

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**MONEY-CHANGING AND REMITTANCE BUSINESSES ACT**  
**(CHAPTER 187)**

**1985 Ed. Cap. 187**  
**Act**  
**20 of 1979**

Amended by  
19 of 1996

**REVISED EDITION 1996**  
(27th December 1996)

# Money-changing and Remittance Businesses Act

## ARRANGEMENT OF SECTIONS

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An Act for the licensing of persons who carry on money-changing or remittance business and for matters connected therewith.

[12th October 1979]

Short title.      **1.** This Act may be cited as the Money-changing and Remittance Businesses Act.

Inter-pretation. 19/96.      **2.—(1)** In this Act, unless the context otherwise requires —

Cap. 186.      “Authority” means the Monetary Authority of Singapore established under section 3 of the Monetary Authority of Singapore Act;

“company” means any company incorporated under any written law for the time being in force relating to companies and includes any company incorporated outside Singapore;

“licence” means a money-changer’s licence or a remittance licence, as the case may be, granted under this Act;

“money-changer’s licence” means a licence granted under this Act authorising the holder thereof to carry on money-changing business;

“money-changing business” means the business of buying or selling foreign currency notes;

“remittance business” means the business of accepting moneys for the purpose of transmitting them to persons resident in another country;

“remittance licence” means a licence granted under this Act authorising the holder thereof to carry on remittance business.

19/96.      (2) For the purposes of this Act, a person shall be deemed to be carrying on —

(a) money-changing business if he offers to buy or sell any foreign currency notes; and

(b) remittance business if he offers to transmit money on behalf of any person to another person resident in another country.

(3) In this Act, a reference to a document or record shall include a reference to any or part of any —

- (a) document or record kept on any magnetic, optical, chemical or other medium;
- (b) map, plan, graph, picture or drawing; and
- (c) film (including a microfilm and microfiche), negative, disc, tape, sound track or any other device in which one or more visual images, sounds or other data are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom.

3. This Act shall not be construed as requiring any person who accepts foreign currency notes from a customer or client in payment for goods sold or services rendered by him to obtain a money-changer's licence.

Scope of this Act.

4. The Authority shall be responsible for the administration of this Act and may authorise any of its officers to exercise any powers and perform any duties or functions of the Authority under this Act.

Authority responsible for administration of this Act.

5.—(1) No person shall carry on or advertise that he carries on money-changing business unless he is in possession of a valid money-changer's licence.

No person to carry on money-changing business without licence.  
19/96.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both and, in the case of a continuing offence, to a fine not exceeding \$1,000 for every day during which the offence continues after conviction.

19/96.

6.—(1) No person shall carry on or advertise that he carries on remittance business unless he is in possession of a valid remittance licence.

No person to carry on remittance business without licence.  
19/96.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both and, in the case of a continuing offence, to a fine not exceeding \$1,000 for every day during which the offence continues after conviction.

Application  
for licence.  
19/96.

7.—(1) Any person who desires to obtain or renew a licence shall submit an application to the Authority in such form, and shall furnish the Authority with such information, as the Authority may require.

(2) Upon receiving an application under subsection (1), the Authority shall consider the application and may grant a licence with or without conditions or refuse to grant a licence without assigning any reason.

(3) In considering any application by a person for a licence, the Authority may require to be satisfied as to —

- (a) the good character of the applicant or, if the applicant is a company, the general character of the management of the company;
- (b) the financial condition of the applicant; and
- (c) whether the public interest will be served by the granting of a licence.

(4) The Authority may at any time vary or revoke any of the existing conditions of a licence or impose new conditions.

19/96.

(5) Where a person submits an application for the renewal of his licence at any time prior to the expiry of his licence, he shall not incur any penalty under this Act for not being the holder of a licence during the period commencing from the date of expiry of his licence until the date his licence is renewed or his application is refused.

Security  
deposit.  
19/96.

8.—(1) Every person who is granted a remittance licence shall deposit with the Authority a sum of \$100,000 or such other sum as may be prescribed, to be held as security for the due performance of his obligations to those persons who will deposit or have deposited moneys with him for remittance purposes.

19/96.

(2) The deposit referred to in subsection (1) shall be in cash or in such other form as the Authority may in any particular case allow.

19/96.

