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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 9 July 2018 and assented to by the President on 2 August 2018:—

REPUBLIC OF SINGAPORE

No. 33 of 2018.

I assent.

HALIMAH YACOB,

President.

2 August 2018.



An Act to amend the Small Claims Tribunals Act (Chapter 308 of the 1998 Revised Edition) and to make consequential amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Small Claims Tribunals (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Small Claims Tribunals Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately after the definition of “claimant”, the following definition:

““Community Mediation Centre” means a Community Mediation Centre established under section 3 of the Community Mediation Centres Act (Cap. 49A);”;

(b) by inserting, immediately after the definition of “court”, the following definition:

““court-appointed mediator” means an individual who is appointed by the Presiding Judge of the State Courts to be a mediator for the purposes of this Act;”;

(c) by deleting the definition of “prescribed limit” and substituting the following definitions:

““prescribed extended limit” means \$30,000 or such other sum as the Minister may, after consultation with the Chief Justice, prescribe by order in the *Gazette*;

“prescribed limit” means \$20,000 or such other sum as the Minister may, after consultation with the Chief Justice, prescribe by order in the *Gazette*;”;

(d) by deleting the definitions of “Referee” and “Registrar” and substituting the following definition:

““Registrar” means the registrar, a deputy registrar or an assistant registrar for the tribunals;”;

- (e) by inserting, immediately after the definition of “rules”, the following definition:

““specified claim” means a claim specified in the Schedule;”;

- (f) by inserting, immediately after the definition of “tribunal”, the following definition:

““tribunal magistrate” means a tribunal magistrate designated under section 4(2) or appointed under section 4(3)(a);”;

- (g) by inserting, immediately after the words “defect in goods” in the definition of “work order”, the words “or any damage to property,”; and

- (h) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) For the purposes of this Act, the value of a claim relating to a contract means —

(a) in the case where the nature of the claim is for the rescission of the contract, the value of the contract;

(b) in the case where the nature of the claim is for the recovery of a progress payment due under the contract, the value of the contract; and

(c) in any other case, the quantum of the claim.”.

Repeal and re-enactment of section 4

3. Section 4 of the principal Act is repealed and the following section substituted therefor:

“Tribunal magistrates

4.—(1) A tribunal is to be presided over by a tribunal magistrate designated under subsection (2) or appointed under subsection (3)(a).

(2) The Presiding Judge of the State Courts may designate a District Judge or a Magistrate as a tribunal magistrate.

(3) The President may, on the recommendation of the Chief Justice, by instrument in writing —

(a) appoint a qualified person (as defined in section 2(1) of the Legal Profession Act (Cap. 161)) as a tribunal magistrate; and

(b) revoke that appointment at any time.

(4) An individual appointed under subsection (3)(a) as a tribunal magistrate holds office for the term specified in the instrument of appointment, and may be re-appointed.

(5) Any individual designated under subsection (2) or appointed under subsection (3)(a) may, although the period of the individual’s designation or appointment has expired, or the individual’s designation or appointment has been revoked, sit as a tribunal magistrate for the purpose of giving judgment or otherwise in relation to any case heard by the individual as a tribunal magistrate.”.

Amendment of section 5

4. Section 5 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(1) Subject to the provisions of this Act, a tribunal has the jurisdiction to hear and determine any claim which —

(a) is a specified claim; and

(b) is served in Singapore on the respondent under section 19(1).”;

- (b) by inserting, immediately before the word “which” in subsection (3)(a), the words “the value of”;
- (c) by deleting the words “one year from” in subsection (3)(b) and substituting the words “2 years after”;
- (d) by deleting the words “\$20,000 or such other sum as the Minister may, after consultation with the Chief Justice, by order published in the *Gazette*, substitute therefor” in subsection (4) and substituting the words “the prescribed extended limit”; and
- (e) by deleting subsection (6).

Repeal and re-enactment of section 14

5. Section 14 of the principal Act is repealed and the following section substituted therefor:

“Registrar, deputy registrars, assistant registrars and other officers

14.—(1) The registrar of the State Courts is the registrar for the tribunals.

(2) The Chief Justice may appoint deputy registrars, assistant registrars and other officers for the proper functioning of the tribunals.”.

Amendment of section 17

6. Section 17 of the principal Act is amended by inserting, immediately after subsection (10), the following subsection:

“(11) Section 23 applies to a consultation under this section or section 18, subject to the modification that a reference in section 23 to proceedings before a tribunal is a reference to the consultation.”.

New section 18A

7. The principal Act is amended by inserting, immediately after section 18, the following section: