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CORRUPTION, DRUG TRAFFICKING AND OTHER SERIOUS CRIMES (CONFISCATION OF BENEFITS) ACT (CHAPTER 65A)

CORRUPTION, DRUG TRAFFICKING AND OTHER SERIOUS CRIMES (DISCLOSURE OF DOCUMENTS AND INFORMATION) REGULATIONS 2015

ARRANGEMENT OF REGULATIONS

Regulation

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In exercise of the powers conferred by section 64 of the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act, the Minister for Home Affairs hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Corruption, Drug Trafficking and Other Serious Crimes (Disclosure of Documents and Information) Regulations 2015 and shall come into operation on 12 January 2015.

Definitions

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

“Office” means the Suspicious Transaction Reporting Office established under section 3A(1) of the Act;

“Officer” means a Suspicious Transaction Reporting Officer attached to the Office under section 3A(2) of the Act;

“recognised format” means a software format which bears the filename extension “pdf”, “doc”, “docx”, “jpeg”, “jpg”, “wmv” or “mpeg4” or, where an Officer requires a person to submit an electronic copy of a document or transcript or an electronic record of information, any other software format specified by the Officer, in a written notice issued under regulation 5(1), for the submission of the electronic copy or electronic record;

“transcript”, in relation to a document, means a transcript of the entire contents of that document.

Disclosure of document under section 3A(3) of Act

3. Where an Officer requires any person to disclose any document under section 3A(3) of the Act, the Officer —

(a) may require that person to submit —

(i) to the Office —

(A) a physical copy of that document;

(B) a transcript of that document; or

(C) an electronic copy, in a recognised format, of that document or a transcript of that document;

(ii) to such electronic mail address of the Office (or the Officer) as the Officer may specify, an electronic mail which —

(A) sets out a transcript of that document; or

(B) encloses an electronic copy, in a recognised format, of that document or a transcript of that document; or

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- (iii) to the Office through such online system as the Office may provide, an electronic communication which —
 - (A) sets out a transcript of that document; or
 - (B) encloses an electronic copy, in a recognised format, of that document or a transcript of that document; and
 - (b) may, for the purposes of an analysis referred to in section 3A(1) of the Act, retain or make copies of the physical copy or transcript of that document, the electronic copy of that document or transcript of that document, the electronic mail or the electronic communication (as the case may be).

Disclosure of information under section 3A(3) of Act

4. Where an Officer requires any person to disclose any information under section 3A(3) of the Act, the Officer —

- (a) may require that person to submit —
 - (i) to the Office, a physical letter which —
 - (A) sets out the information in writing; or
 - (B) encloses a physical medium containing an electronic record of the information in a recognised format;
 - (ii) to such electronic mail address of the Office (or the Officer) as the Officer may specify, an electronic mail which —
 - (A) sets out the information in writing; or
 - (B) encloses an electronic record of the information in a recognised format; or
 - (iii) to the Office through such online system as the Office may provide, an electronic communication which —
 - (A) sets out the information in writing; or
 - (B) encloses an electronic record of the information in a recognised format; and

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- (b) may, for the purposes of an analysis referred to in section 3A(1) of the Act, retain or make copies of that physical letter, electronic mail, electronic communication or electronic record of information (as the case may be).

Form of requirement

5.—(1) For the purposes of section 3A(3) of the Act, an Officer may require a person to disclose any document or information by issuing the person a written notice to produce that document or information at the time and place stated in the notice.

(2) A written notice issued under paragraph (1) may be served on the person to whom the notice is addressed —

- (a) by hand;
- (b) by post;
- (c) by electronic mail, if the person has consented to being served in that manner; or
- (d) through such online system as the Office may provide, if the person has consented to being served in that manner.

Offences

6.—(1) Any person who, being served with a written notice issued under regulation 5(1), intentionally omits to comply with the notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding one month or to both.

(2) Any person who, being served with a written notice issued under regulation 5(1) to produce any information on a subject, furnishes, as true, any information on the subject which the person knows or has reason to believe to be false, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Made on 5 January 2015.

LEO YIP
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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