**CHECKLIST FOR MUTUAL LEGAL ASSISTANCE**

**PRODUCTION ORDERS IN SINGAPORE**

**SECTION 22 OF THE MACMA**

| **Formal requirements**  **[*Italicised* items are optional]** | **Whether included in the request?**  **[ Y / N ]** | **Whether supporting documents attached?**  **[ Y / N ]** |
| --- | --- | --- |
| Is the request made to the Attorney-General of the Republic of Singapore?  Note: Please refer to Part III Section 9 at page X of the Guide for contact information. |  |  |
| Is the purpose of request (*e.g.* investigation, prosecution, *etc.*) stated in the request? |  |  |
| Is the request initiated by an authorised authority under the law of the Requesting Party? |  |  |
| Does the request contain a description of the criminal offence(s)? |  |  |
| Is an English copy of the relevant laws or regulations in relation to the criminal offence(s) attached? |  |  |
| Does the request state the maximum penalty for the criminal offence(s)? |  |  |
| *Does the request provide details of procedure to be followed by Singapore?* |  |  |
| *Does the request contain a confidentiality clause?* |  |  |
| *Does the request specify the period within which the request should be met and the supporting reason(s)?* |  |  |
| Does the request contain the requisite assurances against political offence, persecution and double jeopardy?  Note: Please refer to the template request form at Part V Section 13 at page X of the Guide for the recommended language. |  |  |

| **Substantive requirements**  **[*Italicised* items are optional]** | **Whether included in the request?**  **[ Y / N ]** | **Whether supporting documents attached?**  **[ Y / N ]** |
| --- | --- | --- |
| Does the request contain a Statement of Facts which sets out:   1. identity of the person(s) involved; 2. the person(s) role in the criminal offence(s); 3. particulars identifying the asset(s) for which the information is sought; 4. the relation between the person(s) / criminal offence(s) and the asset(s); 5. the scope of the information sought (*e.g.* the start and end dates of the bank record(s) sought); and 6. reasons in support of the scope of the information sought?   Note: Please refer to Part III Section 11(b)(*i*) at page X of the Guide for a list on the information to be included in requests on obtaining bank records. |  |  |
| Does the request state whether person(s) in the Requesting Party may be compelled, under the laws of the Requesting Party, to produce in the jurisdiction of the Requesting Party the same information sought in the request? |  |  |
| If the answer above is yes, then is an English copy of the relevant laws of the Requesting Party, under which the person(s) may be so compelled, attached? |  |  |
| Is a certified foreign law immunity certificate, containing the following words:  “I, [*name & designation*], on behalf ofthe Government of the [*Requesting Party*] certify that under the law of the [*Requesting Party*], persons generally or a specified person could, either generally or in specified proceedings and either generally or in specified circumstances, be required to produce the equivalent of the [*documents / things / information* */* *evidence*] sought by this Request.”  attached to the request?  This certificate should be in a separate letterhead that is detachable from the letter of request in order to maintain confidentiality of the request, as this certificate may be tendered in Singapore courts as evidence.  Note: Please refer to Part III Section 11(b)(*i*)(*b*) on foreign law immunity certificates.  Note: Please download a copy of the template foreign law immunity certificate at [*insert URL here*]. |  |  |