

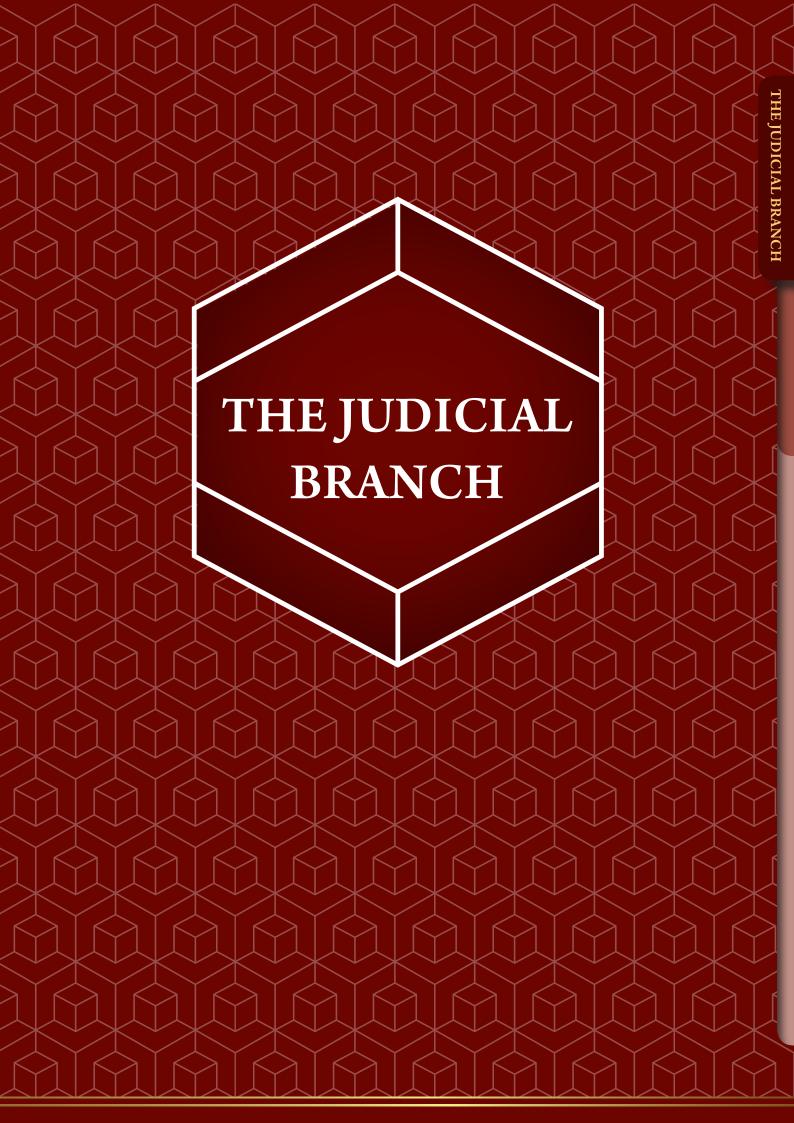


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THE JUDICIAL BRANCH

The Judicial Branch of the Legal Service is a key component of the Singapore Judiciary, and is presided over by the Chief Justice. The Legal Service Officers ("LSOs") in the Judicial Branch serve in the Supreme Court Registry, the Justices' Law Clerks ("JLC") pool and the Office of the Chief Justice at the Supreme Court, the Singapore Judicial College ("SJC"), the State Courts, and the Family Justice Courts ("FJC").

The LSOs in the Supreme Court Registry are supervised by the Registrar of the Supreme Court.

The JLCs and the Office of the Chief Justice, including the Office of Transformation and Innovation ("OTI"), come under the direct oversight of the Chief Justice.

The LSOs in the State Courts and the FJC are supervised by the Presiding Judge of the State Courts and the Presiding Judge of the FJC, respectively.

SUPREME COURT REGISTRY AND JUSTICES' LAW CLERKS

The Registry of the Supreme Court comprises three divisions that support the work of the Court of Appeal, the Appellate Division of the High Court, the General Division of the High Court, and the Singapore International Commercial Court ("SICC"), respectively. The Registry is headed by the Registrar who is assisted by the Deputy Registrar, Senior Assistant Registrars, Divisional Registrars, Deputy Divisional Registrars and Assistant Registrars (collectively, "the registrars").

The registrars hear a wide range of matters in the High Court, including civil applications, bankruptcy, taxation, mortgage actions, and committal hearings for certain criminal

matters. More experienced registrars also conduct assessments of damages, taking of accounts, as well as trials of questions necessary for determining the liability of garnishees in garnishee proceedings. Further, the registrars play an active and important role in case management at all levels of the Supreme Court to ensure the smooth and expeditious resolution of cases.

The past year was marked by the COVID-19 pandemic and the need for a swift and coordinated response to minimise disruptions to the administration of justice. To this end, the registrars were heavily involved in a host of legislative reforms and reviews, operationalising a framework for remote hearings, and developing a wide range of pandemic-related protocols. In partnership with the Singapore Mediation Centre, the registrars also facilitated the SGUnited Mediation Initiative, which resulted in cases being amicably resolved and savings of judicial resources.

Despite the pandemic, the registrars operationalised the Appellate Division of the High Court on 2 January 2021, which marked a momentous milestone in the history of the Singapore Judiciary. Concurrently, the registrars have continued to facilitate and support other law and judicial reform initiatives, including through the Civil Justice Commission and the Criminal Procedure Rules Committee, as well as the development of a standalone set of procedural rules for the SICC.

Over the past year, the registrars also supported the Chief Justice and the Supreme Court Bench in advancing key strategic initiatives and judicial policies. These include the 4th Singapore-China Legal and Judicial Roundtable, the 8th Council of ASEAN Chief Justices Meeting, the Committee

for the Professional Training of Lawyers, the Admiralty Court Users' Committee, as well as work relating to the Standing International Forum of Commercial Courts and the Judicial Insolvency Network.

The Supreme Court Bench is further supported by the JLCs, who provide research assistance to the Judges. The JLCs are appointed for a term of two years and serve under the supervision of the Chief Justice. In their first year, they work under the close mentorship of the Judges and Judicial Commissioners of the General Division, and in the second year, they are assigned to assist the Chief Justice, the Justices of the Court of Appeal, and the Judges of the Appellate Division.

There were 38 registrars in the Supreme Court Registry and 33 JLCs (excluding 13 LSOs re-deployed to the Supreme Court on 30 Dec 2020 and joining the 2021 JLC Cohort) as of December 2020.

Teh Hwee Hwee (Ms) Registrar Supreme Court

OFFICE OF THE CHIEF JUSTICE

The Chief Executive (Office of the Chief Justice) ("CE") oversees administrative and operational matters for the Supreme Court, the FJC, and the OTI.

Throughout the COVID-19 pandemic, the CE and her team implemented business continuity measures to ensure effective access to justice while also protecting court staff and users. Safe distancing measures, such as telecommuting and segregation of judges and court staff, were implemented. The OTI was heavily involved in implementing remote hearings, which necessitated both law reform and the implementation of video-conferencing technology. The OTI also pushed ahead with access to justice initiatives, including the development of the new Judiciary website.

Internationally, the CE coordinated the 4th Singapore-China Legal and Judicial Roundtable, and the Singapore-Korea Chief Justices' Meeting. Both signature events were conducted virtually, overcoming travel restrictions caused by the pandemic.

As at 31 December 2020, there were four LSOs in the Office of the Chief Justice.

Juthika Ramanathan (Ms)

Chief Executive
Office of the Chief Justice

SINGAPORE JUDICIAL COLLEGE

Despite the COVID-19 pandemic, the SJC continued to serve the learning and development needs of local judges. The SJC programmes were decisively ported online, which ensured no disruption to training. The SJC also conducted two international programmes, on court technology and leadership in court governance, under the Ministry of Foreign Affairs' Singapore Cooperation Programme. Its Master of Laws in Judicial Studies programme commenced this year with the first cohort judge candidates from Indonesia, Mongolia, Nepal and Singapore.

The SJC reached out internationally and deepened its collaboration with its counterparts. It conducted a Judicial Education Masterclass with the United States ("US") Federal Judicial Center and a joint pedagogy seminar with the China National Judges College ("CNJC"). Chief Justice Sundaresh Menon delivered a lecture on court technology to judges from Korea and Singapore in a seminar that the SJC organised with the Supreme Court of South Korea. The SJC also collaborated with the CNJC to publish a compendium of international commercial cases relevant to the Belt and Road Initiative. With an eye on the consultancy space, the SJC signed a Memorandum of Understanding with the US National Center for State Courts to support reform initiatives and provide technical assistance services in specified iurisdictions.

Finally, the SJC consulted with multipartite representatives to design and develop a Judiciary Competency Framework to equip judicial officers with the competencies required at different stages of their judicial careers.

As at 31 December 2020, there were two LSOs in the SJC.

Foo Chee Hock

Dean

Singapore Judicial College

THE STATE COURTS

When the COVID-19 pandemic struck in early 2020, the State Courts took swift steps to ensure safety while allowing hearings to continue. Visitor registration and temperature screening were immediately implemented. The State Courts also staggered hearing slots and working hours and physically segregated staff into teams to reduce mingling. To minimise physical attendance by lawyers, the State Courts introduced the asynchronous conduct of Court Dispute Resolution hearings and pre-trial conferences ("PTCs") for specially managed civil cases. Virtual criminal PTCs were implemented.

In April 2020 when the Circuit Breaker took effect, many of our safe distancing measures were already in place, allowing us to continue urgent and essential hearings with minimal health risks. The State Courts made video-conferencing ("VC") the default for a broad range of hearings and even conducted an entire criminal trial remotely.

Post-Circuit Breaker, the State Courts expanded the use of asynchronous hearings to a wider variety of matters. Protocols were developed for the smooth fixing and orderly conduct of remote hearings. Procedures for receiving overseas evidence through videolink were improved. Our infrastructure for remote interpretation was strengthened. VC rooms were made available to litigants-inperson who needed VC facilities and tablets were set up at the information counter for frontline staff to remotely assist court users.

To clear the backlog of cases vacated during the Circuit Breaker, the State Courts increased the number of hearing slots. By the end of 2020, all but a handful of these cases had been re-fixed, with a large proportion of these substantively disposed of.

