

IN THE SUBORDINATE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO. 6 OF 2013

It is hereby notified for general information that, with effect from 19 July 2013, the Subordinate Courts Practice Directions will be amended as follows:

- (a) the existing paragraph 156 will be deleted and replaced by the following new paragraph 156:

New paragraph 156

- (b) the following new Part XVII (containing new paragraphs 159 to 168) will be inserted immediately after the existing paragraph 158:

New Part XVII: Electronic Filing and Service for Criminal Proceedings

- (c) the existing Form 59 in Appendix B will be deleted and replaced by the following new Form:

New Form 59 of Appendix B

2. The practice directions contained in the new Part XVII set out the procedure for electronic filing and service of documents in criminal proceedings using the Integrated Criminal case filing and Management System (“ICMS”).

3. In the initial phase, the practice directions in the new Part XVII will only apply to any criminal proceeding and any criminal matter in the District Courts and Magistrate’s Courts which relates to any pre-trial and plead guilty procedures, or any procedure relating to bails and bonds under Division 5 of Part VI of the Code, or any procedure under section 370 of the Criminal Procedure Code (Cap 68, Rev Ed 2010) which is instituted by a police officer from Tanglin Police Division Headquarters or on behalf of the Public Prosecutor against one or more accused, whether or not represented by an advocate and solicitor.

4. The e-filing implementation schedule for the other pre-trial and trial procedures and other law enforcement agencies will be announced subsequently.

5. The amendments to Paragraph 156 make Form 59 applicable to the Family Justice and Juvenile Division of the Subordinate Courts.

Dated this 18 day of July 2013.

A handwritten signature in black ink, appearing to read 'Jm', is positioned above the typed name.

JENNIFER MARIE
REGISTRAR
SUBORDINATE COURTS

156. Application for Court Records for Criminal Proceedings

- (1) This paragraph shall apply only in respect of criminal proceedings.
- (2) An application for a copy of any part of the record of any criminal proceedings shall be made in Form 59 of Appendix B to these Practice Directions.
- (3) On approval of the application, the requisite number of copies of the record of proceedings applied for shall be made available for collection by the applicant for a period of 21 calendar days from the date specified in the notification given to the applicant by the Crime Registry or Family Registry (as the case may be).
- (4) Where the copy of any record of proceedings applied for is not collected by the applicant within the time given by sub-paragraph (3), the copy of the record of proceedings shall be disposed of and the applicant must make a fresh application if he still requires a copy of the relevant record of proceedings.
- (5) The relevant fee prescribed by the Criminal Procedure Code (Prescribed Fees) Regulations 2013 or the Fees (Subordinate Courts – Criminal Jurisdiction, Protection of Family and Maintenance of Wife and Children) Order 2013 (as the case may be) must be paid by the applicant at the time he makes the application.
- (6) The applicant shall be allowed to collect the copy of the record of proceedings applied for only if the fees payable therefor, including any balance fee payable, have been fully paid by him.
- (7) Any application for the waiver or remission of any fee payable for a copy of any record of proceedings may be made to the Registrar of the Subordinate Courts and the grant of such an application shall be in the absolute discretion of the Registrar.

PART XVII: ELECTRONIC FILING AND SERVICE FOR CRIMINAL PROCEEDINGS

159. Application

- (1) The directions contained in this Part apply to any criminal proceeding and any criminal matter in the District Courts and Magistrate's Courts which relates to any pre-trial and plead guilty procedure, or any procedure relating to bails and bonds under Division 5 of Part VI of the Code, or any procedure under section 370 of the Criminal Procedure Code (Cap 68, Rev Ed 2010).
- (2) The directions contained in this Part should be read in conjunction with the Criminal Procedure Code (Electronic Filing and Service for Criminal Proceedings in the Subordinate Courts) Regulations 2013.

160. Initiation of prosecution

All criminal prosecutions instituted by or on behalf of the Public Prosecutor, a police officer, an officer from a law enforcement agency, or a person acting with the authority of a public body against one or more accused, whether or not represented by an advocate and solicitor must be initiated by electronic filing.

161. Charges

- (1) All new and amended charges must be e-filed prior to the scheduled court session.
- (2) The charges must be in Word document format (.doc or .docx) or in the portable document format (PDF).
- (3) The charge sheet for each distinct offence must be e-filed separately, and the system will assign and stamp a unique number on each charge sheet.
- (4) The investigation officer or prosecutor framing the charge must key in “ /s/ ” and his name on the line next to the “ /s/ ” above his personal information in the charge sheet.

