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SMALL CLAIMS TRIBUNALS ACT 1984

SMALL CLAIMS TRIBUNALS (AMENDMENT) RULES 2022

In exercise of the powers conferred by section 47 of the Small Claims Tribunals Act 1984, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Small Claims Tribunals (Amendment) Rules 2022 and come into operation on 1 April 2022.

Amendment of rule 2

2. Rule 2 of the Small Claims Tribunals Rules (R 1) (called in these Rules the principal Rules) is amended —

- (a) by deleting the words “Rules of Court (Cap. 322, R 5)” in paragraph (1A) and substituting the words “Rules of Court 2021 (G.N. No. S 914/2021)”; and
- (b) by deleting the words “Order 52 of the Rules of Court (Cap. 322, R 5)” in paragraph (2) and substituting the words “Order 23 of the Rules of Court 2021”.

New rule 11C

3. The principal Rules are amended by inserting, immediately after rule 11B in Part III, the following rule:

“Discontinuance of action, cause or matter

11C.—(1) Subject to paragraph (2), if no party to a claim has, for more than 6 months, taken any step or proceeding in the claim that appears from records maintained in the Registry, the claim is deemed to have been discontinued.

(2) Paragraph (1) does not apply where the claim has been stayed pursuant to an order of the Registrar or the tribunal, or an order of court.

(3) In this rule, “claim” means a claim lodged on or after 1 April 2022.”.

Amendment of rule 20F

4. Rule 20F of the principal Rules is amended by inserting, immediately after paragraph (3), the following paragraph:

“(4) A respondent who intends to oppose the application must, within 14 days after being served with the application, file and serve on the applicant a response in the appropriate Form.”.

Deletion and substitution of rule 20H

5. Rule 20H of the principal Rules is deleted and the following rule substituted therefor:

“Case management conference for application for permission to appeal

20H. A District Court may, at any time after an application for permission to appeal is filed under rule 20F, convene a case management conference or direct parties to appear before the registrar of the State Courts for a case management conference, for that Court or registrar to make such orders or give such directions as that Court or registrar thinks fit for the just, expedient and economical disposal of the application.”.

Amendment of rule 28A

6. Rule 28A of the principal Rules is amended by inserting, immediately after the word “execution” in the rule heading, the words “or enforcement”.

Amendment of rule 30

7. Rule 30 of the principal Rules is amended by deleting the word “Enforcement” in the rule heading and substituting the words “Execution or enforcement”.

New Part VIIIA

8. The principal Rules are amended by inserting, immediately after rule 30, the following Part:

“PART VIIIA

OTHER PROCEEDINGS

Transfer of proceedings from tribunal to court under section 10 of Act

30A.—(1) An application to an appropriate court under section 10 of the Act must be made by originating application under Order 6 of the Rules of Court 2021.

(2) The court hearing the application may order the proceedings in the tribunal to be stayed until after the final determination of the application.

(3) Where an order is made by the General Division of the High Court for the transfer of any proceedings from a tribunal to the General Division of the High Court —

(a) the Registrar must send to the Registrar of the Supreme Court the file of the proceedings, all documents and exhibits, and a certified copy of the notes of evidence (if any) of the proceedings; and

(b) the Registrar of the Supreme Court must give notice of the transfer to every party to the proceedings.

(4) Where an order is made by a District Court or a Magistrate’s Court for the transfer of any proceedings from a tribunal to the District Court or Magistrate’s Court (as the case may be), the registrar of the State Courts must give notice of the transfer to every party to the proceedings.”.

Amendment of rule 32

9. Rule 32 of the principal Rules is amended —

(a) by deleting the word “abridge” in paragraph (1) and substituting the word “shorten”; and

- (b) by deleting the word “abridgement” in the rule heading and substituting the word “shortening”.

New rule 36

10. The principal Rules are amended by inserting, immediately after rule 35, the following rule:

“Calculation of time

36.—(1) The Interpretation Act 1965 does not apply to the calculation of time in these Rules.

