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First published in the *Government Gazette*, Electronic Edition, on 21 June 2017 at 5 pm.

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**No. S 321**

**SMALL CLAIMS TRIBUNALS ACT  
(CHAPTER 308)**

**SMALL CLAIMS TRIBUNALS (AMENDMENT) RULES 2017**

In exercise of the powers conferred on us by section 47 of the Small Claims Tribunals Act, we, the Rules Committee, make the following Rules:

**Citation and commencement**

1. These Rules are the Small Claims Tribunals (Amendment) Rules 2017 and come into operation on 10 July 2017.

**Deletion and substitution of rules 3 and 4 and new rule 4A**

2. Rules 3 and 4 of the Small Claims Tribunals Rules (R 1) (called in these Rules the principal Rules) are deleted and the following rules substituted therefor:

**“Definitions**

3. In these Rules, unless the context otherwise requires —

“ACRA” means the Accounting and Corporate Regulatory Authority established under section 3 of the Accounting and Corporate Regulatory Authority Act (Cap. 2A);

“CorpPass” means the identity authentication service, known as Singapore Corporate Access, by which an entity authenticates its identity in order to carry out an online transaction with the Government or a statutory board;

“CorpPass credential” means any username, password or 2-factor authentication detail required to authenticate, using CorpPass, the identity of an entity;

“electronic system” means the electronic filing and case management system established under rule 8A(1);

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“Form” means —

- (a) the current version of a form, as set out on the Internet website of the electronic system, in the Schedule or in the practice directions; and
- (b) in the case of any reference to a Form by a number — the current version of the form bearing that number, as set out on the Internet website of the electronic system or in the Schedule;

“messaging system” means any system that enables the transmission of short text messages or electronic mail —

- (a) from a digital mobile telephone to another digital mobile telephone; or
- (b) from an electronic mail address to a digital mobile phone, and the other way around;

“practice directions” means the practice directions issued by the Registrar under rule 4A;

“SingPass” means the identity authentication service, known as Singapore Personal Access, by which an individual authenticates the individual’s identity in order to carry out an online transaction with the Government or a statutory board;

“SingPass credential” means any username, password or 2-factor authentication detail required to authenticate, using SingPass, the identity of an individual.

### **Forms and documents**

4.—(1) Every Form or document relating to proceedings before a tribunal must be submitted through the electronic system, unless —

- (a) it is a claim; or
- (b) the Registrar directs otherwise.

(2) For the purposes of section 15(6) of the Act, the Registrar may permit a claim to be lodged by submitting the claim through the electronic system.

(3) Every Form must contain such particulars, and be accompanied by such documents, as may be specified by the tribunal, by the Registrar or in the Form.

(4) Any Form set out in the Schedule or the practice directions may be used in any particular case with such variations as the circumstances of that case require.

### **Practice directions**

**4A.** The Registrar may issue practice directions for the purposes of these Rules, and for any proceedings to which these Rules relate.”.

## **New Part IIA**

**3.** The principal Rules are amended by inserting, immediately after rule 8, the following Part:

### **“PART IIA**

### **ELECTRONIC SYSTEM**

#### **Electronic system**

**8A.—**(1) An electronic filing and case management system is established for the tribunals.

(2) The purposes of the electronic system are as follows:

- (a) to facilitate the submission of Forms and documents;
- (b) to facilitate the service of documents;
- (c) to facilitate the settlement of disputes, the conduct of a consultation before the Registrar, and the conduct of proceedings before a tribunal, by electronic means.

(3) The practice directions may provide guidance on the following matters:

- (a) the types of consultation that the Registrar may, under section 18 of the Act, permit to be conducted through the electronic system;
- (b) the types of proceedings that a tribunal may, under section 25 of the Act, permit to be conducted through the electronic system;
- (c) the practice and procedure for the use of the electronic system, and any matters incidental or relating to such practice and procedure.

### **Authentication**

**8B.**—(1) Subject to paragraph (3), an individual must authenticate the individual's identity using SingPass in order to access the electronic system to carry out an online transaction involving the individual.

(2) Subject to paragraph (3), a person, who is authorised by an entity to carry out through the electronic system an online transaction involving the entity, must authenticate the identity of the entity using CorpPass in order to access the electronic system to carry out that transaction for the entity.

(3) The Registrar may, on application by a party that is unable to authenticate the party's identity using SingPass or CorpPass, issue the party with a username and a password to enable the party to access the electronic system to carry out an online transaction involving the party.

(4) A party that is issued a username and a password under paragraph (3) —

- (a) must ensure the confidentiality and security of the username and password; and
- (b) must not —
  - (i) divulge the username and password to any other person; or
  - (ii) permit any other person to use the username and password.

(5) An individual must not facilitate the use, by any other person, of the individual's SingPass credentials to access the electronic system.

(6) An entity must not facilitate the use, by any unauthorised person, of the CorpPass credentials of the entity to access the electronic system.

### **Information on party**

**8C.** Every party to proceedings before a tribunal must —

- (a) enter, through such means as may be provided by the electronic system for the recording of information on the party's profile, such information on the party as the electronic system may require; and
- (b) if there is any change to that information, update that information by entering, through such means as may be provided by the electronic system, the details of the change.

### **Time of lodging of claim, or filing of Form or document, submitted through electronic system**

**8D.**—(1) If a claim is submitted through the electronic system, the claim is treated as lodged on the date and at the time the first part of the transmission of the claim is received in the electronic system.

(2) Despite paragraph (1), where the submission of a claim through the electronic system is unsuccessful or delayed because of a failure or inability of the electronic system to transmit or process the claim, the Registrar may —

- (a) on the application of the claimant (or a representative of the claimant), make an order for the claim to be treated as lodged on an earlier date than that on which the first part of the transmission of the claim is actually received in the electronic system; and
- (b) in the case of an unsuccessful submission, require the claim to be resubmitted through the electronic system.