

SMALL CLAIMS TRIBUNALS ACT
(CHAPTER 308, SECTION 44)

SMALL CLAIMS TRIBUNALS RULES

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[15th January 1985]

PART I

PRELIMINARY

Citation

1. These Rules may be cited as the Small Claims Tribunals Rules.

Application of Rules

- 2.—(1) These Rules apply to all proceedings under the Act.

(1A) The Rules of Court (Cap. 322, R 5) do not apply to the following:

- (a) any proceedings before a tribunal or the Registrar;
(b) any procedure for proceedings in a District Court or the General Division of the High Court (arising from an order of a tribunal) for which provision is made in these Rules.

[S 1040/2020 wef 02/01/2021]

[S 710/2019 wef 01/11/2019]

(2) Paragraph (1A)(a) does not affect the application of Order 52 of the Rules of Court (Cap. 322, R 5) to committal proceedings before a tribunal.

[S 545/2017 wef 01/10/2017]

[S 710/2019 wef 01/11/2019]

Definitions

3. In these Rules, unless the context otherwise requires —

“ACRA” means the Accounting and Corporate Regulatory Authority established under section 3 of the Accounting and Corporate Regulatory Authority Act (Cap. 2A);

“appropriate Form”, in relation to any purpose for which a specific form is required to be used, means the current version of the specific form for that purpose set out on the Internet website of the electronic system or in the practice directions;

[S 710/2019 wef 01/11/2019]

“CorpPass” means the identity authentication service, known as Singapore Corporate Access, by which an entity authenticates its identity in order to carry out an online transaction with the Government or a statutory board;

“CorpPass credential” means any username, password or 2-factor authentication detail required to authenticate, using CorpPass, the identity of an entity;

“electronic system” means the electronic filing and case management system established under rule 8A(1);

[Deleted by S 710/2019 wef 01/11/2019]

“messaging system” means any system that enables the transmission of short text messages or electronic mail —

(a) from a digital mobile telephone to another digital mobile telephone; or

(b) from an electronic mail address to a digital mobile phone, and the other way around;

“practice directions” means the practice directions issued by the Registrar under rule 4A;

“SingPass” means the identity authentication service, known as Singapore Personal Access, by which an individual authenticates the individual’s identity in order to carry out an online transaction with the Government or a statutory board;

“SingPass credential” means any username, password or 2-factor authentication detail required to authenticate, using SingPass, the identity of an individual.

[S 321/2017 wef 10/07/2017]

Forms and documents

4.—(1) Every form or document relating to proceedings before a tribunal must be submitted through the electronic system, unless —

- (a) it is a claim; or
- (b) the Registrar directs otherwise.

[S 710/2019 wef 01/11/2019]

(2) For the purposes of section 15(6) of the Act, the Registrar may permit a claim to be lodged by submitting the claim through the electronic system.

(3) Every form must contain such particulars, and be accompanied by such documents, as may be specified by the tribunal, by the Registrar or in the form.

[S 710/2019 wef 01/11/2019]

(4) Any form set out in the electronic system or the practice directions may be used in any particular case with such variations as the circumstances of that case require.

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

Practice directions

4A. The Registrar may issue practice directions for the purposes of these Rules, and for any proceedings to which these Rules relate.

[S 321/2017 wef 10/07/2017]

PART II**REGISTRY OF TRIBUNALS****Registry**

5. The Registry is under the control and supervision of the Registrar.

[S 710/2019 wef 01/11/2019]

Office hours

6. The registry of every tribunal shall be open at the same times and on the same days as the Registry of the State Courts.

[S 129/2014 wef 07/03/2014]

Records

7.—(1) The Registrar must keep the records of all proceedings under the Act, including the documents filed or tendered by parties to those proceedings.

[S 710/2019 wef 01/11/2019]

(2) The record required by this rule shall be kept in such manner and form as the Registrar may determine.

[S 710/2019 wef 01/11/2019]

Searches

8.—(1) After an order has been made under section 35 of the Act in any proceedings, any person may, with the leave of the Registrar and on payment of the prescribed fee, search or inspect the record relating to those proceedings, and take a certified copy of the record or any part of it.

[S 710/2019 wef 01/11/2019]

(2) Any person aggrieved by any decision of the Registrar under paragraph (1) may appeal to a tribunal, and the tribunal may confirm, reverse or vary the decision of the Registrar.

[S 710/2019 wef 01/11/2019]

(3) Despite paragraph (1) —

- (a) a party to any proceedings under the Act may, at any time, without the Registrar's leave but on payment of the prescribed fee, search or inspect the record relating to those proceedings, and take a certified copy of the record or any part of it; and
- (b) the Registry may make available for public search without charge such information on proceedings under the Act as the Registry thinks fit, and any person may search for such information without the Registrar's leave.

[S 710/2019 wef 01/11/2019]

(4) *[Deleted by S 710/2019 wef 01/11/2019]*

PART IIA

ELECTRONIC SYSTEM

[S 321/2017 wef 10/07/2017]

Electronic system

8A.—(1) An electronic filing and case management system is established for the tribunals.

(2) The purposes of the electronic system are as follows:

- (a) to facilitate the submission of forms and documents;

[S 710/2019 wef 01/11/2019]

- (b) to facilitate the service of documents;

- (c) to facilitate the settlement of disputes, the conduct of a consultation before the Registrar, and the conduct of proceedings before a tribunal, by electronic means.

(3) The practice directions may provide guidance on the following matters:

- (a) the types of consultation that the Registrar may, under section 18 of the Act, permit to be conducted through the electronic system;
- (b) the types of proceedings that a tribunal may, under section 25 of the Act, permit to be conducted through the electronic system;
- (c) the practice and procedure for the use of the electronic system, and any matters incidental or relating to such practice and procedure.

[S 321/2017 wef 10/07/2017]

Authentication

8B.—(1) Subject to paragraph (3), an individual must authenticate the individual's identity using SingPass in order to access the electronic system to carry out an online transaction involving the individual.

(2) Subject to paragraph (3), a person, who is authorised by an entity to carry out through the electronic system an online transaction involving the entity, must authenticate the identity of the entity using CorpPass in order to access the electronic system to carry out that transaction for the entity.

(3) The Registrar may, on application by a party that is unable to authenticate the party's identity using SingPass or CorpPass, issue the party with a username and a password to enable the party to access the electronic system to carry out an online transaction involving the party.

(4) A party that is issued a username and a password under paragraph (3) —

- (a) must ensure the confidentiality and security of the username and password; and
- (b) must not —
 - (i) divulge the username and password to any other person; or

- (ii) permit any other person to use the username and password.

(5) An individual must not facilitate the use, by any other person, of the individual's SingPass credentials to access the electronic system.

(6) An entity must not facilitate the use, by any unauthorised person, of the CorpPass credentials of the entity to access the electronic system.

[S 321/2017 wef 10/07/2017]

Information on party

8C. Every party to proceedings before a tribunal must —

- (a) enter, through such means as may be provided by the electronic system for the recording of information on the party's profile, such information on the party as the electronic system may require; and
- (b) if there is any change to that information, update that information by entering, through such means as may be provided by the electronic system, the details of the change.

[S 321/2017 wef 10/07/2017]

Time of lodging of claim, or filing of form or document, submitted through electronic system

8D.—(1) If a claim is submitted through the electronic system, the claim is treated as lodged on the date and at the time the first part of the transmission of the claim is received in the electronic system.

(2) Despite paragraph (1), where the submission of a claim through the electronic system is unsuccessful or delayed because of a failure or inability of the electronic system to transmit or process the claim, the Registrar may —

- (a) on the application of the claimant (or a representative of the claimant), make an order for the claim to be treated as lodged on an earlier date than that on which the first part of the transmission of the claim is actually received in the electronic system; and

(b) in the case of an unsuccessful submission, require the claim to be resubmitted through the electronic system.

(3) Every application under paragraph (2)(a) must be accompanied by proof, to the satisfaction of the Registrar, of the matters relied on to support the application.

(4) If a form or document (other than a claim) is submitted through the electronic system, the form or document is treated as filed on the date and at the time the first part of the transmission of the form or document is received in the electronic system.

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

[S 710/2019 wef 01/11/2019]

Time of service of document through electronic system

8E.—(1) Where the Registrar gives to a claimant, a respondent, or a person specified in section 19(1)(b)(ii) of the Act, a notice under rule 13(1) through the electronic system, the notice is treated as served on the claimant, respondent or person (as the case may be) 24 hours after the time the Registrar sends the notice to the claimant, respondent or person (as the case may be) through the electronic system.

(2) Except as provided in paragraph (1), after the Registrar has notified a party to any proceedings before a tribunal that the party has been given the right to access the electronic system to view any document served on the party in relation to those proceedings —

- (a) any document required to be served on the party in relation to those proceedings may be served on the party by submitting that document through the electronic system; and
- (b) that document is treated as served on the party 24 hours after the time that document is treated under rule 8D as filed.

[S 321/2017 wef 10/07/2017]

Negotiation through electronic system

8F. The parties to any proceedings before a tribunal may use the negotiation module in the electronic system to facilitate a settlement acceptable to all of those parties.

[S 321/2017 wef 10/07/2017]

PART III**CLAIMS, COUNTERCLAIMS AND RELATED MATTERS**

[S 710/2019 wef 01/11/2019]

[S 321/2017 wef 10/07/2017]

Claim

9. A claim —

- (a) must be made in the appropriate Form; and
- (b) must be lodged together with the documents (if any) supporting the claim, unless otherwise allowed by the Registrar.

[S 710/2019 wef 01/11/2019]

Lodging of counterclaim against claimant

10.—(1) Every counterclaim shall be made in the appropriate Form and shall be lodged before an order has been made by the tribunal in respect of the claim.

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

(2) A counterclaim must be lodged together with the documents (if any) supporting the counterclaim, unless otherwise allowed by the Registrar.

