

**TO:** The Central Authority in the Republic of Singapore.

**FROM:** The Central Authority in .....

**REQUEST FOR MUTUAL LEGAL ASSISTANCE  
IN A CRIMINAL MATTER PURSUANT TO THE TREATY ON  
MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS**

**CERTIFICATE ON BEHALF OF [THE REQUESTING PARTY]**

I, [*name, appointment/ position of person certifying*] on behalf of [*State name of Central Authority*], am responsible for [*State area of responsibility e.g. criminal prosecutions, investigations*] in [*the Requesting Party*] and am also authorised to make requests for mutual legal assistance in criminal matters. Being satisfied that there are reasonable grounds for believing that there is evidence in [*the Requested Party*] that would be relevant to the [*criminal matter*] in [*the Requesting Party*], I hereby certify that [*the Requesting Party*] respectfully requests the assistance of the Government of the Republic of Singapore in a [*criminal matter*]<sup>1</sup>.

**REQUEST**

This request is made by the Government of [*the Requesting Party*] for assistance to be extended under the Mutual Assistance in Criminal Matters Act (Chapter 190A) Statutes of the Republic of Singapore.

**NATURE OF REQUEST**

This request relates to [*describe subject of criminal matter*]. The authority having the conduct of the criminal matter is [*describe or name the authority concerned with the criminal matter*].

**CRIMINAL OFFENCES / APPLICABLE LEGISLATION / PENALTIES**

[*Set out the offences alleged to have been contravened in relation to the criminal matter as well as the maximum penalties for these offences and attach copies of applicable legislative provisions. State identity of suspect/accused person, if known.*]

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<sup>1</sup> State whether it is an investigation, prosecution or an ancillary criminal matter. 'Criminal matter' is defined in section 2 of Singapore's Mutual Assistance in Criminal Matters Act (Chapter 190A). An electronic version of this Act is available at <http://statutes.agc.gov.sg>.

**STATEMENT OF FACTS**

*[Describe the material facts of the criminal matter including, in particular, those necessary to establish circumstances connected to evidence sought in the Requesting Party and the relevance of Singapore evidence to the criminal matter in the Requesting Party. Such other information as is required where the request relates to particular heads of assistance (e.g. location of persons, enforcement of confiscation order) should also be stated.]*

**PURPOSE OF THE REQUEST**

By this request it is intended to *[state purpose which is intended to be achieved by the assistance sought, e.g. to secure admissible evidence to be used in the trial of .....]*.

**MANDATORY ASSURANCES AND UNDERTAKINGS**

It is confirmed that this request:

- (a) does not relate to the prosecution or punishment of a person for a criminal offence that is, or is by reason of the circumstances in which it is alleged to have been committed or was committed, an offence of a political character;
- (b) is not made for the purposes of investigating, prosecuting, punishing or otherwise causing prejudice to a person on account of that person's race, religion, sex, ethnic origin, nationality or political opinions;
- (d) does not relate to the investigation, prosecution or punishment of a person for an offence in a case where the person:-
  - (i) has been convicted, acquitted or pardoned by a competent court or other authority of *[the Requesting Party]*; or
  - (ii)<sup>2</sup> has undergone the punishment provided by the law of *[the Requesting Party]*,in respect of that offence or of another offence constituted by the same act or omission as that offence.

The Central Authority of *[the Requesting Party]* undertakes:

- (a) That any evidence / thing obtained pursuant to this request, will only be used for the purposes of the request in connection with *[state particulars of criminal matter]*; and

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<sup>2</sup> Delete (i) or (ii) as appropriate

- (b) That should the Attorney-General of the Republic of Singapore require the return of any evidence / thing obtained pursuant to this request, at the conclusion of [*state particulars of criminal matter*] and of all consequential appeals, the evidence / thing will be returned to the Attorney-General of the Republic of Singapore.

### **ASSISTANCE REQUESTED**

The Government of the Republic of Singapore is requested to take such steps as are necessary to give effect to the following:

*[Describe particular type of assistance requested]*

### **EXECUTION OF REQUEST**

#### **Confidentiality**

*[State confidentiality requirements of the Requesting Party, if any]*

#### **Procedure to be followed**

It is requested that the following procedures be observed in the execution of the request:

- *[State details of manner and form<sup>3</sup> in which evidence is to be taken and transmitted to the Requesting Party, if relevant]*
- *[State any special requirements as to certification/authentication of documents]*
- *[State if attendance by representative of the Requesting Party at examination of witnesses/execution of request is required and, if so, the title of the post held by the proposed representative]*

#### **Period of Execution**

It is requested that the request be executed within [*state period and give reasons i.e likely trial or hearing dates or any other dates/reasons relevant to execution of request within the time specified*].

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<sup>3</sup> To provide proforma or form of words as appropriate.

**TRANSMISSION OF REQUESTED MATERIAL/INFORMATION**

Any documents, records, items, statements or information obtained in response to this request should be sent to [*the Central Authority of the Requesting Party*] at [*state the relevant address*].

**RECIPROCITY UNDERTAKING**

The Government of [*the Requesting Party*] undertakes that it will comply with a future request by the Government of the of the Republic of Singapore for similar assistance, by providing assistance having a comparable effect in respect of an equivalent offence to that requested from the Government of the Republic of Singapore in this case.

The Government of [*the Requesting Party*] assures the Government of the Republic of Singapore that [*the Requesting Party*] has laws in place that enable it to provide assistance having a comparable effect in respect of an equivalent offence.

**LIAISON OFFICER**

The officer in [*the Central Authority of the Requesting Party*] who is in charge of this matter is [*name of officer*], and he/she can be contacted at [*address, telephone number, email*].

The case officer in [*the enforcement agency or authority in the Requesting Party*] who has knowledge of this matter is [*name of officer*] and he/she can be contacted at [*address, telephone number, email*].

**PRIOR CONTACT / USE OF OTHER CHANNELS<sup>4</sup>**

There has been previous contact between [*state the relevant authority of the Requesting Party, eg, the police*] and [*state the relevant authority of the Requested Party*] on this matter.

This Request is also being sent to [*the Requested Party*] by [*state the other channel through which the Request is being sent, eg, diplomatic channel*].

[Signature]  
\_\_\_\_\_  
Name  
Designation/Office  
Date

<sup>4</sup> If this is the first time such a request is being sent, this paragraph may be omitted.

FORM I

**COVER NOTE FOR MUTUAL LEGAL ASSISTANCE REQUEST**

(to be filled in by Requesting Party)

Case Reference Number:

Name of suspect(s):

**Competent Authority who can be contacted regarding the request:**

Organisation:

Address:

Country:

Name & Designation:

Telephone & Fax Number:

Email:

Deadline (if relevant):

- This request is urgent because [reasons].
- Please execute this request before [date].

\_\_\_\_\_  
Signature & Date

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**ACKNOWLEDGEMENT OF REQUEST**

(to be filled in by Requested Party upon receipt and faxed to Requesting Party)

Case Reference Number:

Date received:

**Central Authority receiving the request:**

Organisation:

Address:

Country:

Name & Designation:

Telephone & Fax Number:

Email:

**Competent Authority who can be consulted regarding the request:**

[As above] OR [Other]

\_\_\_\_\_  
Signature & Date