subsections (3) and (4), the plaintiff —

- (a) if he recovers a sum not exceeding the District Court limit, shall not be entitled to any more costs of the action than those to which he would have been entitled if the action had been brought in a District Court; and
- (b) if he recovers a sum not exceeding the Magistrate's Court limit, shall not be entitled to any more costs of the action than those to which he would have been entitled if the action had been brought in a Magistrate's Court.

[15/93]

[Act 5 of 2014 wef 07/03/2014]

[31/2010 wef 01/01/2011]

(2) For the purposes of subsection (1)(a) and (b), a plaintiff shall be treated as recovering the full amount recoverable in respect of his claim without regard to any deduction made in respect of contributory negligence on his part or otherwise in respect of matters not falling to be taken into account in determining whether the action could have been commenced in a State Court.

[15/93]

[Act 5 of 2014 wef 07/03/2014]

(3) Where a plaintiff is entitled to costs on the State Courts scale only, the Registrar of the Supreme Court shall have the same power of allowing any items of costs as a District Judge or Magistrate would have had if the action had been brought in a State Court.

[15/93]

[Act 5 of 2014 wef 07/03/2014]

(4) In any action, the High Court, if satisfied —

(a) that there was sufficient reason for bringing the action in the High Court; or

(b) that the defendant or one of the defendants objected to the transfer of the action to a State Court,

[Act 5 of 2014 wef 07/03/2014]

may make an order allowing the costs or any part of the costs thereof on the High Court scale or on the State Courts scale as it may direct.

[15/93]

[Act 5 of 2014 wef 07/03/2014]

(5) This section shall not apply in the case of any proceedings by the Government.

[15/93]

(6) This section shall not affect any question as to costs if it appears to the High Court that there was reasonable ground for supposing the amount recoverable in respect of the plaintiff's claim to be in excess of the amount recoverable in an action commenced in a State Court.

[15/93]

[Act 5 of 2014 wef 07/03/2014]

Costs in cases transferred from one court to another

40. [Repealed by Act 26 of 2005]

Allocation of proceedings to High Court

41.—(1) The Chief Justice may, where he considers it necessary or expedient to improve efficiency in the administration of justice and to provide for more speedy disposal of proceedings commenced in the District Courts, by order direct such class or classes or description of proceedings as may be specified in the order to be heard and determined by the High Court.

[15/93]

(2) Any order under subsection (1) may make such incidental provision for the transfer of the proceedings to the High Court (including matters relating to procedure and costs) as the Chief Justice thinks fit.

[15/93]

Finality of judgments and orders of District Court

42. Every judgment and order of a District Court exercising civil jurisdiction shall, except as provided by this Act, any other written law or Rules of Court, be final and conclusive between the parties.

Satisfaction of judgments and orders for payment of money

43.—(1) Where a judgment is given or an order is made by a District Court under which any sum of money is payable, whether by way of satisfaction of the claim or counterclaim in the proceedings or by way of costs or otherwise, the Court may, as it thinks fit, order the money to be paid either —

- (a) in one sum, whether immediately or within such period as the Court may fix; or
- (b) by such instalments payable at such times as the Court may fix.

(2) If at any time it appears to the satisfaction of a District Court that any party to any proceedings is unable from any cause to pay any sum recovered against him (whether by way of satisfaction of the claim or counterclaim in the proceedings or by way of costs or otherwise) or any instalment thereof, the Court may, in its discretion, suspend or stay any judgment or order given or made in the proceedings for such

time and on such terms as the Court thinks fit, and so from time to time until it appears that the cause of inability has ceased.

(3) Where an order for payment by instalments is made, the payment shall be made into court and no execution shall issue, except with the leave of the District Court.

Enforcement of judgments of District Courts

44. Subject to section 43(3), a judgment or an order of a District Court may be enforced in any manner prescribed by Rules of Court.
[15/93]

Execution of deed or indorsement of negotiable instrument

45.—(1) If a judgment or order of a District Court is for the execution of a deed, or signing of a document, or for the indorsement of a negotiable instrument, and the party ordered to execute, sign or indorse such instrument is absent, neglects or refuses to do so, any party interested in having the same executed, signed or indorsed, may prepare a deed, document or indorsement of the instrument in accordance with the terms of the judgment or order, and tender the same to a District Court for execution upon the proper stamp, if any is required by law, and the signature thereof by the registrar, by order of the District Court, shall have the same effect as the execution, signing or indorsement thereof by the party ordered to execute.

[20/99]

(2) Nothing in this section shall be held to abridge the powers of a District Court to proceed by attachment against any person neglecting or refusing to execute, sign or indorse any such instrument.

[20/99]

District Court may forward judgment to High Court for execution

46. *[Repealed by Act 15 of 1993]*

General provision relating to civil appeals

47. Subject to the provisions of the Supreme Court of Judicature Act (Cap. 322) relating to civil appeals from the State Courts to the High Court, Rules of Court shall regulate and prescribe the procedure

on appeals from a District Court exercising civil jurisdiction to the High Court.

[Act 5 of 2014 wef 07/03/2014]

Agreement not to appeal

48. No appeal shall lie from any judgment or order of a District Court exercising civil jurisdiction if, before the judgment or order is given or made, the parties agree in writing signed by them or their solicitors that it shall be final.