[S 710/2019 wef 01/11/2019]

(3) Where a counterclaim is lodged in accordance with this rule, the Registrar shall fix the counterclaim together with the claim for consultation or hearing, whichever is pending.

(4) A counterclaim may be proceeded with notwithstanding that an order is given in favour of the claimant or that the claim is stayed, discontinued, dismissed or settled.

(5) Where a claimant and respondent establish their claim and counterclaim, respectively, and there is a balance in favour of one of the parties, the tribunal may make an order as regards the balance.

(6) These Rules apply to a counterclaim as they apply to a claim, with the following modifications:

- (a) a reference in these Rules to a claimant is a reference, where appropriate, to the person who makes the counterclaim;
- (b) a reference in these Rules to a respondent is a reference, where appropriate, to the person against whom the counterclaim is made.

[S 710/2019 wef 01/11/2019]

11. [Deleted by S 710/2019 wef 01/11/2019]

Amendment of documents

11A.—(1) [Deleted by S 710/2019 wef 01/11/2019]

(2) [Deleted by S 710/2019 wef 01/11/2019]

(3) A tribunal or the Registrar may, at any stage of the proceedings and on the application of a party in the appropriate Form, allow that party to amend that party's claim or counterclaim (as the case may be) in such manner as the tribunal or Registrar may direct.

(4) [Deleted by S 710/2019 wef 01/11/2019]

(5) A tribunal may on its own motion or on the application of a party in the appropriate Form, correct any clerical mistake, or error arising from an accidental slip or omission, in an order of a tribunal or the Registrar.

(6) The Registrar may on its own motion or on the application of a party in the appropriate Form, correct any clerical mistake, or error arising from an accidental slip or omission, in an order of the Registrar.

[S 321/2017 wef 10/07/2017]

Withdrawal of claim or counterclaim

11B.—(1) A claimant may withdraw his claim, and a respondent may withdraw his counterclaim, by filing the appropriate Form with the Registry.

(2) The fact that a party has withdrawn a claim or counterclaim is not a defence to a subsequent action for the same, or substantially the same, cause of action.

[S 710/2019 wef 01/11/2019]

PART IIIA

[Deleted by S 321/2017 wef 10/07/2017]

PART IIIB

[Deleted by S 321/2017 wef 10/07/2017]

PART IV**COMMUNICATION, SERVICE OF DOCUMENTS AND
ISSUANCE OF NOTICES**

[S 321/2017 wef 10/07/2017]

Communication between Registrar and party

12.—(1) The Registrar may communicate with any party (or representative of a party) —

- (a) through the electronic system;
- (b) by sending electronic mail to an electronic mail address designated by that party (or representative);
- (c) through any messaging system that is agreed between the Registrar and that party (or representative); or
- (d) by any other means that is agreed between the Registrar and that party (or representative).

(2) Where any party (or representative of a party) agrees to communicate with the Registrar by a means of communication

mentioned in paragraph (1), that party (or representative) must monitor that means of communication for any communication from the Registrar to that party (or representative), until the conclusion of the proceedings involving that party (or representative).

[S 321/2017 wef 10/07/2017]

Service of documents

12A.—(1) Any document that is to be served on any person in any proceedings before a tribunal or the Registrar must be served —

- (a) by delivering that document personally to that person;
- (b) by sending that document by registered post addressed to that person at —
 - (i) that person’s last known residential address;
 - (ii) that person’s registered address; or
 - (iii) the address of that person’s principal place of business, as notified to ACRA; or
- (c) if that person is a party to those proceedings, and has been notified by the Registrar of that person’s right to access the electronic system to view any document served on that person in relation to those proceedings — as an alternative to serving that document in accordance with sub-paragraph (a) or (b) — by submitting the document through the electronic system.

(2) Despite paragraph (1), a tribunal or the Registrar may, in any particular case, order that a document be served on a person by any other means that the tribunal or Registrar considers proper.

[S 321/2017 wef 10/07/2017]

(3) In proving service of any document sent by registered post to any person in accordance with paragraph (1)(b), it is sufficient to prove that the envelope containing the document was properly addressed to that person, stamped and posted by registered post.

[S 710/2019 wef 01/11/2019]

(4) Service of a document sent by registered post in accordance with paragraph (1)(b) takes effect at the time when the document

would in the ordinary course of post be delivered (even if the document is returned undelivered).

[S 710/2019 wef 01/11/2019]

PART IVA
HEARING OF CLAIMS
AND RELATED MATTERS

[S 710/2019 wef 01/11/2019]

Consultation

13.—(1) Where a claim is lodged in accordance with section 15 of the Act, the Registrar shall —

- (a) fix a time and place for consultation in accordance with section 17(1) of the Act; and
- (b) give notice in the appropriate Form of the time and place of consultation so fixed to the claimant, respondent, and every person specified in section 19(1)(b)(ii) of the Act.

[S 710/2019 wef 01/11/2019]

(2) The Registrar may give the notice under paragraph (1) through the electronic system or by any other means that the Registrar considers proper.

