

Singapore Armed Forces (Summary Trial) Regulations

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Legislative History

SINGAPORE ARMED FORCES ACT (CHAPTER 295, SECTION 205)

SINGAPORE ARMED FORCES (SUMMARY TRIAL) REGULATIONS

Rg 2

REVISED EDITION 2001

(31st January 2001)

[15th June 1972]

Citation

1. These Regulations may be cited as the Singapore Armed Forces (Summary Trial) Regulations.

PART I

GENERAL

Where person deemed to belong to unit, etc.

2. For the purposes of the Act and these Regulations, a person shall be deemed to belong to a detachment, unit, formation, or command if he is posted therein, attached thereto, employed in its service or on a particular assignment on its behalf.

Designation to be in writing

3.—(1) A designation of an officer or a senior military expert as a junior disciplinary officer, a senior disciplinary officer or a superior commander shall be in writing and shall contain the name of the designated officer or senior military expert or a designation of him by reference to his appointment or the duties he performs.

(2) A designation of a warrant officer as a junior disciplinary officer or senior disciplinary officer, or of a military expert of the rank of ME3 as a junior disciplinary officer, shall be in writing and shall contain the name of the designated warrant officer or military expert or a designation of him by reference to his appointment or the duties he performs.

[S 190/2010 wef 01/04/2010]

PART II

CHARGE, CHARGE REPORT AND CHARGE SHEET

Meaning of “charge”

4. For the purposes of proceedings under the Act and these Regulations, a charge is a formal accusation that a person has committed an offence.

Meaning of “alternative charge”

5. Charges may be laid in the alternative where the allegations in the particulars are considered capable of supporting a finding of guilty of —

- (a) one of several offences; or
- (b) a particular offence but, failing proof of one or more elements of that offence, another offence,

and only by trial may the actual offence, if any, be determined.

When charge report prepared

6. Every charge against a person shall initially be recorded on a charge report which shall be —

- (a) in writing; and

- (b) prepared in accordance with these Regulations.

When charge sheet prepared

7. In addition to any other circumstances in which a charge sheet may be required to be prepared under the Act or any regulations made thereunder a charge sheet shall be prepared in the following circumstances:

- (a) when a charge is referred to a superior commander with a recommendation that the accused be tried by a subordinate military court;
- (b) when a charge is referred to the person appointed under section 82(5)(a) of the Act; and
- (c) when a charge is submitted to the convening authority.

Construction of charge, charge report and charge sheet

8. In the construction of a charge, charge report or charge sheet there shall be presumed in favour of supporting it every proposition which may reasonably be presumed to be impliedly included, though not expressed in the charge, charge report or charge sheet and the statement of the offence and the particulars of the offence shall be read and construed together.

PART III

AVOIDANCE OF DELAY

Avoidance of delay by disciplinary officers in dealing with charges

9.—(1) If an allegation against any person that he has committed an offence is reported to a disciplinary officer who is empowered to deal with him under section 62 of the Act, he shall, unless it is impracticable, have the accused brought before him within 48 hours of the report being made to him, inform him of the charge against him and begin to deal with it.

(2) If an allegation against any person that he has committed an offence is reported to a disciplinary officer who is not empowered to deal with him under section 62 of the Act, the charge shall, unless it is impracticable, be brought before the appropriate disciplinary officer within 48 hours of the report being made to the first-mentioned disciplinary officer.

(3) A disciplinary officer before whom a charge is brought by virtue of paragraph (2) shall, unless it is impracticable, have the accused brought before him within 48 hours of