

**For discussion
on 24 April 2017**

**Legislative Council
Panel on Administration of Justice and Legal Services**

**Review of the Civil Jurisdictional Limits
of the District Court and the Small Claims Tribunal**

PURPOSE

This paper seeks Members' views on the proposed increases in the civil jurisdictional limits of the District Court ("DC") and the Small Claims Tribunal ("SCT").

BACKGROUND

Civil Jurisdictional Limits of the District Court

2. The civil jurisdictional limits of the DC are set out in Part IV of the District Court Ordinance (Cap. 336) ("DCO"). The various limits currently applicable are as follows -

- (a) the general financial limit of the civil jurisdiction of the DC is \$1 million;
- (b) the financial limit for land matters is \$240,000 in terms of the annual rent or the rateable value or the annual value of the land¹;
- (c) for the equity jurisdiction of the DC where the proceedings do not involve or relate to land, the limit is \$1 million; and
- (d) for the equity jurisdiction of the DC where the proceedings wholly involve or relate to land, the limit is \$3 million.

¹ The annual rent and annual value are used to cater for lands which are exempted from assessment to rates under the Rating Ordinance (Cap. 116). In general, they should roughly be the same as its rateable value.

3. The last review of the civil jurisdictional limits of the DC was conducted in 2003. After conducting an analysis having regard to the possible impact on demand for court services, changes in relevant economic indicators, the pattern in litigation costs, resource implications for the Judiciary, and the development of Judges and Judicial Officers (“JJOs”) to cope with the increase in civil jurisdictional limits, etc., the Judiciary increased the general financial limit, together with the limit of the equity jurisdiction where land is not involved, of the DC from \$600,000 to \$1 million in 2003, while keeping the limits for land matters and equity jurisdiction where land is involved unchanged.

Jurisdictional Limit of the Small Claims Tribunal

4. According to section 5 and the Schedule of the Small Claims Tribunal Ordinance (Cap. 338) (“SCTO”), the SCT handles cases with a claim amount of not more than \$50,000. The present limit was set in 1999. In the same review for the DC limits in 2003 as mentioned in paragraph 3 above, it was decided that the SCT limit be maintained.

THE PROPOSALS

5. In 2015-16, the Judiciary conducted a review of the civil jurisdictional limits of the DC and the SCT, and consulted the stakeholders on the following adjustments -

- (a) increasing the general financial limit of the civil jurisdiction of the DC from \$1 million to **\$3 million**;
- (b) increasing the financial limit for land matters of the DC from \$240,000 to **\$320,000** in terms of the annual rent or the rateable value or the annual value of the land;
- (c) increasing the limit for the equity jurisdiction of the DC where the proceedings do not involve or relate to land from \$1 million to **\$3 million**;
- (d) increasing the limit for the equity jurisdiction of the DC where the proceedings wholly involve or relate to land from \$3 million to **\$7 million**; and
- (e) increasing the limit for SCT from \$50,000 to **\$75,000**.

A full list of the provisions in DCO and SCTO with the limits subject to the above revision is at **Annex**. Detailed considerations for the above proposals are set out below.

JUSTIFICATIONS

District Court

A. Recent caseload trends

6. Over the recent few years, the total caseload of the Court of First Instance of the High Court (“CFI”) and the DC taken together has largely been stable (with 39 800 cases in 2010 and 41 300 cases in 2016, representing a moderate increase of about 4% over six years). For the CFI, the number of civil cases filed was on the rise from 15 900 in 2011 to 19 400 in 2016, with an aggregate increase of about 22%. At the same time, there was a slight drop of about 2% in the total number of civil cases filed in the DC from 22 400 in 2011 to 21 900 in 2016.

7. On closer examination, during the said period, the increase in the CFI caseload was particularly significant in respect of, among others, mortgage cases², personal injuries (“PI”) cases and civil actions³ (these three types of cases represented about 29% of the total caseload of the CFI in 2016). These cases increased as a total from 3 300 in 2011 to 5 600 in 2016, registering an accumulative increase as high as 70%.