(3) Where a licensee ceases to carry on remittance business, it shall be lawful for the Authority to deduct from the deposit such amount as may be required to pay any sums

claimed by the customers of the licensee who had given money to the licensee for remittance purposes; and if any deposit is insufficient to cover all sums claimed by such customers, the Authority may pay part of the sums claimed by such customers.

(4) The Authority, upon being satisfied that there is no outstanding claims by the customers of the licensee, shall release the deposit or the balance thereof, as the case may be, to the licensee. 19/96.

(5) Any deposit furnished by a licensee under this section shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, and if the licensee is adjudicated a bankrupt or, being a company, is declared insolvent or is wound up by an order of court, the deposit shall be deemed not to form part of the property of the licensee. 19/96.  
[7A]

**9.—**(1) No licensee shall open a new place of business or branch in Singapore without the written approval of the Authority. Licensee not to open branch without Authority's approval. 19/96.

(2) The Authority may, in granting its approval under subsection (1), impose such conditions as it thinks fit.

(3) Any licensee who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine of \$1,000 for every day during which the offence continues after conviction. 19/96.

(4) An additional fee shall be payable by a licensee for each of his branches. 19/96.  
[7B]

**10.—**(1) Every licensee shall display or exhibit his licence or a certified true copy thereof in a conspicuous place at every premises where he carries on money-changing or remittance business. Display of licence. 19/96.

(2) Any licensee who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000. 19/96.  
[7C]

**11.—**(1) Every licensee shall pay such licence fee as the Authority may, by notification in the *Gazette*, prescribe. Licence fees. 19/96.

19/96. (2) The Authority may prescribe different licence fees in respect of different classes or categories of licensees.

19/96. (3) The licence fees shall be paid in such manner as may be specified by the Authority.

19/96. (4) There shall be no refund of any licence fee paid to the Authority in the event that a licence is cancelled or revoked or when the licensee ceases to carry on business at any time prior to the expiry of the licence. [8

Period for  
which  
licence is  
in force.  
19/96.

**12.—**(1) A licence shall be in force for such period as the Authority may determine.

19/96. (2) Upon its expiry, a licence may be renewed by the Authority for such period as the Authority may determine. [9

False  
statements.  
19/96.

**13.** A person who, in connection with an application for a licence or for a renewal of a licence, wilfully makes a statement which is false or misleading in a material particular, knowing it to be false or misleading, or wilfully omits to state any matter or thing without which the application is misleading in a material respect, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding one year or to both. [9A

Revocation  
of licence.  
19/96.

**14.—**(1) The Authority may, by order, revoke a licence if it is satisfied that the licensee —

- (a) has ceased to carry on money-changing or remittance business, as the case may be;
- (b) has contravened or is contravening the provisions of this Act;
- (c) has failed to comply with or observe any of the conditions of his licence;
- (d) has made a false or incorrect statement in his application for a licence;
- (e) has carried on or is carrying on business in a manner likely to be detrimental to the interests of the public or his customers;

(f) has been convicted of any offence involving dishonesty or moral turpitude or, if the licensee is a company, any of its officers holding a managerial or an executive position has been convicted of any offence involving fraud or moral turpitude; or

(g) has been adjudicated a bankrupt or, if the licensee is a company, proposes to make, or has made, any composition or arrangement with its creditors or has gone into liquidation or has been wound up or otherwise dissolved.

(2) The Authority shall not make an order under subsection (1) without first giving the licensee an opportunity of being heard. 19/96.

(3) An order of revocation shall not take effect until the expiration of 30 days after the date on which the Authority has served the order on the licensee or, where the licensee has made an appeal pursuant to subsection (4), until the order of revocation is confirmed by or the appeal is dismissed by the Minister or the appeal is withdrawn. 19/96.

(4) A licensee who is aggrieved by an order of revocation of the Authority may appeal to the Minister and no appeal shall be made to the Minister after the expiry of 30 days of the service of the order of revocation on the licensee. 19/96.

(5) In any appeal under this section, the decision of the Minister shall be final and shall be given effect to by the Authority. 19/96.  
[10]

**15.—**(1) Where an order of revocation becomes effective under section 14, the licensee concerned shall cease to carry on money-changing or remittance business, as the case may be. Effect of  
revocation.

(2) Subsection (1) shall not prejudice the enforcement by any person of any right or claim against the licensee concerned or by the licensee concerned of any right or claim against any person arising out of or concerning any matter or thing done prior to the revocation of the licence. [11]

**16.—**(1) Every licensee shall keep complete records of all his transactions in such books, accounts, records and Records.  
19/96.



registers as the Authority may specify from time to time and shall produce such books, accounts, records and registers to the Authority as and when he is so directed in writing by the Authority.

