The following Act was passed by Parliament on 19 March 2018 and assented to by the President on 11 April 2018:—

REPUBLIC OF SINGAPORE

No. 19 of 2018.

I assent.

HALIMAH YACOB,
President.
11 April 2018.

(LS)

An Act to amend the Criminal Procedure Code (Chapter 68 of the 2012 Revised Edition) and certain other Acts to enhance the fairness of procedures, and ensure correct and equitable outcomes, in the criminal justice system.

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 Justice Reform Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Criminal Procedure Code (called in this Act the Code) is amended —

(*a*) by inserting, immediately after the definitions of "arrestable offence" and "arrestable case" in subsection (1), the following definition:

> " "audiovisual recording" means an aggregate of visual images and sounds embodied in a thing, so as to be capable, by the use of that thing, of being produced electronically and shown as a moving picture with associated sounds;";

(*b*) by inserting, immediately after the definition of "bailable offence" in subsection (1), the following definition:

> " "child abuse offence" means an offence under section 5(1), 6, 7, 11(2), 12 or 13 of the Children and Young Persons Act (Cap. 38), and includes an abetment of, a conspiracy to commit, or an attempt to commit, such an offence;";

(*c*) by inserting, immediately after the definition of "court" in subsection (1), the following definition:

> " "Criminal Procedure Rules" —
>
> > (*a*) means the Criminal Procedure Rules made under this Code and any other written law by the Criminal Procedure Rules Committee constituted under section 428A; and

(*b*) includes any subsidiary legislation deemed under section 428A(15) to be Criminal Procedure Rules;";

(*d*) by inserting, immediately after the definition of "criminal record" in subsection (1), the following definition:

" "data" has the same meaning as in the Computer Misuse Act;";

(*e*) by inserting, immediately before the definition of "financial institution" in subsection (1), the following definition:

" "expert" means a person with scientific, technical or other specialised knowledge based on training, study or experience;";

(*f*) by inserting, immediately after the definition of "fine" in subsection (1), the following definition:

" "fine-only offence" means an offence that is punishable only with a fine;";

(*g*) by deleting the words "committal hearing," in the definition of "proceeding" in subsection (1);

(*h*) by deleting the definition of "Registrar of the State Courts" in subsection (1) and substituting the following definitions:

" "Registrar of the Family Justice Courts" means the registrar of the Family Justice Courts, and includes the deputy registrar and an assistant registrar of the Family Justice Courts;

"Registrar of the State Courts" means the registrar of the State Courts, and includes a deputy registrar of the State Courts;";

(*i*) by inserting, immediately after the definition of "repealed Code" in subsection (1), the following definition:

" "sexual offence" means —

(*a*) an offence under section 354, 354A, 355, 356, 357, 358, 372, 373, 373A,

375, 376, 376A, 376B, 376C, 376D, 376E, 376F, 376G, 377(3), 377A or 377B(3) of the Penal Code (Cap. 224); or

(*b*) an offence under section 140, 141, 142, 143, 144, 145, 146, 146A, 147 or 148 of the Women's Charter (Cap. 353),

and includes an abetment of, a conspiracy to commit, or an attempt to commit, such an offence;";

(*j*) by deleting the definition of "signed" or "signature" in subsection (1) and substituting the following definition:

""signed" or "signature" and its grammatical variations has the same meaning as in section 2(1) of the Electronic Transactions Act (Cap. 88);";

(*k*) by inserting, immediately after the definition of "stolen property" in subsection (1), the following definition:

""terrorist act" has the meaning given by section 2(2) and (3) of the Terrorism (Suppression of Financing) Act (Cap. 325);"; and

(*l*) by inserting, immediately after subsection (1), the following subsection:

"(1A) Any power conferred on a court by this Code to make an order for the disposal of any property includes a power to make an order for the forfeiture, confiscation or destruction of the property, or for the delivery of the property to any person, but must be exercised subject to any provisions on forfeiture, confiscation, destruction or delivery in any other written law that is applicable to the case.".

Amendment of section 3

3. Section 3 of the Code is amended —

    (*a*) by deleting the word "Any" in subsection (1) and substituting the words "Subject to this section, any";

    (*b*) by inserting, immediately after paragraph (*e*) of subsection (1), the following paragraphs:

        "(*ea*) by addressing it to that person, and transmitting it to an electronic mail address specified by that person in accordance with subsection (4A);

        (*eb*) by addressing it to that person's advocate (if any), and transmitting it to an electronic mail address specified by the advocate in accordance with subsection (4B);";

    (*c*) by deleting the word "or" at the end of subsection (1)(*g*)(v), (*h*)(v) and (*i*)(v) and (vi);

    (*d*) by inserting, immediately after sub-paragraph (vi) of subsection (1)(*g*), the following sub-paragraphs:

        "(vii) by addressing it to that body corporate or limited liability partnership, and transmitting it to an electronic mail address specified by that body corporate or limited liability partnership in accordance with subsection (4A); or

        (viii) by addressing it to the advocate (if any) of the body corporate or limited liability partnership, and transmitting it to an electronic mail address specified by the advocate in accordance with subsection (4B);";

    (*e*) by inserting, immediately after sub-paragraph (vi) of subsection (1)(*h*), the following sub-paragraphs: