

Companies (Register of Controllers and Nominee Directors) Regulations 2017

Table of Contents

Enacting Formula

Part 1 PRELIMINARY

1 Citation and commencement

2 Definition

Part 2 REGISTER OF CONTROLLERS

3 Prescribed particulars, form and place under section 386AF(7) of Act

4 Prescribed times or periods for purposes of Part XIA of Act

5 Prescribed manner of confirmation under section 386AF(10) of Act, etc.

6 Prescribed forms under section 386AG(3) of Act

7 Prescribed form under section 386AG(3)(b) of Act as applied by section 386AH(3) of Act

8 Prescribed form under section 386AG(3)(b) of Act as applied by section 386AI(3) of Act

Part 3 REGISTER OF NOMINEE DIRECTORS

9 Prescribed particulars of person for whom director is nominee under section 386AL(1) and (2) of Act

10 Prescribed form and place of register of nominee directors under section 386AL(4) of Act

Part 3A CENTRAL REGISTER OF CONTROLLERS

10A Prescribed form and manner of lodgment

10B Prescribed circumstances for disclosure, etc., of central register of controllers

Part 4 REGISTER OF MEMBERS OF FOREIGN COMPANY

11 Application of section 192 of Act

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

FOURTH SCHEDULE

FIFTH SCHEDULE

SIXTH SCHEDULE

SEVENTH SCHEDULE

No. S 116

**COMPANIES ACT
(CHAPTER 50)**

**COMPANIES (REGISTER OF CONTROLLERS AND NOMINEE DIRECTORS)
REGULATIONS 2017**

In exercise of the powers conferred by section 411 of the Companies Act, the Minister for Finance makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Companies (Register of Controllers and Nominee Directors) Regulations 2017 and come into operation on 31 March 2017.

Definition

2. In these Regulations, “identity card” has the meaning given to it in section 2(1) of the National Registration Act (Cap. 201).

PART 2

REGISTER OF CONTROLLERS

Prescribed particulars, form and place under section 386AF(7) of Act

3.—(1) For the purposes of section 386AF(7)(a) and (b) of the Act, the prescribed particulars of a company’s or foreign company’s registrable individual controllers are —

- (a) full name;
- (b) aliases, if any;
- (c) residential address;
- (d) nationality;
- (e) identity card number or passport number;
- (f) date of birth;
- (g) date on which the registrable individual controller became an individual controller of the company or foreign company (as the case may be); and
- (h) date on which the registrable individual controller ceased to be an individual controller of the company or foreign company (as the case may be), if applicable.

(2) For the purposes of section 386AF(7)(a) and (b) of the Act, the prescribed particulars of a company’s or foreign company’s registrable corporate controllers are —

- (a) name;
- (b) unique entity number issued by the Registrar, if any;
- (c) address of registered office;
- (d) legal form of the registrable corporate controller;
- (e) jurisdiction where, and statute under which, the registrable corporate controller is formed or incorporated;
- (f) the name of the corporate entity register of the jurisdiction in which the registrable corporate controller is formed or incorporated, if applicable;
- (g) identification number or registration number of the registrable corporate controller on the corporate entity register of the jurisdiction where the registrable corporate controller is formed or incorporated, if applicable;
- (h) date on which the registrable corporate controller became a corporate controller of the company or foreign company (as the case may be); and
- (i) date on which the registrable corporate controller ceased to be a corporate controller of the company or foreign company (as the case may be), if applicable.

(3) For the purposes of section 386AF(7)(c) of the Act, the prescribed form of the register of controllers is set out in the First Schedule.

(4) For the purposes of section 386AF(7)(c) of the Act, any of the following places is a prescribed place:

- (a) the registered office of the company or foreign company;
- (b) the registered office of any registered filing agent appointed by the company or foreign company for the purpose of keeping the register of controllers.

Prescribed times or periods for purposes of Part XIA of Act

4. For the purposes of the provisions of Part XIA of the Act set out in the first column of the Second Schedule, the prescribed times or periods are set out opposite in the second column of that Schedule.

Prescribed manner of confirmation under section 386AF(10) of Act, etc.

5.—(1) For the purposes of section 386AF(10) of the Act, the particulars of a controller to be entered in a company's or foreign company's register of controllers are

treated as confirmed if —

- (a) in response to a notice of the company or foreign company given under section 386AG(2) of the Act, a person confirms, or a registered filing agent confirms on behalf of the person, that the person is a registrable controller and has provided those particulars; or
- (b) a person has notified the company or foreign company under section 386AJ(1) of the Act that the person is a registrable controller and has provided those particulars.

(2) For the purposes of section 386AF(10) of the Act, the particulars of a controller to be updated in a company's or foreign company's register of controllers (called in this paragraph the new particulars) are treated as confirmed if —

- (a) in response to a notice of the company or foreign company given under section 386AH(1) of the Act, the registrable controller confirms, or a registered filing agent confirms on behalf of the registrable controller, that a change in the registrable controller's particulars that are stated in the register of controllers has occurred and has provided the new particulars as the particulars that have changed;
- (b) in response to a notice of the company or foreign company given under section 386AI(1) of the Act, the registrable controller confirms, or a registered filing agent confirms on behalf of the registrable controller, that the particulars that are stated in the register of controllers are incorrect and has provided the new particulars as the correct particulars; or
- (c) the registrable controller has notified the company or foreign company under section 386AK(1) of the Act that a change in the registrable controller's particulars that are stated in the register of controllers has occurred and has provided the new particulars as the particulars that have changed.

Prescribed forms under section 386AG(3) of Act

6.—(1) For the purposes of section 386AG(3)(b) of the Act, the prescribed form of a notice mentioned in section 386AG(2)(a) of the Act is set out in the Third Schedule.

(2) For the purposes of section 386AG(3)(b) of the Act, the prescribed form of a notice mentioned in section 386AG(2)(b) of the Act is set out in the Fourth Schedule.

Prescribed form under section 386AG(3)(b) of Act as applied by section 386AH(3) of Act

7. For the purposes of section 386AG(3)(b) of the Act as applied by