

AGC
SINGAPORE

ATTORNEY-
GENERAL'S
CHAMBERS

ANNUAL REPORT 2020



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Attorney-General's Message



2020 was unprecedented in many ways, for AGC, Singapore and the world. Many of us had to change how we lived and worked throughout the pandemic caused by COVID-19. It was a real test of fortitude for AGC to continue in our efforts to serve Singapore's interests and uphold the rule of law, even amidst difficulties brought about by the pandemic. Our officers rose to the challenge, working as One-AGC, to provide crucial legal support to public agencies working to respond to the pandemic.

As the severity of COVID-19 became clear, AGC formed a Cross-Divisional COVID Task Force in January 2020, comprising representatives from all our legal divisions. This allowed us to support our public agencies more quickly and efficiently. In the first half of 2020 alone, AGC received more than 1,300 COVID-19 related requests for advice. Almost all requests were urgent, and we responded to 69% of the cases within 24 hours and 78% within 48 hours. Advice rendered include financing the COVID-19 Budgets, ensuring trade flows for essential goods, contact tracing, border security and vaccine procurement. AGC also advised on the special arrangements needed for the Government to continue carrying out its legislative duties amidst the restrictions imposed to curb the

spread of COVID-19, such as Parliament sittings and the 2020 General Election.

As the central law drafting office, AGC drafted major pieces of COVID-19 related legislation in record time. Due to the urgency of the situation, the first Bill – the COVID-19 (Temporary Measures) Bill 2020 – was completed within two weeks, with six senior law drafters working intensively on different parts. Over the months that followed, nearly the entire Legislation Division was mobilised to cope with the urgent need to draft numerous pieces of legislation that provided for matters such as Control Orders and economic reliefs.

As the Public Prosecutor, there was a pressing need to work with law enforcement agencies to enforce the Infectious Diseases Act and COVID-19 related legislation strictly and swiftly. Breaches of Quarantine Orders, Stay-Home Notices, circuit breaker restrictions and safe distancing measures were dealt with expeditiously. Errant businesses were issued warnings and, in egregious cases, suspension orders. There was a concerted effort to send a strong message that the Government's public health measures had to be taken seriously to control virus transmission in the community.

On the international law front, AGC officers ensured that our COVID-19 measures remained consistent with international obligations. AGC also assisted the

Government in the negotiation of essential travel and air bubble arrangements to sustain economic exchanges and maintain our relevance as a hub for the region and the world.

Despite COVID-19, AGC's regular work still had to go on. For prosecution, actions were taken against Goldman Sachs for its involvement in the 1MDB bond offerings. Six offenders were also convicted for their roles in the Shell Bukom gasoil heist, the largest theft of marine gasoil in Singapore's history. Our officers also played an instrumental role in the successful conclusion and signing of the Regional Comprehensive Economic Partnership Agreement, the world's largest free trade agreement. Besides drafting the COVID-19 related Bills, AGC also brought other Acts into operation in 2020, such as the CareShield Life and Long-Term Care Act 2019 and the Work Injury Compensation Act 2019. We also continue to assist the Law Revision Commission in a planned universal revision of Singapore's legislation that will be completed in 2021.

I would like to acknowledge and thank AGC officers for their dedication and hard work over the past year. As an institution, we will continue to do our best to serve Singapore and its people.

Mr Lucien Wong
Attorney-General

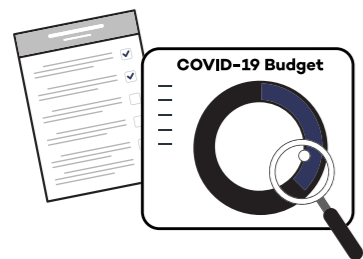
Supporting The Government In Its Response To COVID-19

2020 was an extremely challenging year for Singapore. COVID-19 tested AGC's abilities to adapt to unforeseen difficulties and problems. Our officers worked tirelessly as One-AGC to provide public agencies with crucial legal support as the Government took urgent measures to respond to the pandemic.

Government Legal Advisory

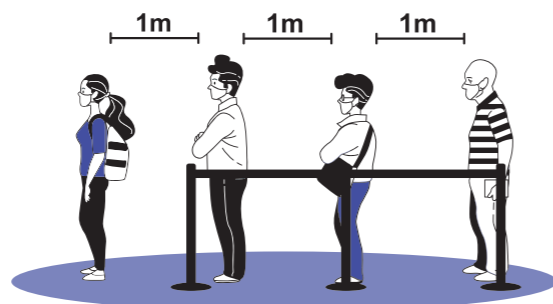
Once the severity and potential impact of COVID-19 became clear, an AGC COVID Task Force comprising representatives from all our legal divisions was formed in January 2020 to provide urgent legal advice on all areas of the Government's pandemic response.

The advice rendered touched on a wide range of issues, such as:



Financing The COVID-19 Budgets

AGC provided critical legal support on the tapping of past reserves to finance the various COVID-19 response budgets.



Public Health Safety Measures

AGC provided advice on the establishment of Government quarantine facilities, temperature surveillance and contact tracing.

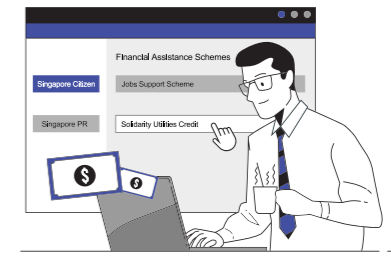
AGC also advised on Safe Management Measures and enforcement actions against errant businesses and individuals.



Border Security

AGC provided advice on securing our borders and protecting trade flows to preserve essential supplies and stockpiles.

AGC also assisted in the negotiation of essential travel and air bubble arrangements to sustain economic exchanges.



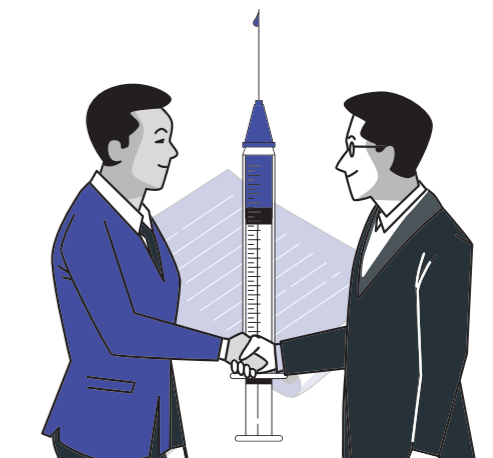
Relief And Financial Assistance Schemes

AGC advised on the drafting and implementation of various Government relief and financial assistance schemes, such as the Jobs Support Scheme and the Solidarity Utilities Credit.



Meeting Our Contractual Obligations

AGC advised on the impact of COVID-19 on Government contracts and tenders, including the applicability of force majeure clauses and the execution of contracts.



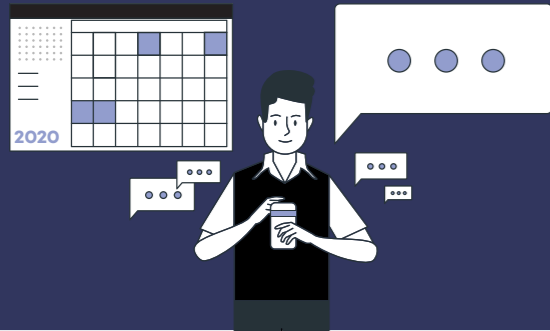
Purchase Of Vaccines

AGC advised on the procurement of COVID-19 vaccines to secure early access to vaccines for Singaporeans, and supported contract negotiations with various vaccine manufacturers.

In the first half of 2020 alone, AGC received more than

1,300

COVID-19 related requests for advice.



We responded to

69% 78%

of these requests within **24 hours** and

of these requests within **48 hours**.

