

**SINGAPORE ARMED FORCES ACT
(CHAPTER 295, SECTION 161)**

**SINGAPORE ARMED FORCES (MILITARY COURT OF
APPEAL) REGULATIONS**

ARRANGEMENT OF REGULATIONS

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[15th June 1972]

Citation

1. These Regulations may be cited as the Singapore Armed Forces (Military Court of Appeal) Regulations.

Definitions

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

“appellant” means a person who has been convicted of an offence by a subordinate military court and includes the person appointed under section 82(5)(a) of the Act;

“Court” means the Military Court of Appeal established under section 127 of the Act;

“exhibit” means any document or thing which has been produced and used in evidence at a trial by a subordinate military court whether it is attached to the proceedings of that court or not;

“president” means a president of the Court;

“registrar” means a registrar of the Court.

(2) A form referred to by its number means the form so numbered in the Schedule, or a form as near thereto as circumstances permit.

Lodging of notice and petition of appeal

3.—(1) An appellant may, within 10 days after the date on which the decision to be appealed against was given or within such extended time as the Court may allow, lodge a notice of appeal in 8 copies to the registrar.

(2) The notice of appeal shall be in Form 1 or 2 as may be appropriate, and shall be signed by the appellant or his advocate and solicitor or defending officer.

(3) The appellant shall, within 10 days or within such extended time as the Court may allow after a copy of the grounds of the decision appealed against and a copy of the record of proceedings have been served under section 129(5) of the Act, lodge a petition of appeal in 8 copies to the registrar.

(4) The petition of appeal shall be in Form 3 and shall be signed by the appellant or his advocate and solicitor or defending officer.

(5) Where an appellant or any other person authorised to make an application or lodge a notice of appeal or a petition of appeal pursuant to these Regulations is unable to write, he may affix his mark thereto, in the presence of a witness who shall attest the same, and thereupon such application or notice of appeal or petition of appeal shall be deemed to be signed by the appellant or other person.

Extension of time

4. An application to the Court for an extension of time within which to lodge a notice of appeal or a petition of appeal shall be in Form 4. Such application shall be lodged with the registrar.

Notice or petition of appeal where appellant is convicted by field general court martial or in prison or detention or disciplinary barrack

5.—(1) For the purposes of section 129(1) or (6) of the Act, a notice of appeal or a petition of appeal, as the case may be, shall be regarded as having been lodged with the registrar if it is lodged by the appellant —

- (a) where he was convicted by a field general court martial with the registrar of that court;
- (b) where he is serving sentence in a prison — with the officer-in-charge of the prison; and

- (c) where he is serving sentence in a detention or disciplinary barrack — with the officer-in-charge of the detention or disciplinary barrack, as the case may be.

(2) Where a notice of appeal or a petition of appeal is lodged with a person other than the registrar in accordance with paragraph (1), it shall be the duty of that person to forward the notice of appeal or the petition of appeal, as the case may be, to the registrar as expeditiously as possible.

Discontinuance of appeal

6.—(1) An appellant may, at any time after he has lodged his notice of appeal, discontinue his appeal by giving to the registrar a notice of discontinuance in Form 5.

(2) If the appellant is insane, a notice of discontinuance may be given and signed by his advocate and solicitor or defending officer.

Copies of notice to be forwarded to registrar of subordinate military court and respondent to appeal

7. On receipt of a notice of appeal the registrar shall forthwith make a note of the particulars of the same in a register to be kept by him and shall forthwith send copies of such notice to the registrar of a general court martial or the registrar of a field general court martial, as the case may be, and the respondent to the appeal.

Documents

8. As soon as practicable after receiving the copy of the notice of appeal, the registrar shall require the registrar of a general court martial or a field general court martial, as the case may be, to forward to him 8 copies each of the following documents:

- (a) the record of proceedings of the subordinate military court;
- (b) all documents and exhibits produced at the trial;
- (c) the written judgment delivered by the president of a subordinate military court; and
- (d) a list of the exhibits at the trial.

More than one appellant

9. Where more persons than one have been convicted at any one trial and more than one of such persons appeal, then in such a case the number of documents to be filed or supplied under these Regulations shall be increased by one for each appellant.