(3) The Registrar may from time to time adjourn the consultation on such conditions as he thinks just.

(4) The Registrar may, as part of the consultation, fix a time and place for the mediation of the dispute between the parties under section 18A of the Act.

[S 710/2019 wef 01/11/2019]

(5) The Registrar may permit the mediation to be conducted —

- (a) through the electronic system; or
- (b) by any other electronic means.

[S 710/2019 wef 01/11/2019]

(6) [*Deleted by S 710/2019 wef 01/11/2019*]

[S 710/2019 wef 01/11/2019]

Notice of hearing

14.—(1) Each of the notices mentioned in section 19(1)(a) and (b) of the Act must be in the appropriate Form.

[S 710/2019 wef 01/11/2019]

(2) A copy of the claim shall be attached by the Registrar to every notice under paragraph (1) other than that which is given to the claimant.

(3) *[Deleted by S 710/2019 wef 01/11/2019]*

Representation before tribunal

14A. An application for a tribunal's or the Registrar's approval for an individual to present the case of another individual specified in section 23(2)(g), (h) or (i) of the Act must be made in the appropriate Form.

[S 710/2019 wef 01/11/2019]

Continuation of hearing by another tribunal magistrate

14B.—(1) If a tribunal magistrate who commenced the hearing of a claim is unable to complete the hearing, the Presiding Judge of the State Courts may nominate another tribunal magistrate to continue the hearing.

(2) The tribunal magistrate who continues the hearing may, in the interest of justice and without material prejudice to the parties to the proceedings —

(a) act on the evidence recorded by his predecessor or recorded partly by his predecessor and partly by himself; or

(b) start the hearing again by summoning the witnesses.

(3) When there is a change of tribunal magistrate, any party to the proceedings may apply for a witness to be summoned and heard again and the tribunal magistrate must allow the application unless —

(a) the witness is dead, cannot be found, is incapable of giving evidence, is kept out of the way by the party making the application, or cannot be brought to court without unreasonable delay or expense; or

- (b) the tribunal magistrate believes that the application is frivolous, vexatious or made for the purpose of delaying the proceedings.

[S 710/2019 wef 01/11/2019]

PART V

SETTING ASIDE ORDER

Application to set aside order obtained in default of appearance

15.—(1) An application under section 41(1) of the Act to set aside a tribunal's or the Registrar's order must be made in the appropriate Form within the period specified in section 41(2) of the Act.

[S 710/2019 wef 01/11/2019]

(2) [*Deleted by S 710/2019 wef 01/11/2019*]

(3) Where the application is lodged in accordance with section 41(1) of the Act and this rule, the Registrar shall —

- (a) fix a time and place for the hearing of the application; and
- (b) give notice in the appropriate Form of the hearing so fixed to the applicant, respondent, and every person specified in section 19(1)(b)(ii) of the Act.

[S 342/2006 wef 15/06/2006]

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

(4) A copy of the application shall be attached by the Registrar to every notice under paragraph (3) other than that which is given to the applicant.

(5) The tribunal may from time to time adjourn the hearing of the application on such conditions as it thinks just.

(6) Where the order of the Registrar or a tribunal to which an application under section 41(1) of the Act refers is set aside, the tribunal may proceed to achieve a settlement, or to hear the claim or

counterclaim as provided in these Rules, or to make any order or direction as it thinks just.

[S 342/2006 wef 15/06/2006]

[S 710/2019 wef 01/11/2019]

(7) Where a party who has made an application under section 41(1) of the Act to set aside an order of the Registrar or a tribunal which was made in default of his appearance does not appear at the hearing of his application to set aside the order —

- (a) the tribunal may dismiss the application and make such orders or ancillary directions as in its opinion are just and expedient; and
- (b) the party who made the application shall be precluded from making any further application under section 41(1) of the Act to set aside any order of the Registrar or a tribunal made in the course of any proceedings relating to the claim.

[S 342/2006 wef 15/06/2006]

PART VI

WITNESSES

Summons to witness

16. A tribunal or the Registrar may, on the tribunal's or the Registrar's own initiative or at the request of any party to the proceedings before the tribunal, by a summons in the appropriate Form, summon any person —

- (a) to attend before the tribunal at the time and place specified in the summons;
- (b) to give evidence at the hearing; and
- (c) to produce to the tribunal such documents in his possession or control as are specified in the summons.

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

Service of summons to witness

17.—(1) Every summons issued under rule 16 shall be served on the person to whom it is directed, either by personally delivering it to him or, if he refuses to accept it, by bringing it to his attention, or by sending the summons by registered post in the manner specified in rule 12A(1)(b), within a reasonable time before the time specified in the summons for his attendance.

[S 710/2019 wef 01/11/2019]

(1A) A summons must not be served on any person outside Singapore.

[S 710/2019 wef 01/11/2019]

(1B) A tribunal or the Registrar may direct a party who served a summons to file a declaration of service in the appropriate Form.