The State Courts also helped to tackle the pandemic's fallout. Thirteen Judicial Officers ("JOs") led the Panel for COVID-19 Temporary Relief, which dealt with cases where contractual obligations could not be performed due to COVID-19. Three JOs handled disputes in the Valuation Review Panel over the passing of COVID-19-related property tax remissions from landlords to tenants.

The State Courts continued to empower court users to access justice. In collaboration with the Singapore Academy of Law ("SAL"), an Outcome Simulator was launched on the Motor Accident Claims Online website to provide liability apportionments to facilitate negotiation by parties. Court processes were simplified and commonly used court forms digitalised. The State Courts also prepared toolkits to educate the public on the criminal trial process.

For knowledge building, JOs attended programmes by the SJC and the learning sessions curated by the State Courts' Centre for Learning for both JOs and Court Administrators.

On the international front, the State Courts led the review of the third edition of the International Framework for Court Excellence, which was completed in May 2020. The State Courts also worked with our partners in the International Consortium for Court Excellence on their outreach efforts.

As at 31 December 2020, 91 LSOs served in the State Courts.

Justice Vincent Hoong

Presiding Judge State Courts

THE FAMILY JUSTICE COURTS

In 2020, the FJC set out its workplans to adopt Therapeutic Justice ("TJ") in the family justice system. This involved reviewing and redesigning the hardware, which are the substantive laws and procedures, and the software, which are the roles and practices of legal participants, to produce therapeutic outcomes for families.

"TJ – A Renewed Vision" was the theme at the annual Family Justice Practice Forum organised by the FJC, the Ministry of Social and Family Development and the Law Society of Singapore. This webinar, which 332 participants attended, focused on the multi-disciplinary practice of TJ.

The FJC also established the Advisory and Research Council comprising international thought leaders on TJ to support the FJC's adoption of an all-round TJ approach to family justice.

To build the "hardware", the FJC has worked on redesigning the Family Justice Rules with TJ in mind. The FJC also piloted Multi-Disciplinary Teams ("MDT") of judges, mediators, and court family specialists to steer litigation away from adversarial, rights-focused proceedings. Through a "problem-solving" approach that enlists early intervention by social services agencies and mental health professionals, MDTs help divorcing parties recast their future. Judgeled case management and fact-finding,

particularly early in the case, further reduces acrimony.

The FJC also signed a Memorandum of Understanding with the Institute of Singapore Chartered Accountants to form a neutral Panel of Financial Experts. These experts can assist parties in financial assessments and planning, and thus support them in reaching settlements through mediation or private negotiations. They also offer objective valuations of matrimonial assets that expedite ancillary matters proceedings and reduce the potential disputes and acrimony arising from each party engaging its own financial experts.

To build the "software", the FJC organised specialist training for family judges and consulted the Law Society and the family bar on engendering TJ practices among practitioners. The FJC also worked with the SAL to develop a specialised certification program for practitioners on TJ and non-adversarial dispute resolution.

The FJC collaborated with the Supreme Court's OTI to develop an online platform under the E-Litigation system. Termed Lit.Assist, this platform allows litigants in

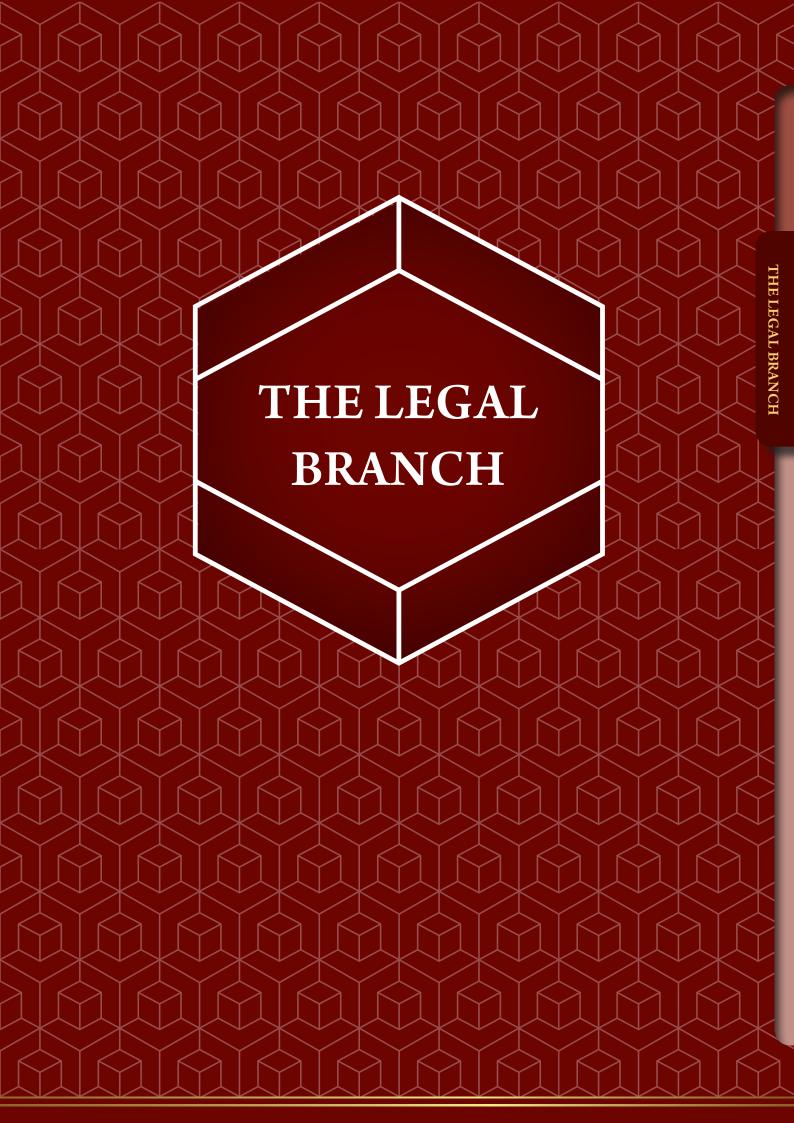
persons to generate and file court documents directly, and connects them with lawyermediators who can help them to amicably resolve their ancillary matters.

When COVID-19 social distancing restrictions impeded physical access to the courthouse, the FJC preserved access to justice through remote hearings. Since April 2020, the FJC has conducted case conferences via tele-conferencing, hearings as well as trials via the Zoom videoconferencing platform. To help individuals unfamiliar with technology participate in remote hearings meaningfully and safely, the FJC provided training for them, published technical guides and etiquette guidelines, trained court officers on basic troubleshooting, and established 28 onsite "Zoom Rooms". Individuals seeking personal protection and maintenance enforcement orders were also encouraged to file their applications remotely.

As at 31 December 2020, there were 41 LSOs in the FJC.

Justice Debbie Ong Presiding Judge Family Justice Courts





THE LEGAL BRANCH

The Attorney-General heads the Legal Branch. Legal Service Officers ("LSOs") in the Legal Branch serve in the Attorney-General's Chambers ("AGC"), departments of Ministries, or statutory boards/statutory bodies and key public institutions with LSO positions.

THE ATTORNEY-GENERAL'S CHAMBERS

The AGC is led by the Attorney-General, Attorneys-General Deputy the and the Solicitor-General. In 2020, the AGC continued under the leadership of Mr Lucien Wong Yuen Kai as the Attorney-Attorneys-General General, Deputy Mr Lionel Yee Woon Chin and Mr Hri Solicitor-General Kumar Nair. and Mr Kwek Mean Luck. Mr Tai Wei Shyong was appointed as Deputy Attorney-General with effect from 1 January 2021.

The AGC performs a critical role as the guardian of the public interest and the steward of the rule of law. As the Government's chief legal advisor and drafter of laws, the AGC advises the Government on a wide spectrum of legal issues and the development of proposals for legislation, to ensure that the Government's policy objectives are advanced within the framework of the rule of law. As the office of the Public Prosecutor, the AGC exercises overall control and direction in the conduct of criminal proceedings independently of the Government. The AGC also represents Singapore at international negotiations and dispute settlement proceedings, and acts as the central authority for mutual

legal assistance in criminal matters and extradition.

The Attorney-General is assisted by the LSOs in the four legal divisions of the AGC. These are the Crime Division, the International Affairs Division ("IAD"), the Civil Division and the Legislation Division ("LEGIS"). The LSOs in the AGC Academy ("Academy"), the Advocacy Group and the Legal Technology & Innovation Office ("LTiO") are also crucial pillars of the work of the AGC.

ADVOCACY GROUP

In 2020, the Advocacy Group worked with other AGC divisions on a range of disputes matters spanning administrative, constitutional, criminal and international law. Notable matters included:

(a) **Constitutional law:** The Advocacy Group and the Civil Division represented the Government in constitutional

challenges to section 377A of the Penal Code, the holding of the 2020 General Election, and in the first appeals to the Court of Appeal concerning the Protection from Online Falsehoods and Manipulation Act 2019 ("POFMA").

- (b) Criminal law: The Advocacy Group and the Crime Division handled several significant appellate matters, including Public Prosecutor v Siow Kai Yuan *Terence* [2020] 4 SLR 1412 (framework for assessing whether an adult offender had demonstrated an extremely strong propensity for reform), Leong Sow Hon v Public Prosecutor [2021] 3 SLR 1199 (sentencing matrix for offences under section 18(1) and punishable under section 18(3) of the Building Control Act), and Sulaiman bin Jumari v Public Prosecutor [2021] 1 SLR 557 (principles governing the admissibility of accused persons' statements).
- (c) International law: The Advocacy Group worked with the IAD to advise the Government on bilateral issues involving neighbouring states and potential claims against Singapore by investors.

As at 31 December 2020, there were eight LSOs in the Advocacy Group.

Kristy Tan SC (Ms)

Senior Director Advocacy Group Attorney-General's Chambers

AGC ACADEMY

The Academy is dedicated to serving the AGC's professional and leadership training and knowledge management ("KM") needs. Amidst the challenges of COVID-19, the Academy moved the majority of its training programmes online in 2020 and more than doubled attendance across all talks, seminars and workshops compared to the year before. To help AGC officers quickly pivot to the world of virtual hearings, the Academy arranged online training sessions with Queen's Counsel with relevant experience on preparing and conducting online trials. The Academy also worked with the Divisions to put together the "AGC Guide on Virtual Hearings", which was shared with legal departments in the wider public sector community via the Public Counsel Legal Network.

