Enforcement: Corporate Liability, Deferred Prosecution Agreements and Cross-Border Cooperation: summary

Dr Alexander Ressos, TEP
Of Counsel, KGP Legal LLC
Attorney-at-Law (Switzerland and Germany), Solicitor (England & Wales and Hong Kong)

Singapore law treats companies as persons capable of committing almost any offence and attributes to them the conduct and knowledge of their directors, employees and agents under the common law rules of attribution adopted from *Meridian* and under statutory provisions such as section 73 of the CDSA. Because the fines available on conviction are modest, the significant sums in corporate cases are now imposed through negotiated resolutions, first through the conditional warning issued to Keppel Offshore & Marine in 2017 and then through the deferred prosecution regime introduced in Part 7A of the Criminal Procedure Code in 2018. The first deferred prosecution agreement, concluded with Seatrium on 30 July 2025 and approved by the High Court on 24 April 2026, imposed a penalty of US$110 million, an ISO 37001 certification and a duty to cooperate with foreign agencies, while allowing an offset for payments to Brazil. Cooperation with foreign authorities rests on the Mutual Assistance in Criminal Matters Act 2000, the Extradition Act 1968 and the confiscation provisions of the CDSA, which reach property abroad and allow confiscation against absconders and the registration of foreign orders. The Keppel and 1MDB cases show both the strength of coordinated enforcement against companies and its limits where individuals, witnesses and evidence are located in other countries.

Copyright © 2026 Dr Alexander Ressos, TEP – Of Counsel, KGP Legal LLC. SingaporeIQ is an information website and gives no legal advice. For Singapore law advice through KGP Legal LLC, please write to alexander.ressos@kgplegal.com.sg