19/96. (2) Every licensee shall retain such books, accounts, records and registers for a period of at least 6 years after the day on which the transaction takes place.

19/96. (3) Any licensee who contravenes or fails to comply with this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000. [11A

Information to be furnished by licensees. 19/96. **17.—**(1) Every licensee shall furnish to the Authority, at such time and in such manner as the Authority may prescribe, such returns and information as the Authority may reasonably require for the proper discharge of its functions.

19/96. (2) Any licensee who fails to furnish any returns or information required under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine of \$1,000 for every day during which the offence continues after conviction. [11B

Power to enter premises, inspect and investigate. 19/96. **18.—**(1) Any person duly authorised by the Authority to act on its behalf may —

(a) at any reasonable time enter any premises where a licensee is carrying on business, or any premises where he reasonably suspects any business is being carried on in contravention of this Act; and

(b) inspect the premises and any book, document or record on those premises which he reasonably requires to inspect for the purpose of ascertaining whether a contravention of this Act or any regulations made thereunder is being or has been committed.

19/96. (2) Any person who —

(a) fails without reasonable excuse to admit any person who demands admission to the premises in pursuance of subsection (1);

- (b) on being required by a person referred to in subsection (1) to do so, fails without reasonable excuse to permit the person to inspect the premises; or
- (c) on being required by a person referred to in subsection (1) to produce any book, document or record in his possession or under his control and which that person reasonably requires to inspect for the purpose specified in subsection (1), fails without reasonable excuse to produce it to him and to permit him to take copies of it or of any entry in it,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine of \$1,000 for every day during which the offence continues after conviction.

(3) A person who is carrying out an investigation for the purpose of ascertaining whether an offence under this Act has been committed may exercise all or any of the powers conferred upon a police officer by the Criminal Procedure Code in relation to the investigation of a seizable offence. Cap. 68.

[12

**19.** After an inspection or investigation made under section 18, the Authority may require a licensee to take any action or to do or not to do any act or thing whatsoever in relation to his business as the Authority may consider necessary. Power to issue directives. 19/96.

[12A

**20.** Any person duly authorised to act on behalf of the Authority may, without warrant, arrest any person reasonably suspected of having committed an offence under this Act if the person refuses to give his name and address or gives a name and address which the authorised person has reason to believe is false. Power of arrest.

[13

**21.—(1)** Where an offence under this Act has been committed by a body corporate, any person who at the time of the commission of the offence was a director, secretary, manager or other officer of the company or who was purporting to act in any such capacity shall be liable to be Liability of directors, partners, etc.

proceeded against and punished accordingly unless he proves —

- (a) that the offence was committed without his consent or connivance; and
- (b) that he exercised such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his function in that capacity and to all the circumstances.

(2) Any person who would have been guilty of an offence if anything had been done or omitted to be done by him personally shall be guilty of that offence and shall be liable to the same penalty if such thing had been done or omitted to be done by his partner, agent or employee in the course of his partnership business or in the course of his employment, as the case may be, unless he proves —

- (a) that the offence was committed without his knowledge or consent; and
- (b) that he took all reasonable precautions to prevent the doing of or omission to do such thing.

(3) Nothing in subsection (2) shall relieve any partner, agent or employee from any liability for an offence. [14

Service of  
order, etc.

**22.** An order or a notice required or authorised by this Act to be given to any person may —

- (a) be delivered to that person;
- (b) be left at the place of residence or business of that person; or
- (c) be sent by registered post to the last known address of that person. [15

Conduct of  
proceedings.

**23.** Proceedings in respect of any offence under this Act or any regulations made thereunder may be conducted by any officer of the Authority authorised in writing in that behalf by the Authority. [16

Indemnity.

**24.** Neither the Authority nor any person authorised by the Authority shall be subject to any action, claim or demand by or liability to any person in respect of anything

done or omitted to be done in good faith in pursuance or in execution or intended execution or in connection with the execution or intended execution of any power conferred upon the Authority by this Act. [17

**25.**—(1) Every licensee who carries on remittance business shall maintain a current or deposit account in the name of the licensee at a bank with the words “customers’ account” added to the title of the account. Customers’ funds to be kept separately. 19/96.

