

**Subordinate Courts (Amendment) Act 2005**  
**(No. 26 of 2005)**

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**REPUBLIC OF SINGAPORE**  
**GOVERNMENT GAZETTE**  
**ACTS SUPPLEMENT**

*Published by Authority*

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**NO. 26]**

**FRIDAY, SEPTEMBER 9**

**[2005**

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The following Act was passed by Parliament on 15th August 2005 and assented to by the President on 30th August 2005:—

**SUBORDINATE COURTS (AMENDMENT) ACT 2005**

**(No. 26 of 2005)**

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I assent.

S R NATHAN,  
*President.*  
30th August 2005.

**Date of Commencement: 1st January 2006**

An Act to amend the Subordinate Courts Act (Chapter 321 of the 1999 Revised Edition) and to make a consequential amendment to the Government Proceedings Act (Chapter 121 of the 1985 Revised Edition).

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 may be cited as the Subordinate Courts (Amendment) Act 2005 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**New sections 54A to 54G**

2. Part IV of the Subordinate Courts Act is amended by inserting, immediately after section 54, the following sections:

*“Transfers of Civil Proceedings*

**General power to transfer from Magistrate’s Court to District Court**

**54A.**—(1) Where it appears to a District Court, on the application of a party to any civil proceedings pending in a Magistrate’s Court, that the proceedings, by reason of its involving some important question of law, or being a test case, or for any other sufficient reason, should be tried in the District Court, it may order the proceedings to be transferred to the District Court.

(2) An order under subsection (1) may be made on such terms as the court sees fit.

**General power to transfer from subordinate courts to High Court**

**54B.**—(1) Where it appears to the High Court, on the application of a party to any civil proceedings pending in a subordinate court, that the proceedings, by reason of its involving some important question of law, or being a test case, or for any other sufficient reason, should be tried in the High Court, it may order the proceedings to be transferred to the High Court.

(2) An order under subsection (1) may be made on such terms as the court sees fit.

*Explanation.*—The intended enforcement overseas of any judgment obtained in the High Court, under any enforcement arrangements currently in force, would ordinarily be sufficient reason for transferring the proceedings to the High Court.

### **General power to transfer from High Court to subordinate courts**

**54C.**—(1) A party to any civil proceedings pending in the High Court may for any sufficient reason at any time apply to the High Court for an order that the proceedings be transferred to a subordinate court.

(2) Subject to subsection (3), the High Court may, if it thinks fit, and on such terms as it sees fit, and either on its own motion or on application, order that the proceedings be transferred accordingly notwithstanding any other provision of this Act.

(3) An order under subsection (2) may only be made in respect of such proceedings as could have been commenced in the subordinate court to which the application relates, if the value of the claim had been within the District Court limit or the Magistrate's Court limit, as the case may be.

*Explanation.*—The fact that the proceedings fall within the civil jurisdiction of the subordinate courts would not, by itself, ordinarily constitute sufficient reason for transferring the proceedings to the subordinate courts, if enforcement overseas is intended of any judgment obtained in the High Court under any enforcement arrangements currently in force.

### **General power to transfer from District Court to Magistrate's Court**

**54D.**—(1) A party to any civil proceedings pending in the District Court may for any sufficient reason at any time apply to the District Court for an order that the proceedings be transferred to a Magistrate's Court.

(2) Subject to subsection (3), the District Court may, if it thinks fit, and on such terms as it sees fit, and either on its own motion or on application, order that