
community

JUSTICE AND TRIBUNALS DIVISION



A Guide to Small Claims

Small Claims

Tribunals

The Small Claims Tribunals (SCT) of the State Courts resolve common types of low-value disputes in a quick and inexpensive way.

WHAT ARE THE TYPES OF DISPUTES WHICH CAN BE RESOLVED AT THE SCT?

The SCT can hear the following types of disputes:



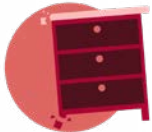
Disputes arising from a contract for the sale of goods



Disputes arising from a contract for the provision of services



Disputes relating to a tenancy for residential premises not exceeding 2 years



Disputes relating to wrongful damage to property, not including damage caused by an accident arising from the use of motor vehicle or damage to movable property caused by a neighbour.



Claims against a supplier for an unfair practice under the Consumer Protection (Fair Trading Act) involving a contract for the sale of goods or provision of services, or a hire-purchase agreement.

Any other statutory claims as provided under any written law. For example:

- Town Council filing a claim to recover Conservancy & Service Charges
- MCST filing a claim to recover Management & Sinking Fund Contribution
- HDB filing a claim to recover outstanding Improvement contribution due to HDB

WHAT CAN I CLAIM?

\$20,000 OR \$30,000*

**If both parties consent by uploading a memorandum of consent in such format as prescribed by the Registrar*

A claim can be for the payment of money or a work order, or an order for delivery of vacant possession.

The value of a claim is the amount claimed or the equivalent value of the work to be done under the work order, except if:

The nature of the claim is for the rescission of the contract, i.e. cancellation of the contract because of an issue with how the contract was formed, in which case the value of the claim is the value of the contract.

The nature of the claim is to recover a progress payment under a contract, in which case the value of the claim is the value of the entire contract. You cannot split or divide a claim into multiple claims to bring each claim under the applicable limit.

HOW LONG DO I HAVE BEFORE FILING A CLAIM?

The two-year limitation period applies to claims lodged on or after 1 November 2019. As claims must be filed within two years after the date the cause of action accrued, the cause of action must have arisen on or after 1 November 2018.

WHAT ARE THE FILING FEES?

	Fee	
	Individual (\$\$)	Other Entity (\$\$)
Claim or counterclaim – if total value of claim or counterclaim is –		
5,000 or below	10	50
Above \$5,000 but does not exceed \$10,000	20	100
Above \$10,000 but does not exceed \$30,000	1% of amount claimed	3% of amount claimed

WHO CAN REPRESENT?

Individual	The person named in the claim
Sole Proprietorship	The sole proprietor of the entity
Unincorporated Association	Any member of the governing body or any full-time employee
Limited Liability Partnership	Partner or Manager, or such similar officer or any full-time employee
Partnership	Partner or any full-time employee
Body Corporate	Director, Chief Executive, Manager, Secretary, or officer of such similar authority or any full-time employee

If you are an individual and unable to present your own case by reason of old age, illiteracy or a mental or health condition, you can apply for a representative you have authorised to be allowed to represent you.

CAN I ENGAGE A LAWYER TO ACT FOR ME?

Lawyers and agents are not allowed to represent a party in SCT proceedings before a Registrar or Tribunal Magistrate. You may be represented by a lawyer in leave to appeal proceedings in the District Court or appeal proceedings in the High Court.

HOW DO I FILE A CLAIM?

All claims must be filed online via the Community Justice and Tribunals System (CJTS) at www.statecourts.gov.sg/CJTS/.

- If you are an individual, you need your Singpass to login.
- If you are a corporate entity, you will need your CorpPass to login.
- If you are a tourist and do not have a Singpass, you can apply for a temporary CJTS Pass online.

Before filing a claim, please attempt a pre-filing assessment in the CJTS at www.statecourts.gov.sg/CJTS/

WHAT DOCUMENTS SHOULD I UPLOAD?

- Contracts and the relevant supporting documents that support your claim (e.g. invoices, receipts, contracts, letters, emails or messages etc.)
- Tenancy Agreement and Stamp Duty Certification (for disputes relating to a Lease of Residential Premises)
- Photographs to support the claim (if applicable)
- Letter of Authorisation on Company's letterhead (for corporate entity)
- Latest ACRA Business profile of the Claimant/Respondent (if not an individual) obtained within one month of the date of filing*

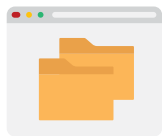
All documents not in English should be translated into English.

**To obtain business profile, visit:*

- www.bizfile.gov.sg for more information
- Accounting Corporate Regulatory Authority (ACRA) at 10 Anson Road, #05-01/15, International Plaza, Singapore 079903
- CrimsonLogic Service Bureau at 133 new Bridge Road, #19-01/02, Chinatown Point, Singapore 059413

The Community Justice and Tribunals System (CJTS) is a 24/7 online filing and case management system for SCT cases.

