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## BILLS SUPPLEMENT

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**Notification No. B 34** — The Criminal Procedure Code (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 15th day of October 2012.

# **Criminal Procedure Code (Amendment) Bill**

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**Bill No. 34/2012.**

*Read the first time on 15th October 2012.*

A BILL

*i n t i t u l e d*

An Act to amend the Criminal Procedure Code (Chapter 68 of the 2012 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

## Short title and commencement

1. This Act may be cited as the Criminal Procedure Code (Amendment) Act 2012 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### Amendment of section 107

2. Section 107 of the Criminal Procedure Code (referred to in this Act as the principal Act) is amended by deleting subsection (2) and substituting the following subsections:

“(2) If his explanation is inadequate and the amount of the bond is not paid, the court may recover the amount by issuing an order for the attachment of any property, movable or immovable, belonging to him —

(a) by seizure of such property which may be sold and the proceeds applied towards the payment of the amount of the bond; or

(b) by appointing a receiver who shall be at liberty to take possession of and sell such property and apply the proceeds towards the payment of the amount of the bond.

(2A) Any person may, not later than 7 days after the date of the seizure of any property under subsection (2)(a) or the taking of possession of any property by the receiver under subsection (2)(b), as the case may be, make a claim against that property by applying to the court for the property to be excluded from the order of attachment issued under subsection (2) and the court shall make such order as it sees fit.”.

### Amendment of section 247

3. Section 247(4) of the principal Act is amended by deleting the words “The principal officer” and substituting the words “A designated medical practitioner”.

### **Amendment of section 248**

4. Section 248 of the principal Act is amended —
- (a) by deleting the words “principal officer” in subsections (1), (2) and (4) and substituting in each case the words “designated medical practitioner”; and
  - (b) by deleting the words “principal officer” in the section heading and substituting the words “designated medical practitioner”.

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### **Amendment of section 254**

5. Section 254(1) of the principal Act is amended by deleting the words “a principal officer” and substituting the words “the principal officer”.

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### **Amendment of section 255**

6. Section 255(1) of the principal Act is amended by deleting the words “a principal officer” in paragraph (c) and substituting the words “the principal officer”.

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### **Amendment of section 313**

7. Section 313 of the principal Act is amended by deleting paragraphs (c) to (g) and substituting the following paragraphs:

- “(c) the trial Judge who tried the accused must, within a reasonable time after sentence has been pronounced, prepare a copy of the notes of evidence taken at the trial and a report in writing signed by him stating whether, in his opinion, there is any reason (and, if so, particulars of the reason) why the death sentence should be carried out;
- (d) the trial Judge must forward to the Court of Appeal the notes of evidence and report referred to in paragraph (c), within a reasonable time after being notified by the Registrar of the Supreme Court that a notice of appeal has been given or petition for confirmation has been lodged, as the case may be;

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(e) if the Court of Appeal dismisses the appeal or confirms the imposition of the sentence of death, then the Chief Justice or other presiding Judge must, within a reasonable time, forward to the Minister the notes of evidence and report referred to in paragraph (c), stating whether he agrees with the trial Judge, together with a notification of the decision of the Court of Appeal and also any report on the case that the Court of Appeal may think fit to make, signed by the Chief Justice or other presiding Judge;

(f) the President must, acting in accordance with the Constitution —

(i) transmit to the Court of Appeal a copy signed and sealed by him of any order he makes;

(ii) if the sentence is to be carried out, state the time and place of execution of the sentence in the order; and

(iii) if the person sentenced is pardoned or the sentence is commuted to another punishment, state this in the order;

(g) on receiving the copy of the President's order the Court of Appeal must, if the sentence is to be carried out, cause a warrant to be issued under the seal of the Supreme Court and signed by the Chief Justice or other presiding Judge, or in the absence thereof any other Judge of Appeal or High Court Judge, setting out the time and place of execution as prescribed in the order of the President;".

### **Amendment of section 319**

**8.** Section 319 of the principal Act is amended —

(a) by deleting paragraph (b) of subsection (1) and substituting the following paragraph: