*Form for request from foreign country to Singapore for assistance*

*(Section 37 MACMA – Assistance in locating or identifying persons)*

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

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

**REQUEST FOR MUTUAL LEGAL ASSISTANCE IN A CRIMINAL MATTER**

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

I, [*name, appointment/ position of person certifying*], on behalf of [*name of Central Authority*], who is responsible for [*state area of responsibility e.g. criminal prosecutions, investigations*] in the [*Requesting Party*] and who is also authorised to make requests for mutual legal assistance in criminal matters, certify that the Government of the [*Requesting Party*] respectfully requests the assistance of the

Government of the Republic of Singapore in a [*criminal matter*].1

**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 2000 (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 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 proceedings as well as the maximum penalties for these offences and attach copies of applicable legislative provisions. State identity of suspect/accused person, if known*]

1 State whether it is an investigation, prosecution or an ancillary criminal matter. An “ancillary criminal matter” as defined in section 2 of Singapore’s Mutual Assistance in Criminal Matters Act 2000, means the restraining of or dealing with or the seizure, forfeiture or confiscation of, property in connection with a foreign offence. An electronic version of this Act is available at http://sso.agc.gov.sg/.

**STATEMENT OF FACTS**

[*Describe the material facts of the criminal matter including, in particular, the evidence or assistance in relation to the criminal matter, as the case may be, that the person(s) sought to be located / identified can give or provide. Alternatively, if the person(s) sought to be located / identified is concerned in the criminal matter, this should also be indicated. Provide also the information indicating that the person(s) sought to be located / identified is in Singapore*]

**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 ……………*].

**ASSISTANCE REQUESTED**

The Government of the Republic of Singapore is requested to take such steps as are necessary to assist in locating / identifying the following person(s):

[*For each person sought to be located / identified, list the person’s name and, if assistance in identification is sought, any details or description of that person as may assist in identification; include also photographs of the person, if available*]

**MANDATORY ASSURANCES & UNDERTAKINGS**

It is confirmed that this request:

(a) does not relate to the investigation, 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;

(c) does not relate to the investigation, prosecution or punishment of a person for an offence in a case where the person has been convicted, acquitted or pardoned by a competent court or other authority of the [*Requesting Party*] or has undergone the punishment provided by the laws 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*] further undertakes that any information obtained pursuant to this request will not be used for a matter

other than the criminal matter in respect of which the request was made, except with the consent of the Attorney-General of the Republic of Singapore.

**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 any specific procedures that the Requesting Party may wish to have followed or any other relevant information, e.g. precautions to be taken when seeking to locate / identify the person(s) sought*]

**Period of Execution**

It is requested that the request be executed within [*state period giving reasons, e.g. specify likely trial or hearing dates or any other dates/reasons relevant to execution of request*].

**RECIPROCITY UNDERTAKING**

The Government of [*Requesting Party*] undertakes that it will comply with a future request by the Government of the Republic of Singapore for similar assistance in a criminal matter involving an offence that corresponds to the foreign offence for which assistance is sought.

**LIAISON OFFICER**

The case officer in [*the enforcement agency or authority in the Requesting*

*Party*] who has knowledge of this matter is [*name of 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 [*provide details of address, telephone number, email etc.*].2

2 Upon receipt of this request, an acknowledgment will be sent to this officer by the Attorney-General’s

Chambers of the Republic of Singapore.

**PRIOR CONTACT / USE OF OTHER CHANNELS**3

There has been previous contact between [*state the relevant authority of the Requesting Party, e.g., Interpol*] 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, e.g., diplomatic channel*].

[Signature] Name: Office: Date:

3 This paragraph may be omitted if inapplicable.