

Small Claims Tribunals (Amendment) Bill

Table of Contents

Bill No: 9/1995

Read the first time: 1st March 1995

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Repeal and re-enactment of section 5

4 Repeal and re-enactment of section 9

5 Amendment of section 15

6 Amendment of section 21

7 Amendment of section 32

Explanatory Statement

Expenditure of Public Money

Small Claims Tribunals (Amendment) Bill

Bill No. 9/1995

Read the first time on 1st March 1995.

An Act to amend the Small Claims Tribunals Act (Chapter 308 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 Small Claims Tribunals (Amendment) Act 1995 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Small Claims Tribunals Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the definition of “party”, the following definition:

““prescribed limit” means \$5,000 or such other sum as the Minister may, after consultation with the Chief Justice, by order published in the *Gazette*, substitute therefor;”.

Repeal and re-enactment of section 5

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 Section 5 of the principal Act is repealed and the following section substituted therefor:

“Jurisdiction of tribunal

5.—(1) Subject to the provisions of this Act, a tribunal shall have jurisdiction to hear and determine —

- (a) any claim relating to a dispute arising from any contract for the sale of goods or the provision of services; and
- (b) any claim in tort in respect of damage caused to any property.

(2) The jurisdiction of a tribunal shall not extend to a claim —

- (a) in respect of damage caused to any property by an accident arising out of or in connection with the use of a motor vehicle; or
- (b) which the subordinate courts have no jurisdiction to hear and determine.

(3) Except where this Act expressly provides otherwise, the jurisdiction of a

tribunal shall not extend to a claim —

- (a) which exceeds the prescribed limit; or
- (b) after the expiration of one year from the date on which the cause of action accrued.

(4) A tribunal shall, subject to subsections (1) and (2), have jurisdiction to hear and determine any claim the value of which exceeds the prescribed limit but does not exceed \$10,000 or such other sum as the Minister may, after consultation with the Chief Justice, by order published in the *Gazette*, substitute therefor, if the parties to the claim so agree by a memorandum signed by them.

(5) Where a tribunal is of the opinion that a claim lodged with it pursuant to section 15(1) is beyond its jurisdiction, the tribunal shall discontinue the proceedings and advise the claimant and respondent accordingly.”.

Repeal and re-enactment of section 9

4. Section 9 of the principal Act is repealed and the following section substituted therefor:

“Abandonment of part of claim to give tribunal jurisdiction

9.—(1) Where the value of a claim exceeds the prescribed limit and no agreement is reached between the parties thereto as to an extension of the tribunal’s jurisdiction under section 5(4), the claimant may abandon the excess, and thereupon the tribunal shall have jurisdiction to hear and determine the claim.

(2) Where the tribunal has jurisdiction to hear and determine a claim by virtue of subsection (1), an order of the tribunal under this Act in relation to that claim shall be in full discharge of all demands in respect thereof.”.

Amendment of section 15

5. Section 15 of the principal Act is amended by inserting, immediately after subsection (4), the following subsection:

“(5) The Registrar may, in accordance with the rules, permit a claim to be lodged by electronic facsimile or any other prescribed electronic means.”.

Amendment of section 21

6. Section 21 of the principal Act is amended —

- (a) by deleting the word “and” at the end of subsection (2)(b);