

Chapter:	338C	SMALL CLAIMS TRIBUNAL (FORMS) RULES	Gazette Number	Version Date
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		Empowering section		30/06/1997
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(Cap 338, section 36)

[1 October 1976]

(Originally L.N. 77 of 1976)

Rule:	1	Citation		30/06/1997
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These rules may be cited as the Small Claims Tribunal (Forms) Rules.

Rule:	2	Forms		30/06/1997
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The forms contained in the Schedule shall be used in the tribunal with such variations as the circumstances may require.

Schedule:		SCHEDULE	L.N. 257 of 1999	19/10/1999
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[rule 2]

FORM 1

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

TITLE TO CLAIM: GENERAL FORM

Claim No. of 19 .

Between (a) Claimant(s)

and

(b) Defendant(s)

Note: (a) Insert full name and address of each claimant and, in the case of a representative claim, the name and address of each person represented.

(b) Insert full name and address of each defendant.

(L.N. 14 of 1995)

FORM 2

[section 12]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

FORM OF CLAIM

[title as in Form 1]

To the Defendant.

The claimant claims the amount of
particulars of the grounds for which and the manner in which it is calculated are set out as follows:

(a) 1. The grounds for the claim are:
.....
.....
.....

(b) 2. The amount of claim is calculated as follows:
.....
.....
.....

Dated this day of 19

.....
(c) (Signature of Claimant).

Filed this day of 19

.....
Registrar.

L.S.

- Note: (a) Set out sufficient particulars to inform the defendant of the grounds for the claim.
(b) Set out in full the manner in which the amount of claim is calculated and whether it includes any interest or expenses.
(c) This claim must be signed by each claimant or person represented before the date of hearing.
(L.N. 14 of 1995)

FORM 3

[section 14]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF PLACE AND DAY FIXED FOR HEARING

[title as in Form 1]

To the Defendant.

Take Notice that this claim has been made by the claimant against you and will be heard at a tribunal to be held at
before Adjudicator, on the day
of 19, at *a.m./p.m.

And Take Notice that if you do not attend at the time and place mentioned, either in person or by a person

authorized by the tribunal to appear on your behalf, the claim may be heard in your absence and such award or order may be made in your absence as the tribunal thinks fit.

Dated this day of 19

.....
Registrar.

L.S.

(a) This notice and a copy of the claim was served by me on by means of on the day of 19

.....
(Signature of recipient of claim and notice if obtained).

.....
(Signature of process server).

* Delete whichever is not applicable.

Note: (a) Service shall be effected in accordance with section 14(2) of the Small Claims Tribunal Ordinance. (L.N. 254 of 1988; L.N. 14 of 1995)

FORM 4

[section 14]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF NEW PLACE AND NEW DAY FIXED FOR HEARING

[title as in Form 1]

To The Defendant.

Take Notice that this claim will be heard at on the day of 19, at *a.m./p.m. and any previous notice of the place and date of hearing is hereby cancelled.

Dated this day of 19

.....
Registrar.

L.S.

(a) This notice was served by me on by means of on the day of 19

.....
(Signature of recipient notice if obtained).

.....
(Signature of process server).

* Delete whichever is not applicable.

Note: (a) Service shall be effected in accordance with section 14(2) of the Small Claims Tribunal Ordinance. (L.N. 254 of 1988; L.N. 14 of 1995)

FORM 5

[section 16]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

SUMMONS TO WITNESS

[title as in Form 1]

To (a)

YOU ARE HEREBY SUMMONED to attend at on the day of 19 at o'clock, and so from day to day, until the proceedings are heard, to give evidence in the above claim *and also bring with you and produce the several documents hereunder specified:

[Here insert list of documents required to be produced.]

In default of your attendance you will be liable for forfeit a fine not exceeding level 2 if there was paid or tendered to you at the time of service of this summons a reasonable sum in respect of your expenses including any loss of salary or wages.

Dated this day of 19

.....
Registrar.

L.S.

Sum to be paid or tendered to witness \$

(b) This summons was served by me on by means of on the day of 19

.....

(Signature of recipient of summons
if obtained).

(Signature of process server).

* Delete if witness not required to produce documents.

Note: (a) Insert name of person to be served.

(b) Service to be effected in accordance with the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).

(L.N. 254 of 1988; L.N. 14 of 1995; 28 of 1999 s. 18)

FORM 6

[section 18]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

FORM OF *AWARD/ORDER

[title as in Form 1]

IT IS ADJUDGED that (a) obtained against
(b) the following *award/order.

Dated this day of 19

.....
Adjudicator.

L.S.

* Delete whichever is not applicable.

Note: (a) Insert full name of the party in whose favour the award or order is made.

(b) Insert full name of the party against whom the award or order is made.

