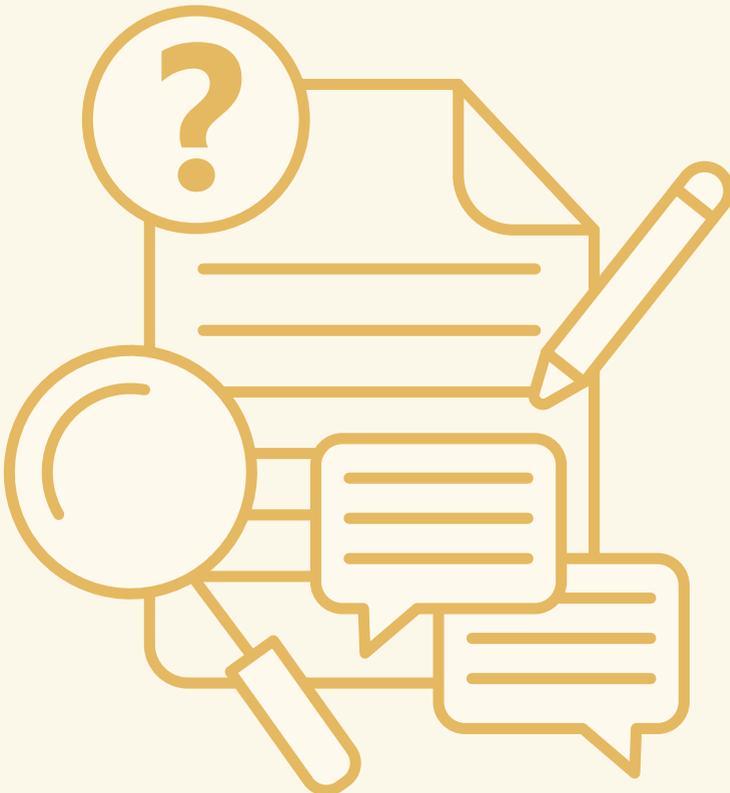


# A GUIDE TO SMALL CLAIMS

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



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## CHAPTER 1 ELIGIBILITY

### 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 service and conservancy charges
- > MCST filing a claim to recover management and 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?**

All claims must be filed within two years after the date the cause of action accrued. A cause of action is the fact or facts which entitles you, in law, to start a court action against the Respondent. You may file a claim in the civil courts, e.g. at the Magistrates' Courts if the cause of action accrued more than 2 years ago.

**What are the filing fees?**

	Filing Fee	
	Individual (S\$)	Other Entity (S\$)
<b>Claim or counterclaim — if total value of claim or counterclaim is —</b>		
\$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

### Representation before the Tribunal

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 any full-time employee
Partnership	Partner or any full-time employee
Body Corporate	An officer 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 appeal<sup>1</sup> proceedings in the District Court or appeal proceedings in the General Division of the High Court.

### How do I file a claim?

All claims must be filed online via the Community Justice and Tribunals System (CJTS) at <https://cjts.judiciary.gov.sg/home>

- > If you are an individual or business user, you need your Singpass to login.
- > If you are a tourist and do not have a Singpass, you can apply online for a temporary CJTS Pass.

Before filing a claim, please attempt a pre-filing assessment in the CJTS.

<sup>1</sup> "Leave-to-appeal" will be known as "Permission-to-appeal" for claims filed on or after 1 April 2022.

## CHAPTER 2

# COMMUNITY JUSTICE AND TRIBUNALS SYSTEM

### 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](http://www.bizfile.gov.sg) for more information
- > Accounting and Corporate Regulatory Authority (ACRA) at 55 Newton Road, #03-02, Revenue House, Singapore 307987
- > CrimsonLogic Service Bureau State Courts, 1 Havelock Square, Level 2, Singapore 059724

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 access their SCT cases online **with their desktops, laptops or mobile devices** from 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 their case developments and hearing dates via SMS and email notifications where available.



#### e-Negotiation

After a claim is filed and e-negotiation is initiated by the respondent, the parties can actively engage and negotiate an amicable settlement with each other online without going to Court. On the e-negotiation platform on the CJTS, each party has **5 rounds of offers** to make in the negotiation. If a settlement is reached, the parties may apply online for a Consent Order without having to go to Court.

## CHAPTER 3 FILING A CLAIM ON THE CJTS

### Example of e-Negotiation

I received a claim against my shop of \$1,500 for a defective phone. Let me try and e-Negotiate with the Claimant before the Consultation date. I have 5 rounds to settle this. Let's see how it goes...



#### e-Mediation

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

- 1 Go to <https://cjts.judiciary.gov.sg/home>
- 2 Login using your Singpass (for individuals or business entities). If you are not eligible for Singpass, 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 your details under "Claimant" and the details of the party you are claiming against under "Respondent". 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 be processed only after the filing fees are made. Payment may be made:

- > **Online:** 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 the payment kiosks located on Level 2, 4 and 7; or via PayNow by scanning the QR code printed on the payment advice.

**9** Choose a Consultation date and time.

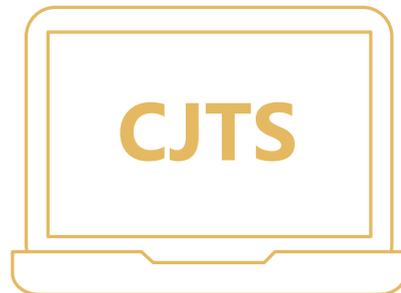
**10** Click “Save Respondent Copy”. Print the **Notice of Consultation** and claim to serve on the respondent **within 7 working days** after the date of filing the claim\*.

\* A claim must not be served on any person or entity outside Singapore.



Scan the QR code or click the link to access CJTS directly.

[go.gov.sg/cjts](https://go.gov.sg/cjts)



## CHAPTER 4 AFTER A CLAIM IS FILED

### 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 its officer\*.



#### 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 respondent’s ACRA registered address, in an envelope addressed to the respondent.

After service of the document, parties must file a **declaration of service (DOS)** with proof of such service (e.g. Singpost registered post slip). A DOS must be filed before the first consultation. File the DOS in the CJTS by clicking on “**Online Applications**”, then “**SCT**”, and choosing the e-service Declaration of Service.

\*Definition of “officer”: a director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate.

The DOS must include the:

- > Date and time when the Notice of Consultation was served on the respondent.
- > Name of the person who served the notice. If the notice is served by a courier company, the particulars of the 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 the 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 go 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.

## 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 will meet with the Registrar to discuss the case. The Registrar will facilitate a discussion and provide the 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 19

## 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 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 (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.



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



### 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.

\*See page 5

## Hearing

If a claim is not resolved at the Consultation, it will proceed for a 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.

### > 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 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-ROM/DVD to the Central Registry and the other party. Please state the case number and party name clearly in the file name (e.g. SCT-1234-2021 ABC Pte Ltd). A transcript should also be prepared for audio recordings.

If the evidence is to be given by witnesses, the witnesses should attend the Hearing as well.

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 another date if the case cannot be resolved on the first day of 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.



### Other processes

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 or such period as the Registrar or Tribunal may allow. Parties will be notified in the CJTS of the date for the hearing of the application.

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

## CHAPTER 5 APPEALS

### Appeal against a Registrar’s Order

You may appeal to the Tribunal Magistrate against a discontinuance order made by the 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 enforcement process by completing the e-service “Stay of Enforcement Process” 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.

## CHAPTER 6

# LANGUAGE

### 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 filing an appeal.

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<sup>1</sup> to appeal).

#### Leave<sup>1</sup> to appeal from District Court

You will need to apply to the District Court for leave<sup>1</sup> before you can appeal to the General Division of the High Court against an order of Tribunal.

You may apply for leave<sup>1</sup> by completing the e-service "Application for Leave<sup>1</sup> 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<sup>1</sup> should be granted is final. You may be asked to attend a pre-hearing consultation to confirm that both parties are ready for the hearing.

#### Appeal to the General Division of the High Court

If leave<sup>1</sup> is granted, you may proceed with appeal proceedings in the General Division of the High Court.

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.

<sup>1</sup> "Leave" will be known as "Permission" for claims filed on or after 1 April 2022.



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