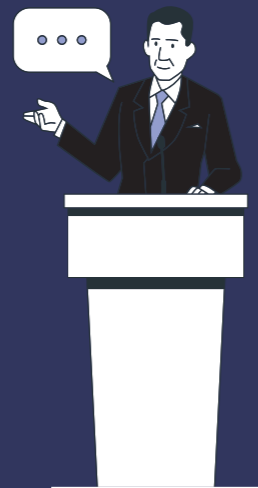


AGC drafted major COVID-19 related legislation in record time, with

239

 COVID-19 related laws introduced in 2020.

12

 bills were introduced in response to the COVID-19 pandemic. These included the COVID-19 (Temporary Measures) Bill and three subsequent Amendment Bills, six Supply Bills, and Bills which provided for parliamentary elections and marriage solemnisations to be held during the pandemic.

227

 pieces of COVID-19 related subsidiary legislation were published.

These subsidiary legislation impacted every aspect of daily life in Singapore by legislating circuit breaker measures, the mandatory wearing of masks, safe distancing measures and Stay-Home Notices. Our law drafters and officers worked tirelessly through nights and weekends alongside officers from the various Ministries to meet Government timelines.



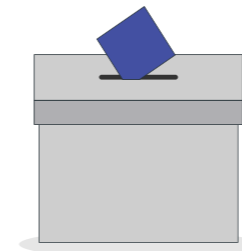
Drafting Urgent Legislation

AGC had to draft urgent legislation to support the Government's efforts to combat the pandemic. Here are some key Acts that were drafted.



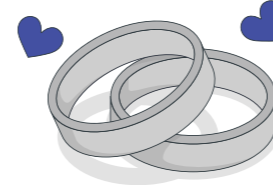
COVID-19 (Temporary Measures) Act 2020

This Act provides for temporary measures relating to the COVID-19 pandemic, including Control Orders to prevent the spread of COVID-19, measures to provide temporary financial reliefs (e.g. rental relief for tenants and licensees, adjustment of contractual rights and cost-sharing in construction contracts), alternative arrangements for the conduct of meetings, court proceedings and collective sales and measures to safeguard personal contact tracing data.



Parliamentary Elections (COVID-19 Special Arrangements) Act 2020

This Act allowed the 2020 General Election to be held during the COVID-19 pandemic by authorising temporary arrangements for the purposes of the election so that certain electors who were subject to COVID-19 stay orders may vote outside of their electoral divisions, and special steps may be taken during the nomination, polling and vote counting in the interest of public health.



COVID-19 (Temporary Measures for Solemnization and Registration of Marriages) Act 2020

This Act provides for the use of remote communication technology in matters relating to the solemnisation and registration of marriages under the Women's Charter and relating to marriages and the revocation of divorces under the Administration of Muslim Law Act, in view of the COVID-19 pandemic.



Insolvency, Restructuring and Dissolution (Amendment) Act 2020

This Act amends the Insolvency, Restructuring and Dissolution Act 2018 to, among other things, provide for temporary measures in the form of simplified procedures relating to a compromise or an arrangement with creditors and winding up, and related matters, in view of the COVID-19 pandemic.

Enforcement And Prosecution Actions



AGC worked closely with the law enforcement agencies to enforce the Infectious Diseases Act and COVID-19 related legislation swiftly. Two special prosecution teams were established to handle COVID-19 related offences. The teams worked closely with the Ministry of Health, Singapore Police Force, Immigration and Checkpoints Authority, and other agencies to establish clear prosecution and sentencing frameworks. The aim was to send a strong message that the Government's public health measures had to be taken seriously to control virus transmission in the community.

AGC officers also had to adapt quickly to the "new normal" as criminal prosecutions and urgent civil litigation matters continued to be heard during the pandemic. Our officers attended remote hearings, presented arguments and examined witnesses via video conferencing platforms. To familiarise our officers with online hearings, AGC Academy arranged for virtual training sessions with Queen's Counsel who shared their perspectives on preparing and conducting online trials, including advocacy and technological "dos and don'ts". AGC Academy also produced a guide on virtual hearings and shared it with the wider public sector legal community.



Facilitating Remote Testimonies And Interviews Via Video Link

With COVID-19 halting global travel, foreign witnesses faced the issue of being unable to physically attend trials in Singapore. The enactment of the COVID-19 (Temporary Measures) Act 2020 enabled overseas witnesses to testify via video link in criminal proceedings in Singapore. This resulted in an increase in outgoing requests for remote testimony as a result of the pandemic. There was also an uptick in incoming requests for remote testimony of witnesses located in Singapore for criminal proceedings overseas.

Further, AGC officers advised the Government and the Judiciary on the international law aspects of remote testimonies in Singapore and foreign civil proceedings. In particular, AGC advised on the necessity of and modalities for seeking a foreign jurisdiction's consent before remote testimony could be taken from overseas witnesses in civil proceedings before the Singapore courts.

Facilitating Virtual International Engagements

Due to COVID-19, Government agencies had to explore alternative ways of signing international agreements. AGC officers supported agencies in the preparation of nine virtual signing ceremonies. This has built up our capabilities in the legal and procedural aspects of virtual signings. AGC's Treaties Section also conducted its first virtual treaty-related engagement session with Government agencies in 2020. The aim was to share on the treaty-making process and address concerns or queries. Over 90 participants from more than 30 agencies attended the session.

Protecting The Public Interest



Keeping Crime At Bay

AGC, as the Public Prosecutor's office, continued to prosecute a wide spectrum of challenging cases in 2020. Many of these cases, which encompassed violent acts, sexual offences and financial crime, also gave rise to new sentencing frameworks. We highlight some of the most significant cases here.

Major cases undertaken by the Prosecution

1Malaysia Development Berhad

Actions taken against Goldman Sachs Singapore (GS Singapore) for involvement in 1Malaysia Development Berhad (1MDB) bond offerings

AGC worked closely with the Commercial Affairs Department (CAD) in relation to investigations into GS Singapore's involvement in three 1MDB bond offerings. AGC took the lead in determining the terms of the conditional warning that was issued to GS Singapore in lieu of prosecution for corruption-related offences. The terms included a payment of US\$122 million by GS Singapore to the Singapore Government; disgorgement of a sum of US\$61 million, which represented GS Singapore's entire share of fees from the bond issuances; and an undertaking to continue to cooperate with CAD. The actions taken in Singapore were closely coordinated between AGC and the United States Department of Justice, which entered into a separate Deferred Prosecution Agreement with The Goldman Sachs Group, Inc.

Shell Bukom Gasoil Theft

Six offenders convicted for roles in largest gasoil theft

This ongoing matter involves the largest gasoil theft in Singapore. More than S\$200 million worth of gasoil was alleged to have been misappropriated from Shell's Pulau Bukom refinery between 2014 and 2018. To date, six offenders have pleaded guilty for their roles in the theft. The Prosecution successfully applied to forfeit to the State a foreign vessel, Prime South, which was seized at the inception of investigations on suspicion of having received stolen gasoil. At the point of seizure, Prime South was valued at US\$10.7 million. To date, the Prosecution has also obtained restraint and charging orders to secure more than S\$13 million of assets related to various accused persons. AGC continues to work closely with the Criminal Investigation Department on investigations and the ongoing cases.

PP v Imran Kassim (DAC 911647 of 2019) and other cases

Prosecutions to counter financing of terrorism

There were a number of prominent terrorism financing prosecutions in 2020. The first trial under the Terrorism (Suppression of Financing) Act, *PP v Imran Kassim*, was successfully concluded, and the Singaporean offender was sentenced to 33 months' imprisonment for providing funds to a Turkey-based Islamic State in Iraq and Syria (ISIS) operative to further the publication of ISIS propaganda. In *PP v Anindia Afiyantari, Retno Hernayani, and Turmini*, three foreign domestic workers were also prosecuted for making donations to supporters of ISIS and Indonesia-based terrorist group Jemaah Anshaut Daulah. These offenders had become radicalised through social media channels and were sentenced to imprisonment terms ranging from 18 to 45 months.



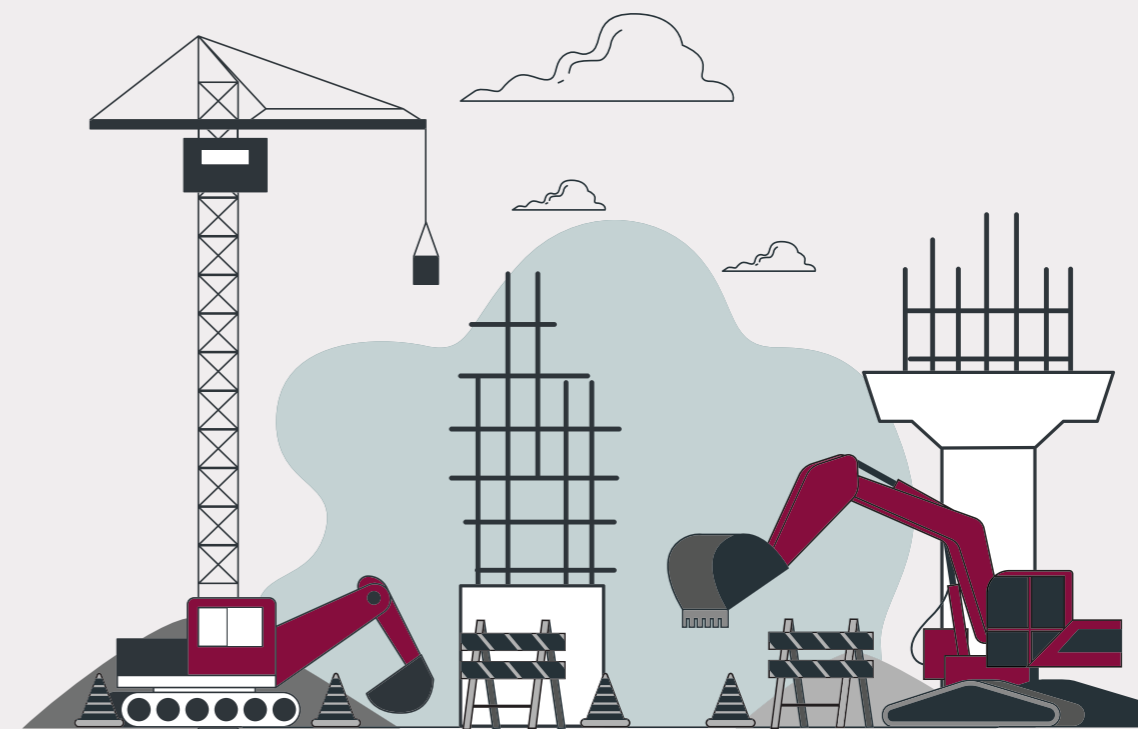
Cases where new sentencing frameworks were adopted



PP v Wong Chee Meng and another appeal [2020] SGHC 144

Sentencing framework for offences of corruption involving contracts with public bodies

The Prosecution secured convictions for two offenders, who were the recipient and giver of bribes in the widely publicised Ang Mo Kio Town Council (AMKTC) corruption case. Wong, as the General Manager and Secretary of AMKTC, accepted bribes in excess of S\$80,000 from a contractor, Chia Sin Lan, to advance the business interest of Chia’s company with AMKTC. On the Prosecution’s appeal, the High Court enhanced Wong’s sentence to 39 months’ imprisonment and Chia’s sentence to 33 months’ imprisonment. The High Court also set out a sentencing framework for offences of corruption involving contracts with public institutions.



Leong Sow Hon v PP [2020] SGHC 228

Sentencing framework for contravening the duties and independence of accredited checkers, etc., and accredited checking organisations under the Building Control Act

The appellant, the accredited checker for the construction of the Pan Island Expressway viaduct that collapsed in 2017, appealed against his sentence for an offence under section 18 of the Building Control Act, for failing to properly perform his duties as the accredited checker. The High Court dismissed the appeal. In doing so, the High Court set out a sentencing framework for similar offences, and agreed with the Prosecution that the “clang of the prison gates” principle (that the shame of going to prison was punishment enough for persons of eminence or high standing) should be rejected.

PP v Cullen Richard Alexander [2020] SGDC 88

First sentencing framework associated with more severe punishment regime in the newly amended Road Traffic Act

The District Court sentenced the offender to an overall term of 10 weeks’ imprisonment with a fine of S\$1,600 and five years’ disqualification from driving, after he was involved in two separate accidents, one of which resulted in grievous hurt to a victim. In calibrating the offender’s punishment, the District Court set out a sentencing framework for offences of careless driving which result in grievous hurt coming within the ambit of section 65(3)(a) of the Road Traffic Act.



PP v Su Jiqing Joel [2020] SGHC 233

Sentencing framework established for unlawfully providing short-term accommodation in contravention of the Planning Act

The High Court enhanced the offender's overall fine from S\$88,000 to S\$158,000 for four counts of unlawfully providing short-term accommodation, which are offences under the Planning Act. In allowing the Prosecution's appeal against the initial sentence, the High Court applied a novel bifurcated approach towards calibrating the offender's eventual fine. The bifurcated approach comprised two distinct components, namely, a punitive component to adequately punish the offender for his wrongdoing and a disgorgement component to deter the offender by compelling him to give up his net profit from the unlawful enterprise. This bifurcated approach is likely to have wider applicability and can be utilised in offences which may feature an element of unlawful profit accumulation, but which may only be punishable with fines.

PP v Siow Kai Yuan Terence [2020] SGHC 82

Framework to determine whether an offender has an extremely strong propensity for reform

The offender molested a woman on a Mass Rapid Transit train and at the station. At first instance, the offender was sentenced to probation. The High Court allowed the Prosecution's appeal against sentence and sentenced the offender to two weeks' imprisonment. In arriving at its decision, the High Court set out a framework for assessing whether an adult offender had demonstrated an extremely strong propensity for reform and would thus merit a rehabilitative sentence.

Lee Shing Chan v PP and another appeal [2020] SGHC 41

Clarification of what may constitute protracted conduct in relation to unlawful stalking and the sentencing framework for such offences

The High Court convened a three-judge coram to clarify the ambit of unlawful stalking under section 7 of the Protection from Harassment Act and the appropriate sentencing approach for such offences. The offenders claimed trial to stalking two National Environment Agency officers by tailing the officers in a lorry to various locations in Singapore for about three hours. The officers had earlier issued summons to the offenders for illegally hawking fruits and confiscated their items. The High Court dismissed the offenders' appeal against their convictions and accepted that their conduct had been sufficiently protracted to disclose the offence of unlawful stalking. The High Court also set out a sentencing framework for such offences and reduced the offenders' respective sentences from four months' imprisonment to two weeks' imprisonment. The Prosecution did not oppose the offenders' appeal against their original sentence.

Koo Kah Yee v PP [2020] SGHC 261

Sentencing framework for contravening the prohibition against Singapore-based remote gambling services under the Remote Gambling Act

The High Court dismissed the offender's appeal against her sentence of 12 months' imprisonment for intentionally abetting the provision of Singapore-based remote gambling services under section 11(1) of the Remote Gambling Act read with section 109 of the Penal Code. In doing so, the High Court set out a five-step sentencing framework for such offences. The High Court noted, *inter alia*, the high value of the bets involved in the present case, which amounted to more than S\$18 million, and that the offence was linked to a transnational syndicate.

Protecting Vulnerable Persons

In 2020, our State Counsel and Prosecutors continued to seek justice for crimes committed against vulnerable victims in Singapore and assisted in statutory efforts to keep young persons away from harm. Here are some of our most significant cases from the past year.