8. Such increases in CFI cases can be attributed to many factors, including, for example, changes in economic and business conditions over the years. The resultant effect is that the CFI, which already has a heavy workload, is further stretched to handle the additional cases. If

² Mortgage claims generally refer to actions by a mortgagee or mortgagor or any person having the right to foreclose or redeem any mortgage to claim reliefs such as payment of moneys secured by the mortgage and sale of the mortgaged property, etc. Details are set out in Order 88 of the Rules of the High Court (Cap. 4A) and the Rules of the District Court (Cap. 336H).

³ Civil actions generally refer to civil proceedings for assessing whether a person or an entity (the Defendant) should have civil liability and if so, to award the appropriate form and amount of relief, for example damages, injunction, etc., to another person or entity (the Plaintiff) who has suffered or will suffer a loss. Some of the most common causes of actions include debt due, breach of contract, landlord and tenant lawsuits, land disputes, money and lender’s proceedings.

the existing DC's jurisdictional limits are increased, some of the cases in the lower levels of the current jurisdictional limits of the CFI could be handled by the DC, which would help ease the pressure on the CFI. It would in turn enable the CFI Judges to concentrate on handling civil cases of higher claim amounts, thereby facilitating the development of the jurisprudence for more complex civil cases.

B. Developments of the DC since the last review

9. Since the last review of the jurisdictional limits of the DC in 2003, there have been further developments of the DC which have enhanced its capabilities to handle cases with higher claim amounts -

- (a) in the course of time, the DC has built up substantial experience in handling more substantive civil litigations, including chancery matters (e.g. commercial, trust and land) and PI disputes. In particular, there is now an experienced District Judge assisted by dedicated Masters to take charge of the PI list in the DC, thereby facilitating the conduct of the proceedings for PI cases;
- (b) since 2000, the DC has established a professional "Masters" system, modelling on that of the High Court, with its Registrar and Deputy Registrars filled up by judicial officers. After the reform, the Registrar and Deputy Registrars of the DC, collectively known as the Masters, are exercising certain judicial functions (such as handling interlocutory applications) in support of the effective and efficient operation of the civil justice system in the DC. The Masters system has been operating effectively and has matured over the years;
- (c) in 2000, there was a complete revamp of DC's civil procedure rules, which are modelled on the rules of the High Court. As a result, the civil practices and procedures of the DC are comparable to those of the CFI, except for areas that necessitate different treatment to suit the specific needs of the DC. In particular, the Practice Direction ("PD") applicable to the PI list in the CFI (i.e. PD 18.1) also applies to the DC⁴. These measures have helped improve the operation of the DC and

⁴ Paragraph 27 of PD 27 on Civil Proceedings in the District Court refers.

align it with that of the CFI, thereby enhancing the competence of the JJOs at the DC to handle cases effectively; and

- (d) there has been on-going training for the JJOs in the DC on various subjects including those relating to the handling of civil proceedings. With the establishment of the Judicial Institute in the Judiciary in 2013, the judicial skills and knowledge of the JJOs in the DC would continue to be further enhanced through the development of continuing and more structured education.

10. The above initiatives have well equipped JJOs of the DC with the necessary skills and knowledge to handle any additional cases offloaded to it from the CFI following any proposed increases in its jurisdictional limits.

C. Enhancing access to justice

11. Increasing the jurisdictional limits for the DC will divert some CFI cases (especially PI and mortgage actions as shown in paragraph 16 below) to the DC. This will not only ease the pressure on the CFI, but will also benefit litigants.

12. Since the legal costs for CFI cases are in general higher than those of the DC, a proposed increase in the DC's jurisdictional limits will enable more litigants to file their claims in the DC with lower litigation costs, and cater for cases which would otherwise not be filed but for the comparatively lower litigation costs in the DC. This will in turn help enhance access to the judicial system.

D. Proportionality between claim amounts and legal costs

13. The reduction in legal costs as a result of a proposed increase in the DC's jurisdictional limits will in turn help address a feature of modern litigation, namely, the disproportionality between the amount of a claim and the related costs.

