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No. S 281

COMPANIES ACT (CHAPTER 50)

COMPANIES (FILING OF DOCUMENTS) (AMENDMENT) REGULATIONS 2015

In exercise of the powers conferred by sections 12A(1A) and 411 of the Companies Act, the Minister for Finance makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Companies (Filing of Documents) (Amendment) Regulations 2015 and come into operation on 15 May 2015.

Amendment of regulation 2

2. Regulation 2 of the Companies (Filing of Documents) Regulations (Rg 7) (referred to in these Regulations as the principal Regulations) is amended by deleting the definitions of “electronic filing system”, “form” and “lodge” and substituting the following definitions:

““electronic transaction system” means the electronic transaction system established by the Authority under section 28B(1) of the Accounting and Corporate Regulatory Authority Act (Cap. 2A);

“form” means an electronic form provided on the electronic transaction system for the purpose of filing documents under the Act electronically;

“lodge” means to lodge, file or submit a form or other document electronically;

“registered filing agent” has the same meaning as in section 28A of the Accounting and Corporate Regulatory Authority Act;

“registered qualified individual” has the same meaning as in section 28A of the Accounting and Corporate Regulatory Authority Act.”.

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended by deleting the words “electronic filing system” in paragraphs (1), (5) and (6) and substituting in each case the words “electronic transaction system”.

Deletion and substitution of regulation 6

4. Regulation 6 of the principal Regulations is deleted and the following regulation substituted therefor:

“Prescribed person

6. For the purposes of the Act, a registered qualified individual is a prescribed person.”.

Deletion and substitution of regulation 18

5. Regulation 18 of the principal Regulations is deleted and the following regulation substituted therefor:

“Confirmations to be lodged electronically

18.—(1) Where an advocate and solicitor, an accountant or a registered filing agent is engaged to incorporate a company, then the advocate and solicitor or accountant, or a relevant prescribed person (as the case may be) must, in the manner determined by the Registrar, confirm that —

(a) each person who is to be appointed as director of the company —

(i) has consented to act as director; and

(ii) is not disqualified from acting as director of the company; and

(b) each person who is to be appointed as secretary of the company has consented to act as secretary of the company.

(2) The confirmations referred to in paragraph (1) must be lodged with the Registrar in the manner determined by the Registrar.

(3) In paragraph (1), “relevant prescribed person” means a registered qualified individual who is, or who is employed, engaged or appointed by, the registered filing agent that is engaged to incorporate the company.”

Amendment of regulation 32

6. Regulation 32(1) of the principal Regulations is amended by deleting the words “a company or any advocate and solicitor, accountant or prescribed person on its behalf” and substituting the words “an officer of a company or a registered filing agent on the officer’s behalf”.

*[G.N. Nos. S 862/2005; S 54/2006; S 603/2007;
S 399/2013]*

Made on 13 May 2015.

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