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CONTENTS

Singapore

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Brief overview of the law and enforcement regime

1. As a global financial hub, Singapore prides itself on being a clean and incorrupt country where primacy is placed on meritocracy, competence, integrity, transparency and fairness. Singapore's zero-tolerance towards corruption is something that has become ingrained into the mindset of the Singaporean public.
2. Incorruptibility is what is expected of the manner in which our country is governed and businesses are operated.[1]
3. The Corrupt Practices Investigation Bureau, also known as "CPIB", is Singapore's local enforcement agency tasked to investigate all offences under the Prevention of Corruption Act 1960 ("**PCA**"). Formed in 1952, the CPIB has been given the funding, resources and the mandate to investigate where it needs to. Independence of the CPIB is fundamental to Singapore's efforts in combatting corruption. Functionally independent, the CPIB is helmed by a director who reports directly to the Prime Minister of Singapore. The CPIB's independence is further safeguarded by Article 22G of the Constitution of the Republic of Singapore, which provides that in the event that the Prime Minister refuses to give his consent to a CPIB investigation, the Director of CPIB can go directly to the President of Singapore to seek concurrence to proceed with the investigations.[2]
4. Armed with extensive investigative powers, the CPIB has for the past seven decades conducted its investigations "*thoroughly, scrupulously and fearlessly*". It has not shied away from where investigations led, as evident from the individuals and businesses that have been investigated and prosecuted over the years. Working in conjunction with the Attorney-General, who is also the Public Prosecutor,[3] the conviction rate for corruption offences in 2022 stands at an impressive 99%.[4]
5. Corruption offences are primarily governed by the PCA in relation to both public and private sector bribery and corruption offences. The primary offences are set out at sections 5 and 6 of the PCA:
   a. Section 5 of the PCA targets corrupt transactions generally and captures the act of bribery of "*any person*" with regard to "*any matter or transaction*";[5]
   b. Section 6 of the PCA, on the other hand, is "*specifically directed at a situation where the corrupt procurement of influence involves the agent subordinating his loyalty to his principal in furtherance of his own interests*"; and[6]
   c. Section 6(c) of the PCA targets "*non-bribery conduct*". The central mischief that it captures is the dishonest exploitation of an agent-principal relationship in the use of any document which contains any statement which is false, erroneous or defective, with the intent to deceive the agent's principal.[7]

6. A wide variety of deterrent penalties can be imposed on individuals or the companies associated with the corruption. These penalties ultimately serve to make corruption a "*high risk, low reward*" offence such that offenders would think twice before engaging in such activities.[8]
7. A person convicted for corruption offences under either section 5 or 6 of the PCA faces a fine not exceeding S$ 100,000, or a custodial sentence of up to five years (or both) for *each* individual charge for which he is convicted. Imprisonment terms can be enhanced under section 7 of the PCA where the corrupt offences relate to contracts with the Singapore Government or public bodies in Singapore.[9]
8. The Courts may also impose monetary penalty orders on the recipient of bribes under section 13 of the PCA to disgorge the illicit gains of corruption. These penalty orders are typically accompanied by "*in-default*" custodial sentences, the length of which is calibrated according to the quantum of the penalty order imposed to incentivise the payment of the same: see also ***Chang Peng Hong Clarence v Public Prosecutor and other appeals*** [2023] SGHC 225 ("***Chang Peng Hong Clarence***").[10]