Appeal not to operate as stay of execution

49.—(1) An appeal from a District Court exercising civil jurisdiction shall not operate as a stay of execution or of proceedings under the judgment or order appealed from, unless the District Court or the High Court so orders.

(2) No intermediate act or proceeding shall be invalidated except so far as the High Court may direct.

Criminal Jurisdiction of District Courts

Jurisdiction of District Courts exercising criminal jurisdiction

50.—(1) Subject to subsection (2), a District Court exercising criminal jurisdiction shall have —

- (a) the jurisdiction and powers conferred on it by the Criminal Procedure Code (Cap. 68) and any other written law; and
- (b) without prejudice to the generality of paragraph (a), the power to order medical examination of a person who is an accused in any criminal proceedings where the physical or mental condition of the person is relevant to any matter in question in the proceedings.

[31/2010 wef 01/01/2011]

(2) The criminal jurisdiction of a District Court shall be exercisable where the offence is committed —

- (a) within Singapore;
- (b) on board any ship or aircraft registered in Singapore;

- (c) by any person who is a citizen of Singapore on the high seas or on any aircraft; and
- (d) in any place or by any person if it is provided in any written law that the offence is triable in Singapore.

[15/93]

Jurisdiction of Magistrates' Courts

Criminal jurisdiction of Magistrates' Courts

51.—(1) Subject to subsection (2), a Magistrate's Court exercising criminal jurisdiction shall have —

- (a) the jurisdiction and powers conferred on it by the Criminal Procedure Code (Cap. 68) and any other written law; and
- (b) without prejudice to the generality of paragraph (a), the power to order medical examination of a person who is an accused in any criminal proceedings where the physical or mental condition of the person is relevant to any matter in question in the proceedings.

[31/2010 wef 01/01/2011]

(2) The criminal jurisdiction of a Magistrate's Court shall be exercisable where the offence is committed —

- (a) within Singapore;
- (b) on board any ship or aircraft registered in Singapore;
- (c) by any person who is a citizen of Singapore on the high seas or on any aircraft; and
- (d) in any place or by any person if it is provided in any written law that the offence is triable in Singapore.

[15/93]

Civil jurisdiction of Magistrates' Courts

52.—(1) Subject to subsection (1A), a Magistrate's Court shall have all the jurisdiction of the High Court to hear and try any action in personam where —

- (a) the defendant is served with a writ of summons or any other originating process —

- (i) in Singapore in the manner prescribed by Rules of Court; or
 - (ii) outside Singapore in the circumstances authorised by and in the manner prescribed by Rules of Court; or
- (b) the defendant submits to the jurisdiction of a Magistrate's Court.

[31/2010 wef 01/01/2011]

(1A) The jurisdiction of a Magistrate's Court under subsection (1) shall not include jurisdiction to hear and try any action where —

- (a) there is no claim for any sum of money;
- (b) the amount claimed in the action exceeds the Magistrate's Court limit; or
- (c) any remedy or relief sought in the action, in addition or as an alternative to the amount claimed in the action, is in respect of a subject-matter the value of which exceeds the Magistrate's Court limit.

[31/2010 wef 01/01/2011]

(1B) A Magistrate's Court shall have, in any proceedings within its jurisdiction under subsection (1) —

- (a) the power —
 - (i) to grant such relief, redress or remedy or combination of remedies, either absolute or conditional; and
 - (ii) to give such and the like effect to every ground of defence or counterclaim equitable or legal,as ought to be granted or given in the like action by the High Court and in as full and ample a manner;
- (b) without prejudice to the generality of paragraph (a), the power —
 - (i) to grant an injunction;
 - (ii) to make binding declarations of rights; and
 - (iii) to order medical examination of a person who is a party to any proceedings where the physical or

mental condition of the person is relevant to any matter in question in the proceedings;

- (c) the power to make any order or to exercise any authority or jurisdiction which, if it related to a proceeding pending in the High Court, might be made or exercised by a Judge of the High Court in chambers; and
- (d) the powers conferred on a District Court by —
 - (i) section 43; and
 - (ii) section 12 of the Civil Law Act (Cap. 43).

[31/2010 wef 01/01/2011]

(2) In exercising its jurisdiction under subsection (1) or powers under subsection (1B), a Magistrate's Court shall be subject to the same limitations and provisions as are applicable to a District Court under this Act.

[31/2010 wef 01/01/2011]

(3) The President may, after consulting the Chief Justice, by order vary the Magistrate's Court limit.

[15/93]

Transfer from Magistrates' Courts to District Courts

53. [Repealed by Act 26 of 2005]

Judgments and orders of Magistrates' Courts

54. Every judgment or order of a Magistrate's Court in the exercise of its civil jurisdiction shall have the same effect (for purposes of appeal or otherwise) and shall be enforced in the same manner as if it were given or made by a District Court.

Transfers of Civil Proceedings

General power to transfer from Magistrate's Court to District Court

54A.—(1) Where it appears to a District Court, on the application of a party to any civil proceedings pending in a Magistrate's Court, that the proceedings, by reason of its involving some important question of law, or being a test case, or for any other sufficient reason,

should be tried in the District Court, it may order the proceedings to be transferred to the District Court.