Documents served on military prosecutor

10. As soon as may be practicable the registrar shall cause copies of all the documents mentioned in regulation 8 to be served on the military prosecutor.

Register and cause list

11.—(1) The registrar shall keep a register of all cases in which he receives notice of appeal under the Act and shall cause the register to be open for public inspection at such place and at such hours as he may, subject to the approval of the Court, decide.

(2) The registrar shall also prepare a list of appeals and applications which the Court may consider on the days on which the Court, as constituted for the hearing and determination of appeals under the Act, is to sit, and shall cause such list to be published at such times, and exhibited at such places and in such a manner as he, subject to the approval of the Court, shall think convenient for giving due notice to the parties interested.

Presence of appellant at hearing of application

12.—(1) Where an appellant is in custody and has filed an application for an extension of time to lodge a notice of appeal or a petition of appeal or otherwise under these Regulations, he shall be allowed to be present at the hearing and determination of his application.

(2) The registrar shall give notice of the probable date thereof to the appellant and the officer-in-charge of the detention or disciplinary barrack or prison where the appellant is in custody.

Copies of proceedings, etc.

13.—(1) At any time after the registrar has received a notice of appeal, the appellant or his counsel or defending officer may, subject to regulation 15, obtain from the registrar copies of any document in his possession for the purpose of the appeal.

(2) Such copies shall be supplied by the registrar to the appellant on payment of such charges as the registrar may determine.

(3) A copy of any document which is required for the use of the Court may be made by such person and in such manner as the registrar may direct.

Documents, exhibits and record of proceedings

14.—(1) The registrar may, on an application made to him by the appellant or the respondent or where he considers it necessary for the proper determination of any appeal or application, and shall, where so directed by the Court, obtain and keep available for use by the Court any document or exhibit and shall subject to regulation 15, make such document or exhibit and the record of the proceedings of a subordinate military court available, pending the determination of the appeal or application for inspection by the appellant or the respondent as and when the registrar may arrange.

(2) Subject to regulation 15, the Court may, at any stage of an appeal, whenever it thinks it necessary or expedient in the interests of justice so to do, order any person having the custody or control of any document, exhibit or other thing connected with the proceedings to produce it to the registrar or before the Court.

(3) Unless the Court otherwise directs, any order made under paragraph (2) shall be served personally.

Security of documents, etc.

15. If the Minister for Defence, or any person authorised on his behalf, certifies that, for reasons of security, the whole or part of the record of the proceedings or other document or any exhibit or other thing, ought not to be disclosed otherwise than to the Court, or ought to be disclosed only subject to such conditions as he may specify, the registrar shall permit inspection or supply a copy thereof only in

pursuance of an order of the Court and subject to such conditions, if any, as the Court may direct.

Withholding of documents, etc.

16. Nothing in these Regulations shall affect any rule of law which authorises or requires the withholding of any document or the refusal to answer any question on the ground that the disclosure of the document or the answering of the question would be injurious to the public interest.

Witnesses

17.—(1) An order that a witness shall attend for examination may be made at any time on the application of the appellant or the respondent.

(2) An application for an order under paragraph (1) shall be made by notice in writing to the registrar and, if made by an appellant, shall be in Form 6.

(3) Where the Court orders the examination of any witness to be conducted otherwise than before the Court itself, such order shall specify the person appointed as examiner to take the examination, the place thereof and the witness to be examined.

(4) The registrar shall, subject regulation 15 and to any direction given by the Court, furnish to the person appointed to take an examination any document, exhibit or other thing (or copy thereof) relating to the appeal that he may require.

(5) After the examination has been concluded, the examiner shall return to the registrar any such document, exhibit or other thing (or copy thereof), together with any depositions taken by him under this regulation.

(6) Where an examiner appointed under paragraph (3) has fixed the day and time for the examination of a witness, he shall request the registrar by which the examiner is appointed to inform the appellant and the respondent to the appeal in respect of which the witness is to be examined, and also, if the appellant is in custody, the officer-in-charge of the place where the appellant is in custody of the place, day

and time at which the examination shall be held and the registrar shall thereupon cause to be served on the witness a notice in Form 7.

(7) An examiner shall have power to administer an oath to, or take the affirmation of, any witness, and to require any witness to take such oath or make such affirmation and to answer any question to which the examiner may lawfully require an answer.

(8) The evidence of every witness taken before an examiner shall be taken in the form of a deposition (to which the caption in Form 8 shall be attached), and unless otherwise ordered shall be taken in private.

(9) Unless the Court otherwise directs, a notice required by this regulation to be served on a witness shall be served on him personally.

Applications to be by motion

18.—(1) All applications to the Court shall unless otherwise provided be made by way of motion and shall be heard in open court.

(2) A notice of application shall be in Form 9.

(3) A notice of application shall be served on the parties concerned not less than 10 clear days before the return day, unless the Court otherwise orders. An application for permission to give shorter notice may also be made by way of motion.

[S 361/2022 wef 07/05/2022]

Filing of applications

19.—(1) An application shall be made by filing a notice of application and every affidavit intended to be used in support thereof together with 7 copies thereof. Such documents shall be filed in the registry of the Court.

(2) Copies of such notice of application and affidavits shall at the same time be served on all necessary parties.

(3) The registrar shall follow a procedure similar so far as possible to the procedure relating to the entry of appeals and he shall forthwith inform the appellant and the respondent to the appeal in respect of which the application is made of the place and date of hearing of the application.

Notifying results of appeal, etc.

20.—(1) On the determination of any appeal to the Court or of any application relating thereto, the registrar shall, unless it appears to him unnecessary to do so, give written notice of the determination to the appellant and the respondent and, where the appellant is in custody, to the officer-in-charge of the place where he is detained.

(2) The written notice to the respective parties concerned shall be in the appropriate Forms 10 to 15.

Compliance with these Regulations

21.—(1) The Court may direct that failure to comply with these Regulations by an appellant shall not prevent the further prosecution of his appeal.

(2) The registrar shall forthwith notify the appellant of any directions given by the Court under this regulation, where neither the appellant nor his counsel or defending officer was present at the time when such directions were given.

Sitting of Court

22. The Court may sit and hear appeals at such place or places as the president may decide.

Evidence in private or in public

23. The Court may hear evidence, including new evidence, as it may consider expedient, and the Court may sit in private or in public.

[S 361/2022 wef 07/05/2022]

Ancillary powers of Court

24. The Court shall exercise, for all purposes incidental to or arising from any application or appeal, all the powers which under the provisions of any written law in force are vested in a subordinate military court, whether before, during or after the trial, to the extent that such powers may be applicable to the circumstances of an application or appeal to the Court.

Application of Criminal Procedure Code

25. Where the Court orders the accused to be kept in custody under section 146 of the Act, the provisions in Chapter XXXI of the Criminal Procedure Code (Cap. 68) shall apply, with the necessary modifications, in so far as they are not inconsistent with the provisions of the Act or these Regulations.

Scale of costs of Court of Appeal

26.—(1) Where the Court, in exercise of its powers under section 159 of the Act, makes an order as to the whole or any part of the costs of appeal, the scale of costs will be in accordance with Order 21 of the Rules of Court 2021 (G.N. No. S 914/2021).

[S 361/2022 wef 07/05/2022]

(2) The registrar shall have all the powers of the Registrar of the Supreme Court with respect to the assessment of costs.

[S 361/2022 wef 07/05/2022]

Presentation of case

27.—(1) An appellant may present his case orally or in writing or by an advocate and solicitor or a defending officer.

(2) An appellant, whether or not legally represented, shall be entitled to be present at the hearing of his appeal.

(3) Where an appellant is not legally represented and is in prison, the officer-in-charge of the prison shall cause him to be produced at the hearing of his appeal.

(4) If on the day fixed for hearing of an appeal the appellant does not appear in person, the Court may hear the appeal in his absence.

(5) Where an appeal is dismissed under paragraph (4), the Court may restore the appeal for hearing if it is satisfied that the appellant was prevented by any sufficient cause from appearing in person when the appeal was called on for hearing.

Presentation of case in writing

28. Where an appellant desires to present his case in writing under section 151 of the Act, it shall be in Form 16.

Certificate and notice of rejection of appeal

29. The certificate of rejection of appeal by the president and the notice of such rejection under section 157 of the Act shall be in Forms 17 and 18, respectively.

Certificate of Director, Legal Services

30. The certificate by the Director, Legal Services of the Singapore Armed Forces under section 158 of the Act shall be in Form 19.