[S 710/2019 wef 01/11/2019]

(2) The obligation on a witness summoned under rule 16 to attend any hearing shall extend to any time and place to which the hearing may be adjourned.

18. *[Deleted by S 710/2019 wef 01/11/2019]*

PART VII**ORDERS UNDER SECTION 35 OF ACT AND RELATED MATTERS**

[S 710/2019 wef 01/11/2019]

Variation of work order

19. An application for the variation of a work order must be made in the appropriate Form to a tribunal within 30 days (or such longer period as the tribunal may allow) after the date specified in the work order for the completion of the work specified in the work order.

[S 710/2019 wef 01/11/2019]

Costs

19A.—(1) The following factors are relevant to a tribunal's determination as to whether to make an order of costs under section 35(1)(f) of the Act in any proceedings:

- (a) whether the claim or counterclaim, or any part of it, in the proceedings was frivolous, vexatious or otherwise an abuse of the process of the tribunal;
- (b) whether a party to the proceedings failed, without reasonable excuse, to attend any consultation, mediation, conciliation or other proceedings which that party was requested or required to attend under the Act;
- (c) the conduct of the parties to the proceedings in relation to any attempt to resolve the dispute between them by mediation.

(2) Where the Registrar is empowered under the Act to make an order under section 35 of the Act in any proceedings, any costs that the Registrar orders under section 35(1)(f) of the Act in favour of a party to the proceedings must not exceed the disbursements incurred by that party under the Act.

(3) Paragraph (2) does not affect the Registrar's power under section 17(2) of the Act to make an order under section 35 of the Act to give effect to the terms of a settlement agreed to by the parties to a dispute.

(4) Any costs ordered under section 35(1)(f) of the Act must be paid within 7 days after the date of the order, unless a tribunal or the Registrar directs otherwise.

[S 710/2019 wef 01/11/2019]

Satisfaction of debt

20.—(1) Any person who has satisfied a judgment debt may, on filing the consent of the judgment creditor, apply in the appropriate Form to a tribunal or the Registrar for the satisfaction of the debt to be recorded, and the tribunal or the Registrar may order the satisfaction to be recorded accordingly.

(2) If the judgment creditor refuses or neglects to give such consent when requested, or cannot be found, the judgment debtor may apply in the appropriate Form to a tribunal or the Registrar for an order that the satisfaction be recorded.

(3) An application under paragraph (2) must be served on the judgment creditor at least 2 days before the hearing of the application, unless a tribunal or the Registrar orders otherwise.

(4) If, on hearing an application under paragraph (2), a tribunal or the Registrar is satisfied that the judgment debt has been satisfied and that the judgment creditor has no reasonable ground for refusing or neglecting to give such consent, the tribunal or the Registrar may order that the satisfaction be recorded and that the judgment creditor pay the costs of and incidental to the proceedings.

(5) In this rule —

“judgment creditor” means the person to whom a judgment debt is payable;

“judgment debt” means the sum of money that a person is ordered to pay under section 35(1) of the Act;

“judgment debtor” means the person who is ordered to pay a judgment debt.

[S 710/2019 wef 01/11/2019]

PART VIIA

APPEALS TO SMALL CLAIMS TRIBUNAL AGAINST ORDERS OF REGISTRAR

Notice of appeal

20A.—(1) An appeal to the tribunal from an order made by the Registrar under section 17(3) of the Act shall be brought by filing with the Registrar a notice of appeal in the appropriate Form within one month after the date of the order.

[S 710/2019 wef 01/11/2019]

(2) The appellant must serve the notice of appeal on the respondent within 7 days after the date of filing of the notice.

[S 710/2019 wef 01/11/2019]

(3) An appeal under this rule does not operate as a stay of the proceedings in which the appeal is brought, unless a tribunal or the Registrar orders otherwise.

[S 710/2019 wef 01/11/2019]

20B. *[Deleted by S 710/2019 wef 01/11/2019]*

Registrar to fix time and place for hearing of appeal

20C. Upon an appellant having filed a notice of appeal in accordance with rule 20A, the Registrar shall —

- (a) assign a number to the notice of appeal and enter the appeal on the list of appeals;
- (b) fix a time and place for the hearing of the appeal; and
- (c) give notice in the appropriate Form of the hearing of the appeal to the appellant, the respondent and any other person who appears to the Registrar to have a sufficient interest in the settlement of the dispute to which the claim relates.

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

[S 710/2019 wef 01/11/2019]

Adjournment of hearing of appeal

20D. The tribunal may from time to time adjourn the hearing of the appeal on such conditions as it thinks just.

Where appeal is allowed by tribunal

20E. Where an appeal against an order made by the Registrar under section 17(3) of the Act is allowed by the tribunal, the tribunal may proceed to achieve a settlement, or to hear the claim or counterclaim as provided by the Act and these Rules, or to make any order or direction as it thinks just.

