

ACCOUNTING AND CORPORATE REGULATORY
AUTHORITY ACT 2004
(SECTION 35)

ACCOUNTING AND CORPORATE REGULATORY
AUTHORITY (AUTHORISED USERS OF ELECTRONIC
TRANSACTION SYSTEM) REGULATIONS 2015

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
 2. Definitions
 3. Transactions by persons
 4. Persons to whom section 28(2) of Act does not apply
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[15 May 2015]

Citation

1. These Regulations are the Accounting and Corporate Regulatory Authority (Authorised Users of Electronic Transaction System) Regulations 2015.

Definitions

2. In these Regulations —

“foreign company” has the meaning given by section 4(1) of the Companies Act 1967;

“holding company” has the meaning given by section 5 of the Companies Act 1967;

“limited liability partnership” means a limited liability partnership registered under the Limited Liability Partnerships Act 2005;

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“limited partnership” means a limited partnership registered under the Limited Partnerships Act 2008;

“qualified individual” means a qualified individual prescribed in the Accounting and Corporate Regulatory Authority (Filing Agents and Qualified Individuals) Regulations 2015;

“subsidiary”, in relation to a holding company, has the meaning given by section 5 of the Companies Act 1967;

“transact” means to transact with the Registrar using the electronic transaction system;

“variable capital company” has the meaning given by section 2(1) of the Variable Capital Companies Act 2018.

Transactions by persons

3. An individual specified in the second column of the following table may transact with the Registrar on behalf of the person specified opposite in the first column of the table:

<i>First column</i>	<i>Second column</i>
1. A partnership	A partner of the partnership.
2. A company	(a) A director or secretary of the company; (b) A receiver and manager of the company (whether appointed by the court or otherwise); (c) A receiver of the company; (d) A liquidator of the company (whether appointed by the court or otherwise); or (e) A judicial manager of the company.
3. A foreign company	An authorised representative of the foreign company as defined in section 366(1) of the Companies Act 1967.

<i>First column</i>	<i>Second column</i>
4. A limited liability partnership	<p>(a) A partner or manager of the limited liability partnership;</p> <p>(b) A receiver and manager of the limited liability partnership (whether appointed by the court or otherwise);</p> <p>(c) A receiver of the limited liability partnership who is not a manager; or</p> <p>(d) A liquidator of the limited liability partnership (whether appointed by the court or otherwise).</p>
5. A limited partnership	A general partner or manager of the limited partnership.
6. A variable capital company	<p>(a) A director or secretary of the variable capital company;</p> <p>(b) A receiver and manager of the variable capital company, or of a particular sub-fund of the variable capital company (whether appointed by the court or otherwise);</p> <p>(c) A receiver of the variable capital company, or of a particular sub-fund of the variable capital company; or</p> <p>(d) A liquidator of the variable capital company, or of a particular sub-fund of the variable capital company (whether appointed by the court or otherwise).</p>

Persons to whom section 28(2) of Act does not apply

4.—(1) Pursuant to section 28(4) of the Act, where a holding company (*A*) gives the Chief Executive notice that a secretary of *A* is authorised to transact on behalf of a subsidiary of the holding company (*B*), then the secretary may transact on behalf of *B* even if the secretary is not a registered filing agent.

(2) Pursuant to section 28(4) of the Act, where *A* gives the Chief Executive a notice under paragraph (1) and specifies in the notice that an employee of *A*, or a qualified individual appointed, employed or engaged by *A*, is authorised to transact on behalf of *A* or *B* or both, then that employee or qualified individual may transact on behalf of *A* or *B* or both, as specified by *A* in the notice, even though the employee or qualified individual is not a registered filing agent.

(3) Pursuant to section 28(4) of the Act, where *A* gives the Chief Executive a notice under paragraph (1) and specifies in the notice that an employee of *B*, or a qualified individual appointed, employed or engaged by *B*, is authorised to transact on behalf of *A* or *B* or both, then that employee or qualified individual may transact on behalf of *A* or *B* or both, as specified by *A* in the notice, even though the employee or qualified individual is not a registered filing agent.

(4) In this regulation, a reference to a notice given to the Chief Executive means a notice given in such form and manner as the Chief Executive determines.