[26/2005]

(2) An order under subsection (1) may be made on such terms as the court sees fit.

[26/2005]

General power to transfer from State Courts to High Court

54B.—(1) Where it appears to the High Court, on the application of a party to any civil proceedings pending in a State Court, that the proceedings, by reason of its involving some important question of law, or being a test case, or for any other sufficient reason, should be tried in the High Court, it may order the proceedings to be transferred to the High Court.

[26/2005]

[Act 5 of 2014 wef 07/03/2014]

(2) An order under subsection (1) may be made on such terms as the court sees fit.

Explanation—The intended enforcement overseas of any judgment obtained in the High Court, under any enforcement arrangements currently in force, would ordinarily be sufficient reason for transferring the proceedings to the High Court.

[26/2005]

General power to transfer from High Court to State Courts

54C.—(1) A party to any civil proceedings pending in the High Court may for any sufficient reason at any time apply to the High Court for an order that the proceedings be transferred to a State Court.

[26/2005]

[Act 5 of 2014 wef 07/03/2014]

(2) Subject to subsection (3), the High Court may, if it thinks fit, and on such terms as it sees fit, and either on its own motion or on application, order that the proceedings be transferred accordingly notwithstanding any other provision of this Act.

[26/2005]

(3) An order under subsection (2) may only be made in respect of such proceedings as could have been commenced in the State Court to which the application relates, if the value of the claim had been within

the District Court limit or the Magistrate's Court limit, as the case may be.

Explanation — The fact that the proceedings fall within the civil jurisdiction of the State Courts would not, by itself, ordinarily constitute sufficient reason for transferring the proceedings to the State Courts, if enforcement overseas is intended of any judgment obtained in the High Court under any enforcement arrangements currently in force.

[26/2005]

[Act 5 of 2014 wef 07/03/2014]

General power to transfer from District Court to Magistrate's Court

54D.—(1) A party to any civil proceedings pending in the District Court may for any sufficient reason at any time apply to the District Court for an order that the proceedings be transferred to a Magistrate's Court.

[26/2005]

(2) Subject to subsection (3), the District Court may, if it thinks fit, and on such terms as it sees fit, and either on its own motion or on application, order that the proceedings be transferred accordingly notwithstanding any other provision of this Act.

[26/2005]

(3) An order under subsection (2) may only be made in respect of such proceedings as could have been commenced in the Magistrate's Court if the value of the claim had been within the Magistrate's Court limit.

[26/2005]

Transfer of counterclaim from State Courts to High Court

54E.—(1) Where, in any civil proceedings pending in a State Court, any counterclaim or set-off and counterclaim of any defendant involves a matter beyond the District Court limit, any party to the proceedings may apply to the High Court, within such time as may be prescribed by Rules of Court, for an order that the whole proceedings, or the proceedings on the counterclaim or set-off and counterclaim, be transferred to the High Court.

[26/2005]

[Act 5 of 2014 wef 07/03/2014]

(2) On any such application or on its own motion, the High Court may, as it thinks fit, and on such terms as it sees fit, order —

(a) that the whole proceedings be transferred to the High Court;

(b) that the whole proceedings be tried in the State Courts; or
[Act 5 of 2014 wef 07/03/2014]

(c) that the proceedings on the counterclaim or set-off and counterclaim be transferred to the High Court and that the proceedings on the plaintiff's claim and the defence thereto other than the set-off (if any) be tried in the State Courts.
[26/2005]

[Act 5 of 2014 wef 07/03/2014]

(3) Where an order is made under subsection (2)(c), and judgment on the claim is given for the plaintiff, execution thereon shall, unless the High Court at any time otherwise orders, be stayed until the proceedings transferred to the High Court have been concluded.

[26/2005]

(4) Where no application is made under subsection (1) or where it is ordered that the whole proceedings be tried in the State Courts, such State Court shall have jurisdiction to try the proceedings, notwithstanding any other provision of this Act.

[26/2005]

[Act 5 of 2014 wef 07/03/2014]

Transfer of counterclaim from Magistrate's Court to District Court

54F.—(1) Where, in any civil proceedings pending in a Magistrate's Court, any counterclaim or set-off and counterclaim of any defendant involves a matter beyond the Magistrate's Court limit, any party to the proceedings may apply to the District Court, within such time as may be prescribed by Rules of Court, for an order that the whole proceedings, or the proceedings on the counterclaim or set-off and counterclaim, be transferred to the District Court.

[26/2005]

(2) On any such application or on its own motion, the District Court may, as it thinks fit, and on such terms as it sees fit, order —

- (a) that the whole proceedings be transferred to a District Court;
- (b) that the whole proceedings be tried in a Magistrate's Court; or
- (c) that the proceedings on the counterclaim or set-off and counterclaim be transferred to a District Court and that the proceedings on the plaintiff's claim and the defence thereto other than the set-off (if any) be tried in a Magistrate's Court.

[26/2005]

(3) Where an order is made under subsection (2)(c), and judgment on the claim is given for the plaintiff, execution thereon shall, unless the District Court at any time otherwise orders, be stayed until the proceedings transferred to the District Court have been concluded.