PP v Bong Sim Swan Suzanna [2020] SGCA 93

The Court of Appeal enhanced the sentence in a maid abuse case from eight months to 14 months' imprisonment following its judgment on the relevance of uncharged prior offending in sentencing

The Prosecution filed a Criminal Reference to refer questions of law to the Court of Appeal arising from a case of maid abuse. In this case, the offender regularly hit and punched the victim on the left side of her face such that the latter's eyesight deteriorated. Eventually, the offender used a glass bottle to hit the left side of the victim's face several times and the latter became legally blind. The Court of Appeal clarified that a sentencing court can take into account psychological harm that results from a pattern of abuse, and facts that bear a

sufficient nexus to the commission of an offence even if they constitute uncharged offending (i.e. acts that might possibly constitute criminal offences but were not the subject of separate charges). The Court of Appeal then set aside the High Court's decision to reduce the offender's custodial sentence to eight months' imprisonment (from the original sentence of 20 months' imprisonment) and enhanced it to 14 months' imprisonment.

PP v GCK and another matter [2020] SGCA 2

The Court of Appeal provided guidance on scope of "unusually convincing" standard, and reinstated conviction by the Trial Judge

The Prosecution filed a Criminal Reference to refer a question of law to the Court of Appeal in the wake of the High Court decision to acquit the offender of outraging the modesty of a vulnerable victim residing at a nursing home. The Prosecution's case rested on the evidence of a single eyewitness to the offence. In answering the framed question of law, 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. The Court of Appeal then reinstated the offender's conviction as it found that the evidence that had been adduced at trial did not give rise to reasonable doubt, and the High Court had erred in finding that the eyewitness might have been mistaken as to what she observed.

CPO 37/20

The Youth Court accepted that placing a child at risk of regular exposure to violence between his parents can amount to "emotional or psychological abuse"

AGC assisted the Child Protector to obtain court orders for a one-year old infant living with his parents to be placed under the statutory supervision of an approved welfare officer. This was to protect the infant from emotional harm arising from his frequent exposure to violence inflicted by his father on his mother. For the first time in Singapore, the Youth Court accepted that even without physical harm or abuse inflicted on a child, placing the child at risk of regular exposure to violence between his parents can amount to "emotional or psychological abuse" under the Children and Young Persons Act.



Extradition And Mutual Legal Assistance Matters

As the Central Authority of Singapore, AGC processed requests for mutual legal assistance and extradition matters, supporting countries' efforts to enforce the rule of law. We highlight two significant matters here.

Extradition Of David James Roach

Accused in the 2016 Standard Chartered Bank robbery extradited to Singapore

AGC officers worked closely with Government agencies and authorities in the United Kingdom (UK) to secure the return of David James Roach, the suspect in the 2016 Standard Chartered Bank robbery. Roach was arrested in London in 2018 pursuant to Singapore's request for a provisional arrest. His return to Singapore was ordered by the UK Secretary of State on 23 October 2018. Roach subsequently made various applications to the UK courts in an attempt to resist the extradition to Singapore. These applications were rejected and he was eventually extradited to Singapore on 17 March 2020 to face charges of robbery and money laundering. Roach was convicted and sentenced to five years' imprisonment and six strokes of the cane on 7 July 2021. To fulfil the assurance given to the UK Government that Roach would not face corporal punishment for the offences for which his extradition was sought, the President exercised her powers under the Constitution to remit the sentence of six strokes of the cane. No alternative punishment was imposed on Roach in lieu of the remitted sentence of caning.

Mutual Legal Assistance Request From The United States

Close cooperation with the United States (US) on a count of tax evasion

Arising from a mutual legal assistance request from the US, the Commercial Affairs Department (CAD) froze five bank accounts in Singapore containing funds which an individual was concealing from the US tax authorities. The individual subsequently entered into a plea agreement with the US authorities where he pleaded guilty to one count of tax evasion and agreed to repatriate a portion of his funds in the five accounts to the US authorities.

However, the five accounts were beneficially owned by the individual's girlfriend who challenged CAD's seizure of the same. AGC subsequently applied for an order under the Mutual Assistance in Criminal Matters Act to restrain the five accounts. The individual and his girlfriend eventually entered into a settlement agreement with the US authorities to pay back a portion of funds in the five accounts to the US authorities. AGC then applied for a disposal of the funds according to the settlement agreement. The matter was brought to a close expeditiously through firm cooperation between AGC, CAD and the US authorities.

Representing The Government In Legal Matters

As the Government's legal adviser, AGC represented the Government and public institutions in legal proceedings. Some of the most significant cases over the past year are highlighted here.



Daniel de Costa Augustin v AG [2020] SGCA 60

The Court of Appeal upheld the High Court's dismissal of the appellant's challenge to the holding of the 2020 General Election amidst the COVID-19 pandemic

AGC acted for the Government in arguing against the appellant's challenge to the holding of the 2020 General Election. The appellant contended that holding the election amidst the COVID-19 pandemic impinged on his rights to vote and to free and fair elections. The Court of Appeal upheld the High Court's dismissal of the challenge, holding that the appellant had failed to demonstrate even an arguable case as to how a breach of his rights was threatened by the holding of the election.

Ong Ming Johnson v AG and other matters (CA/CA 54/2020, CA/CA 55/2020, and CA/CA 71/2020)

Constitutional challenges to section 377A of the Penal Code

Three separate constitutional challenges were brought against section 377A of the Penal Code, invoking Articles 9, 12 and 14 of the Constitution. AGC acted for the Government before the High Court and the Court of Appeal in defending the constitutionality of the law. Important issues concerning the constitutional right to equality, separation of powers and constitutional interpretation were raised and argued before the Court of Appeal. As of July 2021, the Court of Appeal's judgment is pending.

Shanmugam Manohar v AG and The Law Society [2020] SGHC 120

The High Court recognised the public interest exception to the duty of confidence for the first time

In this case, AGC successfully argued that there was no breach of confidence by the police or the AG in disclosing police investigation statements to the Law Society for the purposes of disciplinary proceedings since the disclosure was justified in the public interest. Following the courts in England, Australia and New Zealand, the High Court endorsed the principle, for the first time, that the expectation of confidence may be overridden by a greater public interest in disclosure to a regulatory body shown on the facts of each case.

The Online Citizen Pte Ltd v AG (CA/CA 47/2020), Singapore Democratic Party v AG (CA 52/2020)

Challenges against Correction Directions issued under the Protection from Online Falsehoods and Manipulation Act

The Protection from Online Falsehoods and Manipulation Act (POFMA) was passed by Parliament in 2019 to handle the increasing problem of online falsehoods. Since its enactment, several appeals have been filed in the High Court against POFMA directions which were issued. In 2020, AGC acted for the Government in two court challenges brought by The Online Citizen and the Singapore Democratic Party, against both the constitutionality of POFMA, as well as against the POFMA directions issued against them. As of July 2021, the Court of Appeal's judgment is pending.

Jason Aleksander Kardachi v AG [2020] SGCA 92

The Court of Appeal clarified section 155A of the Companies Act

AGC represented the Minister for Finance in an appeal where the appellant sought a declaration that he had not been disqualified as a director under section 155A(1) of the Companies Act, which is triggered upon the striking-off of a company under section 344 if certain preconditions are met. The Court of Appeal clarified that section 155A was triggered only if at least two other companies were struck off in a five-year period ending "immediately before" the date of the latest striking-off. The appellant was not disqualified when his second and third companies were struck off on the same date but was disqualified later when a fourth company was struck off on a subsequent date.

AG v Li Shengwu HC/OS 893/2017

Contempt of court for an ostensibly private Facebook post that was widely republished

AGC brought committal proceedings against the respondent for contempt of court by scandalising the Judiciary, in respect of a Facebook post which alleged that "the Singapore government is very litigious and has a pliant court system". The post was only made to the respondent's Facebook Friends, but subsequently republished widely in the public domain. The respondent refused to disclose information about the number of Facebook Friends he had and whether any of them were reporters or members of the media. This case established that a private post may still pose a real risk of undermining public confidence in the administration of justice in Singapore, if it was reasonably foreseeable that the post would be republished to the general public. The respondent was found guilty of contempt of court and sentenced to a fine of S\$15,000 or in default one week's imprisonment.