[S 710/2019 wef 01/11/2019]

PART VIIB

APPLICATION FOR LEAVE TO APPEAL TO GENERAL
DIVISION OF HIGH COURT

[S 1040/2020 wef 02/01/2021]

[S 74/2006 wef 15/02/2006]

Leave to appeal under section 38(1A) of Act

20F.—(1) An application for leave under section 38(1A) of the Act to appeal against any order of a tribunal shall be made to a District Court in the appropriate Form.

[S 321/2017 wef 10/07/2017]

[S 710/2019 wef 01/11/2019]

(2) The appellant must file his application for leave to appeal with the Registrar within 14 days after the date on which the order being appealed from was made.

[S 710/2019 wef 01/11/2019]

(3) The applicant must serve the application on the respondent within 14 days after the date of filing of the application.

[S 710/2019 wef 01/11/2019]

20G. *[Deleted by S 710/2019 wef 01/11/2019]*

Registrar to fix time and place for hearing of leave to appeal

20H. Upon the filing of an application under rule 20F for leave to appeal, the Registrar shall —

(a) *[Deleted by S 710/2019 wef 01/11/2019]*

(b) fix a time and place for the hearing of the application; and

[S 710/2019 wef 01/11/2019]

(c) give notice in the appropriate Form of the hearing of the application to the applicant and the respondent.

[S 710/2019 wef 01/11/2019]

[S 710/2019 wef 01/11/2019]

Hearing of application for leave to appeal

20I.—(1) If a party to an application under rule 20F fails, without reasonable excuse, to attend the hearing of the application before a District Court, the District Court may proceed to hear and determine the application in the absence of that party.

(2) When a District Court refuses an application under rule 20F, the District Court may order the applicant to pay costs not exceeding \$1,000 to the respondent or, where there is more than one respondent, to each of the respondents.

(3) When a District Court decides an application under rule 20F, the Registrar must give notice of the decision to the applicant and respondent in the appropriate Form.

[S 710/2019 wef 01/11/2019]

Withdrawal of application for leave to appeal

20J.—(1) An applicant under rule 20F may, without the leave of a District Court, withdraw his application at any time before the application is served on the respondent, by filing the appropriate Form with the Registry.

(2) Where the application is served on the respondent, the applicant may withdraw the application —

(a) with the consent of the respondent and without the leave of a District Court, by filing the respondent's written consent with the Registry; or

(b) in any other case, with the leave of a District Court.

(3) When granting leave under paragraph (2)(a), a District Court may make such order as to costs as it thinks just.

[S 710/2019 wef 01/11/2019]

PART VIII**APPEALS TO GENERAL DIVISION OF HIGH COURT**

[S 1040/2020 wef 02/01/2021]

Notice of appeal

21.—(1) An appeal to the General Division of the High Court under section 38(1) of the Act against an order of a tribunal must be brought by filing with the Registrar a notice of appeal in the appropriate Form within one month after the date on which leave to bring that appeal is given under section 38(1A) of the Act.

[S 710/2019 wef 01/11/2019]

[S 1040/2020 wef 02/01/2021]

(2) Notice of appeal may be given either in respect of the whole or in respect of any specified part of the order of the tribunal.

(3) Every such notice shall state the whole or part only, and what part, of the order is complained of, and contain an address for service.

[S 710/2019 wef 01/11/2019]

(4) The Registrar shall assign a number to the notice of appeal and enter the appeal on the list of appeals.

(5) The appellant must serve the notice of appeal on the respondent (or the respondent's solicitors) within 7 days after the date of filing of the notice.

[S 710/2019 wef 01/11/2019]

21A. *[Deleted by S 710/2019 wef 01/11/2019]*

22. *[Deleted by S 710/2019 wef 01/11/2019]*

23. *[Deleted by S 710/2019 wef 01/11/2019]*

Record of proceedings

24.—(1) When a notice of appeal has been filed, the tribunal magistrate who made the order shall certify in writing the grounds of the order; but delay or failure so to certify shall not prevent the appellant from proceeding with his appeal.

[S 710/2019 wef 01/11/2019]

(2) As soon as possible after notice of appeal has been filed, the Registrar shall cause to be served on the appellant at the appellant's address for service specified in the notice of appeal a notice that a copy of the record of proceedings is available.

[S 710/2019 wef 01/11/2019]

(3) The record of proceedings shall consist of a certified copy of the grounds of the order and a certified copy of the notes of proceedings taken at the hearing of the claim or counterclaim.

Appellant's case

25.—(1) An appellant who intends to proceed with his appeal must, within 21 days after the appellant is served the notice on the record of proceedings mentioned in rule 24(2) —

- (a) file with the Registrar the appellant's case in the appropriate Form; and
- (b) serve a copy of the appellant's case on the respondent.

(2) Except with the leave of the General Division of the High Court, the appellant cannot rely on any ground of appeal at the hearing of the appeal other than those set out in the appellant's case.

[S 1040/2020 wef 02/01/2021]

(3) If the appellant's case is not filed and served within the time specified in paragraph (1), or within such extended time as may be given by the General Division of the High Court, the appeal is deemed to have been withdrawn.

