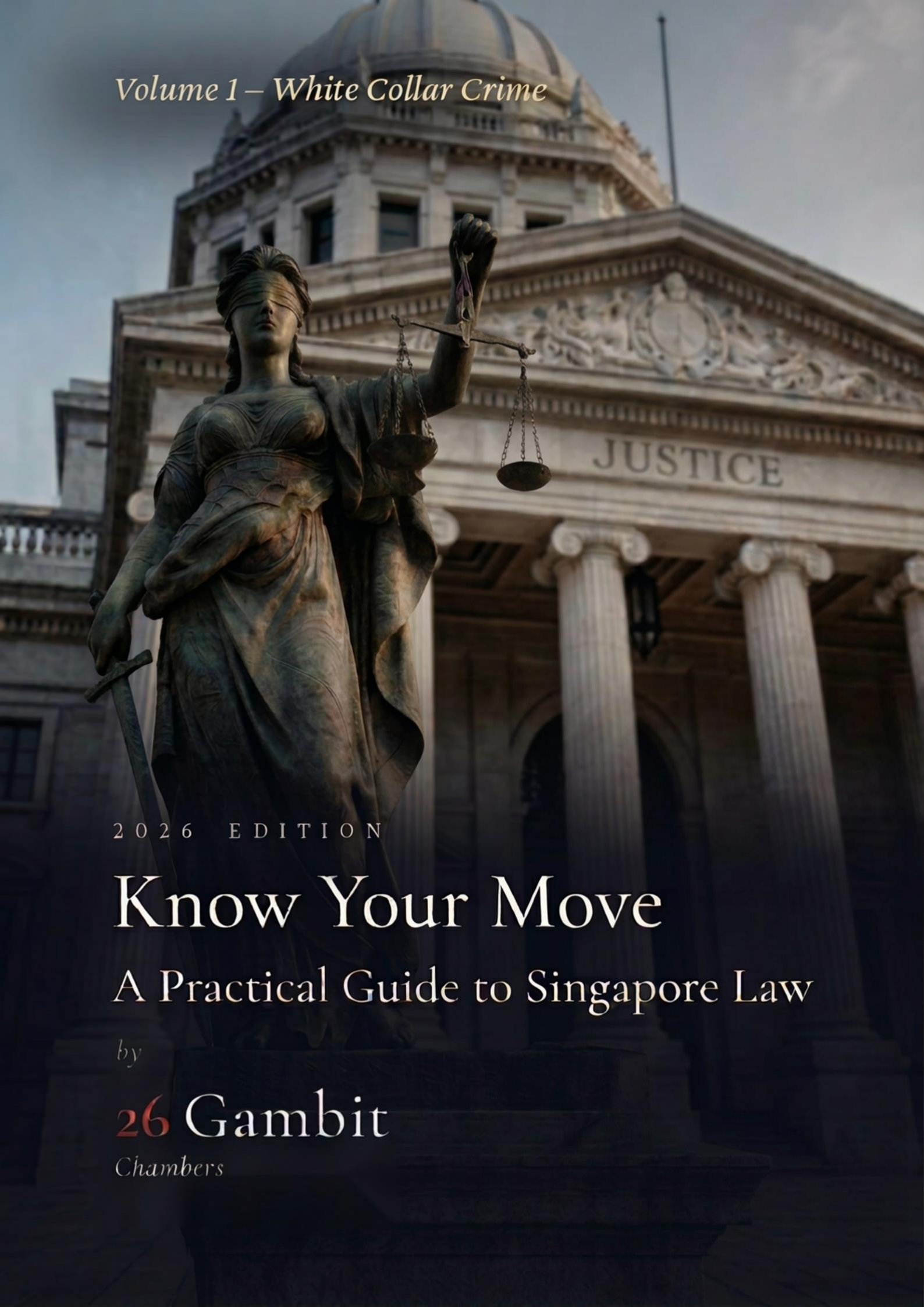


Volume 1 – White Collar Crime

2026 EDITION

Know Your Move

A Practical Guide to Singapore Law

by

26 Gambit

Chambers

Know Your Move – A Practical Guide to Singapore Law
Volume 1 – White Collar Crime
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Chapter 2: Money Laundering

1. Chapter Orientation

(1) This chapter is arranged as follows:

(a) **The offences (Parts 2 to 6):** what the money laundering offences are, their maximum punishments, recent changes to the law, what the Prosecution must prove, and the defences.

(b) **Money laundering and scams carried out overseas (Part 7):** how Singapore law reaches crimes and criminal proceeds connected with other countries, including scams run from overseas by Singaporeans.

(c) **Sentence (Parts 8 to 14):** how the courts decide the sentence, including the leading case, the range of sentences seen in decided cases, fines, the factors that reduce the sentence, the effect of a plea of guilty, and how sentences for several charges are combined.

(d) **Frozen accounts and confiscation (Parts 15 and 16):** when the police can freeze a bank account, the limits on that power, the release of frozen money for legal fees and living expenses, the return of seized money, and confiscation orders.

(2) The money laundering offences in this chapter are in the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992 ("**CDSA**"). The offences most often charged against people who allow their bank accounts or Singpass details to be used by others to move criminal proceeds are dealt with in Chapter 4.

2. What are the money laundering offences?

(3) In essence, "money laundering" means dealing with the proceeds of crime. The CDSA does not have a single money laundering offence. It has a group of offences, which differ according to whose money it is and what the accused knew or should have known. The main ones are:

(a) **Helping someone else keep or control criminal proceeds (section 51(1)).** This is the offence usually charged against cash collectors ("**runners**") for scam syndicates, and against people who knowingly let their accounts be used to receive and pass on scam money.

(b) **Helping someone else keep or control criminal proceeds, rashly or negligently (section 51(1A)).** This covers the same conduct where the accused did not know, and did not have reasonable grounds to believe, that the money was criminal, but acted rashly or negligently.

(c) **Dealing with one's own criminal proceeds (section 54(1)),** sometimes called "self-laundering": for example, a person who has misappropriated money and then transfers or spends it.

(d) **Dealing with someone else's criminal proceeds (sections 54(2) and (3)):** concealing, transferring, acquiring, possessing or using them, knowing or having reasonable grounds to believe what they are.

(e) **Dealing with someone else's criminal proceeds, rashly or negligently (section 54(3A)).**

(f) **Possessing or using property reasonably suspected to be criminal proceeds (section 55),** where the person cannot satisfactorily account for how he or she came by it.

(4) The CDSA contains equivalent offences where the money is the proceeds of **drug dealing** rather than of other crimes: helping another person keep or control the benefits of drug dealing (section 50), and dealing with the benefits of drug dealing (section 53). They follow the same structure and carry the same maximum punishments as sections 51 and 54. They are not discussed further in this chapter.

(5) The offences of handing over a payment account, or moving money through one's own account, without taking reasonable steps (section 55A of the CDSA) are covered in Chapter 4.

3. What is the maximum punishment?

Offence	Section	Maximum punishment for an individual
Helping someone else keep or control criminal proceeds, knowing or having reasonable grounds to believe	s 51(1)	Fine up to $500,000, imprisonment up to 10 years, or both; caning up to 12 strokes where scam proceeds are involved (offences from 30 Dec 2025)
Helping someone else keep or control criminal proceeds rashly – in other words, knowing there was a real risk that the money was criminal, when it was unreasonable to take that risk	s 51(1A)	Fine up to $250,000, imprisonment up to 5 years, or both
Helping someone else keep or control criminal proceeds negligently – in other words, failing to act as a reasonable person would have done	s 51(1A)	Fine up to $150,000, imprisonment up to 3 years, or both
Dealing with one's own criminal proceeds	s 54(1)	Fine up to $500,000, imprisonment up to 10 years, or both; caning up to 12 strokes where scam proceeds are involved (offences from 30 Dec 2025)
Dealing with someone else's criminal proceeds, knowing or having reasonable grounds to believe	s 54(2), (3)	Fine up to $500,000, imprisonment up to 10 years, or both; caning up to 12 strokes where scam proceeds are involved (offences from 30 Dec 2025)
Dealing with someone else's criminal proceeds rashly or negligently	s 54(3A)	Rashly: fine up to $250,000, imprisonment up to 5 years, or both. Negligently: fine up to $150,000, imprisonment up to 3 years, or both
Possessing or using property reasonably suspected to be criminal proceeds, without satisfactorily accounting for it	s 55	Fine up to $150,000, imprisonment up to 3 years, or both

(6) A company convicted of an offence under section 51 or 54 of the CDSA may be fined up to $1 million or twice the value of the criminal proceeds involved, whichever is higher.

4. Recent changes to the law

4.1 Lower thresholds of guilt to catch money mules (from 8 February 2024)

(7) Before 8 February 2024, a person could only be convicted of the money laundering offences under sections 51 and 54 of the CDSA if the Prosecution proved that he or she knew, or had reasonable grounds to believe, that the money was criminal. When the amending Bill was introduced in Parliament on 8 May 2023, against a sharp rise in scams, the Second Minister for Home Affairs explained that this requirement had made it difficult to act against people who allow their bank accounts to be used to move criminal proceeds (referred to in Parliament as "money mules"): of some 19,000 such persons investigated by the police between 2020 and 2022, fewer than 250 were prosecuted.

(8) The amendments, in force from 8 February 2024, added the offences of money laundering **rashly** or **negligently** (sections 51(1A) and 54(3A)), with lower maximum punishments, so that an offence can be made out at a lower level of fault than before.

(9) Because a person cannot be punished for conduct that was not an offence when it was done (Article 11(1) of the Constitution), the rash and negligent offences do not apply to conduct before 8 February 2024. Such earlier conduct may still be charged under the "knowing or reasonable grounds to believe" offences, or under other provisions in force at the time (see Chapter 4 for the provisions used against account holders before that date).

4.2 Caning for money laundering involving scam proceeds (offences from 30 December 2025)

(10) For offences committed on or after 30 December 2025, a person convicted under section 51(1) or section 54(1) to (3) of the CDSA is also liable to caning of up to 12 strokes where the money involved is the proceeds of a serious scam offence. For section 51(1) and sections 54(2) and (3), the accused can avoid caning by proving that he or she took reasonable steps to ensure that the money did not come from a scam.

(11) **Caning is not automatic.** The law makes the offender "liable" to caning, which leaves the decision to the court. As the High Court noted in *Mohamed Erzan Taib Zohri v Public Prosecutor and other appeals* [2026] SGHC 183, Parliament made caning mandatory for scammers and for members and recruiters of scam syndicates, but discretionary for those who facilitate scams; when the amendments were debated on 4 November 2025, the Government explained that this was because those who facilitate scams "have a range of culpability".

5. What must the Prosecution prove?

(12) Each offence has its own elements. In particular, each requires the Prosecution to prove a particular mental state:

(a) **Helping someone else keep or control criminal proceeds (section 51(1)).** The Prosecution must prove: (1) that the accused entered into, or was concerned in, an arrangement; (2) by which another person's keeping or control of criminal proceeds was made easier (or the proceeds were used to provide funds or acquire property for that person); and (3) that the accused knew, or had reasonable grounds to believe, that this was so.

(b) **Helping someone else keep or control criminal proceeds, rashly or negligently (section 51(1A)).** The elements are (1) and (2) in paragraph (12)(a), except that instead of knowledge or reasonable grounds to believe, the Prosecution must prove that the accused acted rashly (knowing there was a real risk that the arrangement related to criminal proceeds, when it was unreasonable to take that risk) or negligently (doing what a reasonable person would not have done, or failing to do what a reasonable person would have done).

(c) **Dealing with one's own proceeds (section 54(1)).** The Prosecution must prove that the property is, or represents, the accused's own proceeds of crime, and that the accused concealed or disguised it, converted or transferred it, removed it from Singapore, or acquired, possessed or used it. The High Court has held that "using" the money is enough on its own; there is no need to show concealment, so that spending misappropriated money on personal expenses can be charged as money laundering. The same decision held that it is not double punishment to charge both the original offence (for example, criminal breach of trust) and the later use of the money, because they are different acts.

(d) **Dealing with someone else's proceeds (section 54(2), (3) and (3A)).** The Prosecution must prove that the property is another person's proceeds of crime, that the accused concealed, converted, transferred, acquired, possessed or used it, and the required mental state: knowledge or reasonable grounds to believe (subsections (2) and (3)), or rashness or negligence (subsection (3A)).

(e) **Possessing property reasonably suspected to be criminal proceeds (section 55).** The Prosecution must prove that the accused possessed or used property that may reasonably be suspected of being criminal proceeds, and that the accused failed to account satisfactorily for how he or she came by it.

(13) In all of these offences, the crime that generated the money need not have been committed in Singapore (see Part 7).

6. What defences are available?

(14) The following may provide a defence, or an answer to the charge:

(a) **No knowledge and no reasonable grounds.** For section 51 of the CDSA, it is a defence for the accused to prove that he or she did not know and had no reasonable ground to believe that the arrangement related to criminal proceeds, or that it would make it easier for another person to keep or control them.

(b) **Reporting the suspicion.** A person who reports a suspicion to an authorised officer (such as a police officer) does not commit the section 51 offence if the report is made before the act and the act is done with the officer's consent, or, if made afterwards, the report is made on the person's own initiative and as soon as reasonable. It is also a defence that the accused intended to report but had a reasonable excuse for not doing so, or (if the accused is an employee) that the suspicion was reported under the employer's internal procedure.

(c) **Accounting for the property (section 55).** The section 55 offence is committed only if the person fails to account satisfactorily for how he or she came by the property. A satisfactory explanation, supported by documents, answers the charge.

