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No. S 336

CRIMINAL PROCEDURE CODE 2010 (ACT 15 OF 2010)

CRIMINAL PROCEDURE CODE (NOTICE REQUIREMENTS TO ADMIT HEARSAY EVIDENCE) REGULATIONS 2012

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
 2. Notice requirements to admit hearsay evidence
 3. Form of notice
- The Schedule
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In exercise of the powers conferred by section 428 of the Criminal Procedure Code 2010, the Minister for Law hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Criminal Procedure Code (Notice Requirements to Admit Hearsay Evidence) Regulations 2012 and shall come into operation on 1st August 2012.

Notice requirements to admit hearsay evidence

2. For the purposes of admitting statements in evidence under section 32(1) of the Evidence Act (Cap. 97), the notice requirements which have to be complied with by a party to the proceedings pursuant to section 32(4)(a) of that Act are as follows:

- (a) the party has previously served a notice in writing on each of the other parties of his intention to introduce the evidence;

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- (b) the notice must state on which of the grounds in section 32(1) of the Evidence Act it is claimed that the statement is admissible;
- (c) in the case of a statement not made in document, the notice must state the manner in which it was made (whether orally or otherwise) and must also state —
- (i) the time and place at which the statement was made;
 - (ii) the name of the maker of the statement and (unless he is dead) his address, if known;
 - (iii) if the maker of the statement is dead, the date of the death of the maker, to the best of the information and belief of the party serving the notice;
 - (iv) the name and address of the person who heard or otherwise perceived the statement being made; and
 - (v) the substance of the statement or, if it was made orally and the actual words used in making it are material, the words used; and
- (d) in the case of a statement made in a document, the notice must contain or have attached to it a copy of that document or the relevant part of that document and, if the information is not readily apparent from the document or the relevant part of the document, must also state —
- (i) the matters mentioned in paragraph (c)(i), (ii) and (iii);
 - (ii) if the maker of the document is different from the maker of the statement, the name of the maker of the document and (unless he is dead) his address, if known; and
 - (iii) if the maker of the document is dead, the date of the death of the maker, to the best of the information and belief of the party serving the notice.

Form of notice

3. A notice to be served on any party under regulation 2(a) shall —
- (a) if the notice is to admit non-documentary hearsay evidence, be in Form 1 set out in the Schedule; and
 - (b) if the notice is to admit documentary hearsay evidence, be in Form 2 set out in the Schedule.

THE SCHEDULE

Regulation 3

FORM 1

NOTICE TO ADMIT NON-DOCUMENTARY HEARSAY EVIDENCE

To

Take notice that the prosecution (or defence) in this case, pursuant to paragraph of section 32(1) of the Evidence Act (Chapter 97), intends to introduce in evidence the statement hereunder specified:

Manner in which the statement was made (whether oral or otherwise)	Name of maker of the statement and (unless he is dead) his address, if known	If the maker of the statement is dead, the date of the death of the maker*	Name and address of person who heard or otherwise perceived the statement being made	Time and place at which the statement was made	Substance of the statement or, if it was made orally and the actual words used in making it are material, the words used
1.					
2.					
3.					
4.					
5.					

*This information is to be made to the best of the information and belief of the party serving the notice.

Dated this day of 20 .

Name of Counsel/Deputy Public Prosecutor

FORM 2

NOTICE TO ADMIT DOCUMENTARY HEARSAY EVIDENCE

To

THE SCHEDULE — *continued*

Take notice that the prosecution (or defence) in this case, pursuant to paragraph of section 32(1) of the Evidence Act (Chapter 97), intends to introduce in evidence the statement made in the document(s) hereunder specified, a copy of which is attached:

Description of document(s)*	Name of maker of the statement and (unless he is dead) his address, if known†	If the maker of the statement is dead, the date of the death of the maker††	Name of maker of the document and (unless he is dead) his address, if known**	If the maker of the document is dead, the date of the death of the maker††	Time and place at which statement was made†
1.					
2.					
3.					
4.					
5.					

*This may refer to any document in the list of exhibits contained in the Case for the Prosecution or the Case for the Defence.

**This information is to be included only if the maker of the document is different from the maker of the statement and the information is not readily apparent from the document or the relevant part of the document.

†This information is to be included if the information is not readily apparent from the document or the relevant part of the document.

††This information is to be made to the best of the information and belief of the party serving the notice.

Dated this day of 20 .

Name of Counsel/Deputy Public Prosecutor

Made this 13th day of July 2012.

BEH SWAN GIN
*Permanent Secretary,
Ministry of Law,
Singapore.*

[LAW 06/011/018 Vol. 10; AG/LLRD/SL/68/2010/19 Vol. 1]