



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

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The following Act was passed by Parliament on 8 March 2019 and assented to by the President on 21 March 2019:—

### REPUBLIC OF SINGAPORE

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**No. 14 of 2019.**

I assent.



HALIMAH YACOB,  
*President.*  
21 March 2019.

An Act to amend the Criminal Procedure Code (Chapter 68 of the 2012 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Criminal Procedure Code (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 20**

2. Section 20 of the Criminal Procedure Code (called in this Act the principal Act) is amended by inserting, immediately after the words “in respect of” in subsections (6) and (8), the word “any”.

**New Division 3 of Part IV**

3. The principal Act is amended by inserting, immediately after section 40, the following Division:

*“Division 3 — Powers of investigation for  
offences related to statement recording*

**Powers of investigation of certain law enforcement officers  
when recording statements**

**40A.**—(1) An officer of a prescribed law enforcement agency (other than the Singapore Police Force) who —

- (a) is authorised by any written law other than this section to exercise the powers of a police officer under this Code in relation to an investigation into an arrestable offence when investigating an offence under that written law; and
- (b) records a statement during such an investigation by making an audiovisual recording,

may investigate any offence under regulations made under section 428(2)(b) committed in relation to that audiovisual recording, and is, by virtue of this section, taken to have the same powers mentioned in paragraph (a), despite anything to the contrary in that other written law.

(2) For the purposes of this section and section 40B, the Minister charged with the responsibility for any law enforcement agency may, by order in the *Gazette*, prescribe

the law enforcement agency as a prescribed law enforcement agency.

### **Officer deemed to be of certain rank**

**40B.** For the purpose of section 40A, when an officer of a prescribed law enforcement agency is exercising the powers pursuant to that section when investigating an offence in relation to an audiovisual recording, the officer is deemed to be a police officer not below the rank of inspector of police.”.

### **Repeal and re-enactment of sections 107 and 107A**

**4.** Sections 107 and 107A of the principal Act are repealed and the following sections substituted therefor:

#### **“Procedure for forfeiture of bond without sureties**

**107.—**(1) This section provides for the forfeiture of the following bonds:

- (a) a personal bond without sureties;
- (b) a bond without sureties to keep the peace;
- (c) a bond without sureties for good behaviour.

(2) If it is proved to a court’s satisfaction that —

- (a) the released person bound by a bond mentioned in subsection (1)(a) has, without reasonable excuse, failed to comply with any duty imposed on the released person to surrender to custody, to be available for investigations, or to attend court on the day and at the time and place appointed for the released person to do so;
- (b) the person bound by a bond mentioned in subsection (1)(b) has, without reasonable excuse, failed to keep the peace; or

(c) the person bound by a bond mentioned in subsection (1)(c) has failed to be of good behaviour, the court —

- (d) must record the basis of such proof;
- (e) must forfeit the bond;
- (f) may summon before the court that relevant person;
- (g) may call upon that relevant person to pay a sum, being the whole or any part of the amount of the bond, or to explain why that sum should not be paid; and
- (h) may order that the sum mentioned in paragraph (g) be paid by instalments.

(3) If the explanation mentioned in subsection (2)(g) is inadequate, and the sum mentioned in subsection (2)(g) is not paid in full, the court may recover the amount unpaid by issuing an order for the attachment of any property, movable or immovable, belonging to the relevant person.

(4) The attachment of any property under subsection (3) may be carried out —

- (a) by seizure of such property, which may be sold and the proceeds applied towards the payment of the amount; or
- (b) by appointing a receiver, who may take possession of and sell such property, and apply the proceeds towards the payment of the amount.

(5) If immovable property attached under subsection (3) is sold, the officer under whose direction the attachment and sale was carried out may do any thing or act to transfer the title to the purchaser.

(6) If the sum mentioned in subsection (2)(g) is not paid in full or cannot be fully recovered by such attachment and sale, the court may commit to prison the relevant person for a term not exceeding 12 months.

(7) Any person may, not later than 7 days after the date any property is seized under subsection (4)(a) or taken possession of by the receiver under subsection (4)(b), as the case may be, make a claim against that property by applying to the court for the property to be excluded from the order of attachment issued under subsection (3), and the court may make such order as it sees fit.

(8) Any unsatisfied part of the sum mentioned in subsection (2)(g) constitutes a judgment debt in favour of the Government, and nothing in this section prevents the Government from recovering it as such.

(9) The court may, on the application of a relevant person at any time after the relevant person is called upon to pay the sum mentioned in subsection (2)(g), reduce that sum and enforce part-payment only.

(10) In this section, “relevant person” means —

- (a) the released person bound by a bond mentioned in subsection (1)(a);
- (b) the person bound by a bond mentioned in subsection (1)(b); or
- (c) the person bound by a bond mentioned in subsection (1)(c).

### **Procedure for forfeiture of bond with sureties**

**107A.**—(1) This section provides for the forfeiture of the following bonds:

- (a) a bond with one or more sureties;
- (b) a bond with sureties to keep the peace;
- (c) a bond with sureties for good behaviour.

(2) If it is proved to a court’s satisfaction that —

- (a) the released person for whose appearance a bond mentioned in subsection (1)(a) was executed has, without reasonable excuse, failed to comply with any