KEY FEATURES



Convenience

Parties can view and manage their SCT cases online anytime and anywhere with an internet connection. A party will be able to submit documents, view documents submitted by the other party, pay filing fees, select a preferred Court date within a given period, and monitor case developments online.



e-Notifications

Parties will be notified of case developments and hearing dates via SMS and email notifications where available.





e-Negotiation


After a claim is filed, parties can actively engage and negotiate an amicable settlement with the other party online without coming to Court. Each party has **5 rounds of offers** to make on the e-Negotiation platform in the CJTS. If a settlement is reached, parties may apply online for a Consent Order without the need to come to Court.


EXAMPLE OF E-NEGOTIATION:


I received a claim against my shop of \$1500 for a defective phone. Let me try and e-Negotiate with him before the consultation date. I have 5 rounds to settle this. Let's see how it goes...


Hi, I read your claim. I can offer you another phone of the same value.  Respondent

I do not trust the phones in your shop anymore. I want my money back.  Claimant

I can either repair the phone for you or pay you \$600.  Respondent

How about I return the phone to you and you pay me \$1000?  Claimant

The best I can offer is \$800 and I will take the phone back  Respondent

Ok, we have a deal.  Claimant

e-Mediation

With e-Mediation, parties may resolve their dispute online with the help of a Court mediator without having to come to Court. If both parties agree to e-Mediate, the SCT will schedule an e-Mediation session with parties and a Court mediator. If a settlement is reached, parties may apply online for a Consent Order without needing to come to Court.



Online Applications 

Online Applications

All applications relating to the SCT proceedings must be made on the CJTS. Access a variety of applications by clicking on “**Online Applications**”.

FILING A CLAIM ON THE CJTS

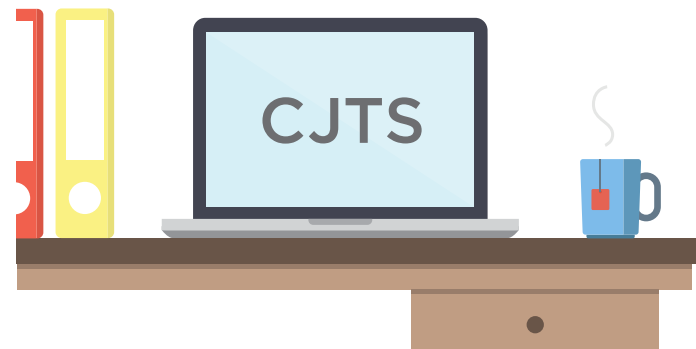
- 1 Go to <http://www.statecourts.gov.sg/CJTS/>.
- 2 Login using your SingPass (for individuals) or CorpPass (for business entities). If you are not eligible for SingPass or CorpPass, you may apply for a CJTS Pass by clicking “**Register for CJTS Pass**”.
- 3 Update “**My Profile**” with your personal particulars.
- 4 Click “**Online Applications**” then “**SCT**”, then choose the e-service **Claim Form**.
- 5 Key in your pre-filing ID or proceed to do your pre-filing assessment to obtain the pre-filing ID.
- 6 Complete the questions in the pre-filing assessment, and click “**Submit**”.
- 7 Fill in your claim.
 - Enter the claimant’s and respondent’s details. The respondent is the party that you are filing a claim against.
 - Upload supporting documents in PDF.Click “**Submit**”, then “**Confirm to Proceed**”.
- 8 Pay the filing fees. Applications will only be processed only after the requisite payments are made. Payment may be made:
 - **Online:** via Credit Card/eNets
 - **Offline:** Click “**Pay Later**” and then “**Generate Payment Advice**”. Bring the payment advice to the State Courts and pay by cash, nets, nets flashpay or credit cards at Automated Collection System (ACS) machines located at Level 2, 4 and 7.
- 9 Choose a consultation date and time.
- 10 Click “**Save Respondent Copy**”. Print the **Notice of Consultation & claim** to serve on the respondent **within 7 working days** after the date of filing of the claim*.

* A claim cannot be served outside Singapore.



Scan QR code or type in the link to access CJTS directly.

bit.ly/SCTCJTS



SERVICE OF DOCUMENTS IN THE SCT

A person or entity who has filed a claim is called a “claimant”. A claimant files a claim against a “respondent”. If you are a claimant, you must serve the printed **Notice of Consultation** with the claim details on the respondent by one or more of the following means:

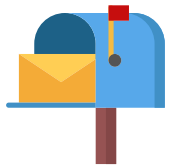


Personal Delivery

Delivering the documents personally to the other party.