162. Checklists

- (1) For every Mention (FM / FFM); Pre-Trial Conference (PTC); Criminal Case Disclosure Conference (CCDC) and Plead Guilty Mention (FM(PG)), there will be a corresponding Mentions Checklist, PTC/CCDC checklist and PG checklist for the court event in the electronic case file.
- (2) Except for the first appearance in court by defence counsel, defence counsel is required to submit the Mentions or PTC checklist indicating the affirmative position of the accused. The submission may be made at any time prior to the commencement of the scheduled court event.

- (3) Prosecutors are required to submit the Mentions or PTC checklists indicating the prosecution's affirmative position. The submission may be made at any time prior to the commencement of the scheduled court event.
- (4) The PG checklist need not be re-submitted if the position of the prosecution on the charge(s) has been indicated and remains the same.
- (5) For CCDCs, the checklist is only required to be submitted before the scheduled court event by the party applying for an adjournment.

163. Applications

- (1) All applications which have been specifically provided for must be e-filed. These include applications relating to the initiation of any criminal process or criminal matter or which require a direction or court order before the scheduled court session.
- (2) An application which is not e-filed in accordance with the directions contained in this Part shall be rejected.
- (3) The prosecution or defence must notify the party who is unrepresented of its application.

164. Documents

- (1) Except for the Statement of Facts and Schedule of Offences, all documents must be e-filed using the Portable Document Format (PDF).
- (2) The Statement of Facts and the Schedule of Offences may be filed using the Word Document Format (.doc or .docx).
- (3) The investigation officer or prosecutor putting up the statement of facts must key in “ /s/ ” and his name on the line next to the “ /s/ ”.
- (4) The proper document type must be selected and a clear and appropriate document title must be entered. The document title should not be abbreviated.
- (5) It is not necessary for documents to have a cover page or backing sheet.
- (6) Every page of a document must be paginated consecutively so that the pagination on the actual document corresponds with the pagination of the Portable Document Format (PDF) document in the electronic case file, and the page number must be inserted at the centre top of the page.
- (7) The prosecution or defence must provide hard copies of documents that are electronically filed to the unrepresented litigant.

165. Documents which cannot be converted into electronic format

- (1) If a document cannot be converted in whole or in part into an electronic format for any reason, the hard copy of the document must be tendered to the court.
- (2) A document which is not wholly converted into an electronic format without good reason may be rejected as the Court sees fit.

166. Amendment of charges and documents

Where a charge or document is required to be amended, a fresh copy of the charge or document must be produced and e-filed, regardless of the number and length of the amendments sought to be made.

167. Limits on size and number of documents submitted using Electronic Filing Service

- (1) The following limits shall apply to the filing of documents:
 - (a) the total number of pages in a single document must not exceed 999;
 - (b) the size of a single transmission must not exceed 50 mega-bytes.
- (2) The resolution for scanning, unless otherwise directed by the court, must be no more than 300 DPI.
- (3) In the event that any party wishes to file documents which exceed the limits specified in sub-paragraph (1), he may make multiple submissions.

168. Bundle of authorities

Bundles of authorities should not be filed electronically.

**SUBORDINATE COURTS
FORM 59: APPLICATION FOR RECORDS OF CRIMINAL PROCEEDINGS**

Name of Applicant / Solicitor's Firm : NRIC No. : Address : File Reference No: Email: Telephone No: Facsimile No:	Date of Application <hr/> Solicitor Acting For :- (✓ where applicable) <input type="checkbox"/> Complainant <input type="checkbox"/> Respondent <input type="checkbox"/> Others: (please specify)
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DOCUMENTS APPLIED FOR

CRIMINAL JUSTICE DIVISION	FAMILY & JUVENILE JUSTICE DIVISION
NRIC/ Name of Accused / Complainant / Respondent / Deceased:	Case No. Name of Parties cited in case Complainant: Respondent:

Case No. (Please specify Case Reference No.) DAC/MAC No(s): Coroner's Inquiry No: Others:	Court No. Hearing/Mention Date: Name of JO Other Information: (if any)
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Type of Document (✓ where applicable) <input type="checkbox"/> Charges <input type="checkbox"/> Complaint Form <input type="checkbox"/> Notes of Evidence: (please specify hearing dates) <input type="checkbox"/> Registrar's Certificate <input type="checkbox"/> Statement of Facts <input type="checkbox"/> Others (please specify)	Type of Document (✓ where applicable) <input type="checkbox"/> Complaint Form <input type="checkbox"/> Notes of Evidence: (please specify hearing dates) <input type="checkbox"/> Court Order No: (please specify) <input type="checkbox"/> Others (please specify)
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Reasons For Application (✓ where applicable)

<input type="checkbox"/> Misplaced Original Copy of the Order/Charge/Others <input type="checkbox"/> For reference	<input type="checkbox"/> To seek legal advice/ representation <input type="checkbox"/> Others : (please specify)
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(1) I understand that I am to pay the required fees for the above in accordance with regulation 2(1)(a) (ii), (1)(b) and (2) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, or with paragraph 3(1) and (2) of the Fees (Subordinate Courts – Criminal Jurisdiction, Protection of Family and Maintenance of Wife and Children) Order 2013, as applicable, upon submission of the application form. I also understand that the document(s) applied for can only be collected after the stipulated payment has been made.