Corporate liability for corruption

Corporate liability

9. A body corporate can be found liable for bribery and corruption offences in Singapore. Under the PCA, "*any person*" or "*agent*" (i.e. any person employed by or acting for another), who is convicted of corruption or bribery shall be punished under the law. Section 2 of the Interpretation Act 1965 in turn provides that a "*person*" includes "*any company or association or body of persons, corporate or unincorporated*".
10. Whilst a body corporate is a separate legal entity in Singapore, the actions of an officer or agent of the company can be attributed to the company in circumstances where that person is the "*living embodiment of the company*". Alternatively, vicarious liability can attach and criminal liability can be attributed to the company if the employee's actions were performed as part of a delegated function of management.[11]
11. An example where prosecution for corruption was brought against a corporate body in Singapore is the case of ***Public Prosecutor v Wong Chee Meng and another appeal*** [2020] 5 SLR 807 ("***Wong Chee Meng***"). In that case, two construction companies, 19-ANC and 19-NS2, together with its managing director, were charged and convicted for acting in furtherance of a conspiracy with their managing director to give bribes to the former general manager of a Town Council in Singapore. Both companies were sentenced to the maximum fine of S$ 100,000.
12. Additionally, as part of the series of corruption cases involving the corruption of Foo Yung Thye Henry, a former Deputy Group Director of the Land Transport Authority ("**LTA**"), a construction company, China Railway Tunnel Group Co., Ltd. (Singapore Branch) ("**CRTG**"), was charged with corruptly providing gratification in the form of loans totalling approximately S$ 220,000, as inducement to advance the business interest of CRTG with LTA.[12]
13. The aforementioned cases reflect the Attorney General's Chambers' willingness to depart from the historical norms of merely prosecuting individuals and instead electing to hold both body corporates and its officers accountable for corruption where appropriate.
14. Companies should therefore take proactive steps to ring fence itself from the acts of its employees and/or directors. This can come in the form of introducing and implementing robust compliance programmes and anti-bribery and anti-corruption policies that the company and its employees are obligated to adhere to. Such policies would thus serve

to delineate the wrongful acts of a rogue employee from the company. These actions thus serve as a "shield" against allegations of complicity in white-collar crimes.

15. Further, where companies come to know of potential misconduct involving acts of bribery or corruption, it would be prudent for it to undertake its own internal investigations. Such internal investigations should be led by a specially constituted and independent committee (which may include non-executive directors) which may be aided by external legal counsel to ensure objectivity and independence in the fact-finding process.
16. Such positive steps will again serve as a bright red line distinguishing the acts of the errant employee (or director) and the body corporate. In contrast, a body corporate's failure to conduct its own independent internal investigations may be treated adversely and result in a finding of complicity on the part of the corporate entity.[13]

Alternatives to prosecution

17. To this end, Singapore has since 2018 introduced the concept of deferred prosecution agreements ("**DPAs**") as an alternative to Prosecution. Briefly, DPAs allow corporate entities to enter into an agreement with an investigating authority of regulatory body pursuant to which the entity must comply with specific conditions *in lieu* of prosecution. Such conditions include, for example, financial penalties, the requirement to co-operate with investigations and/or the commitment to put in place internal controls and policies.[14]
18. Whilst no DPAs have been entered into in Singapore to date,[15] we are of the view that Singapore will see its first DPA which will replace "conditional warnings" that are issued to corporate offenders in the near future.

Overview of cross-border issues

Extraterritorial effect of the PCA

19. The legislative object of the PCA involves the control and suppression of corruption, including extra-territorial corruption.[16] Section 37 of the PCA is capable of capturing *"all corrupt acts by Singapore citizens outside Singapore, irrespective of whether such corrupt acts have consequences within the borders of Singapore or not*".[17]
20. When corruption cases involve transboundary elements, Singapore's authorities require international cooperation and the assistance of foreign enforcement agencies to secure the relevant information and documents needed to prosecute corrupt offenders.[18] This is because the CPIB cannot conduct investigations abroad without the assistance or the cooperation of its foreign counterparts, and *vice versa*.
21. The Mutual Assistance in Criminal Matters Act 2000 ("**MACMA**") facilitates the provision and obtaining of international assistance in criminal matters. It applies to requests for assistance by foreign countries to Singapore and *vice versa*.[19] The types of assistance that may be requested include, *amongst others*, the provision and obtaining of evidence, the making of arrangements for parties to give evidence or assist in criminal investigations, confiscation of property, locating or identifying persons and assistance in service of process.[20]
22. The application of MACMA can be seen in the recent case of ***Teo Chu Ha (alia Henry Teo) v Public Prosecutor and or appeals*** [2023] SGHC 130 ("***Henry Teo***").[21] In that case, gratification in excess of S$ 2 million was paid to Singaporeans to secure contracts for Chinese companies to service a Singaporean company operating in China. With the assistance of its Chinese counterparts, the Singapore authorities successfully obtained key pieces of evidence that were eventually relied on by the Prosecution to secure the convictions against the accused persons.