The AGC Annual Leadership Retreat was converted into a series of virtual workshops and clinics where leaders were introduced to organisational change concepts and given practical tips in managing such changes. As part of the digitalisation wave amidst the pandemic, the Academy actively rolled out micro learning and short learning videos to help increase work productivity.

The Academy published the inaugural KM Legal Trendspotter Report, which identifies trends and common concerns observed by the KM team over the course of its curation and horizon scanning work. The Academy

also launched the Strategic Legal Risks project to proactively identify and address legal issues affecting the AGC's work.

As at 31 December 2020, there were four LSOs in the Academy.

Hui Choon Kuen

Dean AGC Academy Attorney-General's Chambers

LEGAL TECHNOLOGY & INNOVATION OFFICE

Established in 2017, the LTiO aims to leverage technology to aid the officers of the AGC in their daily work, to support management decisions on strategic technology investments, and to help foster a culture of innovation within the AGC.

In 2020, the LTiO continued to work towards these goals with the development and implementation of multiple projects. The development and implementation of the first phase of Intelligent Workspace, an end-to-end digital workspace designed to serve all divisions within the AGC, was completed in mid-2020. Planning has commenced for the second phase.

The development of tools to aid officers within the AGC also continued, with

many projects planned for implementation in 2021. One such tool is AskMe, an application designed to use natural language processing to aid the AGC's prosecutors in their search for precedents; another is a service automation platform for users in and outside the AGC to automate the generation of legal documents to achieve faster service turn-around with less manual editing.

The LTiO also worked with the LEGIS and the Academy to implement a new Legis Code System to facilitate the harmonisation of government data sets that refer to legislation and provide a more efficient way of referencing and retrieving legislative provisions together with their relevant metadata. Aside from the AGC, the Courts and various law enforcement agencies will be adopting the Legis Code System for use in 2021.

As at 31 December 2020, there were four LSOs in the LTiO.

Sia Jiazheng

Senior Assistant Director Legal Technology & Innovation Office Attorney-General's Chambers

CRIME DIVISION

Despite challenges presented by the COVID-19 pandemic, Crime Division continued to advance the public interest through fair and independent prosecutions and assisting the court in developing sentencing frameworks. We rapidly adapted to new legal initiatives such as remote hearings to ensure the smooth running of the criminal justice system.

(a) Supporting the Government in its response to COVID-19

established specialised prosecute breaches of COVID-19-related regulations to support the efforts to combat the pandemic. The teams worked closely with other agencies to establish clear prosecution and sentencing frameworks and prosecuted serious cases. Our proposed sentencing frameworks operated to deter offences such as the failure to wear masks and holding an illegal social gathering (Public Prosecutor v Soh Sng Chye Francis (SC-903206-2020, unreported)). Prosecutors also dealt with abuses of relief programmes - in Public Prosecutor v Chow Jia Chuan (SC-904583-2020, unreported), offender was sentenced to five months' imprisonment for cheating government agencies into wrongfully disbursing relief funds to him.

(b) High-Profile Prosecutions

(i) In *Public Prosecutor v Bong Sim Swan Suzanna* [2020] 2 SLR 1217, on the Prosecution's Criminal Reference for a maid abuse case, the Court of

Appeal clarified that sentencing courts can consider psychological harm resulting from a pattern of abuse and facts with sufficient nexus to the offence in sentencing, even if these constitute uncharged offending. The Court of Appeal thereafter enhanced the accused's sentence to 14 months' imprisonment.

- (ii) In Public Prosecutor v GCK & another [2020] 1 SLR 486, on the Prosecution's Criminal Reference, the Court of Appeal clarified that the 'unusually convincing' standard applies to all instances where the uncorroborated testimony of an eyewitness forms the sole basis for conviction and reinstated the offender's conviction for outraging the modesty of a patient in a nursing home.
- (iii) In *Public Prosecutor v Su Jiqing Joel* [2021] 3 SLR 1232, the High Court devised a new approach in sentencing offenders who derived unlawful profits through their offending. The approach encapsulates the twin concepts of punishment and the disgorgement of unlawful profits and is likely to have wider applicability for other offences. The High Court allowed the Prosecution's appeal and enhanced the fine imposed.
- (iv)In *Public Prosecutor v Imran Kassim* (SC-903255-2019,
 unreported), the Crime Division

successfully prosecuted the first trial under the Terrorism (Suppression of Financing) Act, with the Singaporean offender being sentenced to 33 months' imprisonment for providing funds to a Turkey-based Islamic State in Iraq and Syria ("ISIS") operative.

(c) Sentencing Frameworks

- (i) In Aw Soy Tee v Public Prosecutor [2020] 5 SLR 453, the High Court set out a sentencing framework for the offence of using criminal force on a public servant. The framework prescribes an effective starting tariff of a short custodial sentence, with fines reserved for exceptional cases.
- (ii) In Lee Shing Chan v Public Prosecutor [2020] 4 SLR 1174, a three-judge panel of the High Court clarified the ambit of unlawful stalking under section 7 of the Protection from Harassment Act and set out the appropriate sentencing approach for such offences.
- Chee Meng [2020] 5 SLR 807, the prosecution secured convictions for the receiver and giver of bribes amounting to at least \$80,000 in the widely-publicised Ang Mo Kio Town Council corruption case. On the prosecution's appeal, the High Court set out a sentencing framework for corruption offences involving contracts with public bodies and enhanced the sentences imposed.

(d) Other Significant Work

- (i) **1MDB**: The Crime Division worked closely with the Commercial Affairs Department ("CAD") investigations against in their Goldman Sachs (Singapore) ("GS Singapore") relating to three 1Malaysia Development Berhad bond offerings. The Crime Division led the determination of the terms of the conditional warning issued GS Singapore for corruption offences, which included payment of US\$122 million to the Singapore Government, disgorgement US\$61 million, and GS Singapore's cooperation continuing investigations. The Crime Division's actions were coordinated with the US Department of Justice, which entered into a Deferred Prosecution Agreement with The Goldman Sachs Group, Inc.
- (ii) **Shell Bukom:** To-date, convictions have been secured against six offenders involved in the largest oil heist in Singapore, where more than \$200 million worth of gasoil was allegedly misappropriated. The prosecution also successfully forfeited and restrained tainted properties, from a foreign vessel suspected to have been used to receive the stolen gasoil to over more than \$8 million of assets from various accused persons.
- (c) **Wirecard:** Since 2019, the Crime Division has been working closely

with the CAD in its investigations and its international cooperation efforts with foreign agencies relating to the Wirecard scandal. Singapore is the first jurisdiction to tender charges in connection with the scandal, preferring charges against an individual for issuing false letters misrepresenting that certain balances were held in escrow accounts Wirecard-related for entities. Investigations remain ongoing.

As at 31 December 2020, there were 229 LSOs in the Crime Division.

Tan Kiat Pheng

Chief Prosecutor Crime Division Attorney-General's Chambers

INTERNATIONAL AFFAIRS **DIVISION**

The IAD advances and protects Singapore's interests as legal advisors to the Government, negotiators at international meetings, and advocates in international disputes.

The IAD advised Ministries and statutory boards on a broad spectrum of international law issues, including on the International Health Regulations and other novel issues arising from the COVID-19 pandemic. The IAD also advised on the Hong Kong-Singapore Air Travel Bubble Arrangement, and on Singapore's submissions under the United Nations ("UN") Framework Convention on Climate Change and the Paris Agreement ("PA").

In 2020, the IAD was involved in a number of international meetings and negotiations, mostly held in virtual settings and across international time zones, including:

- (a) negotiations on the Johor Bahru-Singapore Rapid Transit System Link Project, which concluded an amendment agreement;
- (b) trade-related negotiations which concluded the Regional Comprehensive Economic Partnership, the United Kingdom-Singapore Free Trade Agreement, and Digital Economy Agreements;
- (c) two concurrent UN cybersecurity processes, the Open-Ended Working Group and the Group of Governmental Experts;
- International (d) the Civil Aviation ("ICAO") Working Organisation Group for the review of ICAO's dispute settlement rules, and Research Sub-Group supporting the ICAO Secretariat Study Group on Cybersecurity.
- (e) representing Singapore at the session of the UN General Assembly;
- (f) intersessional work pending convening of the fourth session of the UN Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction; and

(g) the PA-related meetings and UN Climate Change Dialogues 2020 which continued to advance climate change work pending the reconvening of the 26th UN Climate Change Conference in 2021.

A new dimension to the IAD's international legal cooperation work was outgoing requests for remote testimony and interviews, and an increase in international authorities' remote testimony requests. The IAD was also involved in the inaugural Plenary Meeting of the South East Asia Justice Network, of which Singapore is a founding member.

The IAD profiled Singapore's thought leadership through speaking engagements at the National University of Singapore Centre for International Law's first-ever Singapore Academy of International Law and e-Conference series on 'COVID-19'. Additionally, the IAD's Treaties Section successfully supported agencies in various virtual treaty-signing ceremonies, created a guide on the virtual signing of treaties, and conducted its first virtual government-wide treaty-related engagement session.

As at 31 December 2020, there were 48 LSOs in the IAD.

Daphne Hong Fan Sin (Ms)

Director-General International Affairs Division Attorney-General's Chambers

CIVIL DIVISION

The Civil Division is the Government's primary legal advisor. In 2020, the Civil Division advised on various matters arising from the COVID-19 pandemic, including vaccine procurement, safe management measures, and the drafting of documentation relating to Government relief schemes. The Civil Division also rendered advice for numerous whole-of-government information communications technology contracts, in areas such as cybersecurity and audit, data loss prevention, data science, and remote access management tenders.

Notable litigation matters handled by the Civil Division include:

- (a) Kardachi, Jason Aleksander v Attorney-General [2020] 2 SLR 1190
 - The Attorney-General represented the Minister for Finance in an appeal where the Appellant sought, inter alia, a declaration that he had not been disqualified as a director under section 155A(1) of the Companies Act. The Court of Appeal dismissed the Applicant's appeal and clarified that section 155A was triggered if at least two other companies were struck off in a five-year period ending immediately before the latest striking-off.
- (b) The Online Citizen Pte Ltd v Attorney-General (CA 47/2020)
 - The Attorney-General defended the Government in an appeal by The Online Citizen against the High Court's dismissal of its appeal under

section 17(5)(b) of POFMA to set aside a Correction Direction. The appeal involved issues of the constitutionality of POFMA, the burden of proof to set aside a Correction Direction and the application of POFMA to media reporting. Judgment has been reserved.