Strengthening Partnerships And Representing Singapore Internationally

As a small city-state, Singapore abides by our international obligations and asserts that agreements entered in good faith are honoured. As the Government's legal adviser and representative at international fora, AGC continued to advise the Government and represent Singapore in meetings and negotiations on a range of international law issues in 2020. Some of our most significant projects are highlighted below.

Rapid Transit System Link Bilateral Agreement

On 30 July 2020, Singapore and Malaysia formally agreed to resume the Johor Bahru – Singapore Rapid Transit System (RTS) Link Project by concluding an agreement to amend the RTS Link Bilateral Agreement. The RTS Link, a train line connecting Singapore and Johor Bahru that can accommodate 10,000 passengers per hour per direction, would significantly ease the traffic on the Causeway.

Both countries held a ceremony at the Causeway on 30 July 2020 to mark the

resumption of the RTS Link Project, which was officiated by the Prime Ministers of Singapore and Malaysia. The RTS Project had been suspended since 1 April 2019 at the request of Malaysia.

AGC officers advised Singapore's inter-agency delegation led by the Ministry of Transport (MOT) and the Land Transport Authority (LTA) and took part in the negotiations with Malaysia on the amended bilateral agreement.



Ministers from Singapore and Malaysia at the Causeway to mark the resumption of the RTS Link Project



AGC, MOT and LTA officers involved in the RTS Link Bilateral Agreement

Negotiation Of Free Trade Agreements And Double Taxation Agreements

AGC officers played an instrumental role in the successful conclusion and signing of the Regional Comprehensive Economic Partnership (RCEP) Agreement and the UK-Singapore Free Trade Agreement (FTA) in 2020. The RCEP Agreement is the world's largest free trade agreement and the 15 RCEP Parties make up one third of the global population and 30% of global gross domestic product.

AGC officers also supported the negotiations of the Eurasian Economic Union-Singapore FTA and the Pacific Alliance-Singapore FTA, as well as multiple Double Taxation Agreements (DTAs), including a new Indonesia-Singapore DTA that was signed in 2020.



Group photo of RCEP Parties at the virtual signing ceremony of the RCEP Agreement



Then-Minister for Trade and Industry Chan Chun Sing and Rt. Hon. Elizabeth Truss, UK's Secretary of State for International Trade at the signing ceremony of the UK-Singapore FTA



Then-Minister for Trade and Industry Chan Chun Sing holding the RCEP Agreement, witnessed by Prime Minister Lee Hsien Loong

Negotiation Of Digital Economy Agreements

In 2020, AGC officers supported agencies in negotiating a series of Digital Economy Agreements (DEAs) with identified trading partners to establish rules governing digital trade. DEAs will promote connectivity between the digital systems of Singapore and its trading partners, facilitating the conduct of trade activities digitally, increasing operational efficiency and lowering costs. In addition to aligning

rules and standards to create a trusted and conducive environment for digital trade and data flows, DEAs also provide a framework for further collaboration in emerging areas that affect digital trade.

Negotiations on the Digital Economy Partnership Agreement between Singapore, Chile and New Zealand, as well as the DEA with Australia, were concluded and signed electronically with the assistance of AGC. Singapore has also commenced negotiations with the Republic of Korea on the Korea-Singapore Digital Partnership Agreement.

Representation At The United Nations

Cybersecurity Groups

In 2020, AGC officers were heavily involved in two processes relating to cybersecurity at the United Nations (UN):

- Open-Ended Working Group Developments in the Field of Information and Telecommunications in the Context of International Security (OEWG); and
- Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security (GGE).

Both groups were tasked by the UN General Assembly with addressing matters such as the norms, rules and principles of responsible State behaviour in cyberspace,

as well as how international law applies to the use of information and communications technologies by States.

AGC advised Government agencies such as the Cyber Security Agency of Singapore and the Ministry of Foreign Affairs on the international law applying to States' use of cyber technologies, which assisted them in formulating whole-of-Government policy positions on complex and evolving issues in technology and global peace and security. AGC officers also consistently provided legal support to the Singapore delegations attending the OEWG and GGE meetings.



United Nations General Assembly

AGC officers were part of the Singapore delegation to the 75th United Nations (UN) General Assembly. They delivered statements on behalf of Singapore and negotiated resolutions of the Sixth (Legal) Committee and resolutions under the General Assembly's agenda item on oceans and the law of the sea. Deputy Attorney-General Lionel Yee SC

moderated the virtual side-event organised by Singapore and co-sponsored by Fiji, Jamaica and Mauritius on "Sea-Level Rise and the Law of the Sea". The panel consisted of the co-chairs of the International Law Commission's Study Group on Sea-Level Rise in Relation to International Law. The event allowed Singapore to demonstrate thought leadership on this important topic.



Attendance at the virtual side-event on "Sea-Level Rise and the Law of the Sea"

United Nations Convention Against Transnational Organized Crime, United Nations Convention Against Corruption And Crime Congress Related Meetings

AGC provided legal support as part of the Singapore delegation to various meetings convened under various crime-related international conventions to which Singapore is a State Party. This included the UN Convention Against Transnational Organized Crime and

the UN Convention Against Corruption. In addition, AGC provided legal support as part of the Singapore delegation to the informal consultations on the draft declaration for the 14th UN Congress on Crime Prevention and Criminal Justice.



Singapore's Efforts At The Financial Action Task Force

AGC actively supports Singapore's efforts at the Financial Action Task Force (FATF), an inter-governmental body that monitors global money laundering and terrorist financing standards. In 2020, over and above advice on topical issues like counter-terrorism financing and money laundering via virtual assets, AGC also responded to queries on initiatives such as the combat of international environmental crime.

AGC worked closely with stakeholder agencies such as the Ministry of Home Affairs, the Ministry of Law, the Ministry of Foreign Affairs and Singapore Customs. AGC's International Affairs Division took the lead in coordinating Singapore's efforts in achieving Immediate Outcome 2 on International Cooperation under the FATF Standards. In addition, AGC officers participated as delegates and as legal advisers to the Singapore delegation at three FATF plenaries, which were held virtually.

South East Asia Justice Network

Singapore was one of the founding members of the South East Asia Justice Network (SEAJust) set up in 2020. The Network aims to facilitate informal judicial cooperation in criminal matters with competent authorities of other networks or countries. SEAJust was launched formally on 9 March 2021 at the 14th UN Congress on Crime Prevention and Criminal Justice, where Deputy Attorney-General Hri Kumar Nair SC presented a keynote speech.

Other Bilateral And Regional Matters

AGC officers continued to advise the Government on and represent Singapore in negotiations over a range of international law issues between Singapore and neighbouring and regional states, including those concerning maritime and airspace. This included the development of a Code of Conduct for the South China Sea and maritime boundary delimitation negotiations with Malaysia.

Sustaining Warm Ties With Foreign Counterparts



At the start of 2020, prior to the COVID-19 pandemic in Singapore, AGC hosted several official engagements and study visits from foreign government agencies and diplomats. These visits enabled AGC to establish or renew relations with foreign counterparts, and better understand common legal issues.

As travel and border restrictions were implemented, AGC had to explore

alternative ways to keep in touch with our counterparts overseas. Physical meetings were replaced with virtual engagements and written correspondence. As the situation in Singapore improved, AGC was able to restart meetings with diplomatic representatives based in Singapore.