23. This included:
    a. bank statements from the Bank of China, Shanghai branch, which were obtained via a formal inter-State request made under the MACMA; and
    b. statements recorded from representatives of a Chinese Company, by the authorities in Shanghai. These statements were found by the Court to be admissible under section 32(1)(j)(iii) of the Evidence Act 1893 after the CPIB had taken all reasonable steps to procure their attendance at the trial, including enlisting the assistance of their Chinese counterparts to contact these persons.[22]
24. Reliance on mutual legal assistance ("**MLA**") to obtain information and documents are not without its own issues. The level of cooperation provided by foreign authorities or the efficacy of their efforts may not always yield positive results. As stated at paragraph 49 below, the inability to prosecute the six individuals in the Keppel Offshore & Marine Limited ("**KOM**") case was due to insufficiency of evidence. Minister Indranee Rajah[23] confirmed that that there had been "*no response*" in respect of some of Singapore's MLA requests for assistance which it had made over the span of five years.[24]
25. Another issue relating to MLA requests is that they can take a significant period of time. In ***Chang Peng Hong Clarence***, the Prosecution highlighted that the delay of some three years in the investigations was due to an MLA request that Singapore had sent to Hong Kong to obtain information about bank documents relating to fund transfers which were subsequently found to be corrupt.[25] In a similar vein, the investigative process in ***Henry Teo*** took some six and-a-half years for which the Singapore High Court observed that proceedings involving the MLA process would naturally be expected to be more protracted.[26]

Overview of enforcement activity and policy during the last year

Public sector corruption

26. The past 12 months has seen news in relation to the investigations into public sector corruption dominating the media headlines. *Amongst other cases*, the CPIB's probes into three of Singapore's sitting Ministers in two separate investigations garnered significant public interest in a country which is known to be one of the least corrupt nations in the world.
27. Singapore was rocked by the news that its Minister for Transport, Mr S Iswaran, was assisting in the anti-graft body's investigations and had been arrested.[27] The CPIB's announcement in this regard came as a surprise to the public as this was a departure from its standard practice of withholding the names of persons under investigation. Investigations are ongoing and no charges have been preferred to date.
28. The CPIB's investigations into Minister Iswaran came shortly after the CPIB's findings in what Singaporeans identify as the "*Ridout Rental Saga*". The CPIB's investigations were a result of questions raised by the public and allegations of impropriety made against two Ministers regarding their rental of State Properties for residential purposes.[28]
29. On 23 June 2023, the CPIB reported that it "*found no evidence of corruption or criminal wrongdoing*" by the two Ministers. Having found that there was "*no preferential treatment given to the Ministers and their spouses, and [that there was] no disclosure of privileged information in the process of the rental transactions*", the CPIB closed its investigations into the same.[29]
30. The two cases above are strong reflections of Singapore's resolute stance against corruption and more pertinently, that no one is above the law. As aptly stated by Singapore's Prime Minister, Mr Lee Hsien Loong on 2 August 2023: "*when anyone, including Ministers or Members or Parliament, are involved in corruption or illegal*

behaviour, there is zero tolerance, and we will investigate fully. If the investigation finds that there was no wrongdoing or conflict of interest, the matter would be closed and those involved exonerated. If the investigation shows that there is misconduct, they would be dealt with the full force of the law".[30]