Form of oath or affirmation

31. An oath or affirmation which is required to be administered under section 128 of the Act shall be administered in the appropriate form and in the manner set out in Form 20.

Return of exhibits, etc., after appeal determined

32. Upon the final determination of an appeal, the registrar shall, subject to any order which the Court may make, return the record of proceedings, exhibits and other documents to the person from whom he obtained them.

THE SCHEDULE

FORM 1

Regulation 3(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF APPEAL

Name of Appellant

Unit or Ship

Rank

Convicted by a *general court martial/field general court martial held at

.....

Offence(s) of which convicted

.....

Sentence

Date when conviction or finding was pronounced

.....

Name of prison or place of detention

.....

I, the abovenamed Appellant, hereby give you notice that I desire to appeal to the Military Court of Appeal against the *conviction and sentence/conviction/sentence:

(See Note)

Dated this day of 20.....

(Signed)

*Appellant/Advocate and Solicitor/
Defending Officer for the Appellant.

*Delete where inapplicable.

THE SCHEDULE — *continued*

QUESTION

1. Is any advocate and solicitor or defending officer acting for you?
If so, give his name and address:
.....

2. Do you desire to apply for leave to call any witnesses on your appeal?
..... (If your answer to this
question is “yes”, you must complete Form 6 and send it with this Form.)

*Delete where inapplicable.

Note:

1. The appellant shall give particulars and address at which any notices or documents may be served on him or his counsel.

THE SCHEDULE — *continued*
FORM 2

Regulation 3(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF APPEAL

Appellant

Rank

The respondent was *acquitted/convicted by a *general court martial/field general
court martial held at

Offence(s) of which *acquitted/convicted

*Sentence

Date of acquittal or date on which sentence was pronounced

I, the abovenamed Appellant, hereby give you notice that I desire to appeal to
the Military Court of Appeal against the *acquittal/sentence.

Dated this day of 20.....

Director, Legal Services of
the Singapore Armed Forces.

*Delete where inapplicable.

THE SCHEDULE — *continued*

FORM 3

Regulation 3(4)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

PETITION OF APPEAL

The petition of A.B.

Showeth as follows:

1. *Your Petitioner the abovenamed A.B. was charged with (*here described the charge briefly*) and convicted [or acquitted] by †general court martial/field general court martial held at on the day of 20....., and the following order was made thereon (*here state briefly the substance of the judgment or sentence*).

2. Your Petitioner is dissatisfied with the judgment on the following grounds:

(*Here state the particular grounds of appeal on which the appellant relies*).

3. Your Petitioner prays that such judgment or sentence may be reversed or annulled or that such order may be made thereon as justice may require.

(*Signature*)

*Appellant/Advocate and Solicitor/
Defending Officer for the Appellant*

Dated this day of 20.....

THE SCHEDULE — *continued*

††QUESTION

If no advocate and solicitor or defending officer is acting for you, do you desire to present your case and argument in writing?

If so please set out here fully your case and arguments in support of your appeal —

.....
.....

*If the appeal is brought by the Director, Legal Services of the Singapore Armed Forces, omit the words "Your Petitioner" and state the name of the person who was convicted or acquitted in paragraph 1.

†Delete where inapplicable.

††To be completed where the appellant is not the Director, Legal Services of the Singapore Armed Forces.

Notes:

1. Every petition of appeal shall contain the ground or grounds of appeal described in terms indicating clearly which of the matters set out in section 129 (7) of the Act constitutes the grounds and shall include definite particulars of the points of law or fact in regard to which the court appealed from is alleged to have erred.
2. The appellant shall give particulars and address at which any notice or document may be served on him or his counsel.

THE SCHEDULE — *continued*

FORM 4

Regulation 4

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF APPLICATION FOR
EXTENSION OF TIME WITHIN WHICH TO LODGE
NOTICE OF APPEAL/PETITION OF APPEAL

*I,, having been
*convicted/acquitted of the offence(s) of

.....by *a general court martial/
field general court martial held at

on 20..... *and being now at

I give you notice that I hereby apply to the Military Court of Appeal for an
extension of the time within which I may give notice of appeal/petition of appeal on
the following grounds:

(State the grounds)

Dated this day of 20.....

(Signed)
Appellant

*Delete where inapplicable.