14. In fact, this is in line with the underlying objectives of the Civil Justice Reform implemented in 2009, one of which is to promote a sense of reasonable proportion between the amount claimed and the legal costs, as well as procedural economy in the conduct of proceedings, thereby

ensuring fair administration of justice. This should be conducive to public interests.

E. Projections on workload impact

15. The Judiciary has carried out some analysis and indicative projections using the data gathered from 1 January 2013 to 31 December 2016 (“the period under review”) to estimate the likely impact on the workload of the CFI and the DC respectively upon making some adjustments to the DC’s jurisdictional limits. The Judiciary appreciates that it is difficult to be exact on the likely impact because other factors beyond the operation of the courts may also come into play⁵.

16. After some sensitivity and impact analysis, the Judiciary considers that increasing the general limits of the DC from \$1 million to \$3 million is worth pursuing. The likely impact on the caseload on the CFI and the DC respectively is set out as follows -

(a) For the CFI

- (i) the number of civil cases filed may decrease from the average of about 19 200⁶ a year during the period under review to the level of 17 600, about 8% below the average number of cases filed in the period under review. The decrease in percentage terms is expected to be more significant for PI and mortgage claims;
- (ii) the number of paper applications processed may decrease from about 32 000 a year by about 10% to the level of about 28 900. The proportion of decrease is expected to be more significant for mortgage and PI cases;
- (iii) the number of interlocutory hearings listed may decrease from about 38 000 a year by about 13% to the level of

⁵ For example, general economic and business conditions may affect the number of cases filed and going to trial. The actual time to be spent on each case may also be affected by factors such as whether the litigants are legally represented and its complexity.

⁶ In this paper, for the purpose of comparison, the annual average of the respective figures during the period under review is used as the baseline figure for assessing impact on various fronts.

about 33 100. The proportion of decrease is expected to be more significant for PI and mortgage cases; and

- (iv) the number of trials listed may decrease from about 600 a year by about 18% to the level of about 490. The magnitude of decrease would be more significant for PI cases.

(b) For the DC

- (i) the number of civil cases filed may increase from about 20 900 a year by about 8% to the level of about 22 500. The increase in percentage terms is expected to be more significant for mortgage and PI cases;
- (ii) the number of paper applications processed may increase from about 27 200 a year by about 12% to the level of about 30 400. The proportion of increase is expected to be more significant for mortgage cases;
- (iii) the number of interlocutory hearings listed may increase from 14 900 a year by about 33% to the level of about 19 800. The proportion of increase is expected to be more significant for mortgage and PI cases; and
- (iv) the number of trials listed may increase from 448 a year by about 26% to the level of about 563. The magnitude of increase would also be most significant for mortgage and PI cases.

17. Based on the above projections, the Judiciary is confident that the DC is capable of handling the proposed changes with resources commensurate with the workload. Of the two case types that are expected to see significant increases, PI cases are more or less dealt with on well-established principles and the mortgage claims to be off-loaded by the CFI to the DC should be similar in nature and complexity to those being handled by the DC at the moment.

F. Changes in economic indicators

18. Since the last adjustment to the limits, there have been changes in various economic indices and indicators. For example, per capita

GDP, which is a commonly-used indicator of improvement in living standard, increased cumulatively by about 82% in nominal terms between 2003 and 2016. The cumulative inflation rate, as measured by the Composite Consumer Price Index during the same period, was 41%.

19. In considering the general jurisdictional limits for the DC, the Judiciary appreciates that changes in economic indices and indicators are not the only factor that needs to be taken into account. In fact, the projections on the workload impact on the DC above are a more predominate consideration.

20. On the other hand, the other jurisdictional limits of the DC, which are primarily related to land, are more tied to the economic situation. They have been updated in the past on the basis of changes in the relevant economic indicators. In the current review exercise, the Judiciary has followed the established approach to make suitable assessments. As regards the workload impact, while the Judiciary may not be able to make projections due to the relevant factors being outside the control of the Judiciary, based on past operational experience, we believe that the impact should be manageable.