(d) **Challenging the elements.** The Prosecution must prove each element: that the money was in fact criminal proceeds, how much of it was, and whether the accused had the requisite mental state at the time. The mental state alleged in the charge (knowledge, reasonable grounds to believe, rashness or negligence) is itself significant, because the maximum punishment and the assessment of culpability both depend on it.

7. Money laundering and scams carried out overseas

(15) Scam syndicates often operate across borders, and Singaporeans have been charged in connection with scam operations abroad. Several features of Singapore law determine whether such conduct can be prosecuted here.

7.1 Proceeds of crimes committed abroad

(16) The CDSA defines "criminal conduct" as doing or being concerned in, whether in Singapore or elsewhere, any act constituting a serious offence or a "foreign serious offence", that is, an offence under foreign law that would have been a serious offence had the conduct occurred in Singapore. Dealing in Singapore with the proceeds of a crime committed abroad can therefore be money laundering here. In a 2023 bail decision, *Public Prosecutor v Su Jianfeng* [2023] SGDC 277, for example, money laundering charges were founded on the proceeds of a remote gambling business allegedly run from the Philippines; the court held that a foreign legal opinion that such operations were lawful there did not, without evidence about the accused's own operation, displace the grounds for the charges.

(17) Singaporeans abroad are also subject to the laws of the country they are in. Most recently, in September 2026, the Ministry of Foreign Affairs and the Singapore Police Force announced that, according to the Chinese authorities, 52 Singapore citizens had been arrested and detained in Guangxi, China, following an operation against suspected pyramid scheme activities and related offences.[1] Investigations were ongoing at the time of writing, and no finding has been made against any of them. The matter is one for the Chinese authorities under Chinese law, and what bearing, if any, it may have in Singapore remains to be seen.

7.2 Scams run from overseas against victims in Singapore

(18) A person does not escape prosecution in Singapore merely because he or she was abroad when a scam on Singapore victims was carried out:

(a) **Offences partly committed in Singapore.** Under section 4B of the Penal Code 1871, offences of dishonesty or fraud, including cheating, criminal breach of trust and forgery, are deemed to have been committed in Singapore if part of the offence took place here, or if the intended gain, loss or harm occurred here.

[1] MFA–SPF Joint Press Statement, "On Singapore Citizens Arrested in Guangxi, China" (4 September 2026).

(b) **Abetment from abroad.** Under section 108B of the Penal Code, a person who abets an offence committed in Singapore is guilty of abetment even if all of his or her acts were done outside Singapore.

(c) **Membership of a scam syndicate.** Under section 5 of the Organised Crime Act 2015, it is an offence to be, or act as, a member of a "locally-linked organised criminal group", that is, a group of three or more people (whether or not based in Singapore) one of whose purposes is to profit from serious offences under Singapore law listed in the Act. The group may be based outside Singapore, and Singaporeans who allegedly worked as callers at an overseas scam centre have been charged under this provision (see below). The maximum punishment is a fine of up to $100,000, imprisonment of up to five years, or both. For offences committed on or after 30 December 2025, a person who is a member of such a group knowing that it is a scam group is also liable to **mandatory** caning of at least six and up to 24 strokes.

(d) **Recruiting from abroad.** A person outside Singapore who recruits others to join or help manage a locally-linked organised criminal group also commits an offence under section 6(2) of the Organised Crime Act.

7.3 Recruiting in Singapore for overseas syndicates

(19) A person in Singapore who recruits others to join or help manage an organised criminal group commits an offence under section 6(1) of the Organised Crime Act even if the group's crimes are committed abroad. Under section 108A of the Penal Code, a person who in Singapore abets an act abroad that would be an offence if committed in Singapore is also guilty of abetment.

7.4 Recent enforcement

(20) In September 2025, the Singapore Police Force and the Cambodian police carried out a joint operation against a scam syndicate that was allegedly run from Phnom Penh by Singaporeans and that impersonated government officials to deceive victims in Singapore; it has been linked to losses reported at more than $41 million. Singaporeans who allegedly worked as callers for the syndicate were repatriated and charged under the Organised Crime Act, and Interpol Red Notices were sought for others. In November 2025, two Singaporeans deported from Thailand and Cambodia were charged with offences including handing over their Singapore bank accounts while allegedly working for scam centres in Myanmar and Cambodia. These cases were pending at the time of writing, and the allegations have not been proved.

7.5 Where there is no link to Singapore

(21) Where neither the conduct nor its effects, nor the proceeds, touch Singapore, prosecution here will depend on whether a specific provision extends Singapore law to that conduct. The person may instead be prosecuted in the country where the offence was committed, and Singapore may receive requests for extradition or mutual legal assistance. Bringing the proceeds into Singapore, however, may itself be money laundering here.

