

## **ANNEX A**

1 A Deferred Prosecution Agreement (“DPA”) is a settlement under which the Prosecution agrees to defer criminal charges against a corporate offender in exchange for the corporation’s agreement to comply with various conditions, such as admission of wrongdoing, payment of financial penalties, and implementation of corporate reform.

2 All DPAs in Singapore must be approved by the General Division of the High Court. While the DPA is in force, the corporation is deemed to have been granted a discharge not amounting to an acquittal and will not be prosecuted for the alleged offence. If the corporation complies strictly with all the conditions imposed under the DPA, then upon expiry of the DPA, the High Court may grant the corporation a discharge amounting to an acquittal upon the Prosecution’s application. However, if the corporation breaches the DPA, the Prosecution may apply to terminate the DPA and may prosecute the corporation for the alleged offence upon such termination.

3 DPAs are a tool with which the Prosecution can deal with corporate offending effectively and efficiently. They incentivise corporate offenders to co-operate with the authorities and undertake corporate reform, without the need for a lengthy and costly trial. Apart from Singapore, countries such as the United States, the United Kingdom, France, and Japan have also introduced DPAs or their equivalents to address corporate offending.