Overall, AGC engaged the following guests in 2020:

- Mr Phan Dinh Trac, Chairman of the Communist Party of Vietnam (CPV) Commission for Internal Affairs and Member of the CPV Central Committee Secretariat
- Mr Kakhramon Shakirov, Ambassador of Uzbekistan to Singapore
- Mr Jawed Ashraf, then-High Commissioner of India to Singapore
- Mdm Sashikala Premawardhane, High Commissioner of Sri Lanka to Singapore
- Mr Tumur Lkhagvadorj, Ambassador of Mongolia to Singapore
- Dr Suriya Chindawongse, then-Ambassador-Designate of Thailand to Singapore
- Mr Sagi Karni, Ambassador of Israel to Singapore
- Dr Arken Arystanov, Ambassador of Kazakhstan to Singapore



Mr Phan Dinh Trac, Chairman of the CPV Commission for Internal Affairs (fifth from left), Mrs Tao Thi Thanh Huong, Ambassador of Vietnam to Singapore (fifth from right), and delegation, with Attorney-General Lucien Wong (sixth from left), Deputy Attorney-General Hri Kumar Nair SC (fourth from right), and then-Solicitor-General Kwek Mean Luck SC (fourth from left), on 20 February 2020.



Attorney-General Lucien Wong with Dr Suriya Chindawongse, then-Ambassador-Designate of Thailand to Singapore, on 17 August 2020.

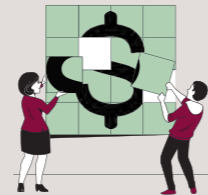
Enhancing And Making Legislation More Accessible

In 2020, AGC brought 49 Acts into operation, including 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. This enabled the implementation of new regimes under those Acts.



CareShield Life and Long-Term Care Act 2019

This Act establishes and provides for the CareShield Life Scheme and other measures to provide for long-term care financing support for severely disabled persons.



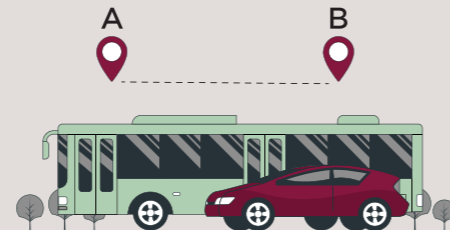
Insolvency, Restructuring and Dissolution Act 2018

This Act consolidates Singapore's personal and corporate insolvency laws, and laws regarding debt restructuring into a single piece of legislation setting out common principles and aligning procedures across the regimes.



Work Injury Compensation Act 2019

This Act provides for the payment of compensation to employees for injury suffered arising out of and in the course of their employment and the regulation of providers of insurance for liability under the Act.



Point-to-Point Passenger Transport Industry Act 2019

This Act provides the Land Transport Authority and the Public Transport Council greater regulatory oversight over the point-to-point transport services sector and better protects commuters and drivers.

In 2020, AGC continued to work on enhancing the use, accessibility and readability of our legislation. Two important initiatives are highlighted here.



Legis Code System

AGC started the Legis Codes Project to create a directory of unique codes for every provision in legislation. Currently, past and present legislation may be referred to in various formats, across many different legal institutions in Singapore. A standardised reference format, called the Legis Codes, was developed together with the Legis Code System (LCS), which will track the usage of these Codes. Over time, this will enable AGC and its stakeholders to share a common platform for research or sharing of data. The LCS was rolled out to the Public Service in March 2021.

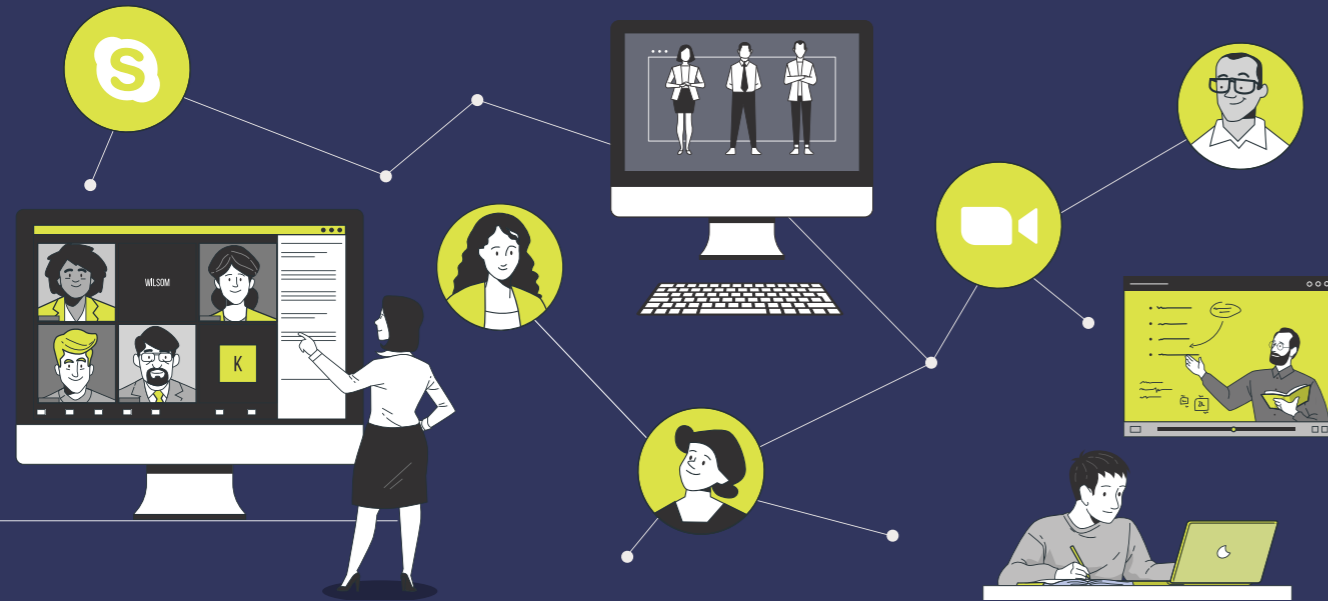


Universal Revision

AGC has been assisting the Law Revision Commissioners in a planned universal revision of Singapore's statutes. The last such revision was done in 1985. The universal revision aims to modernise the text of more than 500 Acts, as well as to omit spent or obsolete texts, without affecting the meaning of provisions. The universal revision is scheduled to come into force towards the end of 2021. The revised Acts will contain a comprehensive legislative history, plain and gender-neutral language, and will be published both in hardcopy and online.

Future-Proofing AGC

Developing Our People



In 2020, AGC continued to invest in our staff to build their capabilities. Through tailored developmental interventions such as one-to-one coaching and specially designed leadership programmes, officers were equipped with the necessary knowledge, skills and tools to lead and inspire others. Our leadership cohort of middle to senior managers, comprising about 30% of our staff, has engaged in 360-degree feedback exercises and coaching sessions since 2017. Due to the COVID-19 pandemic, AGC's Annual Leadership Retreat was replaced with a series of virtual workshops and clinics where AGC leaders were introduced to organisational change concepts and given practical tips in managing such changes.

To ensure that our organisation continues to be able to meet future challenges and a changing global landscape, AGC embarked

on a comprehensive and strategic workforce review for our executive workforce. The Executive Development Project aimed to improve organisational efficiency, create higher value work and drive workforce re-skilling to provide better career progression pathways for our executives.

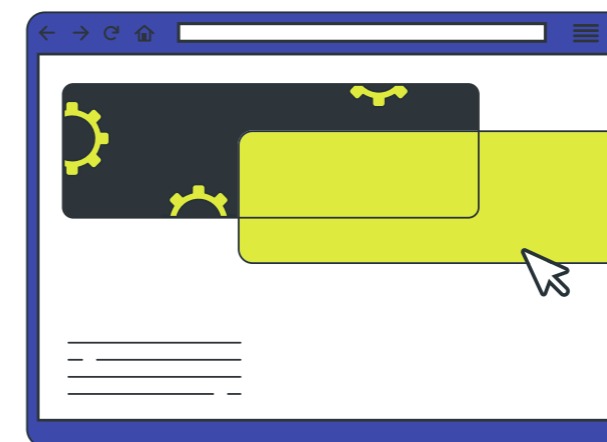
In addition, AGC Academy transformed most of its existing in-person trainings to be conducted virtually, either through Zoom or Skype to adapt to Safe Management Measures to curb the spread of COVID-19. This was done with minimal interruption to the training of our officers. Leveraging digital technologies, AGC Academy actively rolled out more microlearning opportunities and short learning videos. Law drafters from AGC's Legislation Division also taught two online workshops on legislation to first-year law students at the Singapore Management University.