8. How do the courts decide the sentence? The harm–culpability matrix

(22) The leading decision is *Huang Ying-Chun v Public Prosecutor* [2019] 3 SLR 606, in which the High Court set a sentencing framework for the offence now in section 51(1) of the CDSA. The framework was expressly framed for money laundering of cash proceeds of offences committed in Singapore by runners, and those who recruit or manage them.[2]

(23) It has since been applied more widely: in *Public Prosecutor v Tan Shay Howe* [2026] 3 SLR 1304, the High Court held that the same framework applies to dealing with criminal proceeds under section 54(1), and District Courts have applied it to money laundering through bank accounts. No High Court decision setting a framework for the rash and negligent offences had been reported at the time of writing.

(24) The framework works in five steps:[3]

[2] *Huang Ying-Chun v Public Prosecutor* [2019] 3 SLR 606 at [47]–[48].

[3] *Huang Ying-Chun* at [100]–[102].

(a) **Step 1:** the court assesses the **harm** caused (slight, moderate or severe) and the offender's **culpability**, meaning blameworthiness (low, medium or high).

(b) **Step 2:** it identifies the sentencing range for that combination.

(c) **Step 3:** it chooses a starting point within the range.

(d) **Step 4:** it adjusts the starting point for factors personal to the offender, including any plea of guilty.

(e) **Step 5:** where there are several charges, it adjusts the overall sentence so that it is proportionate (see Part 14).

(25) The ranges assume that the offender claimed trial.

(26) **Factors going to harm** include:[4] the amount laundered; whether a syndicate was involved; whether there was a cross-border element; the seriousness of the underlying crime; and harm to public confidence (for example, where scammers impersonated the police). **The profile of the victims also matters:** later decisions treat elderly victims as presumptively vulnerable, which increases the harm.

(27) **Factors going to culpability** include:[5] the degree of planning; the sophistication of the operation; how long the offending lasted; the offender's role; any abuse of position or trust; the offender's state of mind; whether the offender came to Singapore solely to offend; how much the offender knew of the underlying crime; and the prospect of a large reward.

(28) The ranges, for an offender who claims trial, are:

Culpability \ Harm	Slight	Moderate	Severe
Low	Fine and/or short custodial term	10–30 months	30–60 months
Medium	10–30 months	30–60 months	60–90 months
High	30–60 months	60–90 months	90–120 months

(29) **Factors personal to the offender** that increase the sentence include other charges taken into consideration, relevant previous convictions, and an evident lack of remorse. Those that reduce it include a plea of guilty, voluntary restitution and co-operation with the authorities. The lists are not closed.[6]

8.1 How the framework was applied in Huang Ying-Chun itself

(30) The case arose from a police impersonation scam run by a Taiwanese syndicate, which operated in four steps:[7]

(a) Callers posing as the Singapore Police or Interpol telephoned six victims, aged between 50 and 82, and tricked them into revealing their internet banking log-in details.

(b) The callers transferred the victims' money into the accounts of a second group of people ("**victim-mules**"), who had themselves been duped into giving out their account details.

(c) The victim-mules were told by the fake police to withdraw the money in cash and hand it to runners.

(d) The runners passed the cash on to others, who took it out of Singapore.

(31) The offender was recruited in Taiwan for about $2,700 to come to Singapore to "collect and hand over documents". He realised on the first collection that he was collecting money, but went on to make 12 more collections over about two weeks. A total of $957,000 passed through his hands;

[4] *Huang Ying-Chun* at [98].

[5] *Huang Ying-Chun* at [98].

[6] *Huang Ying-Chun* at [98]–[99].

[7] *Huang Ying-Chun* at [6]–[10].

only $1,050 was recovered. He pleaded guilty, but not at the first opportunity, and the District Judge sentenced him to six years and six months' imprisonment.

(32) On appeal, the High Court assessed harm as severe, given the sum, the targeting of elderly victims, the syndicate, the cross-border element and the harm to confidence in public administration in Singapore. Culpability was medium: there was planning, a sophisticated operation and offending over a period, and he came to Singapore only to offend; but he was a "foot soldier" in the syndicate and had not met the victims. The range was 60 to 90 months and the starting point 72 months. The court deducted six months for the plea of guilty, which had come almost a year after he was charged, and reduced the sentence to **66 months' imprisonment**.[8]

9. How have the courts applied the framework since?

9.1 Dealing with criminal proceeds (section 54(1))

(33) In *Tan Shay Howe*, the High Court applied the framework to a member of an organised criminal group that sold anonymous messaging accounts used to hide identities, including in scams. He had pleaded guilty to dealing with about $329,000 and $450,000 of the group's proceeds and had received 15 and 16 months; on the Prosecution's appeal, the sentences were increased to 22 and 26 months.