(2) A licensee carrying on remittance business shall pay into the account referred to in subsection (1) all moneys that are received from his customers for remittance purposes not later than the next bank business day following the day on which the moneys were received by him. 19/96.

(3) No money shall be withdrawn from a customers’ account except — 19/96.

- (a) money that has been paid into the account by the licensee for the purposes of opening or maintaining the account;
- (b) money properly required for a payment to or on behalf of a customer; and
- (c) money properly required for payment of the licensee’s fees or charges for rendering services to a customer and the customer has been notified that any money held for him will be applied towards or in satisfaction of such fees and charges.

(4) No money other than money which a licensee has paid into a customers’ account for the purposes of opening the account and money required by subsection (2) to be paid into a customers’ account of a licensee shall be paid into such an account. 19/96.

(5) It shall be the duty of a licensee into whose customers’ account any money has been paid in contravention of subsection (4) to withdraw the money wrongly paid into the account without delay upon discovery of the mistake. 19/96.

(6) The moneys in a customers’ account maintained by a licensee at a bank shall not be liable to be attached, sequestered or levied upon for or in respect of any debt of 19/96.

the licensee or any claim whatsoever against the licensee, and if the licensee is adjudicated a bankrupt or, being a company, is declared insolvent or is wound up by an order of court, the moneys in the customers' account shall be deemed not to form part of the property of the licensee.

19/96. (7) Any licensee who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both. [17A

Auditors.  
19/96. **26.**—(1) Every licensee shall at his own expense appoint annually an auditor to carry out an audit of the transactions in his money-changing or remittance business, as the case may be.

19/96. (2) The Authority may require an auditor appointed under subsection (1) —

(a) to submit to the Authority such information as it may require in relation to the audit carried out by him;

(b) to enlarge or extend the scope of his audit of the business and affairs of the licensee and to submit a report of his audit to the Authority;

(c) to carry out any examination or establish any procedure in any particular case; or

(d) to submit a report to the Authority on any matters referred to in paragraphs (b) and (c).

19/96. (3) The licensee shall be responsible for the remuneration of the auditor for the services referred to in subsection (2).

19/96. (4) The Authority may, if it considers the auditor appointed by the licensee does not carry out his duties to the satisfaction of the Authority, require the licensee to appoint another auditor. [17B

Composition  
of offences.  
19/96.

**27.**—(1) The Authority may, in its discretion, compound any offence under this Act or any regulations made thereunder by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

(2) On payment of such sum of money by any person, no further proceedings shall be taken against that person in respect of the offence. 19/96.

(3) All sums collected under this section shall be paid to the Authority. 19/96. [18A]

**28.—**(1) This Act shall not apply to —

- (a) any company which has a valid licence granted under the Banking Act authorising it to conduct banking business in Singapore; Exemptions. 19/96. Cap. 19.
- (b) any merchant bank which is an approved financial institution for the purposes of section 28 of the Monetary Authority of Singapore Act; and Cap. 186.
- (c) any company which has a valid licence granted under the Finance Companies Act and has obtained the approval of the Authority to deal in foreign currency. Cap. 108.

(2) The Authority may, by notification in the *Gazette*, exempt any person or categories of persons from the provisions of this Act. [19]

**29.—**(1) The Authority may make regulations for, or in respect of, every purpose which is considered necessary for carrying out the provisions of this Act and for the prescribing of any matter which is authorised or required under this Act to be so prescribed. Regulations.

(2) Without prejudice to the generality of subsection (1), the Authority may by such regulations —

- (a) prescribe fees to be charged under this Act; and
- (b) regulate the conduct of money-changing and remittance business by persons holding licences granted under this Act. [18]

LEGISLATIVE HISTORY  
MONEY-CHANGING AND REMITTANCE BUSINESSES ACT  
(CHAPTER 187)

**1. Act 20 of 1979 — Money-changing and Remittance Businesses Act 1979**

Date of First Reading : 15.5.79 (Bill No. 22/79  
published on 18.5.79)  
Date of Second and Third Readings : 7.9.79  
Date of commencement : 12.10.79

**2. Act 19 of 1996 — Money-changing and Remittance Businesses (Amendment)  
Act 1996**

Date of First Reading : 11.3.96 (Bill No. 9/96  
published on 12.3.96)  
Date of Second and Third Readings : 2.5.96  
Date of commencement : 18.6.96