21. The basis for proposed changes to the primarily land-related jurisdictional limits is set out as follows –

(a) Actions related to recovery of land

The current land-related jurisdictional limit of \$240,000 was set in 2000. It was set mainly on the basis of the then accumulative changes to the rateable value in the Valuation Lists issued by the Rating and Valuation Department of the Government (“RVD”) since an earlier review in 1988. At that time, a rateable value of \$240,000 would cover domestic properties with a capital value of about \$6 million and represented about 95 percentile of the then Valuation Lists. There was no change to this limit in the review in 2003.

The Judiciary has adopted the same basis for the present review. According to the RVD, the accumulative changes of the average rateable value in its Valuation Lists since the last adjustment of the limit (i.e. from April 1999 to April 2014) are +34%. The figure as at April 2014 was the latest figure available when the Judiciary conducted the review of the jurisdictional limits in 2015-16. Using that figure and applying the increase to the

present limit of \$240,000 would mean a proposed new limit of about \$320,000. Further, since the review conducted in 2015-16, we have been able to obtain figures up to April 2016. Using the latest data, the accumulative changes of the average rateable value in the Valuation Lists since the last adjustment of the limit would be +48%. Applying this factor to the present limit of \$240,000 would translate into a new threshold of about \$360,000, representing around 95 percentile of the 2016-17 Valuation Lists. However, given that the proposed new limit of \$320,000 (which was supported by stakeholders during the consultation exercise) already represents around 93 percentile of the Valuation Lists, and the difference in percentile between the two possible new limits is very small, we propose to adjust the land-related jurisdictional limit to \$320,000 as proposed in the earlier consultation. This limit would cover domestic properties with a capital value of about \$12.3 million;

(b) Equity jurisdiction involving land

For the equity jurisdiction of the DC where land is involved, the current limit of \$3 million was determined in 2000 having regard to the change in domestic property price index since the last adjustment, the percentage of properties in the Valuation Lists the limit would cover, and the rough capital value of an average small/medium residential property in Hong Kong. At that time, the limit of \$3 million corresponded to about 80 percentile of the RVD's then records of secondary sales of private domestic properties in the year.

The Judiciary has also adopted a similar basis in the present review. The RVD has advised that the accumulative changes in the price indices for all classes of private residential properties since the last adjustment of the limit (i.e. from April 1999 to April 2014) are +140% and translates into a limit of \$7.2 million (or around \$7 million). The figure as at April 2014 was the latest figure available when the Judiciary conducted the review of the jurisdictional limits in 2015-16. Again, we have been able to obtain figures updated to April 2016. Based on the latest data, the accumulative changes in the price indices for all classes of private residential properties since the last adjustment of the limit would now be 168%. Applying this factor to the present limit of \$3 million would mean a new threshold of about \$8 million, which would be at about 85 percentile of the related

records of secondary sales of private domestic properties in the year. Given that the proposed new limit of \$7 million (which was supported by stakeholders during the consultation exercise) is already at around 79 percentile of the relevant records of secondary sales of private domestic properties in the year, which is at about the same percentile as that in the last review exercise, we propose to adopt the new limit at \$7 million as proposed in the earlier consultation exercise; and

(c) Equity jurisdiction not involving land

As regards the limit for equity jurisdiction where land is not involved, the Judiciary proposed raising it from \$1 million to \$3 million for alignment with the proposed increase in the general jurisdictional limit above.

G. Summary

22. In short, the Judiciary proposed to raise the general financial limit of the DC from \$1 million to **\$3 million**, while raising the relevant land-related limits from \$240,000 to **\$320,000**, and from \$3 million to **\$7 million**.

Small Claims Tribunal

A. Enhancing access to justice

23. SCT is a tribunal which adopts a more informal approach to proceedings and its rules and procedures are less strict than those in most other courts and tribunals, and no legal representation is allowed therein. It provides a relatively quick and less costly avenue for litigants to resolve civil disputes involving lower claim amounts.

24. With the above proposed increases in the jurisdictional limits for the DC, the Judiciary considers it necessary to adjust the limit for the SCT upwards as well such that some of the simpler DC cases could be offloaded to the SCT, and that access to justice can be further enhanced by allowing the SCT to process more cases with lower claims amounts which may otherwise not be pursued by parties if they have to lodge such cases at the DC where costs of litigation are higher.