(34) **The takeaway:** the offender's role, and how it developed, matters a great deal. His culpability on the second charge was higher because by then he was financing the operation and acting as a key member.

9.2 Spending one's own misappropriated money

(35) In *Chong Kum Heng v Public Prosecutor* [2020] 4 SLR 1056, the High Court dealt with a project manager who had sold his employer's surplus cable, banked about $214,000 of the proceeds and spent it on a condominium, a car and personal expenses. The District Judge had imposed the same sentence on most of the money laundering charges regardless of the amount involved.

(36) **The takeaway:** sentences must be calibrated to the harm each offence brought about, of which the amount involved is the clearest measure, and whether the money was recovered also matters. The High Court reduced the individual sentences accordingly, and the overall sentence from 39 to 32 months.

10. The sentencing range at a glance

(37) The table below gives the range of sentences seen in the cases reviewed for this chapter, and the main factors that determined where each case fell. Every case turns on its own facts, and the figures are a guide only.

Offence	Sentences seen in decided cases	Main deciding factors
Helping someone else keep or control criminal proceeds, knowing or having reasonable grounds to believe (s 51(1))	**About 17 months to 5½ years' imprisonment** in the cases reviewed; the matrix runs from a fine to 10 years	The amount; whether a syndicate or a cross-border element was involved; elderly or other vulnerable victims; the offender's role (a "foot soldier" is placed lower); how much the offender knew of the underlying crime; the timing of any plea of guilty; youth; restitution and co-operation
Dealing with criminal proceeds (s 54(1))	**About 22 to 26 months** per charge in *Tan Shay Howe*, for sums of about $329,000 and $450,000	The same matrix; the offender's role in the group and how it developed; the amount; plea of guilty

[8] *Huang Ying-Chun* at [116]–[132].

Offence	Sentences seen in decided cases	Main deciding factors
Spending or using one's own misappropriated money (s 54(1))	**About 2 to 6 months** per charge, with an overall sentence of **about 32 months** in *Chong Kum Heng*	Calibrated to the amount involved in each charge and whether the money was recovered; proportionality of the total
Rash or negligent money laundering (ss 51(1A), 54(3A))	No High Court framework reported at the time of writing	Expected to sit below the "knowing or reasonable grounds" offences, in line with the lower maximum punishments

Several of the cases reviewed concerned conduct before 8 February 2024, when the accused were charged under the former section 44(1)(a) or section 47 of the CDSA (the predecessor numbering of the present sections 51 and 54) or under section 51 or 54 on the "knowing or reasonable grounds to believe" basis. The rash and negligent offences were not available for that conduct.

11. Fines

(38) The maximum fine for an individual is $500,000 for the "knowing or reasonable grounds to believe" offences, $250,000 for rash money laundering and $150,000 for negligent money laundering or for the section 55 offence. The lowest cell of the matrix (slight harm and low culpability) allows a fine, with or without a short custodial term.

(39) In the decisions reviewed for this chapter, however, no sentence of a fine alone was imposed under section 51 or 54 of the CDSA. Fines appeared instead as a way of taking back the offender's profit, in addition to imprisonment: in *Tan Shay Howe* (see paragraph (33)), the offender's profit of $11,000 was taken back by a fine of the same amount, imposed on a related charge.

12. What can reduce the sentence?

(40) The following have been given weight in decided cases:

(a) **A limited role.** In *Huang Ying-Chun*, the starting point was placed towards the lower end of the range because the offender was a "foot soldier" to whom not all the harm caused by the syndicate could fairly be attributed.[9]

(b) **Little knowledge of the wider scheme.** In *Putra Alfian*, a 2024 appeal (MA 9138/2024), the High Court placed harm at the low end of the medium range because the offender had no knowledge of the underlying scams and was not involved in them, and placed culpability at the low end of medium because the aggravating features, including his financial motive, were present only to a low degree. It reduced the sentence from 28 to 21 months.

(c) **Reasonable grounds rather than actual knowledge.** A charge based on reasonable grounds to believe is treated as less culpable than one based on actual knowledge.

(d) **Youth.** The offender's relative youth (he was 22 to 23) was taken into account in *Putra Alfian* (see paragraph (40)(b)), and in *Public Prosecutor v Ang Wei Jun* [2026] SGDC 125, a District Court gave some weight to the youth of a 20-year-old foreign offender even though rehabilitation was not the main consideration.

(e) **Voluntary restitution and co-operation with the authorities** are recognised mitigating factors.[10]

(f) **Recovery of the money** reduces the assessment of harm.

(g) **A plea of guilty** (see Part 13).

[9] *Huang Ying-Chun* at [127]–[129].

