



MEDIA RELEASE

Small Claims Tribunals to Accept Higher Value Claims from 1 November 2019

More Parties to Benefit from the Tribunals' Expanded Jurisdiction and Enhanced Processes

1 November 2019

1 From 1 November 2019, parties can file a claim of up to \$20,000 at the State Courts' Small Claims Tribunals (SCT). The increased claim limit for claims filed at the SCT is one of the amendments made to the SCT Act to provide greater access to justice.

2 The details of the key amendments to the SCT Act that take effect from 1 November 2019 are as follows.

A) Increased Claim Limit

The default prescribed claim limit for small claims filed at the SCT is increased from \$10,000 to \$20,000. With the written consent of both parties, claims of up to \$30,000 can be filed. This extended claim limit was previously set at \$20,000.

B) Increased Limitation Period

Claims can now be filed within two years after the date on which the cause of action accrued. This applies to claims that accrued on or after 1 November 2018. The limitation period was previously one year from the date on which the cause of action accrued.

C) Unfair Practice Hire-Purchase Claims

Claims under a hire-purchase agreement can be heard at the SCT. Such claims must relate to an unfair practice as defined under section 4 and the Second Schedule of the Consumer Protection (Fair Trading) Act.

D) Powers to Direct Parties to Attend Mediation

The Registrar of the SCT or a Tribunal may direct parties to attend mandatory mediation at the Community Mediation Centre, or before any person.

E) Powers of the District Court to Send SCT Cases for Rehearing

When an application to appeal against a decision, direction or order of the Tribunal Magistrate is filed (Leave to Appeal), the District Court may send the case back to the same Tribunal Magistrate for reconsideration or order the case to be reheard by a different Tribunal Magistrate, if the application for leave to appeal to the High Court is refused and it is manifestly unjust for the original decision to stand as it is.

F) Additional Reliefs

The SCT may order a tenant who has not paid rent, other than to pay the outstanding rent, to vacate the property. The SCT is also empowered to order a party to pay the other party's costs of the proceedings, including in a situation of an abuse of process (frivolous or vexatious claims, or deliberate delays to the proceedings).

3 More details are set out in the annexes enclosed.

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Issued by: State Courts, Singapore
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Enclosed:

Annex A: An overview of the Amendments to the Small Claims Tribunals Act
Annex B: Small Claims Tribunals Process Flowchart
Annex C: Factsheet
Annex D: Translation of Key Terms

For further information or clarification, please contact:

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ABOUT THE SMALL CLAIMS TRIBUNALS

The Small Claims Tribunals (SCT) were established on 1 February 1985 to provide a quick and inexpensive forum for the resolution of small claims between consumers and suppliers.

The SCT has jurisdiction to hear specific types of claims of up to \$20,000, or \$30,000 with the written consent of both parties.

All claims are to be filed online via the Community Justice and Tribunals System (CJTS), which is the State Courts' online filing and case management system for community justice and tribunal matters. Claimants can access the CJTS 24/7 to file their claims, check the status of their cases, choose their hearing dates or use the online negotiation and mediation modules to reach an amicable settlement with the other party, without going to the SCT. Before filing a claim, the claimant will have to take an online pre-filing assessment to ensure that he is ready to proceed.

WHAT'S NEW

AT THE

SMALL CLAIMS TRIBUNALS

EXPANSION IN JURISDICTION



Increased Claim Limit

Parties may file a claim of up to \$20,000.



Increased Limitation Period

File a claim within 2 years.



File Unfair Practice Hire-purchase Claims

As defined under the Consumer Protection (Fair Trading) Act.

ENHANCEMENT OF CURRENT PROCESSES



More Case Management Options



Additional Reliefs



Attend Mandatory Mediation

Parties may be directed to attend mediation at the Community Mediation Centre.



Order for Delivery of Vacant Possession

The SCT may order a tenant who has not paid rent to vacate the property.



Reconsideration/ Rehearing of Cases

The District Court may order a case to be reheard by the same or a different Tribunal Magistrate.



Costs Order

The SCT may order a party to pay the other party's costs for the proceedings.

AN OVERVIEW: THE SMALL CLAIMS TRIBUNALS PROCESS



FACTSHEET

1. Increased Claim Limit

The tribunals will hear claims not exceeding **\$20,000**. This limit can be extended to **\$30,000** with the written consent of both parties.

Note:

- A claim cannot be split or divided into multiple claims to bring it within the Tribunals' jurisdiction
- If a claimant is filing a claim for one or more progress payments, e.g. a contractor who is paid in stages, the entire amount of the contract, and not just the amount of the progress payments, must be below the claim limit.
- There are no changes to the existing fees and rates. The fees for filing a claim are tiered with higher fees as the claim amount increases. The highest rate of fees applies to claims between \$20,000 and \$30,000.

Claim / Counterclaim Amount	Consumer	Non-consumer
Up to \$5,000	\$10	\$50
Between \$5,000 and \$10,000	\$20	\$100
More than \$10,000, up to \$20,000	1% of claim amount	3% of claim amount
More than \$20,000, up to \$30,000	1% of claim amount	3% of claim amount
<i>*Consent of both parties required.</i>		

2. Increased Limitation Period

Limitation period refers to the time within which a claim can be filed at the SCT. All claims must be filed within two years after the date on which the cause of action accrued, that is, the day the facts arose to enable a person to bring an action against another. Before the amendments, the limitation period was one year from the date on which the cause of action accrued.

Note:

- The amendments do not apply to claims that would have expired under the old Act. Only causes of action that accrued on or after 1 November 2018 (less than 1 year before the amendments) would benefit from the extended limitation period of 2 years.

Example 1:

A vacuum cleaner was purchased on 1 October 2018. It broke down because of a defect on 15 November 2018. A claim for this would have to be filed by 15 November 2020, 2 years after 15 November 2018.

