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CRIMINAL PROCEDURE (MISCELLANEOUS AMENDMENTS) ACT 2024

CRIMINAL PROCEDURE (SAVING AND TRANSITIONAL PROVISIONS — DISCLOSURE) REGULATIONS 2025

ARRANGEMENT OF REGULATIONS

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In exercise of the powers conferred by section 48(2) of the Criminal Procedure (Miscellaneous Amendments) Act 2024, the Minister for Law makes the following Regulations:

Citation and commencement

1. These Regulations are the Criminal Procedure (Saving and Transitional Provisions — Disclosure) Regulations 2025 and come into operation on 14 February 2025.

Definitions

2. In these Regulations —

“Act” means the Criminal Procedure (Miscellaneous Amendments) Act 2024;

“Code” means the Criminal Procedure Code 2010;

“relevant provisions” means sections 159, 163, 169, 214, 215, 216, 221 and 221B(3)(b) and (c) and (4)(b) of the Code as

amended or inserted (as the case may be) by sections 14, 15, 17, 18, 19, 20, 22 and 23 of the Act, respectively.

Disclosure procedures

3.—(1) Despite sections 14, 15, 18, 19 and 20 of the Act and subject to regulations 5 and 6, sections 159, 163, 214, 215 and 216 of the Code as in force immediately before 14 February 2025 continue to apply to an accused in relation to an offence to be tried, if the accused was charged with the offence before that date.

(2) Subject to regulations 5 and 6, section 221B(3)(b) and (c) and (4)(b) of the Code (as inserted by section 23 of the Act) does not apply to an accused in relation to an offence to be tried, if the accused was charged with the offence before 14 February 2025.

Consequences of non-compliance with disclosure procedures

4.—(1) Despite section 17 of the Act and subject to regulations 5 and 6, section 169(1) and (2) of the Code as in force immediately before 14 February 2025 continues to apply to an accused in relation to an offence to be tried, if the accused was charged with the offence before that date.

(2) Subject to regulations 5 and 6, section 221(1)(a) and (b) and (2) of the Code (as inserted by section 22 of the Act) does not apply to an accused in relation to an offence to be tried, if the accused was charged with the offence before 14 February 2025.

Further proceedings where additional charges preferred

5. The relevant provisions apply to an accused in relation to an offence to be tried (called in this regulation the relevant offence), where —

- (a) the accused was charged for the relevant offence before 14 February 2025 and the trial for that offence has not commenced before that date;
- (b) the accused is charged for another offence on or after that date;

- (c) the accused is to be tried at one trial for the relevant offence and the offence mentioned in paragraph (b) under section 133, 134, 135, 136, 138 or 145 of the Code;
- (d) both the prosecution and the accused indicate in writing that they do not object to the application of the relevant provisions in relation to the relevant offence; and
- (e) the court is satisfied that when the accused gave the indication mentioned in paragraph (d), the accused understood the nature and consequences of giving such indication.

Joint trials

6. The relevant provisions apply to an accused (*A*) in relation to an offence to be tried (called in this regulation the relevant offence), where —

- (a) *A* was charged for the relevant offence before 14 February 2025 and the trial for that offence has not commenced before that date;
- (b) another accused (*B*) is charged for any offence on or after that date;
- (c) *A* and *B* are to be jointly tried under section 143, 144 or 145 of the Code;
- (d) both the prosecution and *A* indicate in writing that they do not object to the application of the relevant provisions in relation to the relevant offence; and
- (e) the court is satisfied that when *A* gave the indication mentioned in paragraph (d), *A* understood the nature and consequences of giving such indication.

Made on 15 January 2025.

LUKE GOH
*Permanent Secretary,
Ministry of Law,
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