[26/2005]

(4) Where no application is made under subsection (1) or where it is ordered that the whole proceedings be tried in a Magistrate's Court, the Magistrate's Court shall have jurisdiction to try the proceedings, notwithstanding any other provision of this Act.

[26/2005]

Costs in cases transferred from one court to another

54G.—(1) Where proceedings are ordered to be transferred —

- (a) from the High Court to a State Court;
[Act 5 of 2014 wef 07/03/2014]
- (b) from a State Court to the High Court; or
[Act 5 of 2014 wef 07/03/2014]
- (c) from one State Court to another,
[Act 5 of 2014 wef 07/03/2014]

the costs of the whole proceedings both before and after the transfer shall, subject to any order made by the court which ordered the transfer, be in the discretion of the court to which the proceedings are transferred, and that court shall have power to make orders with respect thereto and as to the scales on which the costs of the several parts of the proceedings are to be paid.

[26/2005]

(2) As regards so much of the proceedings in any action transferred from the High Court to a State Court as takes place in the High Court before the transfer —

- (a) the costs thereof shall be subject to section 39; and
- (b) the powers of the High Court under section 39(4) to make an order allowing costs on the High Court scale or on the State Courts scale, shall, subject to any order of the High Court, be exercisable by the State Court.

[26/2005]

[Act 5 of 2014 wef 07/03/2014]

55. [Repealed by Act 27 of 2014 wef 01/10/2014]

56. [Repealed by Act 14/2010 wef 02/01/2011]

56A. [Repealed by Act 15/2010 wef 02/01/2011]

PART V

ADMINISTRATION

Registry of State Courts

57.—(1) The Registry of the State Courts shall be open on every day of the year except on Saturdays, Sundays and public holidays.

[8/98; 2/2007]

[Act 5 of 2014 wef 07/03/2014]

(2) Notwithstanding subsection (1), the registrar may lawfully sit or carry out the business of the Registry on a Saturday, Sunday or public holiday if —

- (a) the Presiding Judge of the State Courts, with the concurrence of the Chief Justice, has directed the registrar to do so on that day; or

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

- (b) in the opinion of the registrar, the business to be despatched is extremely urgent.

[8/98; 2/2007]

(3) The office hours of the Registry shall be such times as the Presiding Judge of the State Courts, with the concurrence of the Chief Justice, may from time to time direct.

[8/98]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

Nature of business at any sitting

58. At any sitting of a District Court or a Magistrate's Court both civil and criminal proceedings may be tried.

Distribution of business

59. The distribution of business in the State Courts shall be made in accordance with such directions, which may be of a general or a particular nature, as may be given, with the concurrence of the Chief Justice, by the Presiding Judge of the State Courts.

[Act 5 of 2014 wef 07/03/2014]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

Office of State Court

60.—(1) There shall be attached to each State Court or a number of State Courts an office, under whatever name, for the purpose of carrying out the work or business in such Court or Courts.

[Act 5 of 2014 wef 07/03/2014]

(2) Subject to such directions as may be given by the Chief Justice from time to time, the Presiding Judge of the State Courts shall be responsible for the apportionment of the work among the several officers in any such office.

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

Vacations for District and Magistrates' Courts

61. The Chief Justice may authorise vacations for District Courts and Magistrates' Courts in the exercise of their civil jurisdiction not exceeding 15 days in any calendar year.

List of touts

62.—(1) The Presiding Judge of the State Courts may frame and publish a list of persons proved to his satisfaction, by evidence of general repute or otherwise, to act as touts or unauthorised advisers to suitors or other persons, and may alter and amend the list.

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(2) The Presiding Judge of the State Courts may, by general or special order, exclude from the precincts of the State Courts any person whose name is included in the list, except when such person is a party to or a witness in any proceedings in a State Court, when he shall be allowed to remain for such time as is necessary.

[Act 5 of 2014 wef 07/03/2014]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(3) No person's name shall be included in the list until he has been heard or had an opportunity of being heard against such inclusion.

(4) An appeal shall lie to a Judge of the High Court in chambers from an order made by the Presiding Judge of the State Courts to include a person's name in the list.

[16/93]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(5) The decision of the Judge of the High Court shall be final.

[16/93]

(6) A copy of the list shall be kept hung up in the office or offices of the State Courts and shall be published in the *Gazette*.

[Act 5 of 2014 wef 07/03/2014]

(7) A person whose name appears in the list of touts under section 73 of the Supreme Court of Judicature Act (Cap. 322), or the list of touts under section 39 of the Family Justice Act 2014, shall be deemed to be included in the list under this section, and vice versa.

[Act 27 of 2014 wef 01/10/2014]

Impounding documents

63.—(1) A State Court may order any document produced before it in any proceedings to be impounded.

[Act 5 of 2014 wef 07/03/2014]

(2) The document which has been impounded shall not be delivered out of the custody of the court or inspected except on an order signed by a judicial officer.

(3) The court that impounded the document may direct the document to be sent to the Attorney-General, the Commissioner of Stamp Duties or any other officer of the Government.

Disqualification of judicial officers

64.—(1) Except with the approval of the Chief Justice, a judicial officer —

(a) shall not be capable of —

(i) accepting or taking any other office of emolument; or

(ii) carrying on any business either directly or indirectly;
and

(b) shall not accept any fees of office, perquisites, emoluments or advantages, other than his salary and allowances.