Improving Our Work Processes



Intelligent Workspace

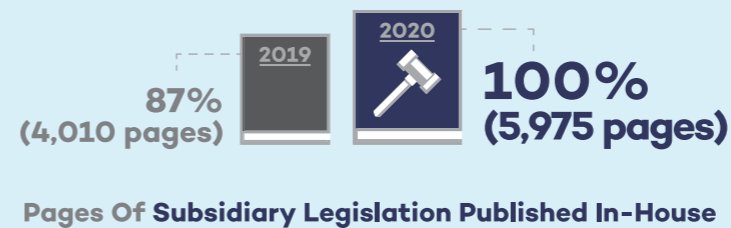
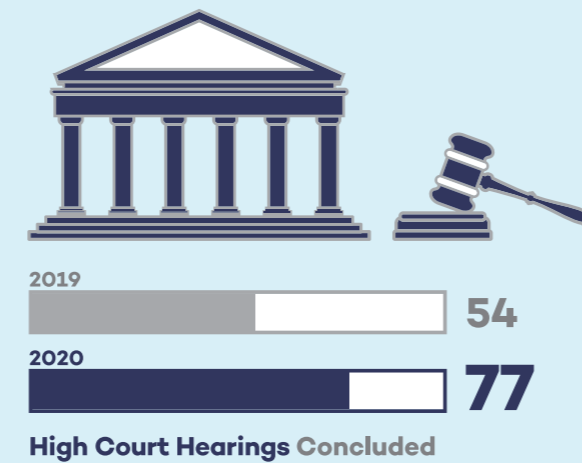
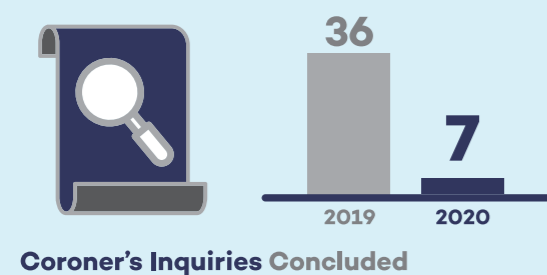
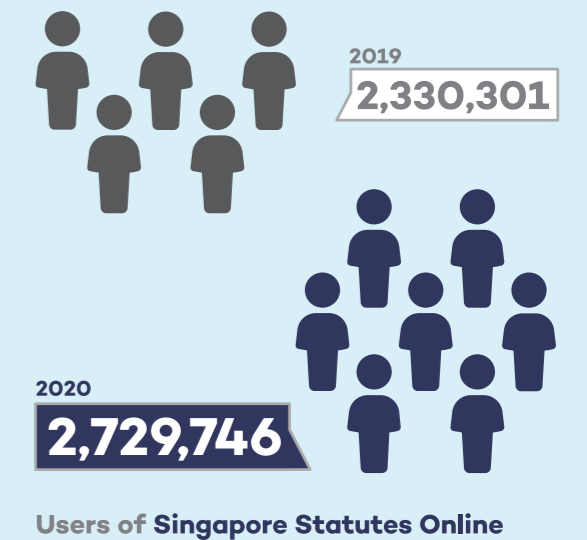
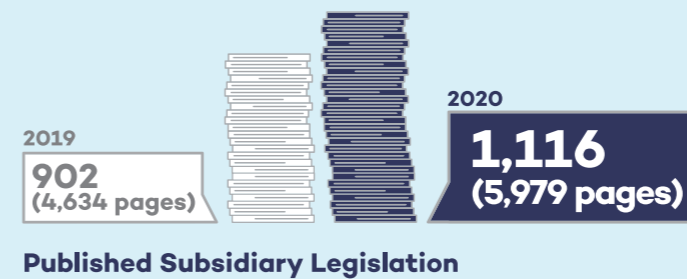
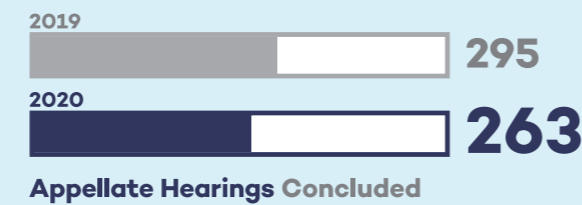
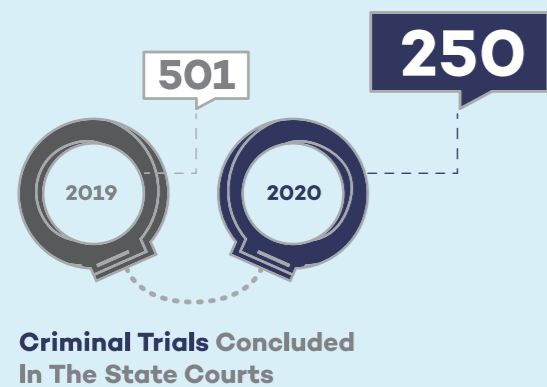
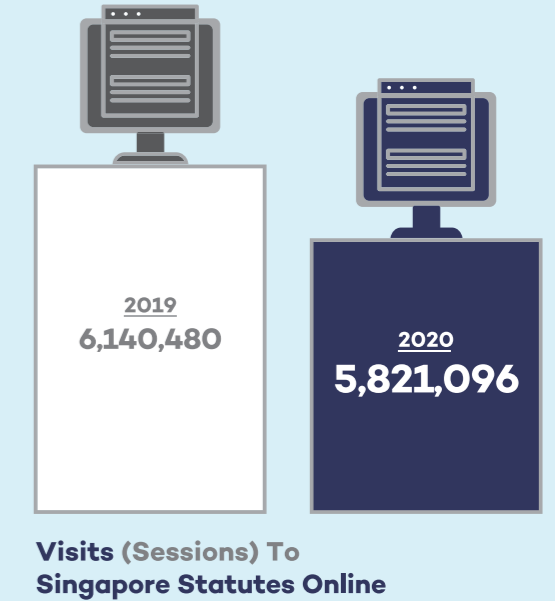
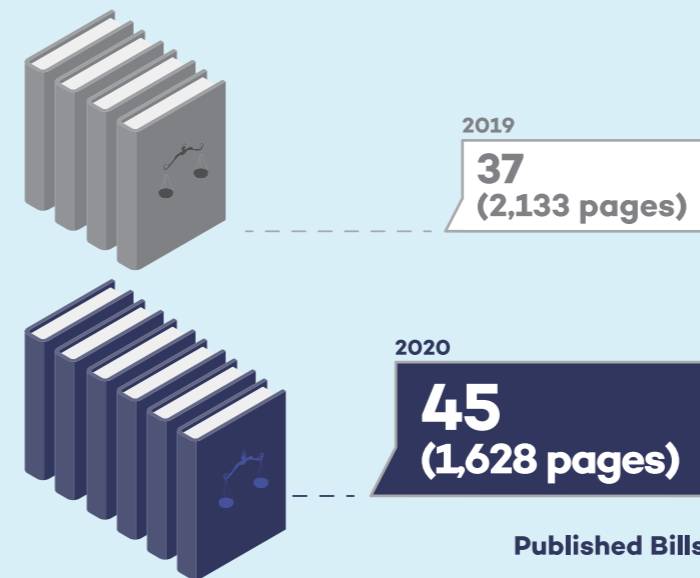
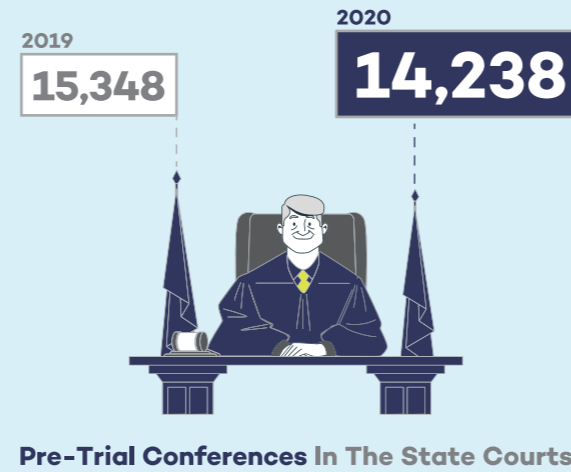
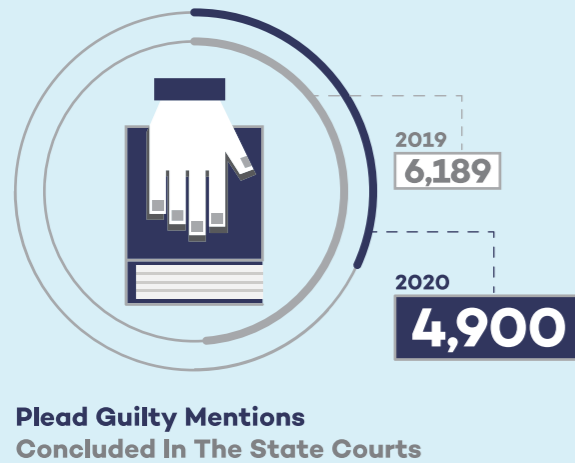
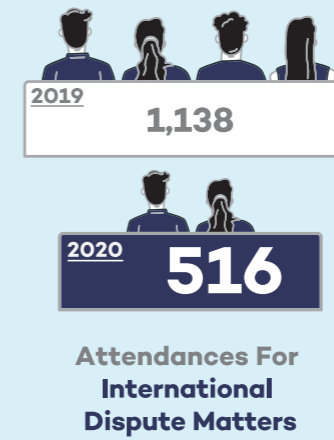
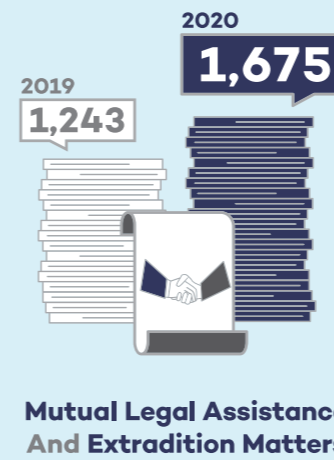
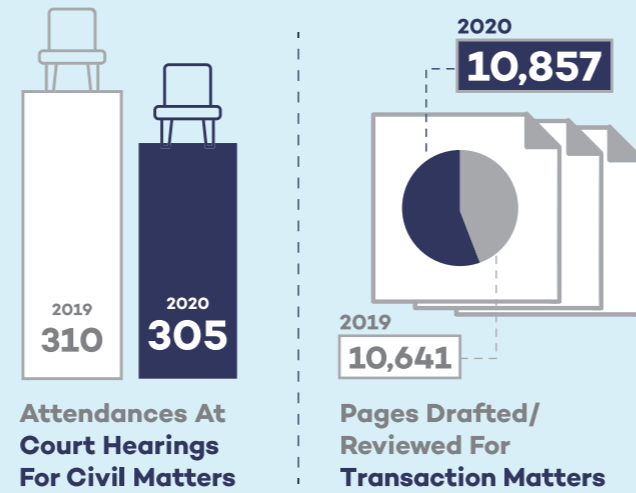
The Intelligent Workspace is the primary platform through which AGC's legal work is circulated and reviewed. It was launched in the second half of 2020 to improve AGC's productivity and governance through an end-to-end automated case workflow and tracking system, with more effective data capture and scheduling capabilities. It was designed to easily integrate with other internal and external systems, facilitate seamless information exchange and improve collaboration between agencies.