B. Economic indicators

25. Since the last review of the limits of the SCT in 2003, there has been a cumulative inflation rate of 41% as measured by the change in the Composite Consumer Price Index between 2003 and 2016.

C. Projections on workload impact

26. Similar to above, the Judiciary has also tried its best to estimate the likely impact on demand for SCT services arising from the proposed increase of the financial limits of the SCT from \$50,000 to **\$75,000**. When estimating the impact, the Judiciary takes into account the following -

- (a) suppressed demands: which refer to cases which are not filed to the court at present because of the legal costs in the DC; and
- (b) waive excess: which refer to cases of which the claimant would waive a portion of claim amount to fit the proposed jurisdiction of the SCT to save costs⁷.

27. The impact on the volume of SCT cases is likely to be as follows –

- (a) the number of cases filed in the SCT is likely to increase from about 49 500 a year by about 4% to the level of about 51 600. All the increases are expected to be attributable to claims filed by one party against another party, as against cases filed by the same claimant against multiple parties for similar causes at the same time; and
- (b) the number of trials listed is projected to increase from about 1 470 a year by about 14% to the level of about 1 680.

⁷ For example, at present, there are cases with claim amounts more than \$50,000 and up to \$100,000. The related legal costs for some of these cases if handled in the DC may far exceed the amount of \$100,000. Hence, some claimants may choose to waive part of their claim amounts so as to fit into the SCT's jurisdiction because of its lower legal costs.

By increasing SCT's jurisdictional limits, cases of even higher claim amounts may have part of their claim amounts waived to fit into SCT's proposed limits.

D. Assistance to litigants

28. The Judiciary notes that cases to be diverted from the DC to the SCT may be slightly more complicated than SCT's present cases. Furthermore, legal representation, which may be engaged in the DC, will not be available for the cases to be shifted from the DC to the SCT.

29. In this regard, the Judiciary is keenly aware of the need to enhance public understanding of the procedures for making and defending claims at the SCT where no legal representation is permitted. To this end, the Judiciary has published information covering various facets of the procedures at the SCT both on the internet and in hard copy pamphlets placed at our court buildings.

30. The Judiciary has also set up a new Information Centre at the new West Kowloon Law Courts Building ("WKLCB") (where the SCT has been relocated to in September 2016) to provide enquiry services on rules and procedures of SCT, thereby facilitating the smooth conduct of the proceedings at SCT.

Aggregate Impact on the DC

31. After taking into account the above proposed increases in the various jurisdictional limits for the DC and the SCT as a whole, the overall impact on the DC would be moderated (as compared with paragraph 16(b) above). The aggregate impact is expected to be as follows –

- (a) the number of civil cases filed may increase from about 20 900 a year by about 5% to the level of about 21 900. The increase in percentage terms is expected to be more significant for mortgage and PI cases;
- (b) the number of paper applications processed may increase from about 27 200 a year by about 10% to the level of about 29 800. The proportion of increase is expected to be more significant for mortgage and PI cases;
- (c) the number of interlocutory hearings listed may increase from about 14 900 a year by about 28% to the level of about 19 100. The proportion of increase is expected to be more significant for mortgage and PI cases; and

- (d) the number of trials listed may increase from about 448 a year by about 24% to the level of about 556. The magnitude of increase would also be most significant for mortgage and PI cases.

RESOURCE IMPLICATIONS

32. While the proposed revision of the DC and SCT jurisdictional limits above would help ease the heavy workload of the CFI and enhance access to justice, they would have an impact on the caseload and workload of the DC and SCT.

33. In the course of conducting the review of the civil jurisdictional limits of the DC and SCT, the Judiciary has also conducted a detailed assessment on the resource implications arising from the proposed increases, in particular the impact on the requirements of additional JJO manpower and court facilities. The Judiciary considers that it is essential to have the necessary additional manpower and court facilities available and ready at the DC and SCT before the proposed increases in the jurisdictional limits are implemented.

34. On the additional requirements for JJO manpower, the Judiciary, with the support of the Government, is proposing to create nine JJO posts (including four District Judges, three Deputy Registrars, DC, and two Adjudicators, SCT) in 2016-17, which will be subject to the endorsement of the Establishment Subcommittee and the approval of the Finance Committee of the Legislative Council, together with a net creation of 23 non-directorate civil service posts for supporting the JJOs, to cope with the increases in the jurisdictional limits of the DC and SCT. The financial resources required for these additional posts have been included in the Draft Estimates 2017-18 Head 80. The Judiciary is consulting the Panel on the above proposed creation of the JJO posts for supporting the implementation of the adjustments of the DC and SCT jurisdictional limits in a separate paper to be discussed at the same meeting.

35. On court facilities, the SCT was relocated from the Wanchai Law Courts Building to the new WKLCB in September 2016. After the relocation, the number of courtrooms available for use by the SCT in the WKLCB has increased from 9 to 12. Meanwhile, the floor space released by the SCT in the Wanchai Law Courts Building has been

reserved for the expansion of the DC (and the Family Court). Renovation work has already started, which when completed in early 2018, will increase the number of courtrooms available for use by the DC from 31 to 38 and that for use by the Family Court from 9 to 10. The expansion of the DC and relocation of the SCT have already taken into account the additional accommodation requirements arising from the implementation of the adjusted jurisdictional limits for the DC and SCT.

CONSULTATION

36. In 2015-16, the Judiciary conducted a public consultation exercise to consult various stakeholders on the proposals set out in paragraph 5 above, including the Hong Kong Bar Association and the Law Society of Hong Kong. They are generally supportive of the proposals.

IMPLEMENTATION

37. The proposed increases of the civil jurisdictional limits of the DC and SCT can be effected by resolution of the Legislative Council under section 73A of the DCO and section 6 of the SCTO.

WAY FORWARD

38. Subject to Members' views and support, the Judiciary intends to complete the legislative process within 2017, with a view to implementing the revised limits of the DC and SCT in early 2018.

ADVICE SOUGHT

39. Members are invited to give their views on and support for the proposal as set out at paragraph 5 of this paper.

Annex

**Proposed Amendments to the
Civil Jurisdictional Limits of DC and SCT**

(A) DCO (Cap. 336)

Item No.	Type of proceedings	Existing Limit	Proposed Limit
General jurisdiction in actions of contract, quasi-contract and tort			
1.	Action founded on contract, quasi-contract or tort (in terms of the amount of the plaintiff's claim) Section 32(1) of the DCO	\$1 million	\$3 million
2.	Proceedings by way of interpleader (in terms of the amount or value of the matter in dispute) Section 32(3) of the DCO	\$1 million	\$3 million
Money recoverable by enactment			
3.	Recovery of penalty, expenses, contribution, or civil debt (in terms of the amount claimed) Section 33(1)(b) of the DCO	\$1 million	\$3 million
Jurisdiction for recovery of land			
4.	Recovery of land (in terms of the least of the annual rent or the rateable value of the land, or the annual value of the land)	\$240,000	\$320,000

Item No.	Type of proceedings	Existing Limit	Proposed Limit
	Section 35 of the DCO		
5.	<p>Actions in which the title to an interest in land comes into question for an easement or licence (in terms of the lesser of the rateable value or annual value of the land)</p> <p>Section 36(a) of the DCO</p>	\$240,000	\$320,000
6.	<p>Actions in which the title to an interest in land comes into question for other cases (in terms of the lesser of the rateable value or annual value of the land)</p> <p>Section 36(b) of the DCO</p>	\$240,000	\$320,000
7.	<p>Jurisdiction of the court in proceedings for the recovery of land or relating to the title to land (in terms of the least of the annual rent, rateable value or annual value of the land)</p> <p>Section 37(4) of the DCO</p>	\$240,000	\$320,000
Relief against forfeiture by re-entry for non-payment of rent			
8.	<p>Where a lessor has enforced against a lessee, by re-entry without action, a right of re-entry or forfeiture in respect of any land for non-payment of rent (in terms of the rateable value of the land)</p> <p>Section 69B(1) of the DCO</p>	\$240,000	\$320,000