(2) Without prejudice to the generality of subsection (1), a judicial officer may, with the approval of the Chief Justice —

(a) be appointed to any commission of inquiry, committee of inquiry or other judicial, quasi-judicial or administrative tribunal, or hold any office in any institution or society for charitable purposes or for the advancement or encouragement of art, science, education or other knowledge; and

(b) receive an allowance or other honorarium in respect of that appointment or office.

[31/2010 wef 01/01/2011]

Judicial officers not to act where interested

65. No judicial officer shall, except with the approval of the Chief Justice and with the consent of the parties, investigate, try or commit for trial any proceedings to which he is a party or in which he is personally interested.

Officers of court not to bid at sales under any written law

66. No officer of the State Courts having any duty to perform in connection with the sale of any property under any written law shall, directly or indirectly, purchase or bid for the property.

[Act 5 of 2014 wef 07/03/2014]

Misconduct of officers

67.—(1) Without prejudice to any written law and rules governing the conduct and discipline of public officers, if any officer of a State Court is charged —

- (a) with extortion or misconduct while acting under colour of the process of the court; or
- (b) with not duly paying or accounting for any money levied by him under the authority of this Act or Rules of Court,

it shall be lawful for a District Judge nominated by the Presiding Judge of the State Courts to inquire into the matter in a summary manner.

[Act 5 of 2014 wef 07/03/2014]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(2) For the purpose of any such inquiry, the District Judge may summon and enforce the attendance of all necessary parties in the like manner as the attendance of witnesses in any case may be enforced.

(3) On any such inquiry, the District Judge may make such order as he thinks just for the repayment of the money extorted or the due payment of the money levied, and for the payment of damages and costs, and also, if he thinks fit, may impose such fine upon the officer, not exceeding \$100 for each offence, as appears to him to be adequate.

(4) If it is found by a District Judge that any officer, while employed in carrying out his duties under this Act or Rules of Court or in exercising any of the powers thereof, has wilfully and corruptly exacted or accepted any fee or reward, other than such fees as are for the time being allowed under this Act or Rules of Court, that officer shall, in addition to being liable for damages under subsection (3), be incapable of being an officer of the State Courts.

[Act 5 of 2014 wef 07/03/2014]

(5) An appeal shall lie to the Chief Justice from an order made by the District Judge under this section.

(6) The decision of the Chief Justice shall be final.

Protection of judicial and other officers

68.—(1) A judicial officer shall not be liable to be sued for any act done by him in the discharge of his judicial duty whether or not within the limits of his jurisdiction, provided that he at the time in good faith believed himself to have jurisdiction to do or order the act complained of.

(2) No officer of a State Court charged with the duty of executing any writ, summons, warrant, order, notice or other mandatory process of the State Courts shall be liable to be sued for the execution of or attempting to execute such writ, summons, warrant, order, notice or other mandatory process, or in respect of any damage caused to any property in effecting or attempting to effect execution, unless he knowingly acted in excess of the authority conferred upon him by such writ, summons, warrant, order, notice or other mandatory process of the court in question.

[Act 5 of 2014 wef 07/03/2014]

(3) An officer of a State Court shall not be deemed to have acted knowingly in excess of his authority merely by reason of the existence of a dispute as to the ownership of any property seized under any writ or order of execution.

[Act 5 of 2014 wef 07/03/2014]

(4) No judicial officer, officer of a State Court or court-appointed mediator shall be liable to be sued for an act done by him for the purposes of any mediation or other alternative dispute resolution process conducted by him in a State Court, if the act —

- (a) was done in good faith; and
- (b) did not involve any fraud or wilful misconduct on his part.

[31/2010 wef 01/01/2011]

[Act 5 of 2014 wef 07/03/2014]

Rules of Court

69.—(1) The Rules Committee appointed under section 80(3) of the Supreme Court of Judicature Act (Cap. 322) may make Rules of Court regulating and prescribing the procedure and the practice to be followed in the District Courts and the Magistrates' Courts in the exercise of their civil jurisdiction and any matters incidental to or relating to any such procedure or practice.

[4/96]

(2) The power to make Rules of Court shall extend to all matters of procedure or practice, or matters relating to or concerning the effect or operation in law of any procedure or practice or the enforcement of judgments or orders, in any case within the cognizance of the District Courts and Magistrates' Courts in the exercise of the civil jurisdiction as to which Rules of Court have been or might lawfully be made for cases within the cognizance of the High Court.