[S 1040/2020 wef 02/01/2021]

[S 710/2019 wef 01/11/2019]

Security for costs

26.—(1) An appellant must, at the time of filing the appellant's case —

- (a) provide security for the respondent's costs (or where there is more than one respondent, each respondent's costs) of the appeal in the sum of \$500 by submitting the appropriate Form to, and depositing that sum with, the Accountant-General; and
- (b) obtain from the Accountant-General a certificate of deposit of security for costs.

(2) The General Division of the High Court may at any time, in any case where it thinks fit, order further security for costs to be given.

[S 1040/2020 wef 02/01/2021]

(3) Where the appeal is deemed to be withdrawn under rule 25(3), a party to the appeal may apply, in the appropriate Form, for the sum deposited as security for costs under this rule to be paid out to that party.

[S 710/2019 wef 01/11/2019]

Respondent's case

27.—(1) A respondent (to an appeal against an order of a tribunal) who intends to contest the appeal must, within 14 days after service of the appellant's case on the respondent —

- (a) file with the Registrar the respondent's case in the appropriate Form; and
- (b) serve a copy of the respondent's case on the appellant and every other respondent to the appeal.

(2) Except with the leave of the General Division of the High Court, a respondent is not entitled, on the hearing of the appeal, to —

- (a) contend that the order of the tribunal should be varied upon any ground not specified in the respondent's case;
- (b) apply for any relief not specified in the respondent's case; or
- (c) support the order of the tribunal on any ground not relied upon by that tribunal or specified in the respondent's case.

[S 1040/2020 wef 02/01/2021]

[S 710/2019 wef 01/11/2019]

Record of appeal

28.—(1) The Registrar must, after the appellant's case and the respondent's case in an appeal are filed, prepare and transmit the record of appeal, together with the exhibits put in evidence at the hearing, to the Registrar of the Supreme Court and give notice to the parties to the appeal in the appropriate Form.

(2) The record of appeal must consist of a copy of each of the following:

- (a) the notice of appeal;
- (b) the certificate of deposit of security for costs;
- (c) the appellant's case;
- (d) the respondent's case (if any);
- (e) the record of proceedings described in rule 24(3);
- (f) the order appealed from;
- (g) the order of the District Court giving leave to appeal;
- (h) such other documents as are necessary for showing the matter decided and the nature of the appeal.

[S 710/2019 wef 01/11/2019]

Stay of execution pending appeal

28A. An application for the stay of a tribunal's order pending appeal under section 42 of the Act must be filed in the appropriate Form.

[S 710/2019 wef 01/11/2019]

Judgment or order on appeal to be sent to Registrar

29. Whenever an appeal is decided by the General Division of the High Court, the Registrar of the Supreme Court must send to the Registrar a certified copy of the judgment or order.

[S 1040/2020 wef 02/01/2021]

Enforcement of judgments of General Division of High Court

30. The taking of any steps for the execution or enforcement of an order of the tribunal which has been the subject-matter of an appeal shall be in accordance with the provisions of the Act.

[S 1040/2020 wef 02/01/2021]

PART IX
MISCELLANEOUS

[S 710/2019 wef 01/11/2019]

Fees

31.—(1) The fees specified in the Schedule are payable for proceedings and matters under the Act.

(2) A fee specified in the Schedule must be paid to the Registry by the relevant person specified in the Schedule —

(a) at the time specified in the Schedule for the payment of that fee or, where no time is specified in the Schedule, at such time as the Registrar directs; and

(b) in such manner as the Registrar directs.

(3) Despite paragraph (2), the Registrar may, in any proceedings and on such terms as the Registrar thinks fit —

(a) waive or defer the payment of the whole or part of any fee;

(b) refund the whole or part of any fee paid; or

(c) direct that the whole or part of any fee to be paid by any party to the proceedings be paid instead by such other party to the proceedings, or be apportioned among all or such of the parties to the proceedings, as the Registrar determines.

(4) Any party requesting a refund under paragraph (3)(b) must make a request in the appropriate Form to the Registrar within one month (or such longer period as the Registrar may allow) after the date on which the reason for the refund arose.

[S 710/2019 wef 01/11/2019]

Extension and abridgement of time

32.—(1) A tribunal or the Registrar may, on such terms as the tribunal or the Registrar thinks just, by order extend or abridge the period within which a person is required or authorised by these Rules, or by any direction or order of a tribunal or the Registrar, to do any act in any proceedings before a tribunal.

(2) A tribunal or the Registrar may extend the period mentioned in paragraph (1) despite that the application for the extension is not made until after the expiration of that period.

(3) The period within which a party is required or authorised by these Rules, or by any direction or order of a tribunal or the Registrar, to serve, file or amend any claim or other document in the proceedings may be extended by consent (given in writing) of the other party to the proceedings without an order of a tribunal or the Registrar being made for that purpose, unless a tribunal or the Registrar directs otherwise.