(c) Shanmugam Manohar v Attorney-General & another [2021] 3 SLR 600

- The Attorney-General successfully argued that there was no breach of confidence by the police or the Attorney-General in disclosing police investigation statements to the Law Society of Singapore for the purposes of disciplinary proceedings, as it was justified in the public interest. Following the courts in England, Australia and New Zealand, the High Court endorsed the principle that the expectation of confidence may be overridden by the greater public interest in the disclosure of potential misconduct to a regulatory body.

(d) Attorney-General v Li Shengwu (OS **893/2017, unreported)** – In 2017, the Attorney-General brought committal proceedings in the High against Li for contempt of court by scandalising the judiciary. On 29 July 2020, the High Court ruled that Li had committed contempt and held that a private online post may pose a risk of undermining public confidence in the administration of justice, if it was reasonably foreseeable that the post would be republished to the public.

As at 31 December 2020, there were 72 LSOs in the Civil Division.

David Chong Gek Sian

Chief Counsel Civil Division Attorney-General's Chambers

LEGISLATION DIVISION

LEGIS is the Government's central law drafting office and the keeper of the Singapore Statute Book. LEGIS drafts all legislation for the Government and all public sector agencies. LEGIS also provides free online access to Singapore legislation through its Singapore Statutes Online and LegiS@Gov websites.

2020 was a year of many firsts for LEGIS as it was plunged into crisis mode by the COVID-19 pandemic.

Twelve wide-ranging Bills were introduced in quick response to the COVID-19 pandemic, of which seven were urgent Bills. These included the COVID-19 (Temporary Measures) Bill (and three subsequent Amendment Bills), Supply Bills, and Bills providing for parliamentary elections and marriage solemnisations during COVID-19. 227 pieces of COVID-19-related subsidiary

legislation were published, legislating Circuit Breaker measures, various financial reliefs, stay home notices, etc.

LEGIS also brought 49 Acts into operation, such as the CareShield Life and Long-Term Care Act 2019, Insolvency, Restructuring and Dissolution Act 2018, Work Injury Compensation Act 2019 and Point-to-Point Passenger Transport Industry Act 2019, along with their subsidiary legislation, enabling the implementation of new regimes under those Acts.

In total, in 2020, 45 Bills (1628 pages) were drafted for introduction in Parliament, 1116 pieces of subsidiary legislation (5979 pages) were made (an almost 30% increase from 2019) and 3798 pieces of advice rendered.

LEGIS also took over the Ministry of Law's ("MinLaw") legal policy Bill vetting function. LEGIS is now responsible for advising on legal policy that arises from the drafting of a Bill, and is authorised by the MinLaw to approve legal policy positions within the MinLaw's guidelines.

The universal revision of all 511 Acts is close to completion. The revised Acts will contain

a comprehensive legislative history, plainer and gender-neutral language, and will be published both in hard copy and online.

Enabling more seamless interfaces, LEGIS co-led the Legis Codes Project, creating a directory of unique codes for every provision in legislation.

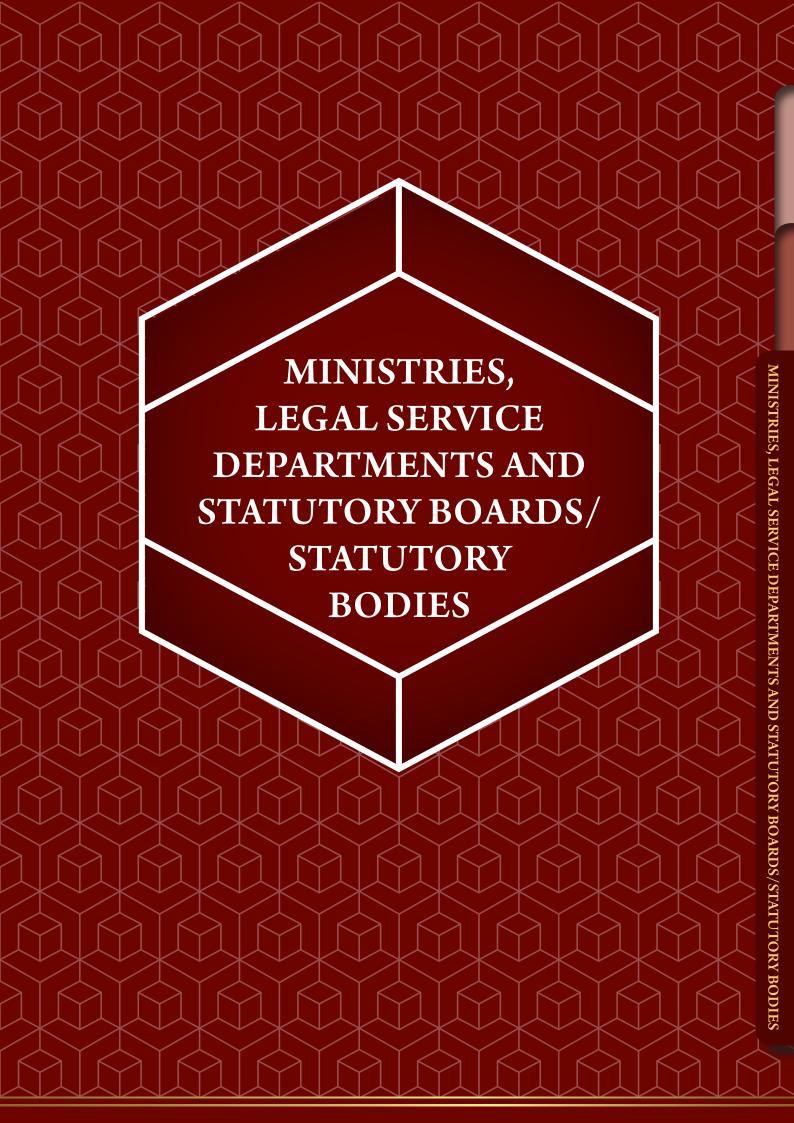
Drafters continued to contribute to the AGC's training initiatives, teaching the Statutory Interpretation and Subsidiary legislation modules organised by the Academy, and two modules on law making as part of AGC's Civil Cluster colloquia. In another first, LEGIS also taught two workshops on legislation to first-year law students at the Singapore Management University. All the training was conducted online.

As at 31 December 2020, there were 32 LSOs in LEGIS.

Jeanne Lee (Ms)

Chief Legislative Counsel Legislation Division Attorney-General's Chambers





MINISTRIES, LEGAL SERVICE DEPARTMENTS & STATUTORY BOARDS/STATUTORY BODIES

A wide range of Government legal work is undertaken by Legal Service Officers ("LSOs") posted to Ministries as representatives of the Attorney-General. Currently, LSOs may be posted to the Ministries of: Communications and Information; Culture, Community and Youth; Defence; Education; Finance; Health, Home Affairs; Law; Manpower; National Development; and Social and Family Development. These LSOs may hold leadership or management positions and be involved in the formulation of policies and the administration of finances and personnel within the Ministries. The LSOs provide legal advice, draft and vet legal documents and assist in the review and drafting of legislation. During the unprecedented crisis brought on by the COVID-19 pandemic in 2020, many of these LSOs undertook urgent legislative, advisory, prosecution and contract work on behalf of their Ministries to ensure the safety of Singaporeans and the smooth provision of essential Government services.

LSOs may also be posted to Legal Service departments or seconded to statutory boards/ statutory bodies and key public institutions. A senior LSO usually assumes primary responsibility for the administration and management of these organisations or departments, while LSOs serving in the departments implement the legislation and policies that fall within the ambit of that organisation or department.

In 2020, LSOs were posted/seconded to the Accounting and Corporate Regulatory Authority, the Commercial Affairs Department, the Competition and Consumer Commission of Singapore, the Defence Science and Technology Agency, the Economic Development Board, the Health Sciences Authority, the Home Team Science and Technology Agency, the Inland Revenue Authority of Singapore, the Insolvency and Public Trustee's Office, the Intellectual Property Office of Singapore, the Land Transport Authority, the Legal Aid Bureau, Majlis Ugama Islam Singapore, the Monetary Authority of Singapore, the National Environment Agency, the Personal Data Protection Commission, the Singapore International Mediation Centre, the Singapore Land Authority, the Singapore Medical Council, the Syariah Court and the Office of the Public Guardian.

MINISTRY OF DEFENCE

The Ministry of Defence's ("MINDEF") Legal Services Department ("MLS") provides legal support to the MINDEF, the Singapore Armed Forces ("SAF") and MINDEF-related organisations. The MLS is headed by the Director, Legal Services, who is also the Chief Military Prosecutor.

2020 was a challenging year for most organisations due to the COVID-19 pandemic, including the MLS. The MLS started cohorting measures and over time, adapted its operations to cater to the "new normal" with officers working from home by default. On top of its regular legal work, the MLS

had to step up to deliver urgent legal support for the SAF's role in combating the virus.

In 2020, MLS officers participated in the 39th Exercise Cobra Gold, a multilateral exercise co-hosted by the USA and Thailand, with participation by Singapore, Malaysia, Indonesia, Japan and South Korea. During the exercise, the MLS provided real-time legal support to SAF commanders and helped them make effective strike decisions. MLS officers also participated as operations law advisors in various other local and overseas coalition military exercises.

The MLS' international law practice group supported the Government's negotiation of the Singapore-Australia Comprehensive Strategic Partnership Treaty, which is an international agreement on military training and the development of training areas in Australia. It was signed on 23 March 2020 and ratified by Australia in December 2020.

Closer to home, the MLS conducted various law courses for its stakeholders to share the basics of military law, the UN Convention on the Law of the Sea and the Geneva Conventions. Such courses include the 6th Tri-Service Foundation Course, the 58th, 59th and 60th Tri-Service Warfighter Course, the 32nd Command Preparation Programme, amongst others.

As at 31 December 2020, there were 13 LSOs in the MLS, practising domestic civil law, military law and prosecution, operations law, as well as public international law.

