

# **Small Claims Tribunals (Amendment) Rules 2006**

## **Table of Contents**

### **Enacting Formula**

#### **1 Citation and commencement**

#### **2 New Part VIIB**

#### **3 Deletion and substitution of rule 22**

#### **4 Amendment of rule 23**

#### **5 Deletion and substitution of rule 28**

#### **6 Amendment of Schedule**

**No. S 74**

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

### **SMALL CLAIMS TRIBUNALS (AMENDMENT) RULES 2006**

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

#### **Citation and commencement**

**1.** These Rules may be cited as the Small Claims Tribunals (Amendment) Rules 2006 and shall come into operation on 15th February 2006.

#### **New Part VIIB**

**2.** The Small Claims Tribunals Rules (R 1) (referred to in these Rules as the principal

Rules) are amended by inserting, immediately after rule 20E, the following Part:

## **“PART VIIB**

### **APPLICATION FOR LEAVE TO APPEAL TO HIGH COURT**

#### **Leave to appeal under section 38 (1A) of Act**

**20F.**—(1) An application for leave under section 38(1A) of the Act to appeal against any order of a tribunal shall be made to a District Court in Form 11C set out in the Schedule.

(2) The appellant must file his application for leave to appeal with the Registrar within 14 days from the date on which the order being appealed from was made.

(3) An appellant who has obtained leave to appeal under paragraph (1) shall file the notice of appeal within one month from the date on which such leave was given.

#### **Fee for leave to appeal**

**20G.** An appellant shall, at the time of filing an application under rule 20F for leave to appeal, pay a fee of \$100.

#### **Registrar to fix time and place for hearing of leave to appeal**

**20H.** Upon an appellant having filed an application under rule 20F for leave to appeal and made payment of the fee specified in rule 20G, the Registrar shall —

- (a) assign a number to the application for leave to appeal;
- (b) fix a time and place for the hearing for the application; and
- (c) give notice in Form 11D set out in the Schedule of the time and place of the hearing of the application to the appellant, the respondent and any other person who appears to the Registrar to have sufficient interest in the settlement of the dispute to which the claim relates.

#### **Order of District Court**

**20I.** An order of the District Court made on an application under rule 20F for leave to appeal shall be final and binding on all parties to the proceedings and no appeal shall lie in respect thereof.”.

### **Deletion and substitution of rule 22**

3. Rule 22 of the principal Rules is deleted and the following rule substituted therefor:

#### **“Time for appealing**

22. Every notice of appeal shall be filed and served under rule 21(5) within one month calculated from the date on which leave to appeal was granted by the District Court under rule 20F.”.

### **Amendment of rule 23**

4. Rule 23 (3) of the principal Rules is amended by deleting the words “in the High Court”.

### **Deletion and substitution of rule 28**

5. Rule 28 of the principal Rules is deleted and the following rule substituted therefor:

#### **“Stay of execution pending appeal**

28. The filing of —

(a) an application under rule 20F for leave to appeal; or

(b) a notice of appeal,

shall not operate as a stay of execution, but the tribunal may on application by notice in Form 18 set out in the Schedule stay execution on such terms as it thinks just.”.

### **Amendment of Schedule**

6. The Schedule to the principal Rules is amended —

(by inserting, immediately after Form 11B, the following Forms:

*a*  
)

“FORM 11C

Rule 20F(1)

SMALL CLAIMS TRIBUNALS ACT  
(CHAPTER 308)

Claim No:

Application No:

... *Appellant*

... *Respondent*

*APPLICATION FOR LEAVE TO APPEAL*

TAKE NOTICE that the Appellant \_\_\_\_\_ (*name*)  
being dissatisfied with the order of the Referee, Mr \_\_\_\_\_  
made at the Hearing on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, applies for  
leave to appeal to the District Court on the ground(s) that \_\_\_\_\_  
\_\_\_\_\_  
[*State ground(s)*].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
*Signature of Appellant/  
Solicitor for the Appellant*

- To: (1) The Registrar  
Small Claims Tribunals  
1st Level, Subordinate Courts,  
1 Havelock Square,  
Singapore 059724.
- (2) To the abovenamed Respondent  
The address for service of the Appellant is:

FORM 11D

Rule 20H