[10] *Huang Ying-Chun* at [98].

(41) **An example.** In *Public Prosecutor v Yeong Poh Chin* [2026] SGDC 183, a woman in financial difficulty let an acquaintance use her bank accounts to receive and pass on money said to come from a cryptocurrency business; after her first account was frozen she opened another, and $37,000 of scam proceeds passed through her accounts. The court assessed harm as slight, because the sum was modest and no syndicate or cross-border element was proved, and culpability at the lower end of medium, because she opened a new account and carried on despite her suspicions. This gave a range of 10 to 30 months and a starting point of 16 months. The starting point was increased for the duration of the offending, for other charges taken into consideration and for a previous conviction, and then reduced for her plea of guilty, giving a sentence of 17 months and two weeks.

(42) As the cases show, the outcome depends heavily on identifying the mitigating factors that are relevant and carry real weight on the particular facts, supporting them with evidence, and presenting them at the right stage of the framework.

13. How does a plea of guilty affect the sentence?

(43) A plea of guilty can have a significant effect on the sentence, and its timing matters. The Sentencing Advisory Panel has issued Guidelines on Reduction in Sentences for Guilty Pleas, which suggest that an earlier plea may attract a larger reduction. The guidelines are guidance only: they are not binding on the courts, and whether a reduction is given, and how much, is for the sentencing court to decide in the circumstances of each case.

(44) In *Huang Ying-Chun*, a plea entered almost a year after the charge attracted a reduction of six months from a 72-month starting point;[11] in *Putra Alfian* (see paragraph (40)(b)), an early plea attracted a reduction of 30%.

(45) A plea of guilty admits the offence and gives up any defence. It is therefore very important that the decision whether, and when, to plead guilty is made only after the evidence, the available defences and the mitigating factors have been properly assessed.

14. How are sentences combined when there are several charges?

(46) Money laundering charges are often brought together with the underlying offence (for example, cheating or criminal breach of trust) and with other money laundering charges. Each charge receives its own sentence, and the court then decides which sentences run **consecutively** (one after another) and which run **concurrently** (at the same time). Where an offender is convicted at one trial and sentenced to imprisonment for three or more distinct offences, at least two of the sentences must run consecutively (section 307(1) of the Criminal Procedure Code 2010).

(47) The overriding principle is **proportionality**: the total sentence must fit the offender's overall criminality. The High Court has explained the main tools in *Mohamed Shouffee bin Adam v Public Prosecutor* [2014] 2 SLR 998:

(a) **The one-transaction rule.** This is a common law principle, developed by the courts rather than set out in legislation: offences that form part of a single transaction should generally not attract consecutive sentences. Whether offences form part of a single transaction is decided as a matter of common sense, having regard to factors such as how close the offences were in time, place and purpose, and whether they invaded the same legally protected interest.

(b) **The totality principle.** The court takes a "last look" at the total. It asks whether the total is substantially above the normal level of sentence for the most serious offence, and whether it would be crushing and out of keeping with the offender's record and prospects. If so, the court may change which sentences run consecutively, or adjust individual sentences.

(c) **No double counting.** The same aggravating factor must not be counted against the offender twice.

[11] *Huang Ying-Chun* at [130].

14.1 Parity and consistency with past cases

(48) Proportionality is also measured against the sentences imposed on others:

(a) **Parity between co-offenders.** Where several people took part in the same criminal enterprise, their sentences should generally be in line with each other, allowing for relevant differences in their roles and personal circumstances. The High Court has held, in *Lim Bee Ngan Karen v Public Prosecutor* [2015] 4 SLR 1120, that this applies even where co-offenders are charged with different offences, and that where co-offenders are sentenced separately, the Prosecution should place their sentences and the relevant facts before the court.

(b) **Consistency with past cases.** Courts compare the case with sentences imposed in similar cases. In *Tan Shay Howe* (see paragraph (33)), the High Court checked its sentences against earlier self-laundering sentences of 18 months to two years for sums of about $352,000 to $478,000. Comparisons must, however, be with the offence actually charged: in *Nur Diyanah bte Mohamed Ramdan v Public Prosecutor* [2026] SGHC 174, the High Court reduced a sentence because the lower court had calibrated it against a precedent for a different and more serious offence.

(49) Other choices also affect the total, such as whether some charges are taken into consideration rather than proceeded with, and whether conduct is combined into a single amalgamated charge. These questions involve a number of factors and judgments, and are frequently the subject of submissions on sentence.