Leong Kwang Ian

Director Legal Services Department Ministry of Defence & Singapore Armed Forces

DEFENCE SCIENCE AND TECHNOLOGY AGENCY

The Defence Science and Technology Agency ("DSTA") is a statutory board under the MINDEF which provides technological and engineering support to meet the defence and national security needs of Singapore.

The Legal Department ("LD") provides legal advice to the DSTA and its subsidiaries on matters ranging from general contract issues, procurement, intellectual property, to building infrastructure and estate or facilities management, data protection and human resources.

In 2020, the LD advised the DSTA on a number of matters arising out of the COVID-19 pandemic, including issues majeure, the interpretation of force and application of COVID-19-related legislation, and the management intellectual property rights related collaborative efforts with public agencies and private sector entities. Other key initiatives included reviewing the DSTA's standard data protection and security contract clauses and advising the DSTA on its digital signature policy and associated legal risks.

As at 31 December 2020, there were two LSOs seconded to the DSTA.

Douglas Chi

Director (Legal) Legal Department Defence Science and Technology Agency

MINISTRY OF LAW

The International & Advisory Group ("IAG") and Legal Policy Group ("LPG") at the Ministry of Law ("MinLaw") steer policy and legislative reforms to uphold the rule of law, strengthen access to justice, and ensure a sound, progressive legal framework.

The IAG comprises the International Legal Division ("ILD") and the Policy Advisory Division ("PAD").

The ILD develops and implements progressive international legal policies to advance Singapore's interests. In 2020, the ILD introduced the Apostille Bill, concluded a Mutual Legal Assistance Treaty with France, and adopted a Model Agreement with the International Tribunal for the Law of the Sea ("ITLOS") to host ITLOS proceedings in Singapore. The ILD represented Singapore at various international fora, including the ASEAN Senior Law Officials Meeting, the Hague Conference on Private International Law, and the United Nations Commission on International Trade Law ("UNCITRAL").

The PAD provides policy departments with legal support and expertise, drives various projects in areas such as legal industry development and regulation, land matters, and intellectual property. The PAD undertakes independent law reforms in respect of litigation funding, insolvency and restructuring. In 2020, the PAD, with the Insolvency and Public Trustee's Office, introduced emergency legislation

establishing temporary insolvency processes for micro and small companies in financial distress amidst the COVID-19 pandemic. The PAD also introduced the Singapore Convention on Mediation Act 2020 and its Rules, the International Arbitration (Amendment) Act 2020, and assisted in bringing the Insolvency, Restructuring and Dissolution Act 2018 into operation. The PAD played a key role in insolvency-related negotiations at the UNCITRAL and provided legal technical assistance on the Singapore Convention on Mediation to foreign Governments.

The LPG comprises the Civil & Legislative Policy Division and the Criminal Policy Division. The LPG drives reforms relating to civil, criminal, family and community justice, and governance matters. It also deals with complex or novel legal policy issues arising from proposed Bills.

In 2020, the LPG worked with various Ministries to introduce and operationalise a series of unprecedented emergency COVID-19 legislation, including legislation to: (a) provide temporary relief from contract-related legal and enforcement action; (b) allow eligible businesses severely affected by the pandemic to renegotiate contracts; and (c) widen the ability of the Courts to conduct remote proceedings. Other achievements include: (a) working with the Ministry of Home Affairs to prepare the Ministerial Statement on the Review of the Case of *Parti Liyani v*

Public Prosecutor [2020] SGHC 187 and operationalise the Criminal Law Reform Act 2019; and (b) working with the Supreme Court to establish the Appellate Division of the High Court.

As at 31 December 2020, there were 39 LSOs in the MinLaw.

Sharon Ong Su Min (Ms)

Director-General (International & Advisory) Ministry of Law

Colin Chow Zhiquan

Acting Director-General (Legal Policy) Ministry of Law

LEGAL AID BUREAU

The Legal Aid Bureau ("the Bureau") provides legal advice, assistance and court representation for persons of limited means in civil matters. In 2020, the Bureau handled about 7722 cases registered for legal aid, assistance and advice, supported by 211 Assigned Solicitors from private practice and 12 Volunteer Assistant Directors of Legal Aid. The Bureau dealt with 2099 cases registered for legal aid and assistance in-house, which included 103 complex civil, family and Syariah Court cases (ie, contested cases, or cases involving more complex legal issues).

The Bureau enhanced its work processes so that it could continue to deliver good service to its applicants despite the pandemic. It leveraged video-conferencing facilities and collaborated with the Singapore Academy of Law and the Supreme Court to initiate the protocol for remote affirmation of affidavits, and established a workflow for applicants to receive legal advice from duty officers online. Data tracked in the Bureau's electronic case management system GENIE ensured that the Bureau maintained its clearance rates the operational challenges caused by the COVID-19 pandemic.

The Bureau also launched digitalisation projects to assist our applicants, namely:

(a) The Intelligent Legal Assistance Bot which provides tailored legal information on legal issues;

- (b) The Divorce Asset Informative Division Estimator which estimates a divorcing party's likely share of the matrimonial assets; and
- (c) The Applicant Portal which allows applicants to register cases, do means tests, and give instructions online.

The Bureau also participated in the Development Bank of Singapore/Singapore Judiciary "Hackathon for a Better World", winning the "Most Feasible Award".

Lastly, four legal executives were gazetted under the Specialist Legal Executive scheme to handle certain types of uncontested civil divorce cases. The scheme has been expanded to include certain types of uncontested probate and Syariah Court cases.

As at 31 December 2020, there were 19 LSOs in the Bureau.

Lim Hui Min (Ms)

Director Legal Aid Bureau

INSOLVENCY AND PUBLIC TRUSTEE'S OFFICE

The Insolvency and Public Trustee's Office ("IPTO") is headed by the Official Assignee, who is concurrently the Official Receiver, Public Trustee, and Registrar of Moneylenders and Pawnbrokers. The LSOs in the IPTO advise on legal issues in administering insolvencies and trusts, and in regulating moneylenders and pawnbrokers. The LSOs also conduct civil litigation before the High Court and prosecutions in the State Courts.

With the LSOs' efforts, the Insolvency, Restructuring and Dissolution Act 2018 ("IRDA") commenced on 30 July 2020 and this operationalised a new 6th division in the the IPTO, headed by an LSO to oversee the licensing and regulation of insolvency practitioners in Singapore. With the LSOs' assistance, the IPTO cumulatively discharged more than 10,000 bankruptcies from 2018 to 2020. On the information technology front, the IPTO commenced the digitalisation of the Public Trustee's Office and Corporate Insolvency Management systems and the revamping of the Debt Repayment Scheme system.

Together with the AGC, MinLaw and the Supreme Court, the LSOs contributed extensively to the national effort in alleviating the impact of the COVID-19 pandemic, conceptualising and implementing the provisions relating to personal and corporate insolvency in the COVID-19 (Temporary Measures) Act 2020 and the amendments to the IRDA to bring into effect the Simplified Insolvency

Programme ("SIP"). The SIP presented a new notch in the IPTO's operational capabilities with the administration of corporate debt restructuring coming under the IPTO's purview for the first time.

On the regulatory front, investigations into all offences reported prior to 2020 were completed. The IPTO also facilitated the management of moneylending and pawnbroking licensees as exceptions to essential services during the COVID-19 Circuit Breaker period, ensuring the smooth provision of these services to the public.

As at 31 December 2020, there were eight LSOs in the IPTO.

Tan Boon Heng

Official Assignee, Official Receiver, Public Trustee and Registrar of Moneylenders & Pawnbrokers Insolvency Office, Public Trustee's Office and Registries of Moneylenders & Pawnbrokers

SINGAPORE INTERNATIONAL MEDIATION CENTRE

Established in 2014, the Singapore International Mediation Centre ("SIMC") provides cross-border mediation services.

In 2020, the SIMC achieved a record-breaking caseload with 43 filings, nearly double the 23 cases in 2019. With the COVID-19 pandemic, the SIMC launched the SIMC COVID-19 Protocol and online mediation procedures to promote access to mediation. These initiatives gained international traction.

The SIMC actively forged collaborations with international institutions, including the International Centre for Settlement of Investment Disputes, the Shenzhen Court of International Arbitration and World Intellectual Property Organization Arbitration and Mediation Center. There was extensive participation in events, seminars and activities, including UNCITRAL Working Group III meetings on Investor-State Dispute Settlement Reform and the inaugural Public Sector Legal Forum webinar.

As at 31 December 2020, one LSO was seconded to the SIMC.

Teh Joo Lin

Deputy Chief Executive Officer Singapore International Mediation Centre

SINGAPORE LAND AUTHORITY

The Singapore Land Authority ("SLA") is responsible for the management and optimisation of State land. It provides the land titles and boundaries infrastructure for secure property transactions. The SLA also drives the use and development of geospatial information science and technology.

The SLA completed the digitisation of about one million Housing & Development Board ("HDB") leases in 2020 under a four-year project. With the HDB and private property titles now under a central database, title searches and registration of transactions are fully electronic. Furthermore, HDB flat owners are now able to view their HDB titles at the MyProperty portal via SingPass. This is a free service by the SLA.

The SLA administers the Residential Property Act and reviews policies on foreign ownership of residential property in Singapore. Temporary relief measures for the property sector due to the COVID-19 pandemic were announced in May 2020. The SLA administered these measures to provide targeted support to foreign housing developers affected by disruptions to construction timelines and sales of housing units. This was followed by additional temporary relief measures announced in October 2020.

As at 31 December 2020, there were three LSOs seconded to the SLA.

Bryan Chew Chee Wan

Assistant Chief Executive (Legal & Regulatory) Registrar of Titles & Deeds Singapore Land Authority

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

The Intellectual Property Office of Singapore ("IPOS") is a statutory board under the Ministry of Law. The IPOS leverages Singapore's top-class intellectual property ("IP") regime to encourage innovation and drive economic growth.

In a display of international recognition of Singapore's commitment to multilateralism and innovation, the IPOS' then Chief Executive was appointed as the Director General of the World Intellectual Property Organization. Singapore also strengthened its connectivity to international markets with the signing of the Regional Comprehensive Economic Partnership Agreement; its comprehensive IP chapter will raise standards of IP protection and enforcement in the region, encouraging innovation.