THE SCHEDULE — *continued*
FORM 5

Regulation 6(1)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF *WITHDRAWAL/DISCONTINUANCE

Name of Appellant

Unit or Ship

Rank

Convicted by a *general court martial/field general court martial held at

Offence(s) of which convicted

Name of prison or place of detention

I, the abovenamed Appellant, having been convicted as above stated and having duly sent to the registrar notice that I desire to appeal DO NOW HEREBY GIVE NOTICE that I do not intend further to prosecute my appeal and THAT I HEREBY *WITHDRAW/DISCONTINUE all proceedings in regard thereto as from the date hereof.

Dated this day of 20.....

(Signed)
Appellant

This notice was signed by the abovenamed Appellant on the day above stated in my presence.

Signature of witness

Address of witness

Occupation of witness

*Delete where inapplicable.

THE SCHEDULE — *continued*

FORM 6

Regulation 17(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF APPLICATION FOR ORDER
FOR WITNESS TO ATTEND FOR EXAMINATION

I, ¹, having applied for leave to appeal to the Military Court of Appeal, hereby give notice that I desire the Court to order the following witness(es) to attend the Court for examination on my behalf.

Dated this day of 20.....

(Signed)²
Appellant

You are required to give the following information³.

1. Name and address of witness.
2. Was the witness examined at the subordinate military court?
3. If not, state the reason why he was not examined.
4. State shortly the evidence you think he can give.

1. Insert name, number, rank and unit or ship.
2. This notice must be signed by the appellant or his counsel or defending officer.
3. If more than one witness is desired, the information must be given in respect of each witness.

THE SCHEDULE — *continued*

FORM 7

Regulation 17(6)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

FROM

THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO WITNESS TO ATTEND FOR EXAMINATION

To ¹.....

Whereas, on good cause shown to the Military Court of Appeal, you have been ordered to attend for examination as a witness before the *Court/an examiner upon the appeal of ².....

This is to give you notice to attend before the *Court/examiner at o'clock in the noon on 20....., at ³.....

You are also required to have with you at the said time and place the following books, papers or other things relating to the appeal:

.....
.....

Dated this day of 20.....

Registrar

-
1. Name and address of witness.
 2. Name, number and rank of appellant.
 3. Address of examiner.

*Delete where inapplicable.

THE SCHEDULE — *continued*

FORM 8

Regulation 17(8)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL,

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

CAPTION FOR DEPOSITION OF WITNESS
EXAMINED BEFORE EXAMINER

Appellant.

The deposition on oath taken before me the undersigned, being an examiner duly appointed by the Military Court of Appeal, of of and of witnesses, examined before me under an order of the said Court dated 20....., in the presence of the said appellant (or *his counsel/defending officer) and the military prosecutor at on 20....., which said appellant (*personally, or his counsel/defending officer) and the military prosecutor had full opportunity of asking questions of the said witnesses to whom the depositions following were read by me before being signed by them the said witnesses respectively.

The deposition of of who upon oath duly administered by me saith as follows:

(Here follows deposition)

(Signed)
Witness

Taken before me on the day of 20.....

Examiner.

*Delete where inapplicable.

THE SCHEDULE — *continued*

FORM 9

Regulation 18(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF APPLICATION BY MOTION

Name, number and rank of accused convicted by a subordinate military court

.....

Date of decision of a subordinate military court

.....

Place at which accused is detained, or, if he is not in custody, his address

.....

PART I: NATURE OF APPLICATION

*The Accused/Director, Legal Services of the Singapore Armed Forces hereby
applies to the Court —

(a)

(b)

(c)

PART II: GROUNDS OF APPLICATION

(State the grounds)

Dated this day of 20.....

(Signed)

To.

*Delete where inapplicable.

THE SCHEDULE — *continued*

FORM 10

Regulation 20(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO APPELLANT OF
THE RESULT OF HIS APPEAL

To *

TAKE NOTICE that the Military Court of Appeal has finally determined your appeal, and has this day given judgment to the effect following:

(State shortly the effect of the judgment)

Dated this day of 20.....

Registrar of the Military Court of Appeal.

*Here fill in the name, number and rank of the appellant.

