
First published in the *Government Gazette*, Electronic Edition, on 14 September 2018 at 5 pm.

No. S 570

CRIMINAL PROCEDURE CODE
(CHAPTER 68)

CRIMINAL PROCEDURE
(AUDIOVISUAL RECORDING)
RULES 2018

ARRANGEMENT OF RULES

Rule

1. Citation and commencement
 2. Definitions
 3. Disclosure of audiovisual recording of statement to persons other than accused and accused's advocate
-

In exercise of the powers conferred by section 428A(15) of the Criminal Procedure Code, the Minister for Law makes the following Rules:

Citation and commencement

1. These Rules are the Criminal Procedure (Audiovisual Recording) Rules 2018 and come into operation on 17 September 2018.

Definitions

2. In these Rules, unless the context otherwise requires —

“Foreign Identification Number”, in relation to a person who is not a citizen or permanent resident of Singapore, means —

- (a) if that person is the holder of a work pass issued under the Employment of Foreign Manpower Act (Cap. 91A) — the identification number assigned to that person and specified in that work pass; or
- (b) if that person is the holder of a pass issued under the Immigration Act (Cap. 133) — the identification

number assigned to that person and specified in that pass;

“investigation officer”, in relation to an offence, means any officer who is investigating that offence, and includes any other officer who is covering the duties of that officer;

“NRIC number”, in relation to a person who is a citizen or permanent resident of Singapore, means the number of that person’s identity card issued under the National Registration Act (Cap. 201);

“relevant officer” means —

- (a) if the offence that the accused is charged with is investigated by an officer of any department or division (other than the Commercial Affairs Department) of the Singapore Police Force —
 - (i) the Director of the Criminal Investigation Department of the Singapore Police Force; or
 - (ii) any Deputy Director or Assistant Director of that Department who is appointed by that Director to perform the functions and exercise the powers of a relevant officer;
- (b) if the offence that the accused is charged with is investigated by an officer of the Commercial Affairs Department of the Singapore Police Force —
 - (i) the Director of the Commercial Affairs Department of the Singapore Police Force; or
 - (ii) any Deputy Director or Assistant Director of that Department who is appointed by that Director to perform the functions and exercise the powers of a relevant officer;
- (c) if the offence that the accused is charged with is investigated by an officer of the Central Narcotics Bureau —
 - (i) the Director of the Investigation Division of the Central Narcotics Bureau; or

-
-
- (ii) any Deputy Director or Assistant Director of that Division who is appointed by that Director to perform the functions and exercise the powers of a relevant officer; or
 - (d) if the offence that the accused is charged with is investigated by an officer of the Corrupt Practices Investigation Bureau —
 - (i) the Director of the Corrupt Practices Investigation Bureau; or
 - (ii) any Deputy Director or Assistant Director of that Bureau who is appointed by that Director to perform the functions and exercise the powers of a relevant officer;

“viewing” means a viewing for which arrangements are made under section 23(6)(a), 162(2), 166(2), 214(2), 218(2), 225B(3) or 235(7)(b) of the Code.

Disclosure of audiovisual recording of statement to persons other than accused and accused’s advocate

3.—(1) This rule applies to every audiovisual recording of a statement recorded under section 22 or 23 of the Code in the form of an audiovisual recording.

(2) Subject to compliance with paragraph (3), any of the following persons may be permitted, by the investigation officer of an offence that the accused is charged with or by the supervisor of that officer, to attend a viewing of an audiovisual recording mentioned in paragraph (1) together with the defence:

- (a) any expert who is engaged by the defence for the purposes of the criminal proceedings for that offence, whether or not the defence intends to call, or is considering whether to call, that expert as a witness for the defence in those criminal proceedings;

-
-
- (b) any person who —
- (i) is engaged by the defence to make a transcript of the whole or any part of that audiovisual recording; and
 - (ii) is in the business of making transcripts of recordings;
- (c) any person who —
- (i) is engaged by the defence to interpret or translate anything contained in that audiovisual recording; and
 - (ii) is qualified to give that interpretation or translation;
- (d) any other person who is authorised by a relevant officer.
- (3) At least 10 days before the intended date of the viewing mentioned in paragraph (2), the defence must inform the investigation officer of all of the following matters:
- (a) the intended date of that viewing;
 - (b) the name of any person mentioned in paragraph (2)(a), (b), (c) or (d) whom the defence wishes to be permitted to attend that viewing;
 - (c) in any case where that person is a citizen or permanent resident of Singapore, that person's NRIC number;
 - (d) in any case where that person is not a citizen or permanent resident of Singapore, that person's Foreign Identification Number or passport number;
 - (e) whether that person is a person mentioned in paragraph (2)(a), (b), (c) or (d).
- (4) To avoid doubt, even if the defence complies with paragraph (3), the viewing mentioned in paragraph (2) may take place on a later date than the intended date mentioned in paragraph (3).

Made on 13 September 2018.

NG HOW YUE
*Permanent Secretary,
Ministry of Law,
Singapore.*

[63/009 CPC-CP Rules-V1; AG/LEGIS/SL/68/2015/12 Vol. 1]

(To be presented to Parliament under section 428A(13) of the
Criminal Procedure Code).