Domestically, the IPOS kickstarted work on the Singapore IP Strategy 2030, to cement Singapore as a top-ranked IP regime and an international hub for intangible assets, in the next decade. The IPOS also launched initiatives to help businesses amid the COVID-19 pandemic, including the SG IP Fast Track (accelerating IP registration processes) and the Workforce for IP-Savvy Enterprises initiative (helping Singapore enterprises identify new business opportunities and acquire new capabilities through IP).

As testament to its achievements, the IPOS was ranked first in the World Trademark Review's study of the world's most innovative IP offices.

As at 31 December 2020, two LSOs were seconded to the IPOS.

Rena Lee (Mrs)

Chief Executive
Intellectual Property Office of Singapore

MINISTRY OF HOME AFFAIRS

The Legal Division ("LD") of the Ministry of Home Affairs ("MHA") provides a comprehensive suite of legal services to the MHA and its Home Team agencies on a wide spectrum of operational and policy matters. These agencies include the Singapore Police Force, the Central **Narcotics** Bureau, the Singapore Prison Service, the Immigration and Checkpoints Authority and the Singapore Civil Defence Force. The LD also assists in policy development, legislative reform, and provides support in transactional work and disputes, including advising on statutory appeal processes.

The LD also oversees the administration of the Criminal Law (Temporary Provisions) Act. The LD assists the Minister for Home Affairs in assessing if the relevant requirements are satisfied before the issuance of any detention or police supervision orders thereunder. The LD also staffs a full-time secretariat to the Criminal Law Advisory Committees and provides legal and administrative support at hearings and review meetings.

In 2020, the LD supported the Home Team in its response to the COVID-19 pandemic, which included front-line engagement at the checkpoints and enforcement of COVID-related legislation. The LD advised on legislation, enforcement policy, and various operational initiatives that arose in response to the pandemic. Outside of the pandemic, the LD also provided legal support in the

General Election, the Ministerial Statement on the Review of the Case of *Parti Liyani v Public Prosecutor* [2020] SGHC 187, and advised on legislative amendments to various pieces of significant legislation, including the Penal Code, the Criminal Procedure Code, the Misuse of Drugs Act and the Road Traffic Act.

In 2020, an LSO was also seconded from the AGC to the MHA's Policy Development Division ("PDD"), where she undertook criminal justice policy work.

As at 31 December 2020, there were seven LSOs in the LD and one LSO in the PDD.

Tan Wen Hsien (Ms)

Senior Director Legal Division Ministry of Home Affairs

COMMERCIAL AFFAIRS DEPARTMENT, SINGAPORE POLICE FORCE

The Commercial Affairs Department ("CAD") is Singapore's principal white-collar crime enforcement agency. The CAD also houses the Suspicious Transaction Reporting Office, Singapore's Financial Intelligence Unit.

In 2020, following the financial collapse of the Singapore oil trading giant Hin Leong Trading Pte Ltd, the CAD investigated its founder, Lim Oon Kuin, for allegedly forging documents to secure more than US\$56 million in trade financing. As part of a global settlement for its role in the 1Malaysia Development Berhad case, Goldman Sachs Singapore was administered a 36 months' conditional warning by the CAD after it paid US\$122 million to the Singapore Government.

Due to the COVID-19 pandemic, Singapore saw a spike in scams. The CAD was involved in the Inter-Ministerial Committee on Scams chaired by Minister of State Mr Desmond Tan. Building on its success in 2019, the Anti-Scam Centre coordinated more than 22 island-wide anti-scam enforcement operations, leading to the arrest of more than 4,900 perpetrators and the seizure of more than S\$57.6m in scam proceeds. Internationally, the CAD conducted four bilateral joint operations with its foreign counterparts that resulted in the arrest of more than 30 suspects behind transnational scams worth more than S\$1.9 million.

As at 31 December 2020, one LSO was seconded to the CAD.

David Chew Siong Tai

Director Commercial Affairs Department Singapore Police Force

HOME TEAM SCIENCE AND TECHNOLOGY AGENCY

The Home Team Science and Technology Agency ("HTX"), a statutory board under the MHA, brings together a diverse range of scientific and technological capabilities to support Home Team operations and enhance homeland security. The HTX and its Legal Division were established in December 2019.

The Legal Division of the HTX advises the HTX on a wide range of legal issues, including issues arising from HTX agreements, MHA contracts and scientific or technological cooperation managed by the HTX under the Home Team Science and Technology Agency Act, as well as building and facilities management, human resource, intellectual property and regulatory compliance matters.

In 2020, staff education was a key focus for the Legal Division of the HTX, which conducted several presentations for HTX officers on HTX's statutory functions.

As at 31 December 2020, two LSOs were seconded to the HTX.

Daphne Chang (Ms)

Director Legal Division Home Team Science and Technology Agency

MINISTRY OF MANPOWER

In 2020, the 48 officers (including five LSOs) of the Legal Services Division of the Ministry of Manpower ("MOM") not only pressed on with its core work, but also rose to the challenges presented in an extraordinary year, including legal issues arising from the COVID-19 pandemic, the General Elections and the POFMA.

Of note was the Prosecution Department's successful prosecution of two cases: (a) the first case involved a company which had falsely declared that it had considered local candidates fairly under the Fair Consideration Framework; (b) the second case involved a dormitory operator which allowed its dormitories to degenerate. It also applied a new sentencing framework to prosecute cases under the Workplace Safety and Health Act, as pronounced by the High Court in Mao Xuezhong v Public Prosecutor [2020] 5 SLR 580. Finally, its officers supported MOM's COVID-19 enforcement efforts by collaborating with the AGC in enforcing safe distancing management measures.

The Civil Advisory and Legislation Branch worked with the AGC to craft numerous COVID-19-related legislation, which provided the legal basis for MOM to perform its role in managing foreign employee dormitories, facilitating regular testing of foreign employees and implementing safe distancing and safe living measures. It also assisted the AGC in two judicial review matters – an application by

eight SBS Transit Ltd's bus captains against the decision of the Industrial Arbitration Court, and an application by the Singapore Manual & Mercantile Workers' Union against the decision of the Minister for Manpower under s 35(6) of the Industrial Relations Act. It also dealt with a number of POFMA directions, appeals and related advice.

The Adjudication Branch facilitated the prehearing settlements of 41 out of 65 cases under the new Work Injury Compensation Act 2019 ("WICA"). It also commenced pre-hearing conferences for WICA cases virtually during the Circuit Breaker period to facilitate attendance at hearings and adjusted its debt recovery protocols to facilitate the recovery of financial penalties from employers facing acute financial hardship due to the COVID-19 pandemic.

Alvin Koh Meng Sing

Chief Legal Officer and Divisional Director Legal Services Division Ministry of Manpower

MINISTRY OF EDUCATION

The Ministry of Education's ("MOE") Legal Services Branch ("LSB") provides legal services to the MOE Headquarters and Government schools on a wide range of matters including the exercise of the MOE's

regulatory powers under the Education Act and Compulsory Education Act, the implementation of existing or intended education policies, as well as on contracts, intellectual property, personal injury, other civil claims and legal matters arising from school operations.

Arising from the COVID-19 pandemic in 2020, the LSB provided legal support to the MOE to facilitate the smooth running of schools and the MOE Headquarters' operations. The LSB advised on legal issues relating to declarations for foreign students, electronic signing of scholarship agreements, and intellectual property matters in the use of online resources for home-based learning. The LSB also advised the MOE on the interpretation implementation of COVID-19 legislation, including issues arising from COVID-19-related construction and renegotiation of contracts under the Re-Align Framework. Finally, the LSB also worked closely with the MOE policy divisions and other governmental agencies with regard to the drafting of educationrelated provisions in COVID-19 legislation.

As at 31 December 2020, there were six LSOs in the LSB.

Cheryl Siew May Yee (Ms)

Director Legal Services Branch Ministry of Education

MINISTRY OF NATIONAL DEVELOPMENT

The Legal Services Unit ("LSU") of the Ministry of National Development ("MND") provides legal services to the MND in support of the MND's work in making Singapore green, liveable and sustainable. The LSU renders legal advice on a diverse range of issues, including public housing and municipal affairs, planning and infrastructure development, building and construction, and wildlife and greenery matters. The LSU also drafts and reviews a variety of transactional documents, such as tenders and contracts, memoranda of understanding, tenancy agreements and the issuance of licences for State Land.

In 2020, the LSU supported the MND's key role in the whole-of-government effort to combat COVID-19 by working closely with our policy divisions, statutory boards and other public agencies in determining the legal measures needed to further the overall policy strategy in dealing with the pandemic. This included the drafting of agreements with both public and private entities for the provision of accommodation and other facilities necessitated by the pandemic.

In addition, the LSU rendered advice to the MND on the legal aspects of the operational and administrative matters pertaining to the Town Councils, both in the lead-up to and after the General Election 2020.

As at 31 December 2020, there were two LSOs in the LSU.

Crystal Ong Wai Mun (Ms)

Senior Director Legal Services Unit Ministry of National Development

MINISTRY OF HEALTH

The Legal Office ("LO") of the Ministry of Health ("MOH") provides a comprehensive range of legal services to the MOH. These include providing legal advice on healthcare policy, vetting and drafting transactional documentation, conducting prosecutions of MOH offences, managing potential disputes and assisting with the promulgation of and amendments to healthcare legislation.

Throughout 2020, the LO provided continuous legal support for various connection workstreams in with the Government's COVID-19 pandemic response. In particular, the LO legislative heavily involved in work required for COVID-19-related bills and subsidiary legislation, such as the COVID-19 (Temporary Measures) Act 2020, Infectious Diseases (COVID-19 - Stay Orders) Regulations 2020, and COVID-19 (Temporary Measures) (Control Order) Regulations 2020. Where offences disclosed under the new COVID-19 laws were investigated by the MOH, the LO performed the requisite follow-up assessment, enforcement and prosecution. The LO was also instrumental in helping Singapore to secure the early supply COVID-19 successfully vaccines, negotiations conducting procurement with various vaccine manufacturers representing Singapore's interests and at COVID-19 Vaccines Global Access ("COVAX") Facility meetings.

Aside from COVID-19-related work, the LO continued to service the MOH for other key healthcare initiatives in 2020. The LO worked closely with the AGC LEGIS on legislative amendments to the Medical Registration Act and Civil Law Act, both of which were passed on 6 October 2020. These amendments arose from consultations with over 1000 medical practitioners and were intended to streamline the medical disciplinary process, and clarify the legal standard of care in respect of the provision of medical advice. In the past year, the LO also provided legal support to enact or amend subsidiary legislation related to the CareShield Life Scheme, the MediShield Life Scheme, the advertisement of tobacco products and the labelling of pre-packaged beverages.