THE SCHEDULE — *continued*

FORM 11

Regulation 20(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO RESPONDENT OF THE RESULT OF APPEAL

To ¹

TAKE NOTICE that the abovementioned ²

having appealed against his conviction and sentence of
..... passed upon him for the offence
of

at a subordinate military court held at
.....
the Military Court of Appeal has this day given judgment therein to the effect
following:

(State shortly the effect of the judgment)

Dated this day of 20.....

Registrar of the Military Court of Appeal.

-
1. The name and address of the respondent. If the respondent is the Director, Legal Services of the Singapore Armed Forces then his address.
 2. Here fill in name, number and rank of the appellant.

THE SCHEDULE — *continued*

FORM 12

Regulation 20(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO SUPERINTENDENT OF PRISONS
OF RESULT OF APPEAL

To the Superintendent of Prisons at

TAKE NOTICE that the abovementioned *.....

.....
having appealed against his conviction and sentence of
..... passed upon him for the offence
of at a subordinate military court
held at
the Military Court of Appeal has this day given judgment therein to the effect
following:

(State shortly the effect of the judgment)

Dated this day of 20.....

Registrar of the Military Court of Appeal.

*Here fill in name, number and rank of the appellant.

THE SCHEDULE — *continued*

FORM 13

Regulation 20(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO APPELLANT OF
RESULT OF APPLICATION

To *
.....

TAKE NOTICE that the Military Court of Appeal has considered the matter
of application for

(Set out the nature of application)

and has this day given judgment to the effect following:

(State the effect of the judgment)

Dated this day of 20.....

Registrar of the Military Court of Appeal.

*Here fill in name, number and rank of the appellant.

THE SCHEDULE — *continued*

FORM 14

Regulation 20(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO SUPERINTENDENT OF PRISONS
OF RESULT OF APPLICATION

To the Superintendent of Prisons at

.....

TAKE NOTICE that the abovementioned *

.....

having applied for

(State the nature of application)

the Military Court of Appeal has this day finally determined his application and has given judgment to the effect following:

(State shortly the effect of the judgment)

Dated this day of 20.....

Registrar of the Military Court of Appeal.

*Here fill in name, number and rank of the appellant.

THE SCHEDULE — *continued*

FORM 15

Regulation 20(2)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE TO RESPONDENT OF
RESULT OF APPLICATION

To ¹.....
.....

TAKE NOTICE that the abovementioned ²
.....
having applied for

(State the nature of application)

the Military Court of Appeal has this day finally determined his application and has given judgment to the effect following:

(State shortly the effect of the judgment)

Dated this day of 20.....

Registrar of the Military Court of Appeal.

-
- 1. The name and address of the respondent. If the respondent is the Director, Legal Services of the Singapore Armed Forces then his address.
 - 2. Here fill in name, number and rank of the appellant.

THE SCHEDULE — *continued*
FORM 16

Regulation 28

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

WRITTEN SUBMISSION BY APPELLANT

Name of Appellant Number

Unit or Ship Rank

Convicted by a subordinate military court held at

.....

Offence(s) of which convicted

.....

Name of prison or place of detention *

.....

I, the abovenamed appellant, having duly sent to the registrar of the Military Court of Appeal notice of appeal against the decision of the said subordinate military court state the following grounds for the appeal:

1. That the learned trial president of the said subordinate military court erred in law —

- | | | |
|-------------------------|---|-----------------------|
| (a) in failing, etc. | } | (set out the grounds) |
| (b) in permitting, etc. | | |
| (c) in holding, etc. | | |

THE SCHEDULE — *continued*

2. That the learned trial president of the said subordinate military court erred in fact —

(a) that the findings of facts, etc.

(b) in his evidence (set out the alleged facts)

and I therefore pray that the conviction and sentence on me may be set aside or that such sentence may be reduced.

Dated this day of 20.....

Appellant

The address of the Appellant is

.....

*If not in custody set out appellant's address in full.

THE SCHEDULE — *continued*

FORM 17

Regulation 29

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

CERTIFICATE OF REJECTION OF APPEAL
UNDER SECTION 157 (1)

I,,
President of the Military Court of Appeal hereby certify under section 157 (1) of
the Singapore Armed Forces Act that the members of the Court, having perused
the record, are satisfied that the appeal has been brought without any sufficient
ground of complaint.

