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## No. S 199

### ACCOUNTING AND CORPORATE REGULATORY AUTHORITY ACT (CHAPTER 2A)

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

#### ARRANGEMENT OF REGULATIONS

##### Regulation

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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);

*[Deleted by S 841/2015 wef 03/01/2016]*

“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;

*[S 675/2020 wef 07/08/2020]*

“variable capital company” has the meaning given by section 2(1) of the Variable Capital Companies Act 2018 (Act 44 of 2018).

*[S 675/2020 wef 07/08/2020]*

### **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;

<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 authorised representative 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.
6. A variable capital company	(a) A director or secretary of the variable capital company;
	(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);

*First column**Second column*

- (c) A receiver of the variable capital company, or of a particular sub-fund of the variable capital company; or
- (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).

*[S 675/2020 wef 07/08/2020]*

*[S 841/2015 wef 03/01/2016]*

**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.

LIM SOO HOON  
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*(Finance) (Performance),*  
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