For the period from 1 January 2020 to 31 December 2020, the LO rendered 271 pieces of legal advice, processed 506 prosecution files, vetted and/or drafted 131 contractual agreements, reviewed

72 statutory appeals and was involved in promulgating 109 pieces of primary and subsidiary legislation.

As at 31 December 2020, there were nine LSOs in the LO.

Tan Sze Yao
Director
Legal Office
Ministry of Health

SINGAPORE MEDICAL COUNCIL

The Legal Division ("the Division") of the Singapore Medical Council ("SMC") supports the SMC and various healthcare professional boards. The disciplinary processes of the SMC were strengthened this year with the issuance of the Sentencing Guidelines for Medical Disciplinary Tribunals and amendments to the Medical Registration Act. The Division will gradually take on the functions of prosecuting cases before the SMC's Disciplinary Tribunals and appeals to the High Court, and provide increased support to the committees of the SMC.

The Division also continues to advise the various boards on matters pertaining to professional conduct and ethics, registration, accreditation, surveillance, investigation, procurement, legislation and policies.

As at 31 December 2020, two LSOs were seconded to the SMC.

Tan Shao Weng, Andrew

Director (Legal) and General Counsel Singapore Medical Council

HEALTH SCIENCES AUTHORITY

The Legal Department ("LD") of the Health Sciences Authority ("HSA") gives legal advice to the HSA's Senior Management and multifaceted professional groups on wide-ranging areas of law, including criminal, contract, tort and intellectual property law. The LD also conducts criminal prosecutions on behalf of the HSA and provides courtroom training to the HSA's forensic experts.

In 2020, the LD rendered critical legal support to the HSA's COVID-19 operations. With the LD's support, the HSA established the legislative framework necessary to import COVID-19 vaccines into Singapore. The LD was also integral in the HSA's efforts to build its capability for biologics testing, to ensure the safe supply of vaccines to the Singapore population.

As at 31 December 2020, one LSO was seconded to the HSA.

Ruth Teng (Ms)

Director Legal Department Health Sciences Authority

MINISTRY OF SOCIAL AND FAMILY DEVELOPMENT

The Legal Services Unit ("LSU") of the Ministry of Social and Family Development ("MSF") provides legal services to the MSF in support of its mission to nurture resilient individuals, strong families, and a caring society.

During the COVID-19 pandemic, the LSU provided extensive legal support to the MSF in its implementation of the COVID-19 Support Grant, the COVID-19 Recovery Grant and other related assistance schemes, which supported those impacted by the pandemic. The LSU also advised on the virtual processes under the COVID-19 (Temporary Measures for Solemnization and Registration of Marriages) Act 2020, which came into force on 15 May 2020.

Further, the LSU worked closely with the Early Childhood Development Agency to implement the Enhanced Partner Operator scheme (under which 324 childcare centres were appointed in November 2020), and to issue directions to early childhood development centres on the provision of services and implementation of precautionary measures during the Circuit Breaker period.

The LSU also advised on the creation of the Pre-Divorce Support Portal, and on intended amendments to the Mental Capacity Act aimed at promoting digitalisation of Lasting Power of Attorney ("LPA") services.

As at 31 December 2020, there were five LSOs in the LSU.

Amy Tung Chew Ming (Ms)

Director Legal Services Unit Ministry of Social and Family Development

OFFICE OF THE PUBLIC GUARDIAN, MINISTRY OF SOCIAL AND FAMILY DEVELOPMENT

2020 saw the 10th anniversary of the establishment of the Office of the Public Guardian ("OPG") and the registration of the 100,000th LPA.

To allow for the online creation and filing of an LPA, a public consultation on the proposed amendments to the Mental Capacity Act was held. One notable amendment provided for the making of electronic deeds and the use of digital signatures. The amendments to the Mental Capacity Act will enable the OPG to better serve Singaporeans, in line with the overall digital transformation of the public service.

The development of the OPG's new online system has started and is expected to be rolled out from 2021.

The OPG received 28,788 LPAs in 2020, a 0.01% decrease from 2019. Forty-two Professional Deputies are registered with OPG.

As at 31 December 2020, one LSO was seconded to the OPG.

Regina Chang (Ms)

Public Guardian
Office of the Public Guardian
Family Development Group
Ministry of Social and Family Development

MINISTRY OF CULTURE, COMMUNITY AND YOUTH

The Ministry of Culture, Community and Youth's ("MCCY") Legal Unit ("LU") provides legal services to the MCCY, including its autonomous agency, the National Youth Council, supporting the MCCY's vision to inspire Singaporeans through the arts and sports, engage the youth, strengthen community bonds and promote giving.

In 2020, the LU supported the MCCY's response to the COVID-19 pandemic on various fronts, including:

- (a) piloting of programmes for resumption of activities in MCCY sectors;
- (b) deploying of temperature self-check kiosks at public transport locations;

- (c) permitting the display of the National Flag during the COVID-19 pandemic as a rallying symbol; and
- (d) enabling virtual solemnisation of Muslim marriages.

The LU also supported work on development projects including the construction of the Outward Bound Singapore on Coney Island.

The LU continued assisting the Charities Unit, the Registry of Co-operative Societies and the Registry of Mutual Benefit Organisations in the exercise of their regulatory functions, including advising on the issuance of a fund-raising restriction order. It also supported the MCCY and the National Youth Council programmes, including citizen engagement projects, the launch of the SG United digital platform, the Youth Action Plan, and the Somerset Belt Masterplan.

As at 31 December 2020, there were three LSOs in the LU.

Ang Ching Pin (Ms)

Senior Director (Legal) Legal Unit Ministry of Culture, Community and Youth

SYARIAH COURT

The LSOs at the Syariah Court ("SYC") are the Registrar, Deputy Registrar and the Senior President (newly appointed in October 2020). They carry out statutory duties under the Administration of Muslim Law Act and the Muslim Marriage and Divorce Rules. During the unprecedented closure of the SYC during the Circuit Breaker period from 7 April 2020 to 1 June 2020, the LSOs helmed the shutting down and subsequent safe resumption of SYC operations, and were involved in the passing of SYC-related provisions in the COVID-19 (Temporary Measures) Act 2020. Digitalisation of SYC processes and remote hearings were also put in place.

The SYC continued to drive the development of Muslim family law practice in Singapore. The SYC held the second run of the Muslim Law Practice Course for practitioners, LSOs and members of the Appeal Board. The Registrar co-presented at the Family Law Conference 2020 and was a guest lecturer at the National University of Singapore's Law Faculty on Muslim law.

The SYC participates in various inter-agency work on both civil family law and Muslim family law matters. It also continuously engages with stakeholders such as hakam (arbitrators) and the Muslim Law Practice Committee of the Law Society of Singapore.

As at 31 December 2020, there were three LSOs in the SYC.

Guy Bte Ghazali (Ms)

Senior President Syariah Court Ministry of Culture, Community and Youth

MAJLIS UGAMA ISLAM SINGAPURA

The Majlis Ugama Islam Singapura ("MUIS") is a statutory board that regulates the Administration of Muslim Law Act ("AMLA"). MUIS also oversees mosques, Islamic education, madrasahs, charitable contributions and charitable endowments. It also advises the President of Singapore on matters relating to Islam in Singapore.

In 2020, the Legal Unit of MUIS rendered 376 pieces of legal advice on wide-ranging issues, including the drafting of legislation, contracts, memoranda of understanding, standard operating procedures, notices, affidavits and letters.

In February and early March 2020, the Legal Unit conducted several educational talks on contract law for MUIS officers. The Legal Unit also set up and chaired a workgroup to review and propose amendments to the AMLA and its subsidiary legislation.

In 2020, the MUIS Legal Repository Database ("MLRD") was updated by the Legal Unit. The MLRD, set up by the Legal Unit, captures previous legal advice rendered to MUIS by various agencies and enables MUIS management to conduct searches on previous legal advice.

As at 31 December 2020, one LSO was seconded to the MUIS.

Shahla Iqbal (Mrs)

Director (Legal) Majlis Ugama Islam Singapura

MINISTRY OF COMMUNICATIONS AND INFORMATION

The Ministry of Communications and Information's ("MCI") Legal Services Department ("LSD") provides holistic legal support towards the MCI's mission to engage hearts and minds, forging a thriving digital future for all.

In 2020, the LSD:

- (a) actively supported key MCI projects, including:
 - (i) the MCI's contributions to the national fight against COVID-19, by advising on countering

- misinformation and disinformation, effectively disseminating public health information, and agreements with key stakeholders in the infocommunications and media sectors;
- (ii) the MCI's operations in support of the 2020 General Elections, by advising on content, infocommunication, and cybersecurity issues; and
- (iii) the launch and promotion of the "Made With Passion" brand.
- (b) facilitated the MCI's other efforts by:
 - (i) advising on agreements relating to public communications, research, innovation and enterprise efforts, especially in the cybersecurity and digital domains;
 - (ii) advising on safeguarding the cybersecurity of critical information infrastructure and investigating cybersecurity threats and incidents;
 - (iii) negotiating and drafting international memoranda of understanding and digital economy agreements; and
 - (iv) advising on legislative amendments to the Personal Data Protection Act, Electronic Transactions Act, and Postal Services Act.

Since 2019, an LSO was seconded to the MCI's Information Policy Division, to assist with overseeing the formulation,

review and operationalisation of content regulation policies. This included effecting processes and measures to counter online misinformation, updating and implementing online election advertising regulations, and adapting existing policy or legal frameworks to accommodate new driving forces such as COVID-19, rapid digitalisation and the increasing prevalence of online harms. Overall, the secondment has helped to facilitate agile and legally sound policymaking.

As at 31 December 2020, there were four LSOs in the LSD and one LSO in the Information Policy Division.

Vanessa Yeo Xue Ying (Ms)

Director Legal Services Department Ministry of Communications and Information

INFO-COMMUNICATIONS
MEDIA DEVELOPMENT
AUTHORITY,
DATA INNOVATION &
PROTECTION GROUP

The Data Innovation and Protection Group ("DIPG") enforces and administers the Personal Data Protection Act 2012 ("PDPA") and provides industry guidance on data-sharing.