(4) This rule does not apply to any of the following periods:

- (a) the period under rule 20A for filing or serving a notice of appeal to a tribunal;
- (b) the period under rule 20F for filing or serving an application for leave to appeal to the General Division of the High Court;

[S 1040/2020 wef 02/01/2021]

- (c) the period under rule 21 for filing or serving a notice of appeal to the General Division of the High Court;

[S 1040/2020 wef 02/01/2021]

- (d) the period under rule 25 for filing or serving an appellant's case;

- (e) the period under rule 27 for filing or serving a respondent's case.

[S 710/2019 wef 01/11/2019]

Compliance with practice directions

33. Every document filed, or to be filed, with the Registrar or the Registry must comply with such requirements and contain such information and particulars of parties or other persons as may be specified in any practice directions for the time being issued by the Registrar.

[S 710/2019 wef 01/11/2019]

Effect of non-compliance

34. Where, in any proceedings before a tribunal or the Registrar, there has been a failure to comply with any requirement of these Rules, the failure is to be treated as an irregularity and does not nullify the proceedings, any step taken in the proceedings, or any direction or order given by the tribunal or the Registrar, unless otherwise provided in these Rules or directed by the tribunal or the Registrar.

[S 710/2019 wef 01/11/2019]

Seal of State Courts

35. Every document issued by the Registry for an appropriate Form marked with the word “seal” must bear the seal of the State Courts.

[S 710/2019 wef 01/11/2019]

THE SCHEDULE

Rule 31(1) and (2)

FEEES

<i>No.</i>	<i>Item</i>	<i>Fee</i>	
		<i>Individual</i>	<i>Other entity</i>
1.	Claim or counterclaim — if total value of claim or counterclaim is —		
	(a) \$5,000 or below	\$10	\$50
	(b) above \$5,000 but does not exceed \$10,000	\$20	\$100
	(c) above \$10,000 but does not exceed \$30,000	1% of amount claimed	3% of amount claimed
	Payable by person lodging claim or counterclaim, at time of lodging claim or counterclaim		
2.	Notice of appeal to tribunal	\$20	\$20
	Payable by appellant, at time of filing notice		
3.	Application for leave to appeal to General Division of High Court	\$100	\$100

THE SCHEDULE — *continued*

<i>No.</i>	<i>Item</i>	<i>Fee</i>	
		<i>Individual</i>	<i>Other entity</i>
	Payable by applicant, at time of filing application		
4.	Notice of appeal to General Division of High Court	\$600	\$600
	Payable by appellant, at time of filing notice		
5.	Certificate of deposit of security for costs of appeal to General Division of High Court	\$10	\$10
	Payable by appellant, at time of issue of certificate		
6.	Search, inspection, etc., of records:		
	(a) request for certified copy of record of proceedings (or any part of it)	\$5 for each document in record	\$5 for each document in record
	(b) request for certified copy of notes of proceedings	\$5	\$5
	(c) request to search or inspect record	\$5	\$5
	Payable by person making request, at time of filing request		

[S 1040/2020 wef 02/01/2021]

[S 710/2019 wef 01/11/2019]

[G.N. Nos. S 21/85; S 454/92; S 32/93; S 320/97]

LEGISLATIVE HISTORY
SMALL CLAIMS TRIBUNALS RULES
(CHAPTER 308, R 1)

This Legislative History is provided for the convenience of users of the Small Claims Tribunals Rules. It is not part of these Rules.

- 1. G. N. No. S 21/1985 — Small Claims Tribunals Rules 1984**
Date of commencement : 25 January 1985
- 2. 1990 Revised Edition — Small Claims Tribunals Rules**
Date of operation : 25 March 1992
- 3. G. N. No. S 454/1992 — Small Claims Tribunals (Amendment) Rules 1992**
Date of commencement : 1 November 1992
- 4. G. N. No. S 32/1993 — Small Claims Tribunals (Amendment) Rules 1993**
Date of commencement : 1 March 1993
- 5. G. N. No. S 320/1997 — Small Claims Tribunals (Amendment) Rules 1997**
Date of commencement : 15 July 1997
- 6. 1998 Revised Edition — Small Claims Tribunals Rules**
Date of operation : 1 March 1998
- 7. G. N. No. S 74/2006 — Small Claims Tribunals (Amendment) Rules 2006**
Date of commencement : 15 February 2006
- 8. G. N. No. S 342/2006 — Small Claims Tribunals (Amendment No. 2) Rules 2006**
Date of commencement : 15 June 2006
- 9. G. N. No. S 129/2014 — Small Claims Tribunals (Amendment) Rules 2014**
Date of commencement : 7 March 2014
- 10. G. N. No. S 321/2017 — Small Claims Tribunals (Amendment) Rules 2017**
Date of commencement : 10 July 2017

**11. G. N. No. S 545/2017 — Small Claims Tribunals (Amendment No. 2)
Rules 2017**

Date of commencement : 1 October 2017

12. G.N. No. S 710/2019 — Small Claims Tribunals (Amendment) Rules 2019

Date of commencement : 1 November 2019

**13. G.N. No. S 1040/2020 — Small Claims Tribunals (Amendment)
Rules 2020**

Date of commencement : 2 January 2021