(2) I also understand that the Court, upon approval of the application, will only release the document(s) applied for to parties named in the action or their solicitors.

(3) I also understand that my application will be deemed as lapsed if the document(s) applied for is/are not collected within 21 days from the date I am informed on the availability thereof. I also understand that I am required to provide a **Letter of Authorisation** for another person to collect the requested document(s) on my behalf if I am unable to collect them personally.

Signature of Applicant

Date

FOR OFFICIAL USE ONLY

The application is: Approved Not approved
 (✓ where applicable) Reasons for rejection (where applicable):

Name and Signature of District Judge/Magistrate/Deputy Registrar

- Total Fees payable : _____ - Minimum Fees payable (\$15 x no. of document types applied): _____ - Paid on: _____ Receipt No: _____ - Balance Fees payable (\$0.50 per page, where applicable): _____ - Paid on: _____ Receipt No: _____	No. of documents collected: _____ No. of Pages: _____ Document(s) collected by: Name & Signature of Collector NRIC/Passport/ FIN No: Date:
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Collection Time: Mondays to Fridays – 9.00 am to 1:00pm & 2.00pm to 5.00pm

1. All requests for copies of the records of any criminal proceedings are subject to the approval of the court.
2. Once the request has been approved and the applicant has been informed on the availability of the requested document(s) and the cost (where applicable), the said documents will be available for collection for a period of 21 days. Any document(s) not collected within the stipulated period will be destroyed and a fresh request must be submitted thereafter if the applicant still requires the document(s).
3. An application for copies of the records of any criminal proceedings will only be processed after the stipulated payment has been made.

Prescribed Fees

4. The fees payable are as follows:

Document Type	Fee Amount	Remarks
Registrar's Certificate ¹	\$20	Payable upon Application
All other documents (including a copy of any Judgment, Sentence, Order, Deposition or other part of the record of any criminal proceedings ²	\$5 for each type of document requested in the application and \$0.50 per page thereof, subject to a minimum of \$15 per document.	Minimum of \$15 (per document) payable upon Application <i>*Any additional amount (based on number of pages) may be payable before collection of the document(s).</i>
Application for an additional copy of the record of any criminal proceedings or the Grounds of Decision ³	\$0.50 for each page thereof, subject to a minimum of \$10 for each copy of the record of proceedings and grounds of decision	Minimum of \$10 (per document) payable upon Application <i>*Any additional amount (based on number of pages) may be payable before collection of the document(s).</i>

5. There is a \$5 non-refundable application fee for each type of document applied for. A fee of \$0.50 for each page of the document, subject to a minimum fee of \$15 for each type of document requested is also payable. The total sum of \$15 is payable when the application for the records is submitted.
6. The additional amount of fee (based on the actual number of pages provided) is payable before the document(s) can be collected.

Refund of Fees Paid

7. The \$5 application fee is non-refundable.
8. A refund of the minimum fee already collected will only be made through directly crediting the applicant's bank account. The applicant must furnish the photocopies of the following:
 - a. applicant's NRIC or Passport; and
 - b. applicant's bank statement or savings passbook (reflecting his name and the account number)

Payment Modes

9. Local Applicants: Cash, NETS or local Solicitor's cheque
[For cheque payment, please make the cheque payable to "Registrar, Subordinate Courts" and indicate the Case Number at the back of the cheque]
10. Overseas Applicants: Bank Draft in Singapore Currency (payable to Registrar, Subordinate Courts)
Payment should also include all bank charges

Contact Us

- For enquiries pertaining to Criminal Justice matters, please email to us at subct_court_records_applications@subct.gov.sg or contact us at (65) 6435 5095
- For enquiries pertaining to Family & Juvenile matters, please email to us at subct_maintpos@subct.gov.sg or contact us at (65) 6435 5110.

¹ Pursuant to section 45A(4) of the Evidence Act (Cap. 97).

² Pursuant to paragraph 3(1) of the Fees (Subordinate Courts — Criminal Jurisdiction, Protection of Family and Maintenance of Wife and Children) Order 2013, and regulation 2(2) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, read with section 426(1) of the Criminal Procedure Code (Cap. 68).

³ Pursuant to regulation 2(1)(b) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, read with section 377(6) of the Criminal Procedure Code (Cap. 68).