I, therefore, order that the appeal be rejected and a notice of such rejection be
served upon the appellant.

Dated this day of 20.....

President of the Military Court of Appeal.

THE SCHEDULE — *continued*
FORM 18

Regulation 29

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

IN THE MILITARY COURT OF APPEAL

Military Court of Appeal No. of 20.....

Chief Military Prosecutor vs

NOTICE OF REJECTION OF APPEAL
UNDER SECTION 157 (1)

To *

This is to give you notice that the Military Court of Appeal, having perused the record, is satisfied that the appeal has been brought without any sufficient ground of complaint. Your appeal is, therefore, rejected.

Dated this day of 20.....

Registrar of the Military Court of Appeal.

*Here fill in name, number and rank of the appellant.

THE SCHEDULE — *continued*
FORM 19

Regulation 30

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

TO THE REGISTRAR OF THE MILITARY COURT OF APPEAL,

.....
.....

Subordinate Military Court No. of 20.....

Chief Military Prosecutor vs

CERTIFICATE UNDER SECTION 158 (1)

Name of accused

Unit or Ship

Rank

Acquitted by a general court martial/field general court martial held at

.....

Offence(s) of which acquitted

.....

I,,
Director, Legal Services of the Singapore Armed Forces, in exercise of the powers
conferred by section 158 (1) of the Singapore Armed Forces Act hereby certify that
the determination of the abovementioned case involves a question of law which it
is desirable to have it determined by the Military Court of Appeal.

Dated this day of 20.....

*Director, Legal Services of
the Singapore Armed Forces.*

To
Name and address of Accused.

FORM 20

Regulation 31

SINGAPORE ARMED FORCES ACT

THE SCHEDULE — *continued*

(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY COURT OF APPEAL) REGULATIONS

FORM OF OATH AND AFFIRMATION

(1) OATH AT MILITARY COURT OF APPEAL:

By president:

I, _____, having been nominated to the office of president of the Military Court of Appeal do solemnly swear (or affirm) that I will faithfully discharge my official duties, and I will duly administer justice according to law, without fear or favour, affection or ill-will to the best of my ability, and I will be faithful and bear true allegiance to the Republic of Singapore. So help me God.

By members:

I swear that I will duly administer justice according to law, without fear or favour, affection or ill-will to the best of my ability. So help me God.

By shorthand writer:

I swear that I will truly take down to the best of my ability the evidence to be given before this Court and such other matters as may be required, and will, when required, deliver to the Court a true transcript of the same. So help me God.

By interpreter:

THE SCHEDULE — *continued*

I swear that I will, to the best of my ability without fear or favour, truly interpret and translate as I shall be required to do. So help me God.

By witness:

I swear that the evidence which I shall give in this case shall be the truth, the whole truth and nothing but the truth. So help me God.

(2) MANNER OF ADMINISTERING OATH:

A person taking the oath shall, unless a woman, remove his head-dress and, holding the Bible in his right hand, say to or repeat after the person administering the oath the words of the oath.

(3) AFFIRMATION:

A person making an affirmation shall say to or repeat after the person administering the affirmation the words of the appropriate form of oath except that for the words “I swear” he shall substitute the words “I do solemnly, sincerely and truly declare and affirm”, and shall omit the words “So help me God”.

[G.N. Nos. S 156/72; S 308/72; S 291/75; S 180/95]

LEGISLATIVE HISTORY
SINGAPORE ARMED FORCES (MILITARY COURT OF
APPEAL) REGULATIONS
(CHAPTER 295, RG 5)

This Legislative History is provided for the convenience of users of the Singapore Armed Forces (Military Court of Appeal) Regulations. It is not part of these Regulations.

1. 1990 Revised Edition — Singapore Armed Forces (Military Court of Appeal) Regulations

Date of operation : 25 March 1992

2. G. N. No. S 180/1995 — Singapore Armed Forces (Military Court of Appeal) (Amendment) Regulations 1995

Date of commencement : 13 April 1995

3. 2001 Revised Edition — Singapore Armed Forces (Military Court of Appeal) Regulations

Date of operation : 31 January 2001

4. G.N. No. S 361/2022 — Singapore Armed Forces (Military Court of Appeal) (Amendment) Regulations 2022

Date of commencement : 7 May 2022