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ACCOUNTING AND CORPORATE REGULATORY AUTHORITY ACT (CHAPTER 2A)

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

ARRANGEMENT OF REGULATIONS

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In exercise of the powers conferred by section 28J of the Accounting and Corporate Regulatory Authority Act, the Minister for Finance makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Accounting and Corporate Regulatory Authority (Authorised Users of Electronic Transaction System) Regulations 2015 and come into operation on 15 May 2015.

Definitions

2. In these Regulations —

“foreign company” has the same meaning as in section 4(1) of the Companies Act (Cap. 50);

“holding company” has the same meaning as in section 5 of the Companies Act;

“limited liability partnership” means a limited liability partnership registered under the Limited Liability Partnerships Act (Cap. 163A);

“limited partnership” means a limited partnership registered under the Limited Partnerships Act (Cap. 163B);

“officer of the foreign company” means any director or secretary of the foreign company or a person employed in an executive capacity by the foreign company;

“qualified individual” means a qualified individual prescribed in the Accounting and Corporate Regulatory Authority (Filing Agents and Qualified Individuals) Regulations 2015 (G.N. No. S 198/2015);

“subsidiary”, in relation to a holding company, has the same meaning as in section 5 of the Companies Act;

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

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	<p>(a) A director or secretary of the company, or a person employed in an executive capacity by the company;</p> <p>(b) A receiver and manager of the company (whether appointed by the court or otherwise);</p> <p>(c) A receiver of the company who is not a manager;</p>

<i>First column</i>	<i>Second column</i>
	(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 officer of the foreign company, or an agent of the foreign company as defined in section 366(1) of the Companies Act (Cap. 50).
4. A limited liability partnership	(a) A partner or manager of the limited liability partnership;
	(b) A receiver and manager of the limited liability partnership (whether appointed by the court or otherwise);
	(c) A receiver of the limited liability partnership who is not a manager; or
	(d) A liquidator of the limited liability partnership (whether appointed by the court or otherwise).
5. A limited partnership	A general partner or manager of the limited partnership.

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

4.—(1) Pursuant to section 28C(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 28C(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 28C(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.

Made on 6 April 2015.

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