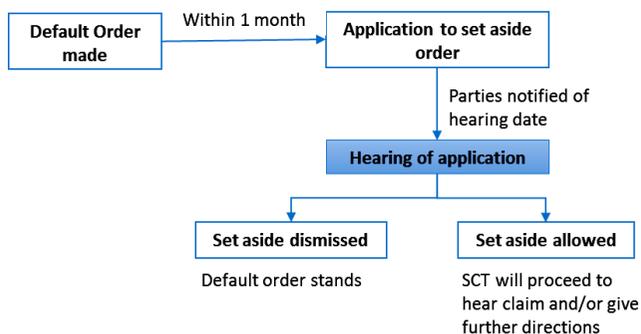


## Setting aside a default order

If you were absent when a default money order, work order or dismissal order was made against you, you may apply to have the order set aside by logging onto CJTS, and completing the e-service “**Set Aside Application**” under “**Online Applications**”.

The application must be made within **1 month** from the date the order was made. Parties will be notified in CJTS of the date for the hearing of the application.

**Note:** Filing of an application to set aside does not mean the order will be automatically set aside. A decision will be made at the hearing of the application along with such orders or directions as the Tribunal or the Registrar sees fit.



## Appeal against a Registrar's order

You may appeal to the Tribunal against a discontinuance order made by the Registrar or Assistant Registrar at the Consultation if you believe that the claim is within SCT's jurisdiction. You may file an appeal by completing the e-service “**Appeal Against Order of Registrar**” on CJTS and paying a fee of **S\$20**.

The application must be made within **1 month** from the date the order was made. Parties will be notified in CJTS of the date for the hearing of the application.

Where an appeal is allowed by the Tribunal, the Tribunal may proceed to hear the matter and make any order or direction as it thinks just.

An appeal does not operate as a stay of execution of the order appealed from. Enforcement proceedings can continue alongside appeal proceedings.

## Appeal against order of Tribunal

A Tribunal order is final and binding. An appeal lies to the High Court against a Tribunal order only on grounds involving: (i) a question of law; and/or (ii) that the claim was outside the Tribunals' jurisdiction. A lawyer can be appointed to represent you for appeal proceedings. All companies must be represented by a lawyer.

### Leave to appeal from District Court

Leave of the District Court is required for filing an appeal. You may apply for leave by completing the e-service “**Application for leave to appeal**” in CJTS within 14 days from the date the tribunal order was made. A District Court order granting or refusing leave is final.

### Appeals to the High Court

If leave is granted, you may file a notice of appeal at the SCT to commence appeal proceedings in the High Court. All further steps are set out in the Small Claims Tribunals Act (Cap. 308) and Rules. You may wish to seek legal advice on continuing with the High Court appeal. Some common **fees\*** for the appeal are stated below.

Application to District Court (DC) for leave to appeal	<b>S\$100</b>
Extracting sealed DC order for leave	<b>S\$50</b>
Notice of appeal	<b>S\$600</b>
Security deposit with Accountant-General for respondent's costs	<b>S\$500</b>
Other documents	<b>S\$10 each</b>

*\*excludes any legal fees, and costs that may be ordered by the High Court to be paid to the respondent if the appeal is dismissed.*

*Disclaimer: This brochure is produced for general information only and is not intended as substitution for legal advice. A lawyer should be consulted should you require legal advice on your case. The State Courts disclaim any and all liabilities arising from and in connection with the contents of this publication.*



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# Orders of the Small Claims Tribunals

Find out about the common types of orders made at the Small Claims Tribunals (SCT) and information on enforcement and appeals against such orders.

## Common types of orders

**Money order.** Where a money order is issued, one party must pay to another party the sum of money stated in the order by the due date, failing which the party entitled to be paid can start enforcement proceedings against the defaulting party.

**Work order.** A work order means an order to rectify a defect in goods or to make good any deficiency in the performance of services, by doing such work or attending to such matters as may be specified in the order, failing which the party entitled to the benefit of the order may commence enforcement proceedings.

**Consent Order.** A consent order can be issued where parties agree to settle some or all of the matters in dispute in the claim or proceedings during e-Negotiation, the Consultation, or the Hearing. The consent order records the terms of the parties' agreement.

**Discontinuance Order.** Where a discontinuance order is issued, it means that the SCT has found that the claim is not within its jurisdiction. SCT proceedings in respect of the discontinued claim will cease and the filing fees are not refundable. However, the claimant may still commence proceedings at another court forum.

**Default Order.** A default order is an order made in default of appearance. It is made where any party fails to appear or attend a scheduled case Consultation or Hearing at the SCT. A default order may be a **money order**, **work order**, or a **dismissal order**. Where a claimant fails to appear, the claim may be dismissed. Where a respondent fails to appear, a default money order or work order may be made against him/her.

## Before you enforce...

**Do consider** if it is worthwhile to pursue enforcing the order. You will have to spend time, effort and money to make the necessary applications to enforce the order and the outcome is **not guaranteed**.

**Do note** that the fees paid to the State Courts in enforcement proceedings are non-refundable. However, you may claim your expenses incurred for the enforcement proceedings from any monies recovered from the other party (if any).

Do conduct searches at the **Crimson Logic Service Bureau** (located at 133 New Bridge Road, #19-01/02, Chinatown Point, S059413) on the following:

1. Whether there are any enforcement proceedings against the respondent.
2. Whether the respondent has been adjudicated a bankrupt.
3. Whether winding up proceedings have commenced against the respondent or if it is already wound up, under a receivership, or in judicial management.

\*if you or the other party are involved in any bankruptcy, winding up, or judicial management proceedings, please seek legal advice on your available courses of action.

**Legal Advice.** The SCT does not provide legal advice. If you are uncertain of your legal position, you may wish to consult a lawyer. You may approach the Community Justice Centre (CJC) at State Courts, level 1, to arrange for free legal advice with a lawyer.

## Enforcement of work orders

If a party fails to comply with a work order, you may take steps to enforce it in CJTS by clicking and completing the e-service “**Request to enforce work order**” under “Online Applications”.

Parties will be notified of a date to attend a hearing before the Tribunal, who may vary the work order into a money order.

# Enforcement of money orders

If a party fails to pay or fails to comply with a **money order**, you may consider enforcing the order. The person applying to enforce an order is known as the "Judgment Creditor", the other party is known as the "Judgment Debtor". Enforcement comes under the Civil Justice Division of the State Courts. More information is available on the State Courts website, [www.statecourts.gov.sg](http://www.statecourts.gov.sg).