(3) Without prejudice to the generality of subsections (1) and (2), the power to make Rules of Court shall extend to —

- (a) prescribing the office or offices where process may be issued and business other than the hearing of proceedings transacted;
- (b) prescribing the circumstances and procedure by which proceedings may be transferred from one court to another;
- (c) prescribing what part of the business which may be transacted and of the jurisdiction and powers which may be exercised by a District Judge or Magistrate in court or in chambers may be transacted or exercised by the registrar (including provisions for and concerning appeals from decisions of the registrar);
- (d) directing interest to be paid on debts, including judgment debts, or on sums found due in an administration action, provided that in no case shall any rate of interest exceed

8% per annum unless it has been otherwise agreed between parties;

(e) regulating the issue of judgment debtor summonses for the discovery of a judgment debtor's property or means and the procedure and practice relating thereto and the making of orders against judgment debtors for the payment, by instalments or otherwise, of sums due under judgments and orders and the enforcement thereof by committal;

(f) requiring any party at whose instance —

(i) any writ of execution;

(ii) any order of arrest or committal;

(iii) any order of attachment of property; or

(iv) any order to bring up a prisoner as a witness,

is issued, to deposit from time to time a sum of money to provide for the expenses of executing the writ or order and of bringing the person to be arrested or the person ordered to be committed before the court or to prison and of his subsistence while in the custody of the bailiff or in prison and of keeping possession of the property attached;

(g) enabling proceedings —

(i) to be commenced in a State Court against the estate of a deceased person (whether by the appointment of a person to represent the estate or otherwise) where no grant of probate or letters of administration has been made;

[Act 5 of 2014 wef 07/03/2014]

(ii) purporting to have been commenced in a State Court by or against a person to be treated, if he was dead at their commencement, as having been commenced by or against, as the case may be, his estate whether or not a grant of probate or letters of administration was made before their commencement; and

[Act 5 of 2014 wef 07/03/2014]

- (iii) commenced or treated as commenced in a State Court by or against the estate of a deceased person to be maintained (whether by substitution of parties, amendment or otherwise) by or against, as the case may be, a person appointed to represent the estate or, if a grant of probate or letters of administration is or has been made, by or against the personal representatives;

[Act 5 of 2014 wef 07/03/2014]

- (h) prescribing the manner in which money in a court is to be dealt with and in particular —
 - (i) prescribing that money in court may be kept at a bank, to be approved by the Accountant-General, in the official name of the registrar;
 - (ii) regulating the manner in which the court's bank account shall be operated;
 - (iii) requiring the registrar to pay from time to time to the Accountant-General or into the court's bank account all moneys not required for meeting current demands and to pay to the Accountant-General all sums which have been in the court's bank account for such period as may be prescribed; and
- (i) prescribing the books, registers and accounts required to be kept by the registrar and bailiffs.

[15/93]

(4) All Rules of Court made under this section shall be presented to Parliament as soon as possible after publication in the *Gazette*.

PART VI**SUPPLEMENTAL****Conversion of pending petitions to writs of summons and originating summonses**

70.—(1) Where —

- (a) under any written law any civil action or application may be commenced in or made to a District Court, a Magistrate's Court or the registrar (referred to in this section as the Court); and
- (b) the provisions under any written law by virtue of which such an action or application was required to be commenced or made by way of a petition have been amended such as to require that any such action or application shall, as from the date appointed for the coming into operation of the amendment, be commenced or made by way of a writ of summons or an originating summons,

then, if any such action or application that has been commenced or made before that date by way of a petition is still pending before the Court on or after that date, the Court may, if it thinks just and expedient, order that the action or application (referred to in this section as a pending action or application) shall be converted to and be continued as an action or application commenced or made by way of a writ of summons or an originating summons, as is appropriate.

[42/2005]

(2) The Presiding Judge of the State Courts, with the concurrence of the Chief Justice, may, where he considers it necessary or expedient to improve efficiency in the administration of justice, by order direct that any class or description of pending actions or applications before the Court shall be converted to and be continued as actions or applications commenced or made by way of a writ of summons or an originating summons, as is appropriate.

[42/2005]

[Act 5 of 2014 wef 14/04/2014]

[4/2010 wef 17/02/2010]

(3) Where pursuant to subsection (1) or (2) any pending action or application has been converted to an action or application commenced or made by way of a writ of summons or an originating summons —

- (a) the action or application shall be continued in accordance with the provisions of the relevant written law and the practice and procedure as are in force and applicable in relation to that action or application at the time of the conversion; and
- (b) the Court may give to the parties to the action or application such directions as to the conduct and costs of the action or application as it thinks just and expedient for the purpose of facilitating the conversion of the action or application to an action or application commenced or made by way of a writ of summons or an originating summons (as the case may be) and its continuance as such.

[42/2005]

THE SCHEDULE

Section 17(1)

FORMS OF OATHS AND AFFIRMATIONS

1. OATHS OF OFFICE AND ALLEGIANCE OF A JUDICIAL OFFICER

I, _____, having been appointed to the office of _____, do solemnly swear (or affirm) that I will faithfully discharge my judicial duties and I will do right to all manner of people after the laws and usages of the Republic of Singapore without fear or favour, affection or ill-will to the best of my ability, and I will be faithful and bear true allegiance to the Republic of Singapore.

Taken and subscribed before me at _____ this _____ day of _____.

Officer Administering the Oath

2. OATH OF OFFICE OF AN INTERPRETER

I, _____, having been appointed an interpreter of the Court do solemnly swear (or affirm) that I will faithfully interpret, translate and transcribe from the _____ language into the English language and from the _____ language into the _____ language.

THE SCHEDULE — *continued*

English language into the language to the best of my knowledge, skill and ability and without fear or favour, affection or ill-will.