Item No.	Type of proceedings	Existing Limit	Proposed Limit
Equity jurisdiction			
9.	Administration of the estate of a deceased person (in terms of the amount or value of the estate) Section 37(1)(a) of the DCO	\$1 million or \$3 million where land is involved (and the part that does not involve land does not exceed \$1 million)	\$3 million or \$7 million where land is involved (and the part that does not involve land does not exceed \$3 million)
10.	Execution of a trust or declaration that a trust subsists or proceedings under s.3 of the Variation of Trusts Ordinance (in terms of the amount or value of the estate or fund subject to the trust) Section 37(1)(b) of the DCO	\$1 million or \$3 million where land is involved (and the part that does not involve land does not exceed \$1 million)	\$3 million or \$7 million where land is involved (and the part that does not involve land does not exceed \$3 million)
11.	Foreclosure or redemption of a mortgage or enforcing a charge or lien (in terms of the amount owing under the mortgage, charge or lien) Section 37(1)(c) of the DCO	\$1 million or \$3 million where land is involved (and the part that does not involve land does not exceed \$1 million)	\$3 million or \$7 million where land is involved (and the part that does not involve land does not exceed \$3 million)
12.	Specific performance, rectification, rescission or delivery up or cancellation	\$1 million or	\$3 million or

Item No.	Type of proceedings	Existing Limit	Proposed Limit
	of an agreement for the sale, purchase or lease of property (where for an agreement for lease, in terms of the value of the property; where for an agreement for sale or purchase, the purchase money of the property) Section 37(1)(d) of the DCO	\$3 million where land is involved (and the part that does not involve land does not exceed \$1 million)	\$7 million where land is involved (and the part that does not involve land does not exceed \$3 million)
13.	Maintenance or advancement of an infant (in terms of the value of the property of the infant) Section 37(1)(e) of the DCO	\$1 million or \$3 million where land is involved (and the part that does not involve land does not exceed \$1 million)	\$3 million or \$7 million where land is involved (and the part that does not involve land does not exceed \$3 million)
14.	Dissolution or winding up of a partnership (in terms of the amount or value of the assets of the partnership) Section 37(1)(f) of the DCO	\$1 million or \$3 Million where land is involved (and the part that does not involve land does not exceed \$1 million)	\$3 million or \$7 million where land is involved (and the part that does not involve land does not exceed \$3 million)
15.	Relief against fraud or mistake (in terms of the amount or value of the damage sustained or the estate or fund for which relief is sought)	\$1 million or \$3 million where land is involved (and	\$3 million or \$7 million where land is involved (and

Item No.	Type of proceedings	Existing Limit	Proposed Limit
	Section 37(1)(g) of the DCO	the part that does not involve land does not exceed \$1 million)	the part that does not involve land does not exceed \$3 million)
Extension of jurisdiction to grant injunctions and to make declarations			
16.	In all matters affecting movable property (in terms of the amount or value of movable property) Section 52(1)(a) of the DCO	\$1 million	\$3 million
17.	In all matters affecting immovable property (in terms of the lesser of the annual rent or the rateable value, or the annual value of the property) Section 52(1)(c) of the DCO	\$240,000	\$320,000
18.	In all matters of contract not falling within Section 52(1)(a), (b) or (c) (in terms of the amount or value of the subject matter of the contract) Section 52(1)(d) of the DCO	\$1 million	\$3 million
Costs-only proceedings			
19.	Jurisdiction of the court to make costs-only order (in terms of the amount of the party's claim for the costs) Section 53A(5) of the DCO	\$1 million	\$3 million

(B) SCTO (Cap. 338)

Item No.	Type of proceedings	Existing Limit	Proposed Limit
General jurisdiction in actions of contract, quasi-contract and tort			
1.	Any monetary claim founded in contract, quasi-contract or tort (in terms of the amount claimed) Section 1 of Schedule of the SCTO	\$50,000	\$75,000
Money recoverable by enactment			
2.	Recovery of any penalty, expenses, contribution or civil debt (in terms of the amount claimed) Section 2(b) of Schedule of the SCTO	\$50,000	\$75,000