For attention of parties:

- (i) An application in Form 8C for review of an award or order must be made to the Adjudicator within 7 days after the date of the award or order.
- (ii) An application in Form 8D to set aside an award or order must be made to the tribunal within 7 days after the hearing.
- (iii) An application in Form 9 for leave to appeal against an award or order must be lodged with the Registrar, High Court, within-
 - (A) 7 days after the date on which the written award or order is served on the aggrieved party; or
 - (B) if within that period the aggrieved party applies to the tribunal for the reasons for the award or order, 7 days after the date on which the reasons are served on him.

(L.N. 27 of 1978; L.N. 14 of 1995; 25 of 1998 s. 2)

FORM 7

[section 27]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

APPLICATION FOR REVIEW BY THE COURT OF FIRST INSTANCE OF
TRIBUNAL'S DECISION TO TRANSFER A CLAIM

[title as in Form 1]

To The Court of First Instance.

I, (a) , a party to this claim, pursuant to section 27 of the Small Claims Tribunal Ordinance, do hereby make application for a review of the tribunal's decision made on the day of 19 to transfer this claim to the *Minor Employment Claims Adjudication Board/Labour Tribunal/Lands Tribunal/District Court/Court of First Instance.

(b) Dated this day of 19

.....
(Signature of Applicant).

* Delete whichever is not applicable.

Note: (a) Insert full name of the party making application.
(b) An application for a review of the tribunal's decision to transfer a claim must be made within 7 days of the decision.

(L.N. 214 of 1982; 14 of 1986 s. 12; L.N. 14 of 1995; 25 of 1998 s. 2; 28 of 1999 s. 18)

FORM 8

[section 27]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF REVIEW BY THE COURT OF FIRST INSTANCE ON THE
APPLICATION OF A PARTY

[title as in Form 1]

To All Parties Interested.

An Application has been made by (a) a party to this claim, for a review under section 27 of the Small Claims Tribunal Ordinance of the tribunal's decision made on the day of 19 to transfer this claim to the *Minor Employment Claims Adjudication Board/Labour Tribunal/Lands Tribunal/District Court/Court of First Instance.

Take Notice that the Court of First Instance will review the decision at on the day of 19 at *a.m./p.m.

Dated this day of 19

.....
Registrar, High Court.

L.S.

(b) This notice was served by me on by means
of on the day of 19

.....
(Signature of recipient of notice
if obtained).

.....
(Signature of process server).

* Delete whichever is not applicable.

Note: (a) Insert full name of the party by whom the application has been made.

(b) Service shall be effected in the manner prescribed under the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).

(L.N. 214 of 1982; 14 of 1986 s. 12; L.N. 254 of 1988; L.N. 14 of 1995; 25 of 1998 s. 2; 28 of 1999 s. 18)

FORM 8A

[section 27A(2)(a)]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF REVIEW BY AN ADJUDICATOR
OF HIS OWN MOTION

[title as in Form 1]

To All Parties Interested.

TAKE NOTICE that in exercise of the powers conferred by section 27A(1) of the Small Claims Tribunal Ordinance, Adjudicator, will review the *award/order made on the day of 19 against (a) *claimant(s)/defendant(s) to this claim.

AND TAKE NOTICE that the review will be heard at on the day of 19 at *a.m./p.m.

Dated this day of 19

.....
Registrar.

L.S.

(b) This notice was served by me on by means

of on the day of 19

.....
(Signature of recipient of notice
if obtained)

.....
(Signature of process server).

* Delete whichever is not applicable.

Note: (a) Insert full name and address of party against whom award/order was made.
(b) Service shall be effected in the manner prescribed under the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).
(L.N. 27 of 1978; L.N. 254 of 1988; L.N. 14 of 1995)

FORM 8B

[section 27A(2)(b)]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF REVIEW BY AN ADJUDICATOR ON
THE APPLICATION OF A PARTY

[title as in Form 1]

To All Parties Interested.

An Application has been made by (a), a party to this claim, for a review under section 27A of the Small Claims Tribunal Ordinance of an *award/order made on the day of 19 in respect of this claim.

TAKE NOTICE that, Adjudicator will review the *award/order at on the day of 19 at *a.m./p.m.

Dated this day of 19

.....
Registrar.

L.S.

(b) This notice was served by me on by means of on the day of 19

.....
(Signature of recipient of notice
if obtained)

.....
(Signature of process server)

* Delete whichever is not applicable.

- Note: (a) Insert full name of the party by whom the application has been made.
 (b) Service shall be effected in the manner prescribed under the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).

(L.N. 27 of 1978; L.N. 254 of 1988; L.N. 14 of 1995)

FORM 8C

[section 27A]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

APPLICATION FOR REVIEW OF AN *AWARD/ORDER
 BY A PARTY

[title as in Form 1]

To, Adjudicator.

I, (a), a party to this claim which was heard and determined before you on the day of 19, being dissatisfied with the *award/order made by you in respect of this claim, hereby, pursuant to section 27A(2)(b) of the Small Claims Tribunal Ordinance, make application to you to review the *award/order.

(b) Dated this day of 19

.....
 (Signature of Applicant).

* Delete whichever is not applicable.

- Note: (a) Insert full name of the party making application
 (b) An application for a review of an award or order must be made within 7 days after the date of the award or order.

