Who the actors are: the Attorney-General's Chambers

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The Attorney-General is appointed under Article 35 of the Constitution and is both the Government's chief legal adviser and the Public Prosecutor, with control of all criminal prosecutions. The Attorney-General's Chambers is organised in divisions, of which four matter here. The Crime Division prosecutes the cases CAD investigates and has, since 2014, a specialist unit for financial and technology crime. The International Affairs Division handles requests for mutual legal assistance under the Mutual Assistance in Criminal Matters Act 2000, which is the channel through which a Swiss prosecutor obtains evidence or a freezing order in Singapore. The Legislation Division drafts Bills and subsidiary legislation and maintains Singapore Statutes Online, described in Chapter I. The Civil Division represents the Government in civil matters, including judicial review of MAS decisions.[1]

Two points of practice follow. Criminal proceedings for unlicensed digital-asset activity or for money laundering are brought by the Public Prosecutor on a referral from MAS or CAD, so that a client under MAS investigation should expect the file to pass to the Chambers if the matter is serious. A Swiss or German client who wishes to use Singapore criminal process against a fraudster, for example to freeze

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tokens held by a Singapore exchange, does so through the home prosecutor's request to the International Affairs Division. Part H, Chapter VI and Part N, Chapter II compare that route with the civil remedies.

Notes

1. Constitution of the Republic of Singapore, Art. 35 (Attorney-General) and Art. 35(8) (power to institute, conduct or discontinue proceedings); Mutual Assistance in Criminal Matters Act 2000 (2020 Rev Ed); the divisional structure of the Attorney-General's Chambers as described on its website. ↩

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