

**SMALL
CLAIMS
TRIBUNAL**

HOW TO START
A CLAIM

1. Type of claims

Claims that may be filed in the Small Claims Tribunal are fairly limited. A Claimant may file a claim only if the cause of cause falls within the following:

- contract of sales of goods,
- a contract for provision of services,
- claim arising from the respondent causing damages to a property ad contracts under the Consumer Protection Act,
- which amount does not exceed \$10,000.

2. Respondent's particulars

- The claimant should ascertain the full name of the Respondent and his/her address.
- If the Respondent is a company, the claimant should conduct a company name search to obtain the updated company's name and address.

3. Filing of Forms

- To file a claim under the Small Claims Tribunals, the claimant should file in the particulars of the claim in Form 1.
- If the Respondent has a claim against the Claimant in the same subject matter of the dispute, the Respondent may file a **Counterclaim** against the Claimant.
- The Respondent should file in the particulars of the Counterclaim in Form 2.
- Both Form 1 and Form 2 are available at the Small Claims Tribunal Registry at the Law and Courts Building, Bandar Seri Begawan during office hours.

4. Filing Fees

- Parties lodging or filing a claim would have to pay claim fees as follows:

| | Not exceeding \$5,000 | Exceeding \$5,000 but not exceeding \$10,000 |
|--------------|-----------------------|--|
| Consumer | \$10.00 | \$20.00 |
| Non-consumer | \$50.00 | \$100.00 |

5. Service of Claim

- Service of the claim can be done by the Claimant in person, post to the last known address of the Respondent, served by a court process server or by any other means that it considers proper.
- After the claimant has filed his claim and paid the prescribed filing fees, the SCT Registry will issue out Form 4, which is the Notice of Consultation. It provides the date and time for the Consultation where both parties are required to appear.

6. What are the fees for a court process service?

- Court process service fees are governed by Rule 19 of the Magistrates' Courts (Court Fees and Costs) Rules.
- The fees for a process service are:
 - a) Within 8 kilometers of Court House
= \$20.00
 - b) More than 8 kilometers from Court House
= \$40.00

For more information please contact:

The Small Claims Tribunals
Subordinate Court
The Law and Courts Building
KM 11/2, Jalan Raja Isteri Pengiran
Anak Saleha,
Bandar Seri Begawan, BA 1910,
Negara Brunei Darussalam
or
Subordinate Courts in
Kuala Belait, Tutong and
Temburong.

Office Hours:
Government Office Hours (Counter)

General Inquiries: Tel.no.: 2232979