Example 2:

Moving services were provided on 1 October 2018. Payment for the services was to be made by 8 October 2018, but no payment was made. A claim for payment would have to be filed by 8 October 2019, 1 year after the earliest date the claim could have been filed (9

October 2018), because the claim expired before the amendments came into effect on 1 November 2019.

Example 3:

A landlord was supposed to return a security deposit under a tenancy within 14 days after the termination of the tenancy. The tenancy ended on 17 October 2018 but the deposit was not refunded by 31 October 2018. A claim for the deposit would have to be filed by 1 November 2020, 2 years after the earliest date the claim could have been filed (1 November 2018), because the claim had not expired on 1 November 2019.

3. Types of Claims that May be Filed at the SCT:

The image displays six categories of claims, each with a red circular icon and a text label below it:

- Sale of Goods**: Icon of a shopping bag and a box.
- Unfair Practice Relating to Hire-purchase**: Icon of a calendar with a 'NEW' tag and a dollar sign.
- Provision of Services**: Icon of a folder with a wrench.
- Damage to Property**: Icon of a broken wooden cabinet.
- Lease of Residential Premises**: Icon of a document labeled 'TENANCY' with a pen.
- Statutory claims**: Icon of a book labeled 'CLAIMS' and a gavel.

Hire-purchase is a common way of purchasing consumer goods by way of instalments.

Note:

- There has to be a hire-purchase agreement between consumer and supplier.
- The claim must relate to an unfair practice as defined under the Consumer Protection (Fair Trading) Act (CPFTA).

CONSUMER PROTECTION (FAIR TRADING) ACT (CHAPTER 52A)

Examples of unfair practices:

- Representing that goods or services are of a particular standard, quality, grade, style, model, origin, weight, volume, length, capacity or method of manufacture (as the case may be) if they are not.
- Representing that goods are new or unused if they are not or if they have deteriorated or been altered, reconditioned or reclaimed.

- Representing that goods or services are available or are available for a particular reason, for a particular price, in particular quantities or at a particular time if the supplier knows or can reasonably be expected to know it is not so, unless the representation clearly states any limitation.

4. More Case Management Options

Powers to direct parties to attend mediation at Community Mediation Centre

The Registrar or a Tribunal may direct parties to attend mandatory mediation at the Community Mediation Centre, or before any person. This provides increased flexibility for claims to be resolved in a less acrimonious way and is in line with the SCT's objective to promote and facilitate the early settlement of disputes.

Powers of District Court to send SCT cases for reconsideration or rehearing

When an application to appeal against a decision, direction or order of the SCT is filed (Leave to Appeal), the District Court hearing the application for Leave to Appeal may send the case to the same Tribunal Magistrate for reconsideration or order the case to be re-heard by a different Tribunal Magistrate. This will only be allowed in limited cases where it is manifestly unjust to allow the original decision to stand.

Note:

- Applications for Leave to Appeal are only granted by a District Court when it concerns an issue of law or jurisdiction
- As part of the amendments to the SCTA, Referees of the Tribunals are renamed "Tribunal Magistrates" to better reflect their adjudication and case management roles

5. Common Types of Tribunal Orders



Money Order

An order for one party to pay the other party.



Work Order

An order for one party to perform specific works (commonly repairs).



Consent Order

An order recording terms of settlement between the parties.



Discontinuance Order

The SCT has found that the claim is not within its jurisdiction. A Discontinuance Order is not a decision on the merits of the case.



Order for Delivery of Vacant Possession

The SCT may now order a tenant who has not paid rent, other than to pay the outstanding rent, to vacate the property. The tenancy must be for residential premises and for a duration not exceeding two years.



Costs Order

A party is ordered to pay the other party's costs for the proceedings. Considerations in calculating costs include time expended to attend the hearing and related costs and expenses reasonably incurred. Cost orders can also be made in the most egregious of cases, where a party has been unusually disruptive, uncooperative or contemptuous.

Previously, the tribunal could only grant costs when it dismissed a claim considered frivolous or vexatious.

TRANSLATION OF KEY TERMS

ENGLISH	CHINESE	MALAY	TAMIL
State Courts	国家法院	Mahkamah Negara	அரசு நீதிமன்றங்கள்
Community Justice and Tribunals Division	社区司法与仲裁署	Bahagian Keadilan Masyarakat dan Tribunal	சமூக நீதி மற்றும் நடுவர் மன்றங்கள் பிரிவு
Small Claims Tribunals	小额索偿庭	Tribunal Tuntutan Kecil	சிறு கோரிக்கை நடுவர் மன்றங்கள்
Small Claims Tribunals Act	小额索偿庭法令	Akta Tribunal Tuntutan Kecil	சிறு கோரிக்கை நடுவர் மன்றங்கள் சட்டம்
e-Negotiation	电子协商	Rundingan-elektronik	மின்-கலந்துரையாடல்
e-Mediation	电子调解	Pengantaraan-elektronik	மின்-மத்தியஸ்தம்
Default Claim Limit	既定索偿限额	Had Tuntutan Tetap	இயல்புநிலை கோரிக்கை வரம்பு
Extended Claim Limit	经提高索偿限额	Had Tuntutan Lanjutan	நீட்டிக்கப்பட்ட கோரிக்கை வரம்பு
Memorandum of Consent	同意通函	Memorandum Kebenaran	உடன்படிக்கை குறிப்பு
Hire-Purchase	分期付款	Sewa-Beli	தவணைமுறைக் கொள்முதல்
Tribunal Order	庭令	Perintah Tribunal	நடுவர் மன்ற ஆணை
Leave to Appeal	请准上诉	Kebenaran Untuk Merayu	மேல்முறையீடு செய்ய அனுமதி