Taken and subscribed before me at this day of

Officer Administering the Oath

3. OATH OF OFFICE OF OTHER OFFICER OF A COURT

I, , having been appointed to the office of in the Court do solemnly swear (or affirm) that I will not use or exercise my office corruptly during the time that I remain therein, neither will I take or accept by any means whatsoever any fee or reward from any person or persons, but will truly and faithfully and with convenient speed execute the duties assigned to me and will make true and faithful returns as to the manner and time of the execution of all writs, summonses, warrants, orders, notices and other mandatory processes given to me.

Taken and subscribed before me at this day of

Officer Administering the Oath

LEGISLATIVE HISTORY
STATE COURTS ACT
(CHAPTER 321)

(formerly known as the Subordinate Courts Act)

This Legislative History is provided for the convenience of users of the Subordinate Courts Act. It is not part of the Act.

1. Act 19 of 1970 — Subordinate Courts Act 1970

- Date of First Reading : 26 March 1970
(Bill No. 10/70 published on
2 April 1970)
- Date of Second and Third Readings : 7 May 1970
- Date of commencement : 1 January 1971

2. 1970 Revised Edition — Subordinate Courts Act (Cap. 14)

- Date of operation : 1 March 1971

3. Act 34 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) (No. 3) Act 1973

- Date of First Reading : 11 July 1973
(Bill No. 27/73 published on
14 July 1973)
- Date of Second and Third Readings : 25 July 1973
- Date of commencement : 24 August 1973

4. Act 6 of 1976 — Subordinate Courts (Amendment) Act 1976

- Date of First Reading : 1 March 1976
(Bill No. 2/76 published on
5 March 1976)
- Date of Second and Third Readings : 25 March 1976
- Date of commencement : 3 April 1976

5. Act 27 of 1984 — Small Claims Tribunals Act 1984

(Consequential amendments made to Act by)

- Date of First Reading : 29 June 1984
(Bill No. 10/84 published on
9 July 1984)
- Date of Second and Third Readings : 24 August 1984

- Date of commencement : 15 January 1985
- 6. Act 3 of 1986 — Subordinate Courts (Amendment) Act 1986**
- Date of First Reading : 31 October 1985
(Bill No. 19/85 published on
8 November 1985)
- Date of Second and Third Readings : 10 January 1986
- Date of commencement : 1 March 1986
- 7. Act 3 of 1987 — Statute Law Revision Act 1987**
- Date of First Reading : 9 December 1986
(Bill No. 28/86 published on
10 December 1986)
- Date of Second and Third Readings : 26 January 1987
- Date of commencement : 20 February 1987
- 8. 1985 Revised Edition — Subordinate Courts Act**
- Date of operation : 30 March 1987
- 9. Act 15 of 1993 — Subordinate Courts (Amendment) Act 1993**
- Date of First Reading : 26 February 1993
(Bill No. 13/93 published on
27 February 1993)
- Date of Second and Third Readings : 13 April 1993
- Date of commencement : 1 July 1993
- 10. Act 16 of 1993 — Supreme Court of Judicature (Amendment) Act 1993**
(Consequential amendments made to Act by)
- Date of First Reading : 26 February 1993
(Bill No. 12/93 published on
27 February 1993)
- Date of Second and Third Readings : 12 April 1993
- Date of commencement : 1 July 1993
- 11. Act 4 of 1996 — Subordinate Courts (Amendment) Act 1995**
- Date of First Reading : 1 November 1995
(Bill No. 37/95 published on
2 November 1995)
- Date of Second and Third Readings : 5 December 1995
- Date of commencement : 26 January 1996

12. Act 8 of 1998 — Holidays Act 1998

Date of First Reading	:	14 January 1998 (Bill No. 1/98 published on 15 January 1998)
Date of Second and Third Readings	:	19 February 1998
Date of commencement	:	10 April 1998

13. Act 20 of 1999 — Administration of Muslim Law (Amendment) Act 1999
(Consequential amendments made to Act by)

Date of First Reading	:	20 April 1998 (Bill No. 18/98 published on 21 April 1998)
Date of Second Reading	:	30 June 1998
Date Committed to Select Committee	:	30 June 1998
Date of Presentation of Select Committee Report	:	10 February 1999 (Parl 1 of 1999)
Date of Third Reading	:	15 April 1999
Date of commencement	:	1 August 1999

14. 1999 Revised Edition — Subordinate Courts Act

Date of operation	:	1 August 1999
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15. Act 5 of 2005 — Limited Liability Partnerships Act 2005
(Consequential amendments made to Act by)

Date of First Reading	:	19 October 2004 (Bill No. 64/2004 published on 20 October 2004)
Date of Second and Third Readings	:	25 January 2005
Date of commencement	:	11 April 2005

16. Act 26 of 2005 — Subordinate Courts (Amendment) Act 2005

Date of First Reading	:	18 July 2005 (Bill No. 16/2005 published on 19 July 2005)
Date of Second and Third Readings	:	15 August 2005
Date of commencement	:	1 January 2006

17. Act 42 of 2005 — Statutes (Miscellaneous Amendments) (No. 2) Act 2005

- Date of First Reading : 17 October 2005
(Bill No. 30/2005 published on
18 October 2005)
- Date of Second and Third Readings : 21 November 2005
- Date of commencement : 1 January 2006 (section 3 —
Amendment of Subordinate
Courts Act)