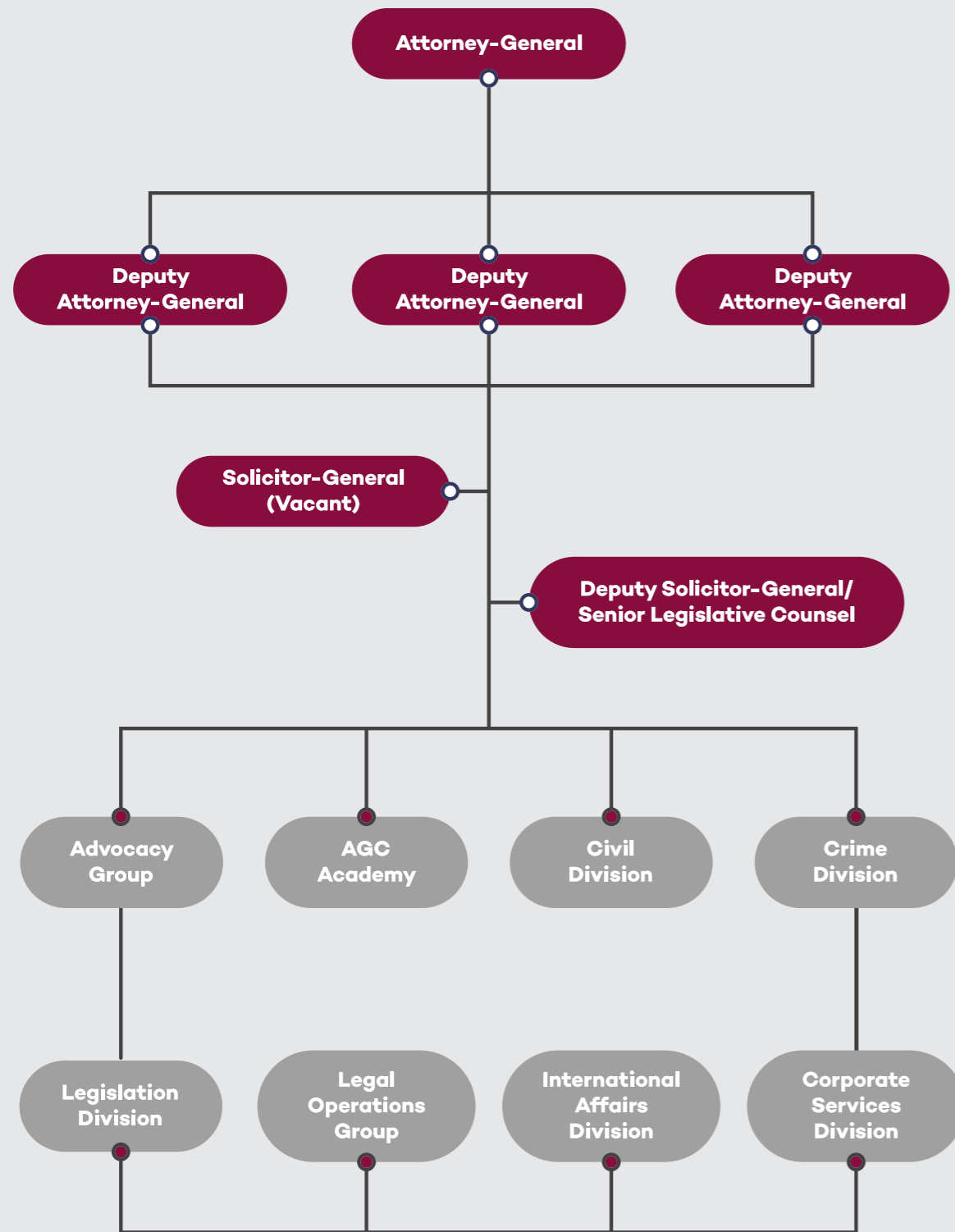
Service Automation Platform

A common platform was developed to make it easier for AGC officers to program their own automated service workflows. The platform specialises in document generation and allows for officers to build solutions using drag and drop functions, without coding. The platform was successfully implemented in early 2021.

KEY FIGURES FOR 2019 / 2020



AGC Organisational Chart



As At 4 January 2021