(L.N. 27 of 1978; L.N. 14 of 1995)

FORM 8D

[section 32A]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

APPLICATION TO SET ASIDE AN *AWARD/ORDER

[title as in Form 1]

To The Tribunal.

I, (a), a party to this claim, which was heard and determined by the tribunal in my absence and an *award/order made on the day of 19,

hereby, pursuant to section 32A of the Small Claims Tribunal Ordinance, make application to set aside the *award/order.

The *reason/reasons for my non-appearance at the hearing *is/are
.....
.....

(b) Dated this day of 19

.....
(Signature of Applicant).

* Delete whichever is not applicable.

Note: (a) Insert full name of the party making application.
(b) This application must be made to the tribunal within 7 days after the hearing.
(L.N. 27 of 1978; L.N. 14 of 1995)

FORM 8E [section 32A]

SMALL CLAIMS TRIBUNAL ORDINANCE
(Chapter 338)

NOTICE OF DAY FIXED FOR HEARING OF AN APPLICATION
TO SET ASIDE AN *AWARD/ORDER

[title as in Form 1]

To All Parties Interested.

An Application has been made by (a), a party to this claim, to set aside under section 32A of the Small Claims Tribunal Ordinance the *award/order made in the absence of the applicant on the day of 19 in respect of this claim. The reasons for the non-appearance of the applicant are set out in the Application, a copy of which is annexed hereto.

TAKE NOTICE that the Application will be heard at on the day of 19 at *a.m./p.m.

Dated this day of 19

.....
Registrar.

(b) This notice was served by me on by means of on the day of 19

.....
(Signature of recipient of notice
if obtained).

.....
(Signature of process server).

* Delete whichever is not applicable.

Note: (a) Insert full name of party by whom the application has been made.

(b) Service shall be effected in the manner prescribed under the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).

(L.N. 27 of 1978; L.N. 254 of 1988; L.N. 14 of 1995)

FORM 9

[section 28]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

APPLICATION FOR LEAVE TO APPEAL ON POINT OF LAW

[title as in Form 1]

To The Court of First Instance.

I, (a), a party to this claim, pursuant to section 28 of the Small Claims Tribunal Ordinance do hereby apply for leave to appeal against the *award/order by, Adjudicator, made in respect of this claim on the day of 19

The grounds on which I desire to appeal are that-

*the *award/order is erroneous in point of law in that-(b)

1.
2.
3.
4.

*the *award/order is outside the jurisdiction of the tribunal in that-(c)

1.
2.
3.
4.

Dated this day of 19.....

.....
(Signature of Applicant).

(d) Lodged this day of 19

.....
Registrar, High Court.

L.S.

* Delete whichever is not applicable.

- Note: (a) Insert full name of the party making the application for leave to appeal.
(b) Set out the point of law in question.
(c) Set out the reasons.
(d) This application must be lodged with the Registrar, High Court, within-
(i) 7 days after the date on which the written award or order is served on the party making this application; or
(ii) if within that period the party applies to the tribunal for the award or order, 7 days after the date on which the reasons are served on him.
(L.N. 27 of 1978; L.N. 214 of 1982; L.N. 14 of 1995; 25 of 1998 s. 2)

FORM 10

[(General) rule 8]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF DAY FIXED FOR HEARING OF AN APPLICATION
FOR LEAVE TO APPEAL

[title as in Form 1]

To (the applicant).

Take Notice that your application dated 19 for leave to appeal against the
*award/order of, Adjudicator, made on the day
of 19 in respect of this claim will be heard
at on the day of 19
at

Dated this day of 19

.....
Registrar, High Court.

L.S.

(a) This notice was served by me on by means
of on the day of 19

.....
(Signature of recipient of notice
if obtained)

.....
(Signature of process server)

* Delete whichever is not applicable.

Note: (a) Service to be effected in accordance with the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).
(L.N. 254 of 1988; L.N. 14 of 1995; 25 of 1998 s. 2)

FORM 11

[(General) rule 9(1)(c)]

SMALL CLAIMS TRIBUNAL ORDINANCE

(Chapter 338)

NOTICE OF DAY FIXED FOR HEARING OF AN APPEAL

In the Court of First Instance

[title as in Form 1]

To All Parties Interested.

Take Notice that leave to appeal against the *award/order of , Adjudicator, made on the day of 19 in respect of this claim has been granted. The grounds of appeal are set out in the application for leave to appeal, a copy of which is annexed hereto.

And Take Notice that this appeal will be heard at on the day of 19 at

Dated this day of 19

.....
Registrar, High Court.

L.S.

(a) This notice was served by me on by means of on the day of 19

.....
(Signature of recipient of notice
if obtained)

.....
(Signature of process server)

* Delete whichever is not applicable.

Note: (a) Service to be effected in accordance with the Small Claims Tribunal (General) Rules (Cap 338 sub. leg. A).
(L.N. 214 of 1982; L.N. 254 of 1988; L.N. 14 of 1995; 25 of 1998 s. 2)