18. Act 2 of 2007 — Statutes (Miscellaneous Amendments) Act 2006

- Date of First Reading : 8 November 2006
(Bill No. 14/2006 published on
9 November 2006)
- Date of Second and Third Readings : 22 January 2007
- Date of commencement : 1 March 2007 (section 16 —
Amendment of Subordinate
Courts Act)

19. 2007 Revised Edition — Subordinate Courts Act

- Date of operation : 31 July 2007

20. Act 43 of 2007 — Inquiries Act 2007

- Date of First Reading : 27 August 2007
(Bill No. 31/2007 published on
28 August 2007)
- Date of Second and Third Readings : 19 September 2007
- Date of commencement : 1 November 2007

21. Act 4 of 2010 — Statutes (Miscellaneous Amendments) Act 2010

- Date of First Reading : 23 November 2009
(Bill No. 26/2009 published on
23 November 2009)
- Date of Second and Third Readings : 12 January 2010
- Date of commencement : 17 February 2010

22. Act 31 of 2010 — Subordinate Courts (Amendment) Act 2010

- Date of First Reading : 15 September 2010
(Bill No. 26/2010 published on
15 September 2010)
- Date of Second and Third Readings : 18 October 2010

Date of commencement : 1 January 2011

23. Act 15 of 2010 — Criminal Procedure Code 2010

Date of First Reading : 26 April 2010
(Bill No. 11/2010 published on
26 April 2010)

Date of Second and Third Readings : 19 May 2010

Date of commencement : 2 January 2011

24. Act 14 of 2010 — Coroners Act 2010

Date of First Reading : 26 April 2010
(Bill No. 10/2010 published on
26 April 2010)

Date of Second and Third Readings : 19 May 2010

Date of commencement : 2 January 2011

25. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014

Date of First Reading : 11 November 2013 (Bill No.
26/2013 published on
11 November 2013)

Date of Second and Third Readings : 21 January 2014

Date of commencement : 7 March 2014

26. Act 5 of 2014 — Subordinate Courts (Amendment) Act 2014

Date of First Reading : 11 November 2013 (Bill No.
26/2013 published on
11 November 2013)

Date of Second and Third Readings : 21 January 2014

Date of commencement : 14 April 2014

27. Act 27 of 2014 — Family Justice Act 2014

Date of First Reading : 8 July 2014 (Bill No. 21/2014
published on 8 July 2014)

Date of Second and Third Readings : 4 August 2014

Date of commencement : 1 October 2014

28. Act 27 of 2014 — Family Justice Act 2014

(Consequential amendments made by)

- Date of First Reading : 8 July 2014
(Bill No. 21/2014 published on
8 July 2014)
- Date of Second and Third Readings : 4 August 2014
- Date of commencement : 1 January 2015

29. Act 21 of 2016 — Employment Claims Act 2016

- Date of First Reading : 11 July 2016 (Bill No. 20/2016
published on 11 July 2016)
- Date of Second and Third Readings : 16 August 2016
- Date of commencement : 1 April 2017

30. Act 19 of 2016 — Administration of Justice (Protection) Act 2016

- Date of First Reading : 11 July 2016 (Bill No. 23/2016
published on 11 July 2016)
- Date of Second and Third Readings : 15 August 2016
- Date of commencement : 1 October 2017

31. Act 19 of 2018 — Criminal Justice Reform Act 2018

- Date of First Reading : 28 February 2018 (Bill No.
14/2018 published on
28 February 2018)
- Date of Second and Third Readings : 19 March 2018
- Date of commencement : 31 October 2018

32. Act 46 of 2018 — Supreme Court of Judicature (Amendment No. 2) Act 2018

- Date of First Reading : 10 September 2018 (Bill No.
33/2018 published on
10 September 2018)
- Date of Second and Third Readings : 20 October 2018
- Date of commencement : 1 January 2019

COMPARATIVE TABLE
STATE COURTS ACT
(CHAPTER 321)

The following provisions in the 1993 Reprint of the Subordinate Courts Act were renumbered by the Law Revision Commissioners in the 1999 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Subordinate Courts Act.

1999 Ed.	1993 Reprint
7—(2)	Proviso to 7—(1)
(3) and (4)	(2)
19—(5)	19—(4A)
(6)	(5)
24—(3)	Proviso to 24—(2)
(4)	(3)
Omitted — <i>Repealed by Act 15/93</i>	27
27	28
Omitted — <i>Repealed by Act 15/93</i>	29
28	30
29	31
30	31A
31	32
32	33
33	33A
Omitted — <i>Repealed by Act 15/93</i>	36
36	37
37—(1) and (2)	38
38	39
39	40
39—(6)	Proviso to 40—(1)
40—(1) and (2)	41

1999 Ed.	1993 Reprint
41	41A
49 —(1) and (2)	49
64 —(1) and (2)	64
68 —(2) and (3)	68 —(2)
69 —(3) (g)	69 —(3) (fa)
(3) (h)	(3) (g)
(3) (i)	(3) (h)
Omitted — <i>Deleted by Act 4/96</i>	(4)
Omitted — <i>Deleted by Act 4/96</i>	(5)
Omitted — <i>Deleted by Act 4/96</i>	(6)
(4)	(7)