15. Frozen bank accounts

15.1 Can the police freeze my bank account?

(50) An account may be restricted in three different ways, each with its own procedure:

(a) by the bank itself, on its own assessment;

(b) by the police, under section 35 of the Criminal Procedure Code 2010 ("**CPC**"), which allows the police to seize, or prohibit dealings with, property in respect of which an offence is suspected to have been committed, property suspected to have been used to commit an offence, or property suspected to be evidence of an offence; for money in a bank account, a police officer of the rank of inspector or above may order the bank to hand it over or not to allow dealings with it; or

(c) under the CDSA's separate regime of restraint and confiscation orders (see Part 16).

15.2 What are the limits of a police seizure?

(51) Police seizure is not unlimited. In *Rajendar Prasad Rai v Public Prosecutor* [2017] 4 SLR 333, the Corrupt Practices Investigation Bureau had seized the money in 10 bank accounts, and a Magistrate had extended the seizure of three of them on the basis of further investigations. The High Court held that:

(a) where money is seized to prevent it from being dissipated, it must be money reasonably believed to be the proceeds, or traceable proceeds, of an identifiable offence;

(b) police seizure is not a means of freezing wealth that is simply unexplained, which is a matter for the separate CDSA regime; and

(c) seizures must be reported to a Magistrate, and when an extension is sought the Prosecution must identify the offence and justify the seizure.

(52) Because the Prosecution had not shown how much of the money was the proceeds of the offences charged, and had not answered the account holders' evidence of its source, the extension was set aside.

15.3 Can frozen money be released to pay legal fees or living expenses?

(53) A person who is prevented from dealing with money frozen by the police may apply to court for its release (CPC section 35(7)). The court may order release only if it is satisfied that release is necessary for one of the following purposes (CPC section 35(8)):

(a) basic expenses, including food, rent, mortgage payments, medicine and medical treatment, taxes, insurance premiums and utility charges;

(b) reasonable legal fees and expenses, or routine charges for holding or maintaining the property;

(c) extraordinary expenses;

(d) satisfying a lien or judgment that arose before the freezing order; or

(e) for a Singapore company, its day-to-day operations.

(54) In *Carlos Manuel De São Vicente v Public Prosecutor* [2023] 5 SLR 1397, a 2023 decision concerning an account holding more than US$558 million, the High Court set out requirements that must all be shown for the release of money for legal fees:

(a) the money is needed because no other funds are available;

(b) it will be used only for the permitted purpose;

(c) the fees are reasonable;

(d) the expenses have already been incurred; and

(e) all of this is proved to the court's satisfaction.

(55) The application failed because the applicant had not shown that other funds, including money transferred abroad and funds held by family members, were unavailable to him.

(56) The position can change as a case progresses. In *Kam Boon Hee Kenneth v Public Prosecutor* [2025] SGMC 29, a 2025 case under appeal at the time of writing, money had been released before trial to pay the accused's tax and legal fees, together with a monthly sum for basic and medical expenses; after he was convicted, a further application for legal fees was refused because the interests of potential victims now outweighed his own, and the monthly payments were ordered to stop.

15.4 How do owners and victims get seized money back?

(57) When seized money is no longer needed for investigations or proceedings, the court may order how it is to be dealt with. Where it is unclear who is entitled to it, the court may direct that it be held while a public notice invites claims. In *Public Prosecutor v Marlene Wise* [2025] 3 SLR 1603, the High Court held that it is the court, and not the Commissioner of Police, that decides such claims, and that a claimant must show a lawfully acquired interest in the money; evidence that the money came from the claimant's own bank account will generally be enough. An overseas scam victim who had transferred US$41,900 into a Singapore account was held entitled to its return.

16. What is a confiscation order?

(58) Separately from the sentence, after a person is convicted of a qualifying offence the Prosecution may apply under the CDSA for a **confiscation order**. If the court is satisfied that the offender derived benefits from crime, it must make an order requiring the offender to pay a sum representing the value of those benefits (CDSA section 7; section 6 for drug dealing).

(59) The order is not limited to the money traced to the offence charged. The CDSA presumes that property held by the offender that is disproportionate to his or her known sources of income, and that cannot be explained to the court's satisfaction, represents benefits from crime unless the contrary is proved. The order can be satisfied out of any property the offender holds, whether or not it was itself derived from crime, and out of certain gifts the offender has made.

17. Beyond the sentence

(60) For foreign nationals, a conviction may have immigration consequences, including the cancellation of passes. A conviction is also likely to be relevant to future dealings with banks and regulators, and to professional licensing.

Note. This chapter sets out the framework. It does not attempt to indicate where any particular case falls within it – that assessment depends on the charge brought, the evidence, and matters that are

rarely apparent to the person affected. 26 Gambit Chambers advises and acts for individuals and companies in these matters. Short answers to common questions on money laundering and frozen bank accounts are available at 26gambitchambers.com/answers.

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