(2) The word “month” means a calendar month unless the context otherwise requires.

(3) Where an act is required to be done within a specified period after or from a specified date, the period begins immediately after that date.

(4) Where an act is required to be done within or not less than a specified period before a specified date, the period ends immediately before that date.

(5) Where an act is required to be done a specified number of clear days before or after a specified date, at least that number of days must intervene between the day on which the act is done and that date.

(6) If the period in question is 6 days or less, any day that is a Saturday, Sunday or public holiday is to be excluded in the calculation of time.

(7) Where the time prescribed by these Rules, or by any judgment, order or direction, for doing any act expires on a Saturday, Sunday or public holiday, the act is in time if done on the next day, not being a Saturday, Sunday or public holiday.”.

Miscellaneous amendments

11. The principal Rules are amended —

- (a) by deleting the word “leave” in the following provisions and substituting in each case the word “permission”:

Rule 8(1) and (3)(a) and (b)

Rule 20F(1) and (2)

Rule 20I (rule heading)

Rule 20J(1), (2)(a) and (b) and (3) and rule heading

Rule 21(1)

Rule 25(2)

Rule 27(2)

Rule 28(2)(g)

Rule 32(4)(b)

The Schedule (item 3);

(b) by deleting the word “LEAVE” in the following provision and substituting the word “PERMISSION”:

Part VIIB (Part heading);

(c) by deleting the word “Leave” in the following provision and substituting the word “Permission”:

Rule 20F (rule heading);

(d) by deleting the words “appellant’s case” in the following provisions and substituting in each case the words “appellant’s Case”:

Rule 25(1)(a) and (b), (2) and (3);

Rule 26(1)

Rule 27(1)

Rule 28(1) and (2)(c)

Rule 32(4)(d);

(e) by deleting the words “Appellant’s case” in the following provision and substituting the words “Appellant’s Case”:

Rule 25 (rule heading);

(f) by deleting the words “respondent’s case” in the following provisions and substituting in each case the words “respondent’s Case”:

Rule 27(1)(a) and (b) and (2)(a), (b) and (c)

Rule 28(1) and (2)(d)

Rule 32(4)(e); and

(g) by deleting the words “Respondent’s case” in the following provision and substituting the words “Respondent’s Case”:

Rule 27 (rule heading).

Saving and transitional provision

12.—(1) Despite rule 10, rule 36 of the principal Rules does not apply to any calculation of time relating to proceedings commenced before 1 April 2022.

(2) For the purposes of the principal Rules as amended by rule 11(d) and (e), an appellant’s case filed or served under rule 25(1) of the principal Rules as in force before 1 April 2022 is treated as an appellant’s Case filed or served (as the case may be) under rule 25(1) of the principal Rules as so amended.

(3) For the purposes of the principal Rules as amended by rule 11(f) and (g), a respondent’s case filed or served under rule 27(1) of the principal Rules as in force before 1 April 2022 is treated as a respondent’s Case filed or served (as the case may be) under rule 27(1) of the principal Rules as so amended.

*[G.N. Nos. S 74/2006; S 342/2006; S 129/2014;
S 321/2017; S 545/2017; S 710/2019; S 1040/2020]*

Made on 8 March 2022.

SUNDARESH MENON
Chief Justice.

LUCIEN WONG
Attorney-General.

TAY YONG KWANG
Justice of the Court of Appeal.

STEVEN CHONG
Justice of the Court of Appeal.

BELINDA ANG SAW EAN
Judge of the Appellate Division.

QUENTIN LOH
Judge of the Appellate Division.

VINODH COOMARASWAMY
Judge.

VINCENT HOONG SENG LEI
Presiding Judge of the State Courts.

CHRISTOPHER TAN PHENG WEE
*District Judge and Registrar of the
State Courts.*

SIRAJ OMAR, SC
Advocate and Solicitor.

CHAN TAI-HUI JASON, SC
Advocate and Solicitor.

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