To Individual: Hand the notice to the respondent.

To Company: Hand the notice to the staff or slip the notice under the office premises.



Registered Post

To Individual: Send the documents by registered post to the party’s last known residential address or registered address.

To Company: Send the documents to the party’s ACRA registered address, in an envelope addressed to the respondent.

If you have managed to serve the document through one of the above ways, you must upload the **Declaration of Service (DOS)** onto CJTS via the e-service “**Submit Supporting Documents**”. This should be filed before the first Consultation.

The DOS must include:

- Date and time when the Notice of Consultation was served on respondent.
- Name of the person who served the notice. If the notice is served by a courier company, particulars of courier company are to be stated.
- Mode in which the notice is served (For example, Personal Delivery or Registered Post).
- Detailed outcome of serving the notice.

If you are unable to serve the Notice of Consultation by one of the above ways, proceed to attend the Consultation. At the Consultation, the Registrar may direct you to serve the Notice of Consultation by other means (for example, by facsimile transmission or email).

I AM A RESPONDENT. WHAT DO I DO?

- 1 Login to the CJTS**
If a claim has been filed against you, you may login to the CJTS (see Steps 1 to 3 of *Filing a Claim on the CJTS*) and key in your **one-time reference number** as found in the **Notice of Consultation** served on you. You will be able to see the case details online, view submitted documents, file applications and monitor the case developments.
- 2 E-Negotiation**
On the CJTS, you may initiate e-Negotiation with a view to resolving the dispute with the claimant without having to come to Court.
- 3 File a Counterclaim**
Login to the CJTS, and click “**Online Applications**”, “**SCT**” and choose the e-service **Counterclaim Form** and follow the instructions online.

CONSULTATION

A Consultation is a court proceeding before the hearing. The Notice of Consultation informs all parties of the date and time of the Consultation. All parties involved in the case would meet with the Registrar to discuss the case. The Registrar will facilitate a discussion and provide parties an opportunity to resolve their dispute amicably.

If the parties reach a settlement during the Consultation, the Registrar may make a Consent Order to record the terms agreed upon by parties.

If the parties are not able to resolve the case at the Consultation, the Registrar may adjourn the case for a further Consultation, direct parties for mediation or fix the case for Hearing. If the claim is not within the SCT's jurisdiction, the Registrar will make an Order to discontinue the claim. A discontinuance only means that the claim cannot continue in the SCT.

All parties to a case must attend the Consultation. If a party is absent at the Consultation, the Registrar may proceed with the Consultation and issue a default Order against the absent party.*

The Tribunal may, on its own initiative, or on the application of the parties, allow one or more individuals to attend and assist a party in the proceedings.**

* See page 21

** With effect from 1 May 2019, the Community Justice and Tribunals Division (CJTD) implemented the CJTD Friend Scheme. A party may apply to the Tribunal for a family member, friend, or volunteer from the Community Justice Centre or a pro bono agency to assist that party at the proceedings by taking notes or explaining the proceedings in a language that he/she is comfortable or for emotional and moral support.

CHECKLIST BEFORE ATTENDING THE CONSULTATION



Authority

For Representatives: I am allowed to represent the party I am representing (e.g. company / partnership)*

I have full authority to make decisions on behalf of the party I am representing.

I have uploaded my Letter of Authorisation documents on the CJTS.



Identification documents

I have brought all my identification documents to Court.

For Individuals: NRIC / Passport / Employment Pass

Where represented by a Representative:

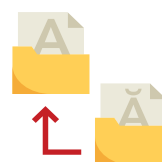
Representative's NRIC / Passport / Employment Pass



Supporting documents

I have uploaded the supporting documents in the CJTS and brought the original documents along (e.g. invoices, contracts, stamp duty certificates etc.) to Court for verification.

I have brought extra copies in the event where I may need to provide the other party with a copy.



Translations of documents

I have prepared English translations of documents that are not in English.

*See page 7

HEARING



Attire

I am properly attired for Court proceedings (shorts or slippers are not allowed in Court).



Interpreter

I have arranged for an interpreter (for non-official languages) for myself or my witnesses.

Court proceedings are conducted in English. The State Courts provide free interpretation services for the following languages:

Mandarin, Hokkien and other local Chinese dialects

Tamil

Malay

Advance notice is required for the State Courts interpreters. For other languages, you must arrange and pay for your own interpreter.



Witnesses

My witnesses are ready if the matter is fixed for Hearing.



Declaration of Service (DOS)

I have uploaded my DOS. I confirm that the claim has been brought to the attention of the other party.