Private sector corruption

31. Even though the public-sector corruption cases grabbed the headlines, in actuality, the majority of the corruption cases in Singapore involved private sector corruption. In 2022, 86% of the cases registered for investigation and 97% of criminal prosecution involved private sector corruption across various sectors.[31]
32. The year 2022 also saw the introduction of a new sentencing framework for section 6 PCA private sector corruption in ***Goh Ngak Eng v Public Prosecutor*** [2022] SGHC 254 ("***Goh Ngak Eng***") (the "**Goh Ngak Eng Sentencing Framework**").
33. The writing had been on the wall in relation to the appropriateness of introducing a sentencing framework for private sector corruption cases. In ***Goh Ngak Eng***, the Singapore High Court opined that "*although the ways in which private sector corruption can manifest itself are diverse… that does not, in and of itself, preclude the adoption of a sentencing framework provided that the court can develop a methodology that is workable…*".[32]
34. The Goh Ngak Eng Sentencing Framework today serves to "*provide guidance to sentencing courts and in particular the lower courts, the Prosecution and the Defence in approaching sentencing in a broadly consistent manner, with due regard to the salient factors*".[33] This was especially since in recent years, "*the need for deterrence has resulted in a recent upward trend in custodial sentences for serious private sector corruption offences*" which invariably meant that "*sentences imposed in similar or analogous cases from several years ago may no longer constitute appropriate reference points*".[34]
35. As foreshadowed in ***Goh Ngak Eng***, we expect that an application of the new sentencing framework would generally translate to stiffer sentences being meted out to corrupt offenders as compared to previous cases in Singapore's jurisprudence for corruption offences.
36. One of the first cases to apply the new sentencing framework was the case of ***Chang Peng Hong Clarence*** involving one of the largest private sector corruption cases in Singapore (in terms of quantum of bribes) to date. Even though the Defence was successful in appealing against the conviction of one charge of corruption, the Singapore High Court increased the sentence of both giver and receiver and imposed a sentence of 80 months' imprisonment.
37. Apart from the lengthy term of imprisonment that was imposed by the Courts, ***Chang Peng Hong Clarence*** also involved a novel issue where the High Court imposed three penalty orders under section 13 of the PCA totalling the sum of approximately S$ 5.8 million (the "**Penalty Orders**"). An "*in-default*" sentence of 2,129 days' imprisonment was imposed together with the penalty orders. The penalty orders together with the accompanying in-default sentences is "*used as a disincentive for an offender who may default on payment of money to the court*".[35]
38. This represented a departure from the judicial practice of imposing just one penalty order for the entire sum of the bribes received. The Singapore High Court held that it was not limited to the imposition of a single global penalty order, nor does it have to impose a penalty order for each charge under the PCA.[36] It also introduced a four-step framework in calibrating the number of penalty orders and their respective in-default sentence.
39. The principles as espoused in ***Chang Peng Hong Clarence*** will serve as a formidable tool to compel recipients of bribes to relinquish the benefits obtained from corruption gratification. However, it is important that a fine balance be struck to ensure that penalty orders are not to be used to exact further punishment on the accused.

Key issues relating to investigation, decision-making and enforcement procedures?

Investigations

40. Corruption investigations typically commence as a result of complaints being lodged with the CPIB through self-reporting or whistle-blowing. Alternatively, the CPIB may commence its own investigations as a result of the information that they discovered in other probes that they conduct: see, e.g., the CPIB's investigations into Minister S Iswaran in July 2023.
41. The PCA empowers the CPIB with extensive and far-reaching enforcement and investigation powers. This includes:
    a. the power of arrest: section 15 of the PCA;
    b. the power to investigate any bank account, share account, purchase account, expenses account, safe deposit box: section 18 of the PCA;
    c. the power to inspect bankers' books: section 20 of the PCA;
    d. the power to obtain information from the person under investigation and/or any other person: section 21 of the PCA; and
    e. the powers of search and seizure: section 22 of the PCA.
42. Enforcement agents would often appear unannounced at a subject's place of residence early in the morning to obtain their assistance in the investigations. The search and seizure process would concurrently take place to ensure that relevant evidence is preserved. It is common for electronic devices such as mobile phones, laptops and portable hard disks to be seized for the purpose of investigations.
43. Under section 27 of the PCA, there is a legal obligation for a person to give any information on any subject as required by such investigations. Such information is typically obtained in the form of interview sessions with statements usually recorded in writing at the end of each interview (the "**Investigation Statements**"). An interviewee does not have the right to have counsel present during these interviews.[37]
44. The importance of the statements provided by an interviewee cannot be understated. There have been numerous cases in Singapore where accused persons have been convicted of corruption solely on the basis of their Investigation Statements which forms a vital source of evidence of an accused's *mens rea*. This is even in cases where it was shown, during trial, that there was little, if any, evidence of any benefit being conferred by a recipient of bribes as *quid pro quo* for the gratification. Section 9 of the PCA is clear – an acceptor of gratification is to be guilty of corruption "*notwithstanding that purpose not carried out*".[38] It would thus be prudent for such persons to seek legal advice during the investigation process so that any corrections or amendments can be made during subsequent interviews.

Enforcement decisions

45. The fact that investigations are commissioned does not mean that prosecutions will be instituted. Stern warnings are not unusual especially where there are evidential difficulties or limited public interest to prosecute. From 2017 to 2021, the CPIB issued an average of 138 warnings annually in contrast to 139 individuals who were prosecuted.[39]
46. The decision whether to prosecute is something that the CPIB makes in consultation with the Attorney General's Chambers. This will take into account a myriad of factors including the sufficiency of the evidence, the availability of witnesses, the harm caused by the alleged offences and/or the culpability of the persons investigated.
47. From our own experience, the common thread in cases where cross-border investigations were discontinued with no action taken whatsoever against either the individuals or the companies in question was the availability of evidence and witnesses. In those cases, we successfully managed to procure evidence and/or witness statements

from persons located in foreign jurisdictions for the purpose of building a positive defence and rebutting allegations of corruption. This stands in contrast to the issues faced by enforcement authorities where they are unable to compel witnesses to assist in investigations or provide critical evidence during the trial process to establish the elements of the corruption charges.

48. The issuance of warnings *in lieu* of prosecution was a topic of significant public interest in the last 12 months. This stemmed from the decision to issue stern warnings to six former employees of KOM where bribes were given to officials of Brazilian state-owned company Petrobras which pertained to rig-building contracts that it or its related companies awarded to KOM.
49. In what appears to be a reflection of our own experience as stated above, the CPIB explained that the decision to issue stern warnings to the six individuals were largely due to the evidentiary difficulties that the local authorities faced. The CPIB explained that the KOM case:

"*is complex and transnational, involving multiple authorities and witnesses from several countries. There are evidentiary difficulties in cases of such nature. Many of the documents are located in different jurisdictions. In addition, key witnesses are located outside of Singapore and cannot be compelled to give evidence here. The decision whether to prosecute the six individuals for criminal offences has to take into consideration all relevant factors, such as the culpability of each individual, the available evidence and what is appropriate in the circumstances. Having taken these into consideration, stern warnings were issued to the six individuals.*"[40]

The law and policy relating facilitation payments and hospitality

50. There is no special exclusion for "hospitality" or "facilitation payments" in Singapore. The scope in sections 5 and 6 of the PCA is drafted widely such that as long as any business interest is advanced and/or any benefit is received as *quid pro quo* for gratification, the offence of corruption is potentially made out.

"Hospitality" / "Customary Gifts"

51. "Hospitality" in the form of invitations to meals or the provision of customary gifts, are often offered in the legitimate course of business to promote good relations. Such "hospitality" or "gifts" may be accepted when there are legitimate work-related reasons or when it is impractical or impolite to reject the same.
52. Whether or not such "hospitality" or "customary gifts" are deemed corrupt depends on the intention behind the provision and receipt of the same. Whilst inferences can be drawn from some factors including the value and/or frequency of such "hospitality" or "customary gifts", each case invariably turns on its own facts. For example, in the case of ***Wong Chee Meng***, the general manager of the Town Council was charged with accepting meals even though such meals were inexpensive and amounting to no more than S$ 50.
53. The issues pertaining to the provision and receipt of "hospitality" or customary gifts in the public sector was a recent topic of interest in Singapore. These were questions posed by Members of Parliament to the Singapore Government arising out of the CPIB's recent investigations into corruption in the public sector.
54. Insofar as "gifts" received by civil servants are concerned, "*civil servants must declare to their Permanent Secretaries any gifts they receive from external stakeholders on account of their official position or work. Officers may be allowed to retain gifts that are valued below $50 if doing so does not affect the integrity of the Civil Service. If officers wish to retain gifts valued above $50, they must pay the assessed market value of the gift to the Government*".[41]

55. As regards "hospitality" in the form of meals, "*civil servant should declare and seek approval from their Permanent Secretaries if they receive any meal invitation, either before the meal, or if that is not possible, immediately after. This is especially if they assess that the value of the meal or hospitality is incongruent with the professional nature of the meeting and may give rise to perceptions of influence peddling and conflict of interest – real or perceived*".[42]
56. The aforementioned policies equally serve as good guidance for the standards to be upheld in the private sector with the appropriate modifications. The common thread that underpins these policies is the need for transparency and accountability. These policies ultimately serve to protect and prevent both the individuals concerned and their respective organisations that they belong to from becoming beholden or trapped in a web of corruption from which they cannot escape from.

Facilitation payments

57. The term "*facilitation payments*" is neither used nor defined in the relevant legislation in Singapore.
58. Unlike the United States of America's Foreign Corrupt Practices Act[43] which exempts facilitation payments from being construed as bribes, there are no similar carve outs in Singapore under the PCA. In fact, under section 8 of the PCA, where it is proved that any gratification has been paid to (or received by) any "public servant", that gratification shall be deemed to have been paid (or received) corruptly as an inducement or reward, unless the contrary is proven.
59. Indeed, any payments paid to public officials may also be considered as a "bribe" if it was given to advance the business interest of the principal involved. For example, in a recent case, a Project Manager of a construction company was convicted of giving bribes to an Assistant Engineer of the Public Utilities Board in return for, *inter alia*, facilitating and expediting works for the construction company.[44]

The road ahead

60. Singapore's success to date arises in no small part because of its adoption of a zero-tolerance policy to corruption and upholding the rule of law.[45] What is clear is that the CPIB will investigate all cases regardless of whether they happened locally or overseas, as long as the alleged offence falls within the ambit of the PCA and that the information is credible and can be pursued.[46]
61. The next 12 months will also see Singapore continue working closely with its foreign counterparts in respect of transnational investigations to bring perpetrators of corruption to task.
62. In what seems like *déjà vu*, on 31 May 2023, the CPIB announced that it had commenced investigations against Seatrium Limited and individuals from Seatrium Limited ("**Seatrium**") on alleged corruption offences that occurred in Brazil.[47] Seatrium is one of the world's largest offshore and marine engineering companies and is a merger between Semborp Marine Group and KOM in 2023.
63. Two points of interest potentially arise from these investigations. First, it remains to be seen whether the CPIB and/or the Attorney General's Chambers will run into the same issues which they faced in the KOM case insofar as the sufficiency of evidence is concerned.
64. Second, Seatrium will be an interesting test case to see how Singapore authorities would deal with the issue of successor liability. In an announcement filed with the Singapore Exchange on 1 June 2023, Seatrium itself stated that it believes that the corruption probe relates to events that occurred prior to 2015 when it was then known as Sembcorp Marine Limited.[48]

65. The need for cross-border cooperation is critical given the limited jurisdiction and powers Singapore authorities have in investigating Singaporeans committing corruption offences overseas. Whilst there have been suggestions for the PCA's extraterritorial reach to extend to Singapore incorporated companies based overseas, it is unlikely that any such amendments would be made by Parliament in the near future.[49]

* * *

Endnotes

1. CPIB Press Release dated 18 September 2012 titled "*Speech by Prime Minister Lee Hsien Loong at CPIB's 60th Anniversary Celebration*".
2. CPIB Press Release dated 2 August 2023 titled "*Minister Chan Chun Sing on the CPIB case and the Public Service's Code of Conduct*" at [14].
3. Section 11(1) of the Criminal Procedure Code 2010.
4. CPIB Press release dated 28 April 2023 titled "*Public Vigilance Critical in Fighting Corruption*" at [6].
5. ***Public Prosecutor v Tan Kok Ming Michael and other appeals*** [2019] 5 SLR 926 at [55].
6. ***Goh Ngak Eng v Public Prosecutor*** [2022] SGHC 254 at [50].
7. ***Gan Chai Been Anne v Public Prosecutor*** [2019] 4 SLR 838 at [57] and [59].
8. CPIB Press release dated 21 September 2022 titled "*Speech by President Halimah Yacob at Corrupt Practices Investigation Bureau's 70th Anniversary Commemorative Event*" at [6].
9. ***Public Prosecutor v Wong Chee Meng and another appeal*** [2020] 5 SLR 807 at [48].
10. ***Chang Peng Hong Clarence v Public Prosecutor and other appeals*** [2023] SGHC 225 at [161].
11. ***Prime Shipping Corp v Public Prosecutor*** [2021] 4 SLR 795 at [17]; see also ***Tom-Reck Security Services Pte Ltd v Public Prosecutor*** [2001] 1 SLR(R) 327 at [17] and [19].
12. CPIB Press release dated 24 July 2020 titled "*Charged with Corruption involving $1.24 million*" at [2(e)].
13. ***Prime Shipping Corp v Public Prosecutor*** [2021] 4 SLR 795 at [24] to [29].
14. WongPartnership LLP Legiswatch (February 2018) titled "*Deferred Prosecution Agreements – The move towards corporate criminal liability in Singapore*".
15. Singapore Parliamentary Speeches and Responses dated 15 February 2022 titled "*Written Answer by Minister for Law, Mr K Shanmugam, to Parliamentary Question on Number of Prosecution Agreements and Conditional Warnings Involving Corporations*" at [1].
16. Section 37 of the PCA; see also ***Teo Chu Ha (alia Henry Teo) v Public Prosecutor and or appeals*** [2023] SGHC 130 at [49].
17. ***Public Prosecutor v Taw Cheng Kong*** [1998] 2 SLR(R) 489 at [64].
18. ***Teo Chu Ha (alia Henry Teo) v Public Prosecutor and or appeals*** [2023] SGHC 130 at [1].
19. ***BSD v Attorney General and other matters*** [2019] SGHC 118 at [4].
20. Sections 8 to 15 of the MACMA.
21. ***Teo Chu Ha (alia Henry Teo) v Public Prosecutor and or appeals*** [2023] SGHC 130 at [27].
22. *Ibid*.

23. Ms Indranee Rajah is the Minister in the Prime Minister's Office, Second Minister for Finance and Second Minister for National Development.
24. Singapore Parliamentary Reports sitting date 24 February 2023, Volume 95 No. 86: response by Minister Indranee Rajah (accessible online at: https://sprs.parl.gov.sg/search/#/fullreport?sittingdate=24-02-2023, last accessed on 24 October 2023).
25. See in particular, ***Public Prosecutor v Koh Seng Lee and anor*** [2022] SGDC 66 at [237].
26. ***Teo Chu Ha (alia Henry Teo) v Public Prosecutor and or appeals*** [2023] SGHC 130 at [174].
27. *Channel NewsAsia* article dated 14 July 2023 titled "*Singapore Transport Minister S Iswaran was arrested and released on bail as part of CPIB probe*".
28. Statement from the Prime Minister's Office dated 28 June 2023 titled "*Rental of State Properties at Ridout Road by Minister K Shanmugam and Minister Vivian Balakrishnan*".
29. Director of the CPIB's letter to the Prime Minister dated 23 June 2023 titled "*Rentals of Two Ridout Road State Properties*".
30. Singapore Parliamentary Reports sitting date 2 August 2023, Volume 95 No. 109: statements by Prime Minister (accessible online at: https://sprs.parl.gov.sg/search/#/sprs3topic?reportid=ministerial-statement-2235, last accessed on 24 October 2023).
31. CPIB Press release dated 28 April 2023 titled "Public Vigilance Critical in Fighting Corruption" at [3] and [4].
32. ***Goh Ngak Eng v Public Prosecutor*** [2022] SGHC 254 at [31].
33. *Ibid.*
34. *Ibid.*
35. ***Chang Peng Hong Clarence v Public Prosecutor and other appeals*** [2023] SGHC 225 at [165].
36. ***Chang Peng Hong Clarence v Public Prosecutor and other appeals*** [2023] SGHC 225 at [163].
37. ***James Raj s/o Arokiasamay v Public Prosecutor*** [2014] 3 SLR 750 at [32].
38. See also ***Chang Peng Hong Clarence v Public Prosecutor and other appeals*** [2023] SGHC 225 at [80].
39. CPIB Press release dated 6 February 2023 titled "*Minister Indranee Rajah on the Public Prosecutor's Decision to Issue Stern Warnings to Six Former Senior Management Staff from Keppel Offshore & Marine Limited*".
40. CPIB Press Release dated 12 January 2023 titled "*Stern Warnings Issued to Six Former Keppel Offshore & Marine Limited Employees*".
41. CPIB Press release dated 2 August 2023 titled "*Minister Chan Chun Sing on the CPIB case and the Public Service's Code of Conduct*" at para. 30.
42. CPIB Press release dated 2 August 2023 titled "*Minister Chan Chun Sing on the CPIB case and the Public Service's Code of Conduct*" at para. 31.
43. Sections 78dd-3(b) of the FCPA.
44. CPIB Press Release dated 14 February 2022 titled "*Former PUB Officer and Project Manager Jailed For Corruption and Falsification of Accounts*".
45. Oral Answer to Questions in Parliament by Minister in the Prime Minister's Office, Second Minister for Finance and Second Minister for National Development Indranee Rajah, on the Public Prosecutor's decision to issue stern warnings to six former senior management staff from Keppel Offshore & Marine Limited, on 6 February 2023.
46. Oral Answer to Questions in Parliament by Minister in the Prime Minister's Office, Second Minister for Finance and Second Minister for National Development Indranee

Rajah, on the Public Prosecutor's decision to issue stern warnings to six former senior management staff from Keppel Offshore & Marine Limited, on 6 February 2023.

47. CPIB Press release dated 31 May 2023 titled "*CPIB Commences Investigations Against Seatrium In Relation to Business Operations in Brazil*".
48. Seatrium Limited announcement dated 1 June 2023 "*commencement of investigations by CPIB in relation to Business Operations in Brazil*".
49. [n 44].

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She is also active in the community and regularly contributes her time and legal expertise to the Girl Guides Singapore. Melanie has also sat as the legal adviser to the Adult Protection Team, which was formed by the Ministry of Social and Family Development to provide assistance to vulnerable adults.

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Tang Shangwei is a Partner in the Professional & Enterprise Disputes Practice and the White Collar & Enforcement Practice at WongPartnership. His areas of practice include oil and gas disputes, company law and fraud related disputes, shareholders disputes, defamation, medical law & negligence disputes, and international arbitration.

Shangwei also specialises in the field of criminal litigation and investigations, where he regularly acts for clients as Defence counsel in complex and high value white-collar cases involving, amongst other things, allegations of corruption, bribery, insider/fraudulent trading, securities and future act breaches, money laundering, fraud and/or misappropriation.

Aside from regularly acting for corporations, organisations and high net worth individuals in respect of corporate & white collar investigations and asset tracing, Shangwei is also involved in providing *pro bono* legal representation in respect of criminal matters for individuals with a need for financial assistance.

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Also in this year's edition are two Expert Analysis chapters, covering FCPA liability and giving an overview of the Asia-Pacific region.

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