Amendments to the PDPA were passed by Parliament in November 2020. The DIPG supported the development of the TraceTogether app and efforts to re-open Singapore's economy after the Circuit Breaker. The DIPG also worked with the National Council of Social Service to launch the Data Protection-as-a-Service programme to build data management capabilities in the social services sector.

The DIPG gives industry guidance on the trustworthy deployment of artificial intelligence ("AI"). The Second Edition of the Model AI Governance Framework was launched at the World Economic Forum Annual Meeting in January 2020. It was released with two complementary initiatives, an Implementation and Self-Assessment Guide for Organisations and a Compendium of Use Cases.

As at 31 December 2020, three LSOs were seconded to the DIPG.

Yeong Zee Kin

Assistant Chief Executive
(Data Innovation & Protection Group)
Info-Communications Media Development
Authority
Deputy Commissioner
The Personal Data Protection Commission

MINISTRY OF FINANCE

The Ministry of Finance ("MOF") Legal Directorate ("LD") advised and assisted the MOF on various policy matters, such as in the preparation of the Budgets, and in matters relating to taxation, Government reserves, finance and procurement. The LD also worked together with external counsel to draft and prepare Government infrastructure-related guarantees for financing. In addition, the LD supported the operations of the Boards of Review constituted under the Income Tax Act, Goods and Services Tax Act and Property Tax Act.

As the Government acted to overcome challenges arising from the COVID-19 pandemic in 2020, the LD advised the MOF on matters relating to COVID-19 control and support measures, such as the regulations on annual general meetings and the conceptualisation and formulation of property-related support measures (eg, passing on of property tax rebates and rental relief). The LD also took on the additional function of administering the Valuation Review Panel constituted under the COVID-19 (Temporary Measures) Act 2020 to hear and determine disputes relating to the passing on of property tax rebates.

As at 31 December 2020, there were six LSOs in the MOF LD.

Ng Shi Zheng Louis Chief Legal Officer

Legal Directorate Ministry of Finance

ACCOUNTING AND CORPORATE REGULATORY AUTHORITY

The Accounting and Corporate Regulatory Authority ("ACRA") regulates business entities and public accountants. The ACRA's mission is to provide a trusted and vibrant environment in Singapore for businesses to thrive and flourish.

The LSOs in the ACRA are deployed to the Legal Services Department ("LSD") and the Prosecution Department ("PD"), and are led by Andy Sim Yock Ann, Assistant Chief Executive (Legal Services and Compliance Group).

The LSD LSOs provide legal advice and support on civil matters (eg, contracts, dispute resolution and issues relating to ACRA-administered legislation). In addition, LSD LSOs also staff the Secretariat to the ACRA's Corporate Law Advisory Panel, an advisory panel to raise law reform issues and provide feedback on the ACRA's law reform proposals. In 2020, the LSD LSOs participated in cross-agency projects, such as working with the MinLaw, the Monetary Authority of Singapore and the Singapore Exchange Regulation on legislation and guidelines to provide companies with greater clarity on holding meetings during the COVID-19 pandemic. They were also involved in reviewing ACRA-administered legislation, including a review which led to a public consultation on proposed amendments to the Companies Act in July 2020.

The PD LSOs prosecute a wide variety of offences under ACRA-administered

legislation, including high profile cases involving accounting fraud jointly investigated with other agencies, and egregious breaches of filing obligations by company directors. They represent the ACRA in disciplinary inquiries against public accountants, and also work closely with the AGC, the MOF and other ACRA departments in handling applications and appeals brought by disqualified directors and sanctioned public accountants.

The PD LSOs conduct periodic reviews of the offences under ACRA-administered legislation, and work with the LSD LSOs on law reform issues. They also provide legal advice to the ACRA departments on enforcement and compliance matters.

As at 31 December 2020, 11 LSOs were seconded to the ACRA.

Andy Sim Yock Ann

Assistant Chief Executive Legal Services and Compliance Group Accounting and Corporate Regulatory Authority

INLAND REVENUE AUTHORITY OF SINGAPORE

The Law Division ("LD") is the key division within the Inland Revenue Authority of Singapore ("IRAS") tasked with discharging all legal functions. The LD's work includes advising on and litigating a wide spectrum of legal issues under various fields of law, with a focus on tax matters. The LD represents the IRAS in contentious tax disputes at the tax tribunals and the High Court (General Division of the High Court and Appellate Division) while the IRAS tax prosecutors prosecute tax offences.

As at 31 December 2020, five LSOs were seconded to the IRAS.

Tang Siau Yan

Chief Legal Officer Law Division Inland Revenue Authority of Singapore

COMPETITION AND CONSUMER COMMISSION OF SINGAPORE

In 2020, the Competition and Consumer Commission of Singapore ("CCCS") continued its rigorous enforcement of the Competition Act and Consumer Protection (Fair Trading) Act ("CPFTA").

On the competition front, the CCCS issued two infringement decisions in relation to anti-competitive agreements. The first concerned the bid-rigging of quotations called by Wildlife Reserves Singapore. The second involved bid rigging conduct for tenders called by privately-owned developments for the maintenance of swimming pools and water features.

The Competition Appeal Board upheld the CCCS's infringement decision and financial penalty of \$6.58 million imposed on Uber for its anti-competitive merger with Grab, which resulted in a substantial lessening of competition in the ride-hailing platform market in Singapore.

The CCCS also gave its clearance for five mergers, spanning various industries from rail transport to shipbuilding, to proceed. A market study on e-commerce platforms was conducted as part of the CCCS's efforts to monitor key developments in the digital economy, which identified certain areas that will be addressed in the CCCS's ongoing review of its competition Guidelines.

In relation to its consumer protection functions, the CCCS secured an undertaking from a beauty salon to cease using misleading methods to entice customers to purchase its services. The CCCS also secured an undertaking from the operator of the Expedia Singapore website to cease making false claims as to the validity periods of its "Daily Deals" promotions. The CCCS also published its Guidelines on Price Transparency, examining common pricing practices that may infringe the CPFTA and setting out good pricing practices that suppliers are encouraged to adopt.

In view of the COVID-19 pandemic, the CCCS also issued a Guidance Note to provide businesses with more clarity on collaborations between competitors in relation to the supply of essential goods or services in Singapore during this exceptional period.

As at 31 December 2020, eight LSOs were seconded to the CCCS.

Sia Aik Kor (Ms)

Chief Executive Competition and Consumer Commission of Singapore

ECONOMIC DEVELOPMENT BOARD

The Economic Development Board ("EDB") is a statutory body under the Ministry of Trade and Industry responsible for strategies that enhance Singapore's position as a global business centre.

The Legal Division ("Division") regularly advises the EDB on financial and tax incentives for the promotion of investments and research and development in Singapore. The Division also advises on loans granted by the EDB, procurement, data protection and human resource matters, and the EDB's regulatory functions under the Control of Manufacture Act.

Since 2019, the Division has been acting as legal advisor to the DesignSingapore Council Pte Ltd, a subsidiary of the EDB.

In 2020, the Division advised the EDB on the procurement of COVID-19 vaccines and other COVID-19 projects for the development of Singapore's vaccine manufacturing capabilities.

As at 31 December 2020, two LSOs were seconded to the EDB.

Edrick Guo Zhixian

General Counsel Legal Division Economic Development Board

MONETARY AUTHORITY OF SINGAPORE

The Monetary Authority of Singapore ("MAS") is Singapore's central bank and financial services regulator.

In a year marked by the COVID-19 pandemic, the MAS' Enforcement Department continued safeguard to Singapore as a clean and trusted financial centre. The MAS commenced several high-profile investigations (jointly with the CAD), including relating to Wirecard and Eagle Hospitality Trust. The MAS imposed composition amounting to \$1.5 million on trust companies for breaches of MAS' Anti-Money Laundering and Countering the Financing of Terrorism rules. Investigations carried out by the MAS also led to criminal proceedings being brought against 11 individuals and prohibition orders against another 17 individuals.

The MAS' Prudential Policy Department helped individuals and businesses facing financial difficulties due to the pandemic by working with banks and finance companies to offer mortgage, unsecured credit and fee relief measures. It also supported negotiations on banking services for the UK-Singapore Free Trade Agreement, and introduced a power in the Payment Services Act to impose measures on digital payment token service providers to protect consumers and maintain financial stability.

As at 31 December 2020, two LSOs were seconded to the MAS' Enforcement Department and one to the Prudential Policy Department.

Peggy Pao Pei Yu (Ms)

Executive Director and Department Head Enforcement Department Monetary Authority of Singapore

NATIONAL ENVIRONMENT AGENCY

The Legal Division ("LD") of the National Environment Agency ("NEA") provides legal services to the NEA as Singapore's regulator for the environment and public health, resource efficiency and sustainability, and provider of timely meteorological services. The LD's prosecutors also prosecute offences under the NEA's laws.

In 2020, the LD supported the NEA in its operations during the COVID-19 pandemic, in advising on the legal impact of the pandemic and related legislation, and in enforcing safe management measures under the COVID-19 (Temporary Measures) (Control Order) Regulations 2020.

The LD also supported the operationalisation of the landmark Resource Sustainability Act 2019, and amendments to the Environmental Public Health Act to raise cleaning and sanitation standards in public places.

As at 31 December 2020, two LSOs were seconded to the NEA.

Jeffrey Sim Mong Heng

Director Legal Division National Environment Agency

LAND TRANSPORT AUTHORITY

The Land Transport Authority ("LTA")'s Legal Subgroup ("LTA Legal") consists of the Legal (Public Transport & Infrastructure) Division, the Legal (Vehicles & Technology) Division and the Legal (Prosecution & Systems) Division.

On the contracts front, major projects in 2020 included the conclusion of the Concession Agreement for the Johor Bahru-Singapore Rapid Transit System, and support for the ongoing construction of the Jurong Region Mass Rapid Transit line and the North-South Corridor.

In terms of legislative work, the LTA Legal was engaged in land transport-related safe-distancing legislation, import controls for small motorised vehicles, new regulatory frameworks for shared mobility enterprises and point-to-point transport services, as well as facilitating trials of driverless bus services.

As at 31 December 2020, one LSO was seconded to the LTA.

Paul Chia

Deputy General Counsel Legal Subgroup Land Transport Authority



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