If a claim is not able to be resolved at Consultation, it will proceed for Hearing before a Tribunal Magistrate. During the Hearing, each party will have a chance to present his/her case and the evidence in support of the case. The Tribunal Magistrate will direct the parties to address the relevant issues and may ask the parties questions at the Hearing

Checklist before attending the Hearing:

All items in the checklist* before attending the Consultation.

Explanation of the case

I am prepared to explain the claim or defence to the Tribunal Magistrate.

If your claim or defence consists of smaller parts (e.g. multiple invoices that are claimed, or raising defects in a renovation case), you will have to be able to explain every individual part in detail.

Evidence in support of your case

I have submitted all the evidence I want the Tribunal Magistrate to consider. All my witnesses are ready to attend the Hearing.

If the evidence is in the form of documents, it has been uploaded to the CJTS.

If the evidence is in audio and video recordings, it should be submitted in advance on a CD to the Registry and the other party. A transcript should also be prepared for audio recordings.

If the evidence is to be given by witnesses, the witnesses are going to be attending the Hearing as well.

*See page 17 & 18

OTHER PROCESSES

Not being well prepared for the Hearing may result in delays in resolving the case. The Hearing might also proceed even if you are not able to put your best case forward because you were not well prepared.

At the end of the Hearing, the Tribunal Magistrate may make one or more of the following orders:

- An Order to pay Money
- An Order to perform Work
- An Order for Delivery of Vacant Possession
- An Order dismissing the claim
- An Order to pay costs and disbursements

The Hearing may also be adjourned to be heard again on another date if the case cannot be resolved at the Hearing.

If either party is absent at the Hearing, the Tribunal Magistrate may proceed with the Hearing and issue a default Order against the absent party.*

*See page 21



A party may make certain applications at the Consultation or Hearing stage, for the decision of the Registrar or Tribunal Magistrate. For example, he/she may apply to:

- Amend a claim
- Withdraw a claim
- Apply to be represented by a Representative (where the party is unable to represent himself/herself)
- Set aside a default Order of the Registrar or Tribunal

SETTING ASIDE A DEFAULT ORDER

If you were absent when a default order was made against you, you may apply to have the order set aside by logging onto the CJTS, and completing the e-service **Set Aside Application** under “**Online Applications**”. You will need to explain why you were absent when the order was made. The application must be made **within 1 month** from the date the order was made. Parties will be notified in the CJTS of the date of the hearing of the application.

Filing of an application does not mean the order will be automatically set aside. A decision will be made at the hearing of the application by the Registrar or Tribunal Magistrate.

APPEAL AGAINST A REGISTRAR'S ORDER

You may appeal to the Tribunal Magistrate against a discontinuance order made by the Registrar or Assistant Registrar at the Consultation if you believe that the claim is within the SCT's jurisdiction. You may file an appeal by completing the e-service **Appeal Against Order of Registrar** on the 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 the CJTS of the date for the hearing of the application.

The order must still be complied with even if you file an appeal. It will only cease to be effective if the appeal is decided in your favour. If you wish to wait for the outcome of the appeal before complying with the order, you have to apply for a stay of execution by completing the e-service Stay of Execution on the CJTS.

**Enforcement proceedings are separate proceedings to enforce an Order if a party does not comply with the Order. An SCT order can be enforced in the same way as an order of a District Court.*

APPEAL AGAINST ORDER OF TRIBUNAL

A Tribunal's order is final and binding. If you are dissatisfied with a Tribunal's order, you may consider appealing the order.

Orders can only be appealed on a question of law or if the Tribunal was outside its jurisdiction in making the order. You may be represented by a lawyer for appeal proceedings (including applying for leave to appeal).

Leave to appeal from District Court

Before you can appeal the order to the High Court, you will need to apply to the District Court for permission (referred to as "leave") to appeal to the High Court.

You may apply for leave by completing the e-service Application for Leave to Appeal in the CJTS within 14 days from the date the Tribunal made its order. A hearing for the application will be fixed before a District Judge, whose decision on whether leave should be granted is final. You may be asked to attend a pre-hearing consultation before the hearing to confirm that both parties are ready for the hearing.

Appeal to the High Court

If leave is granted, you may proceed with appeal proceedings in the High Court. If you need assistance with doing so, please speak with the Registry.

LANGUAGE

The SCT proceedings are conducted in English. If you require interpretation services, you should inform the SCT at the earliest opportunity. The State Courts provide free interpretation services for the following languages:

- Mandarin, Hokkien and other local Chinese dialects
- Tamil
- Malay

For any other language(s) or special needs requiring interpretation services, please make your own arrangements, at your own cost.



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Operating Hours:

Mondays to Thursdays 8.30am - 1.00pm 2.00pm - 6.00 pm

Fridays 8.30am - 1.00pm 2.00pm - 5.30 pm

Closed on Saturdays, Sundays and public holidays



